

SPRING PRESCHOOL QUESTIONS

TRANSITION TO PRIMARY

Q1: We have a four-year old child with disabilities who will be turning five by October 1. His mother doesn't think he is ready for primary school. May we keep him in the preschool program next year?

A1: Only under certain circumstances. The Admissions and Release Committee (ARC) needs to meet to discuss the child's IEP (individual education program) and placement. Under federal requirements, the committee is to first look at where the child would be if he did not have a disability; that is, the regular education classroom, or first-year primary program for this child. If the child's IEP can be carried out in this setting with aids and supplemental services, then the committee should plan for the transition of the child to primary. However, if the committee determines that the regular education setting is not appropriate to carry out this child's IEP, then the committee should consider alternatives. One of those alternative settings can be a preschool class. In considering preschool as an alternative instructional setting, the committee must consider and address these issues:

(1) The child will be enrolled as a primary student placed in preschool, not a preschooler; this will be year 1 of primary school for the child.

(2) The child will not be reported on the State Preschool enrollment count or on Head Start enrollment for funding purposes. This child will be counted for funding purposes in average daily attendance as an entry-level primary ("E-1") student. The funds generated through SEEK would then be used to support the cost of the child's program internally or by contract if an outside agency is involved.

(3) The child will be eligible for the same length of day as available to all other five-year old students in the school district, for five days a week. If the preschool class schedule does not provide this amount of time, then the committee needs to provide services in addition to the preschool class, or request a shortened school day to the Division of Exceptional Children Services. Additional services might include a home visit or placement with a group including other five-year olds on the fifth day.

(4) The preschool class must have space for the child. Even though the child is not on State Preschool or Head Start enrollment, he will be a member of the class in terms of maximum class size.

(5) The parents and the primary school staff need technical assistance and support in preparing to transition the child to primary at whatever point is determined appropriate by the ARC.

Q2: We have a four-year old child (no disabilities) who will be turning five by October 1. His mother doesn't think he is ready for primary school. May we keep him in preschool?

A2: What you are suggesting is retaining the child in preschool while he "gets ready" for primary. Because the primary school program is upgraded and designed to meet children's developmental needs, retention in preschool is not necessary in order to have an appropriate program. A unique exception is when an ARC has determined that the IEP for a child with disabilities cannot be implemented in the primary program, even with aids and supplemental services (see Question 1). In that case, the child is still a first year student but placed for IEP instructional purposes in an alternative setting.

For children without disabilities:

(1) Work with primary school staff on realistic expectations of entering five-year olds to meet their developmental needs. Normal five-year olds have a wide range of abilities.

(2) Plan for transition with the parent, the primary school staff and the children.

(3) Develop strategies like those suggested in Program Review No. 93-PRIM-112, Encouraging Parents of Entering Five-Year Olds (March 1993).

(4) As described in "State Regulations and Recommended Best Practices for Kentucky's Primary Program" (January 1993), individual five-year olds may be grouped for specific instructional purposes some of every day with children attending the preschool program. However, as described in Question 1, a five-year old child is considered an E-1 student and the issues of Question 1 need to be addressed.

SUMMER PROGRAMMING FOR PRESCHOOLERS WITH DISABILITIES (EXTENDED SCHOOL YEAR)

Q3: We have a child with disabilities who is turning three this summer. Should the IEP begin during summer, or at the beginning of school in the fall?

A3: In general, preschoolers with disabilities receive a standard school year program the same as your district's school calendar for all children. However, if the IEP team (Admissions and Release Committee) determines on an individual child basis that any child with disabilities needs more than the standard school year, then this could include summer programming and is called extended school year (ESY).

Specific to children turning three over the summer, the IEP services could generally start in fall. However, for some children who are individually determined to need extended school year services,

the IEP could start over the summer, either on or after the child's third birthday as determined by the IEP team.

For children transitioning from infant-toddler to preschool services on the child's third birthday, the United States Department of education has expressly stated: "If a child reaches age three during the summer, any ESY services in the IEP would have to be provided. Otherwise, the date of initiation of services could be the beginning of the upcoming school year (see comment 34 CFR 300.342)." OSEP Policy Letter, March 19, 1992.

Q4: How do we determine when extended school year services are needed for preschoolers? Couldn't all children benefit from a summer program?

A4: All children with and without disabilities could benefit from summer programs since children learn year-round, not just during school months. Extended school year services are not required for children with disabilities just to promote this ongoing learning and development.

Extended school year services are required only when the IEP team has determined that:

(1) an individual child will regress or lose current skill levels over the summer on IEP skills which are critical for self-sufficiency and independence, and

(2) the child will not recoup or return to the current level of these IEP skills after a reasonable time period in the fall. This is called the "regression/recoupment" standard.

Extended school year services are not required for learning new skills or for maintaining all current IEP skills but are focused on preventing regression on critical skills for self-sufficiency and independence.

The IEP team will need to look at the child's current level of skills on the IEP, carried over from the IFSP if the child has been in an infant/toddler program and is transitioning to preschool over the summer. If the IEP team believes that the child will lose any critical IEP skills over the summer and will not regain these skills in a reasonable period in the fall, then the IEP team should consider extended school year services to help maintain these skills over the summer and prevent the anticipated regression.

Q5: What kind of skills would be considered?

A5: Each school district should have an extended school year policy which identifies those skills which are critical to self-sufficiency and independence. Areas usually included cover such things as: basic communication, feeding, impulse control, physical mobility, and toileting or muscle control.

Q6: How do we determine whether the child will regress?

A6: Again, for extended school year services, the intent is to enable the child to maintain current levels in these types of areas, not make new progress.

A6: Each school district should have such information in their local policy on extended school year. Since programs/teachers keep ongoing records on the progress made on IEP skills, these records provide information to the IEP team on whether the child is having trouble maintaining critical skills over shorter breaks or interruptions in programming like weekends, holidays and winter or spring breaks.

If a child is transitioning from an infant/toddler program, the infant/toddler program would have some records on progress on IFSP skills carried over to the IEP. If records are not available and the IEP team has reason to believe that the child will regress and not recoup critical skills in a reasonable time in the fall, then the IEP team would need to use its best professional judgment and specify the reasons for determining the need, documented on the ARC conference summary records.

Q7: Do I need to operate my preschool classes over the summer for these children?

A7: No. Preschool classes are designed to help children learn, develop and grow in all areas of development. Extended school year services are focused on maintaining current levels of critical IEP skills. While ESY services could be provided in a summer preschool class if you operate one, you do not need to start a class just for ESY purposes. Depending on the skills and need, summer ESY services could be provided in the home, through recreational programs or any other arrangement which could help maintain the critical skills.