

Frequently Asked Questions

Annual Performance Report (APR) Indicator 6

Preschool Environments – Least Restrictive Environment (LRE)

The Individuals with Disabilities Education Act (IDEA) Part B requires that eligible children with disabilities ages 3 through 21 are provided a free appropriate public education (FAPE) and that they receive special education and related services in their least restrictive environment (LRE). See 20 U.S.C. § 1412. The IDEA regulations for preschool LRE require that preschool children with disabilities ages 3 through 5 are educated, to the maximum extent appropriate, with nondisabled peers. U.S. Dep’t of Educ., *Dear Colleague Letter* (Jan. 9, 2017).¹ In exercising its monitoring responsibilities, the state educational agency (SEA) must ensure that local educational agencies (LEAs) provide a full continuum of placement options for preschool children with disabilities. See 20 U.S.C. § 1412(a)(5).

Under 20 U.S.C. § 1416(b), the U.S. Department of Education’s Office of Special Education Programs (OSEP) requires each SEA and state lead agency to develop a State Performance Plan (SPP) that evaluates the state’s efforts to implement the requirements and purposes of the IDEA. The plan includes baseline data, measurable and rigorous targets, and a plan for refinement for all Annual Performance Report (APR) data indicators. Because a child’s LRE is individually defined and may be one of many placement options on a continuum, APR Indicator 6 (preschool LRE) is not a compliance indicator with a target of 100 percent. However, the SEA sets rigorous targets for Indicator 6 each year. Indicator 6 is federally defined in terms of the clear preference and intention of LRE as defined in IDEA. Therefore, OSEP expects all states to:

1. increase the percentage of children who are enrolled in and receiving the majority of their special education and related services in the regular early childhood program,
2. decrease the percentage of children enrolled in a special education program, *and*
3. decrease the percentage of young children receiving special education and related services in the home.

This document addresses frequently asked questions about preschool LRE and is intended to provide information to LEAs for reporting Indicator 6 – preschool environment data to the Tennessee Department of Education (department).

Indicator 6 – Preschool Environments: LRE measures the percent of preschool children ages 3-5 (not in kindergarten) with an individualized education program (IEP) who are enrolled in one of the following:

- (6a) regular early childhood program and receiving the majority (i.e., 50 percent or more) of special education and related services in the regular early childhood program;
- (6b) separate special education class, separate school, or residential facility; *or*
- (6c) are receiving special education and related services in the home.

¹ Available at https://sites.ed.gov/idea/files/policy_speced_guid_idea_memosdcltrs_preschool-lre-dcl-1-10-17.pdf.

Definitions:

EasyIEP – the state-wide software system managed by the department that is used to collect, store, and manage data collection for students with disabilities ages 3–22 as they progress through Part B of the IDEA. All LEAs access and utilize this system to maintain student records.

Integrated/embedded services – special education and related services are provided within the regular education program (e.g., classroom, playground) with services delivered within the daily routines and activities in which all children in the class participate (e.g., circle time, centers). Integrated services provide contextually relevant learning opportunities and a child’s access to and participation in learning experiences. See [Integrating Therapy into the Classroom](#) for research, benefits, and examples of integrated services.

Least Restrictive Environment – To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (20 U.S.C. § 1412, 34 C.F.R. § 300.114(5)(A)).

Majority of services – 50 percent or more of special education and related services are integrated within the regular early childhood program (see integrated services definition).

Regular early childhood program – a program that includes *at least* 50 percent of children *without* IEPs and includes Head Start, public or private preschool classes, licensed group child development centers, or licensed childcare.

Residential facility – a public or privately operated residential school or residential medical facility where the student resides on an inpatient basis.

Separate school – a school designed specifically for students with disabilities in either a public or private day school setting.

Special education classroom – a classroom that includes *less than* 50 percent children *without* IEPs and may include, but is not limited to, classrooms in regular school buildings, trailers/portables, childcare facilities, outpatient hospital facilities, or other community-based settings.

Preschool LRE

1. **When discussing LRE, the terms “inclusion” and “inclusive” are often used. How is “inclusion” defined?**

Within the context of early childhood education, “inclusion” is defined [as follows](#) by the Division for Early Childhood (DEC) of the Council of Exceptional Children (CEC) and the National Association for the Education of Young Children (NAEYC):

“Early childhood inclusion embodies the values, policies, and practices that support the right of every infant and young child and his or her family, regardless of ability, to participate in a broad range of activities and contexts as full members of families, communities, and society. The desired results of inclusive experiences for children with and without disabilities and their families include a sense of belonging and membership, positive social relationships and friendships, and development and learning to reach their full potential. The defining features of inclusion that can be used to identify high-quality early childhood programs and services are access, participation, and support.”

The U.S. Departments of Health and Human Services and Education (2015) provide [this definition](#):

“Inclusion in early childhood programs refers to including children with disabilities in early childhood programs, together with their peers without disabilities; holding high expectations and intentionally promoting participation in all learning and social activities, facilitated by individualized accommodations; and using evidence-based services and supports to foster their development (cognitive, language, communication, physical, behavioral, and social-emotional), friendships with peers, and sense of belonging. This applies to all young children with disabilities, from those with the mildest disabilities to those with the most significant disabilities.”

2. **Why is the inclusion of children with disabilities in regular early childhood programs important?**

In the [Dear Colleague Letter](#), the U.S. Department of Education states, “[LRE] requirements reflect IDEA’s strong preference for educating students with disabilities in regular classes with appropriate aids and supports.” Decades of research support the benefits of inclusion for young children with and without disabilities:

- Children with disabilities can be effectively educated in inclusive programs using specialized instruction (Barton & Smith, 2014; U.S. Departments of Health and Human Services and Education, 2017).
- High-quality inclusive settings are the only environments with data consistently supporting children’s superior learning (Strain, 2016).
- Fully inclusive options have been shown to work for children across disability groups and levels of severity (Strain, 2016; U.S. Departments of Health and Human Services and Education, 2017).
- Inclusion in high-quality early childhood settings promotes cognitive, communication, and social skills development of young children with disabilities (Strain, 2016; U.S. Departments of Health and Human Services and Education, 2017).

Further, benefits for typical peers in an inclusive classroom versus a non-inclusive classroom include the following (Strain, 2016; U.S. Departments of Health and Human Services and Education, 2017):

- Equal or greater cognitive and language skills

- Fewer challenging behaviors
- More advanced social skills
- More accepting attitudes toward individuals who are different
- Increased leadership and helping skills, self-esteem, and confidence

3. Is an LEA required to have a preschool regular education classroom and a preschool special education classroom each year to have a continuum of placements?

In the Policy Statement on the Inclusion of Children with Disabilities in Early Childhood Programs (2017), the U.S. Departments of Health and Human Services and Education state the following:

“LRE... requires a continuum of placement options be available to best meet the diverse needs of children with disabilities and presumes that the first placement option considered for each child with a disability is the regular classroom the child would attend if he or she did not have a disability. Thus, before a child with a disability can be placed outside of the regular educational environment, the full range of supplementary aids and services that could be provided to facilitate the child’s placement in the regular classroom setting must be considered.”

Due to the IDEA’s strong preference for including preschool children in regular education programs, LEAs should make available regular early childhood program options for enrolling young children with disabilities (ages 3-5, not in kindergarten). These options can include Head Start classroom(s), public or private preschool classroom(s), licensed group child development centers, and licensed childcare. While an LEA might not operate a preschool special education classroom at all times, the LEA should be prepared to provide such, or contract with a private entity for placement if the IEP team determines this to be the child’s LRE. Note that individualized placement decisions must be made based on the needs of the child, as determined by the IEP team, not classroom availability. Detailed prior written notices (PWNs) are required for each child and must include documentation of all LRE placement options discussed by the IEP team, including actions proposed or refused by the LEA.

4. Some LEAs do not offer a regular education preschool program for three-year-old children. Is the LEA required to have available a regular education preschool classroom for the youngest preschoolers with disabilities?

Yes. The IDEA LRE provisions apply to three-year-old children with disabilities even if an LEA does not operate a public preschool program for this age group. The OSEP’s [Dear Colleague Letter](#) (2017) emphasizes that an LEA must “ensure that a FAPE is provided in the LRE where the child’s unique needs (as described in the child’s IEP) can be met, regardless of whether or not the LEA operates public preschool programs for children without disabilities.” The LEA should consider the continuum of placement options outlined above according to the child’s needs as determined within an IEP meeting.

5. Is an LEA required to have a regular education preschool classroom(s) in addition to its Voluntary Pre-K (VPK) classroom(s)?

An LEA is required to provide FAPE in the child’s LRE. If the VPK classroom(s) can meet this requirement for all the preschool children with disabilities in the district whose LRE is a regular education preschool classroom, the LEA would not be required to have an additional regular preschool classroom. However, because VPK typically only enrolls income-eligible 4-year-olds, the LEA would need to consider regular

education preschool placement options for those children that do not meet the eligibility requirements, including three-year-olds, four-year-olds over the income threshold for VPK, and five-year-olds not enrolled in kindergarten.

6. *Since OSEP defines a regular early childhood program as having 50 percent or more children without IEPs, is it acceptable to plan for classrooms to have a 50/50 split of children with disabilities and without disabilities?*

Although a 50/50 split meets the OSEP definition, a more natural proportion of children with disabilities to children without disabilities (e.g., 2-3 children with disabilities in a class of 20) is recommended, and most often necessary, to have a high-quality inclusive classroom that is supported by research and meets the needs of all children (Strain, 2016). LEAs should consider the enrollment ratio in a preschool classroom may fluctuate as children with disabilities are added throughout the year, making it harder to maintain a 50/50 split classroom.

7. *Are services required to be integrated (or embedded) within the daily routines and activities of the regular education preschool classroom?*

The IEP team must convene to determine placement, individualized needs, and special education and related services for each child. OSEP's expectations regarding Indicator 6 and the measurement of preschool LRE call for children to be enrolled in and receive the majority of their special education and related services in a regular early childhood program. Thus, when determining LRE for a preschool child, the IEP team must consider both placement and service provisions. Note that a child with a disability must *not* be removed from educational opportunities in age-appropriate regular classrooms based solely on needed modifications in the general education curriculum.

Services delivered in a location that removes the child from the opportunity to interact with nondisabled children during ongoing typical preschool activities and routines do not qualify as services being received in the regular early childhood program ([EdFacts](#), SY 2019-20, FS089, p. 11).² Pulling a child with a disability aside within the regular preschool education classroom to receive a special education service is an example of a service delivery option that would *not* count for Indicator 6 purposes. However, integrated or embedded special education and related services do meet Indicator 6 requirements. Please see the definition of integrated/embedded services in the "Definitions" section listed above and question 16 for more information.

Note that only the majority of services (50 percent or more) must be integrated or embedded in the regular early childhood program to meet the Indicator 6 expectation. Some services can be provided through pull-out or other methods that do not meet the definition of integrated or embedded services. For example, a child who receives speech therapy in the regular education preschool classroom two times per week for 30 minutes each session could have up to 60 minutes of services that are not integrated into the ongoing typical preschool activities and routines. In this example, the majority of services would be counted as being provided in the regular early childhood program.

² [Instructions for Accessing EdFacts](#)

8. Is a 5-year-old with disabilities who is age-eligible required to go to kindergarten? Can the parent choose to delay the child's enrollment in kindergarten, choosing instead for the child to continue to receive preschool special education and related services?

Because compulsory education in Tennessee begins at age six, a 5-year-old child with disabilities is not required to begin kindergarten until age six. Thus, a parent can choose to delay the child's enrollment in kindergarten, just as parents of a nondisabled child may choose this option. If a parent elects to wait until age six to enroll his or her child in kindergarten, the LEA must continue to provide the child FAPE (with a PWN detailing the parent's decision) in the preschool LRE until the child transitions to kindergarten. While the IEP team, including the parent, should consider all options, the child's transition to kindergarten is ultimately the parent's decision.

Data Collection

9. How is Indicator 6 (preschool LRE) different from Indicator 5 (school-age LRE)?

Indicator 5 data are based on how much time a student with a disability spends in a regular education setting (e.g., 80 percent of the day). Rather than using the percentage of the day criteria, preschool environments data are based on where the child is enrolled and what percentage of IEP service time is provided *within* the regular early childhood program. Please see the [Indicator 6 Data Collection Training Webinar](#) for step-by-step instructions for completing the decision tree questionnaire.

10. What is the preschool environments (LRE) decision tree and how is it used to provide Indicator 6 data?

A decision tree is used to provide a structure for collecting Indicator 6 data. When completing the preschool LRE decision tree within the EasyIEP system, LEA staff respond to a series of questions based on the child's IEP and information from the family. Upon finishing the questionnaire, the child's LRE placement is categorized for data collection purposes (e.g., A1: enrolled in and receiving the majority of special education and related services in the regular early childhood program; C1: enrolled in a special education classroom).

The preschool environments decision tree is located on the early childhood tab of the documents section on the main page of EasyIEP. Detailed instructions for access are in the Resource section of this FAQ document. Also, it is recommended that LEA staff who are unfamiliar with the decision tree also watch the [Indicator 6 Data Collection Training Webinar](#) for more information.

11. For Indicator 6 purposes, is a child's preschool LRE placement data populated automatically by EasyIEP based on the services page of the IEP?

No. The child's LRE placement data does not automatically transfer to EasyIEP for Indicator 6 reporting purposes. To meet Indicator 6 requirements, LEA staff must also enter the preschool LRE placement data in EasyIEP by completing the preschool LRE decision tree questionnaire found embedded in the early childhood environment tab. Please see the [Indicator 6 Data Collection Training Webinar](#) for step-by-step instructions for completing the decision tree questionnaire.

The information on the child's IEP service page and the LRE statement must clearly state the child's LRE placement information as determined by the child's IEP team. For example, if the child is enrolled in a regular early childhood program and receives the majority of special education and related services in the regular early childhood program, the services page should reflect that at least 50 percent of services are provided in the regular education classroom. Regarding the description of the extent to which the child will not participate with nondisabled peers in the regular class, the IEP should include that the child is enrolled in a regular early childhood classroom all day and receives the majority of his/her special education and related services in the regular early childhood program. For example, "Billy is enrolled in VPK and receives all of his services in the VPK classroom, except occupational therapy services provided once per week for 30 minutes per session."

12. The term "attend" is sometimes used in documents relating to Indicator 6 (preschool LRE). When considering if a child is attending a regular early childhood program, does the child need to be enrolled in the program vs. attending as a 'visitor' for a portion of time?

Yes. LEAs should consider the classroom where the child is enrolled when determining if the child is "attending" a regular early childhood program. According to the U.S. Department of Education, "Children with disabilities being enrolled in a regular early childhood program most closely aligns with the intent of the least restrictive environment provisions of the IDEA" ([EdFacts](#), SY 2019-20, FS089, p. 11).³

Therefore, a child with a disability who spends time in a regular education preschool classroom (e.g., visits the kindergarten classroom or plays on the playground with a VPK class) cannot be counted as "attending" a regular early childhood program.

Note: If a child only receives drop-in or walk-in services, the child is not considered enrolled in a regular early childhood program (see question 21 for more information about drop-in services).

13. Can an IDEA 619 classroom be considered a regular early childhood program?

Yes. For preschool environment (i.e., Indicator 6) data collection purposes, the definitions of a regular early childhood program and a special education program are independent of any label placed on the classroom. If an IDEA 619 classroom has fifty percent or more children without IEPs, it is considered a regular early childhood program.

14. Should childcare and other programs that families have chosen for their children be considered when reporting Indicator 6 data?

Yes, LEAs should consider any additional childcare and other programs that families have chosen for their child when determining if the child is enrolled in a regular early childhood program. For example, if the family has enrolled their child in an after-school regular preschool program in the community (e.g.,

³ [Instructions for Accessing EdFacts](#)

Happy Days Childcare), the child would be considered enrolled in a regular early childhood program for Indicator 6 data collection purposes, even if also enrolled in a special education classroom in the LEA ([EdFacts](#), SY 2019-20, FS089, p. 11).³

15. Are informal programs such as “Mother’s Day Out” or a community playgroup considered regular early childhood programs for Indicator 6 data collection purposes?

No. Although offering natural opportunities for children with and without disabilities to be together, these informal programs do not count as regular early childhood programs because they are not certified as following state standards and most programs often do not have a curriculum. However, Head Start, a public or private preschool, a licensed group child development center, or licensed childcare meet the requirements to be considered regular early childhood programs.

16. How should children receiving the majority (50 percent or more) of special education and related services in a location other than the child’s classroom (but within the same building) be reported?

Services delivered in a location that removes the child from the opportunity to interact with nondisabled children during ongoing typical preschool activities and routines are not considered as services being received in the regular early childhood program ([EdFacts](#), SY 2019-20, FS089, p. 11).⁴ Therefore, services provided as 1:1 pull-aside (in the regular classroom), 1:1 pull-out, a small group comprised only of children with disabilities (within or outside of the regular classroom), or pull-out of a small group of children both with and without disabilities would not be counted as taking place within the regular early childhood program. These service provisions should be counted as “in some other location” when determining where 50 percent or more of services are provided.

17. For Indicator 6 reporting purposes, OSEP now includes only three-five-year-old children with disabilities who are not enrolled in kindergarten. How does this impact data collection at the LEA level?

Currently, the EasyIEP system requires that the preschool educational environments decision tree has been completed *and* an educational placement category has been entered to finalize an IEP for all children ages three through five, regardless of grade level. However, to align with OSEP’s new guidance for preschool and school-age groupings, the department is working on changes to the EasyIEP system that will no longer require early childhood environment data to finalize an IEP for five-year-old children in kindergarten. Please note that even if a five-year-old in kindergarten has early childhood environment data in their record, they are no longer included in APR Indicator 6 (preschool environments) data reporting. While five-year-old children in kindergarten are no longer included in APR Indicator 6 reporting, such children are included in APR Indicator 5 (school-age LRE) data reporting.

18. When should the educational environment data be updated for 3-5-year-old children?

For children ages three through five (not in kindergarten), preschool LRE data must be entered in any of the following instances:

⁴ [Instructions for Accessing EdFacts](#)

- When an IEP is finalized
- When an IEP is amended
- When a change in placement occurs within the current IEP year

When an IEP includes a change of placement for the child during the current IEP timeframe, the educational environment data must be entered upon IEP finalization *and* updated at the time of the placement change. For example, an initial IEP is finalized on March 1, 2023, and includes the child will be enrolled in a special education preschool classroom from March 1 to May 27, 2023 and will be enrolled in a regular education preschool classroom from August 1, 2023, until the end date of the IEP. In March 2023, the child's educational environment data must be entered in EasyIEP. In August 2023, the child's educational environment data must be updated to reflect the new placement.

Note: To update the preschool environments data in EasyIEP, please navigate to the early childhood tab of the child's record and enter the LRE data.

19. What is meant by “typical week” in the decision tree question: “Is the student attending a regular early childhood program at any time during the typical week?”

A typical week is what the child does consistently across weeks during the school year. For example, a child enrolled in a community-based licensed childcare program two afternoons per week would be counted as attending a regular early childhood program. If a child is attending a special after-school program that will only last one week, this would not count as a typical week. The child is not required to attend *every* day but does need to attend *consistently across time* to be considered “attending a regular early childhood program during the typical week.”

20. When determining where the majority of (50 percent or more) special education and related services are provided, do you consider services paid for by the family?

No. The question only refers to LEA-provided services. For example, when a child with a disability is enrolled in Head Start or parent-provided childcare *and* an SLP from the LEA provides therapy to the child at Head Start or the childcare, the service would be LEA-provided and should be considered when determining where the majority of services are provided. If the parent pays for an occupational therapist to work with her child after school, this would be a parent-provided service and would not be considered when calculating the percentage of services provided in the regular early childhood program.

21. The last placement option on the decision tree for preschool environments is “D2: service provider or some other location that is not in any other category.” How is D2 defined and when is it the appropriate placement category for a child?

Examples of D2 preschool environments include a private clinician's office, a therapist's classroom/office located in a school building (i.e., drop-in services), hospital facilities on an outpatient basis, and libraries and other public locations. A child should not have a D2 placement decision if the child is enrolled in a regular early childhood program, a special education program (i.e., special education class, separate school, or residential facility), or receives any LEA-provided services in the home.

22. Whom do I contact when I have preschool educational environment (LRE) questions?

For APR Indicator 6 technical assistance, contact your [APR Support Team Divisional Consultant](#):

Heather Anderson | Director of IDEA APR Support Program
Heather.Anderson@tn.gov
(615) 804-0299

Colleen Van Dyke | East TN Support Consultant
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(865) 210-6748

Dolly Gerregano | Middle TN Support Consultant
Dolly.Gerregano@tn.gov
(615) 761-6670

Sherry Walker | West TN Support Consultant
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(615) 920-0144

For programmatic and inclusive practice guidance, contact:

Shelby Ritter | Director of Early Childhood Special Education
Shelby.Ritter@tn.gov

Additional Indicator 6 Resources

- [AnLar](#) – Tennessee’s Technical Assistance Network (TN-TAN)
- [Early Childhood Technical Assistance Center \(ECTA\): Inclusion](#)
- [Indicator 6 Data Collection Training Webinar: Early Childhood Environments/Preschool LRE](#)
- [Annual Performance Report Local Determinations Quick Reference Guide](#)
- [Annual Performance Report Local Determinations Process Guide](#)
- *Decision Tree for Coding Educational Environments (see access instructions listed below)*

References

Barton, E., & Smith, B. (2014). Summary: Fact sheet on preschool inclusion. Retrieved on June 10, 2022, <https://ectacenter.org/topics/inclusion/research.asp>.

DEC/NAEYC. (2009). Early childhood inclusion: A summary. Chapel Hill: The University of North Carolina, FPG Child Development Institute. Retrieved on June 10, 2022, [Executive Summary - Inclusion \(decdocs.org\)](#).

EDFacts -Children with Disabilities (IDEA) Early Childhood File Specifications – SY2019-20, FS089, U.S. Department of Education, D.C.: EdFacts. Retrieved on June 10, 2022, [EDFacts Submissions System \(ESS\) File Specifications](#). (Please see [Instructions for Accessing EdFacts](#))

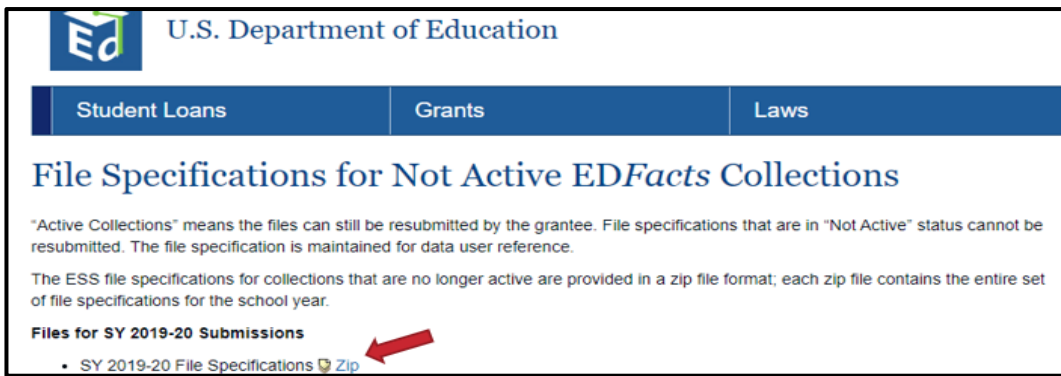
Strain, P. (2016). Preschool inclusion: What’s the evidence, what gets in the way, and what do high-quality programs look like? [Webinar transcript and PowerPoint] retrieved on June 10, 2022, [ECTA Center: Inclusion: Research and Studies](#).

U.S. Department of Education. (2017). Dear colleague letter (DCL) related to preschool least restrictive environments (LRE) retrieved on June 10, 2022, [UPDATED DEAR COLLEAGUE LETTER on Preschool Least Restrictive Environments \(January 9, 2017\) - Individuals with Disabilities Education Act.](#)

U.S. Departments of Health and Human Services and Education (2017). Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs. Retrieved on June 10, 2022, [Policy Statement on Early Childhood Inclusion](#)

Instructions for Accessing EdFacts

After clicking on the [EdFacts link](#), download the Zip file for "SY 2019-20."



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File Specifications for Not Active EdFacts Collections

"Active Collections" means the files can still be resubmitted by the grantee. File specifications that are in "Not Active" status cannot be resubmitted. The file specification is maintained for data user reference.

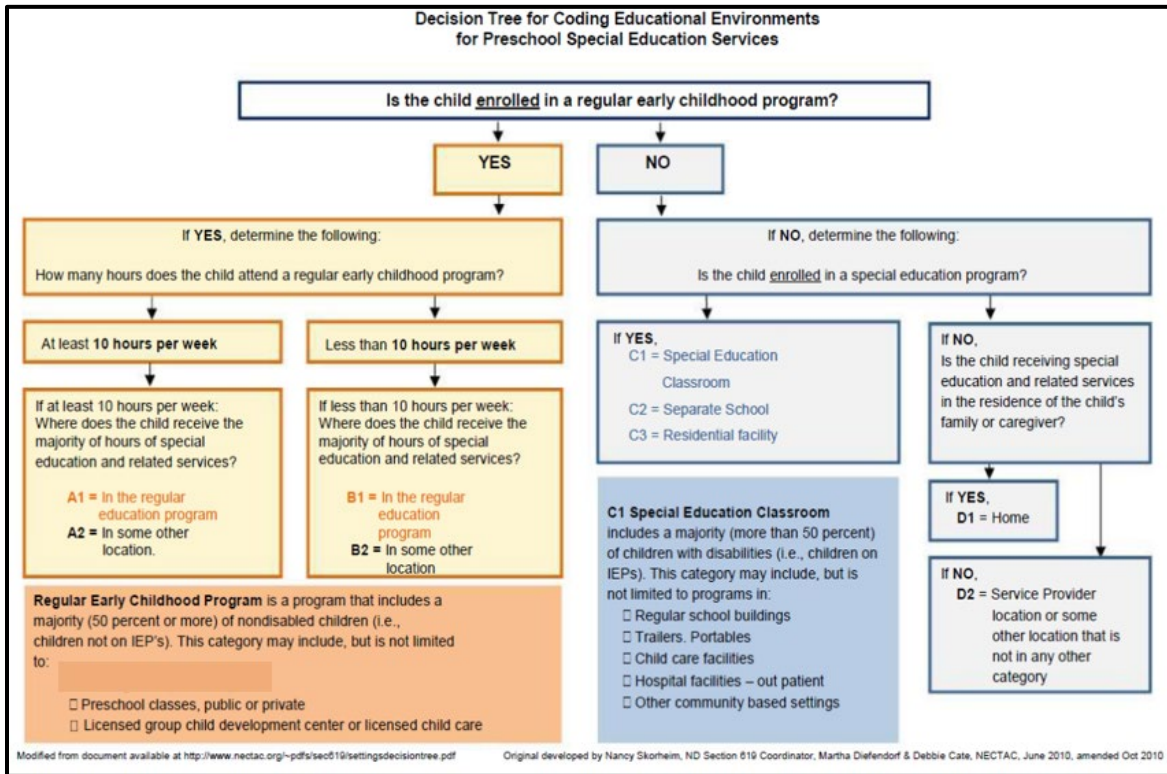
The ESS file specifications for collections that are no longer active are provided in a zip file format; each zip file contains the entire set of file specifications for the school year.

Files for SY 2019-20 Submissions

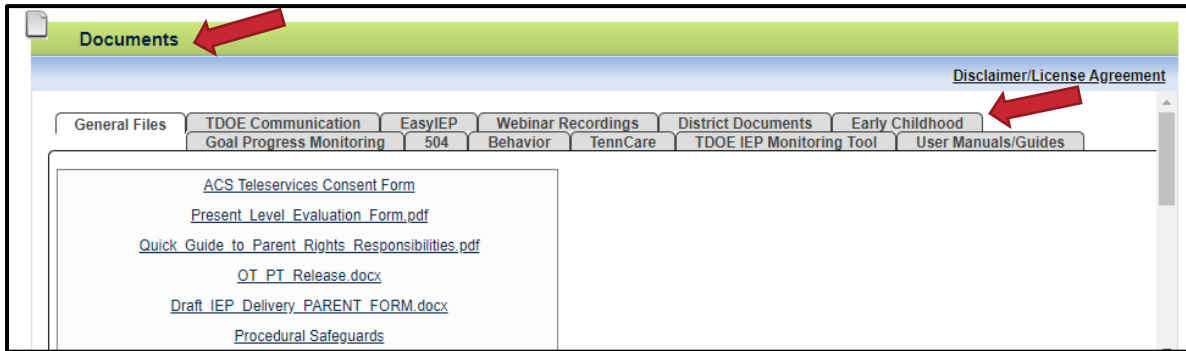
- SY 2019-20 File Specifications [Zip](#)

Next, to open the Early Childhood File Specification document, click on "**fs089-16-1**."

Name	Type	Compressed size
fs086-16-1	DOCX File	126 KB
fs088-16-0	DOCX File	146 KB
fs089-16-1	DOCX File	153 KB
fs099-16-0	DOCX File	135 KB



For accessing the Preschool LRE Decision Tree, please navigate to the main page of EasyIEP and scroll down to the documents section as shown in the image below.



Next, click on the Early Childhood tab and scroll down to the Early Childhood Educational Environments Decision Tree document.

