

# Indicator 6: Coding Examples

Promoting Preschool Inclusion in  
Nebraska's Journey to Inclusion



# Agenda

- Introduction
- Considerations in Determining Preschool LRE
- Placement Categories and Child Examples
- Process To Determine Preschool LRE
- Documentation And Justification Of Preschool LRE
- Prior Written Notice Examples
- Crosswalk
- Questions/Evaluation Feedback

# Introduction

## Indicator 6 B: Percent of Children Aged 3 through 5 with IEPs

6A	Receiving the majority of special education and related services in the regular early childhood program
6B	Receiving the majority of special education and related services in a separate special education class, separate school, or residential facility
6C	Receiving the majority of special education and related services at home

# Data Sources

Preschool Individual Education Plan (IEP)

District's Student Data System (setting and number/hours of special education and related services)

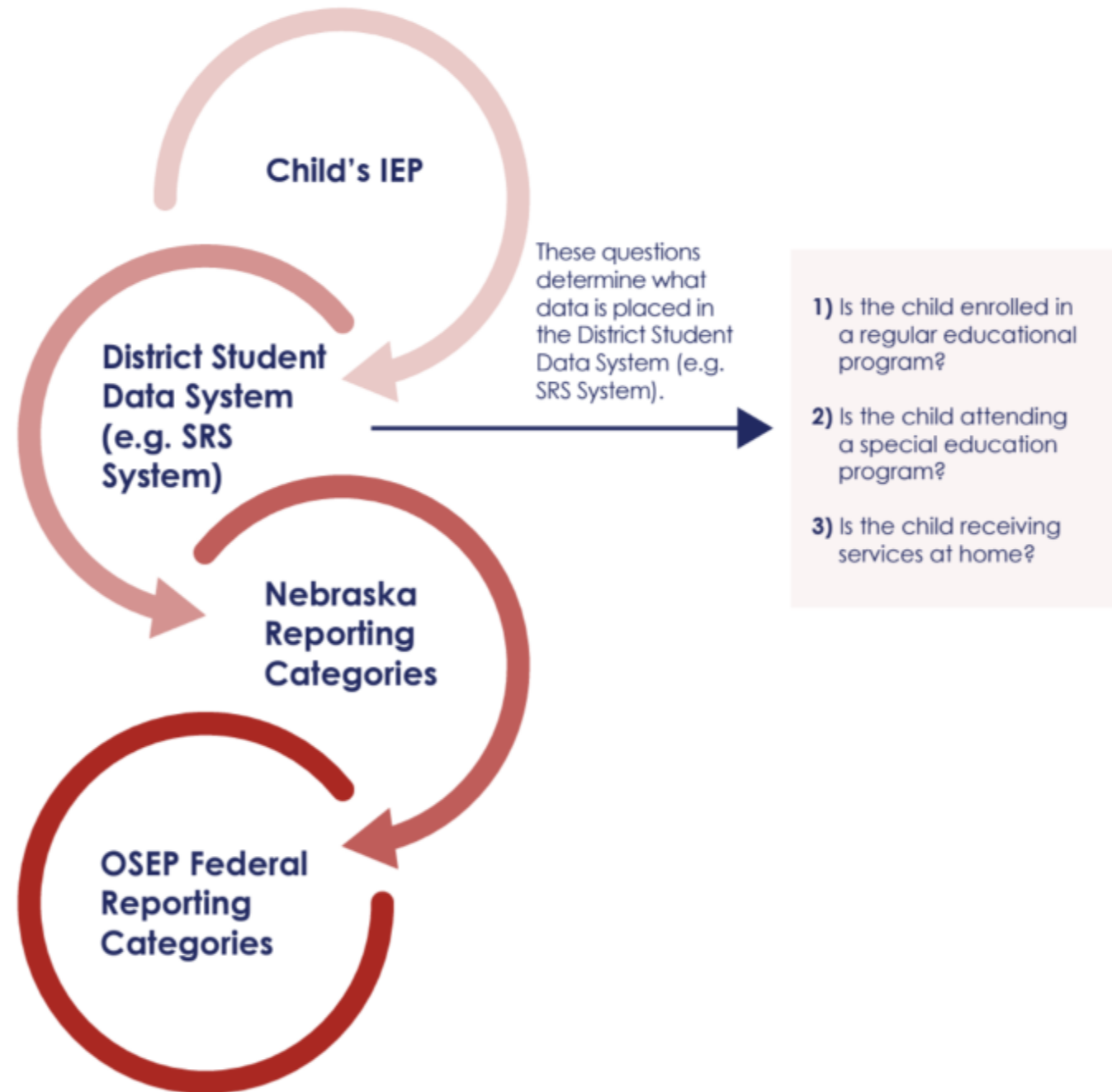
Calculation of Minutes to Determine Majority of Time Spent in Special Education and Related Services

Federal Reporting Categories

# Considerations in Determining Preschool LRE

- The IEP Process
- Ensuring a Continuum of Placement Options
- Understanding Placement

# Process to Determine Preschool Child's Least Restrictive Environment





The continuum of placement options denotes anywhere where an IEP can be implemented. It ranges from less restrictive (from all regular education with embedded services) to more restrictive (residential placement), as well as placements between those two points, as shown in the example above. State and federal regulations require that SEAs/LEAs make the continuum of placements options available to meet the needs of the preschoolers with disabilities.

## Continuum of Placements Options

# Understanding Placement

**What is Placement?** It is not the physical location of the special education services. Rather, it is the set of services **and** the type of environment, or the spot on the continuum of services, in which those services are delivered.

**Who Makes the Placement Decision?** The child's IEP team, including family members, makes the decision. This requires an **individualized** inquiry into the student's unique educational and related services needs.

**When is the Placement Decision Made?** It is the last of a series of decisions made at the IEP meeting. It is made after goals, objectives/benchmarks, and instructional/intervention modifications are developed. The placement considers all of the previous decisions made during the IEP meeting.

## How the LRE Mandate in IDEA assists in Making Preschool Placement Decisions?

To the maximum extent possible, preschoolers with disabilities or delays must be educated in the regular classroom. If a preschooler can be educated in the regular classroom with the use of supplementary aids and supports, less restrictive placements must always be considered. Separate settings occur only when the severity of the disability cannot be satisfactorily achieved with appropriate aids and supports.



What  
About?

Home  
Settings



For some preschoolers, the home setting might be the ideal least restrictive settings.

Services Not in  
Regular  
Education  
Setting are  
Articulated on  
the IEP



Prior Written Notice or Initial  
Placement Required

# Transitioning from IFSP to IEP

- IEP must be in place by August 31, 2023 for any child who is 3 and currently on an IFSP
- *Pursuant to the provision of 92 NAC 51-011, IDEA Part B funds are available to provide FAPE services to infants and toddlers with verified disabilities from date of diagnosis until August 31 following their third birthday.*

# Placement Categories: An Introduction



NEBRASKA DEPARTMENT OF EDUCATION  
DATA, RESEARCH, & EVALUATION

## ADVISER Data Elements

2022-2023

VERSION 7.2  
SEPTEMBER 16, 2022

# Introduction: Categories in Regular Early Childhood Programs

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**CATEGORY A (10+ hours in Regular Early Childhood Program)**

**ADVISER Code 16 (Majority of SPED services in RECP)**

**ADVISER Code 17 (Majority of SPED services in Some Other Location)**

# Introduction: Categories in Regular Early Childhood Programs

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**CATEGORY B (< 10 hours in Regular Early Childhood Program)**

**ADVISER Code 18 (Majority of SPED services in RECP)**

**ADVISER Code 19 (Majority of SPED services in Some Other Location)**

# Introduction: Categories in Special Education Programs

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## **CATEGORY C (Special Education Program)**

ADVISED Code 06 (Special Education Class)

ADVISED Code 05 (Separate School)

ADVISED Code 07 (Residential Facility)

# Introduction: Categories in Home, Service Provider Location, or Other Location

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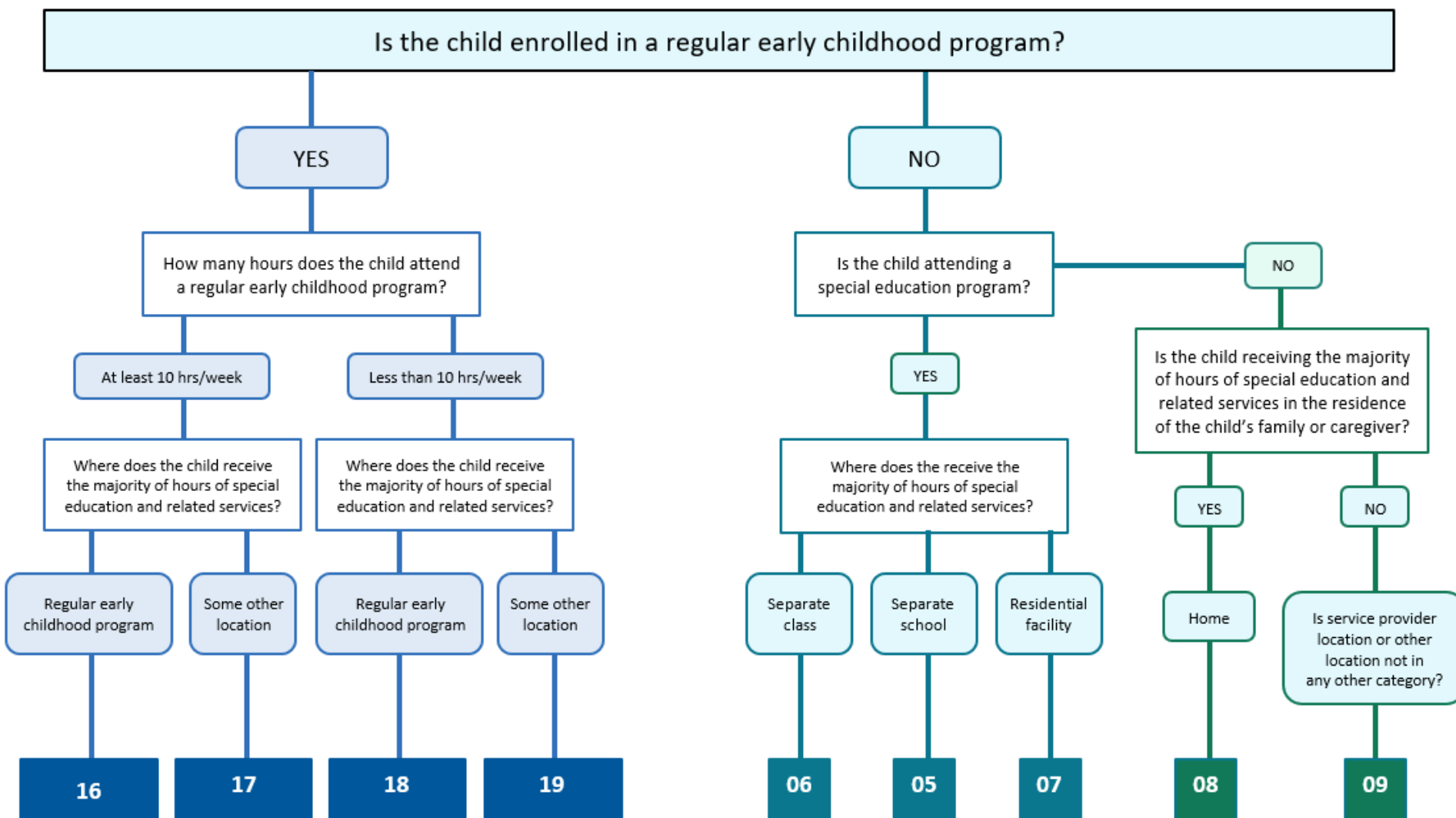
## **CATEGORY D (Home, Service Provider Location, or Other Location Not in Any Other Category)**

ADVISER Code 08 (Home)

ADVISER Code 09 (Service Provider Location)

ADVISER Code 11 (Other Location, Not in Any Other Category)\*\*

\*\*In the rare circumstance where your team thinks Code 11 might be appropriate, please contact NDE for further clarification.





# Placement Categories: The Details

# Category A: Gudahi



- **Category A:** Regular Early Childhood Program (RECP) is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs).
- 10+ hours in regular early childhood program
- Example - ADVISER Code 17 (Majority of hours of SPECIAL EDUCATION and RELATED SERVICES in some OTHER LOCATION)

# Examining Gudahi's IEP



\*In the case of a child who spends an equal amount of time across two or more settings, districts may choose the least restrictive setting of these two.

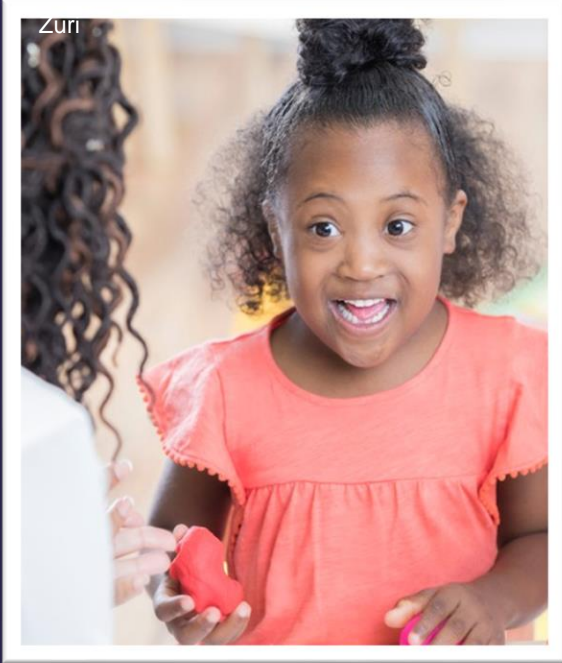
Service	Duration		Location		Frequency		Misc.
	Start Date	End Date		Times/Day	Frequency	Total Minutes/Week	Adviser Code
Special Education Services							
Special Instruction	Feb 12, 2021	Feb 11, 2022	Regular Early Childhood Program, 10+ h/wk; Services at EC Program	40 minutes/day	1 day/wk	40	16
Speech-Language Therapy	Feb 12, 2021	Feb 11, 2022	Some Other location	30 minutes/day	2 days/wk	60	17

Total Regular Early Childhood Program (RECP) Time Where Special Education Service Provided			40	16
Total Special Education and Related Services outside the RECP			60	17

Which ADVISER code has the greatest number of minutes? 17

60 minutes is where the majority of special education and related services are provided.

# Category A: Zuri



- **Category A:** Regular Early Childhood Program (RECP) is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs).
- 10+ hours in regular early childhood program
- Example - ADVISER Code 16 (Majority of hours of SPECIAL EDUCATION and RELATED SERVICES in the regular early childhood program)

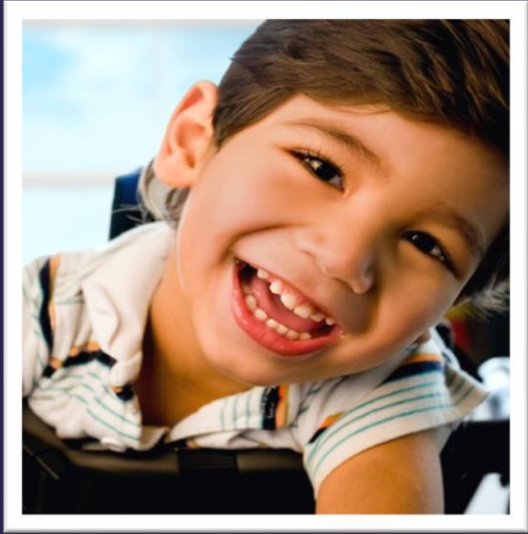
# Examining Zuri's IEP



\*In the case of a child who spends an equal amount of time across two or more settings, districts may choose the least restrictive setting of these two.

- Special Education Services
- Additional Special Education Services
- Total Regular Early Childhood Program (RECP) Time Where Special Education Service Provided
- Total Special Education and Related Services outside the RECP
- Which ADVISER code has the greatest number of minutes?
- Minutes is where the majority of special education and related services are provided.

# Category B: Jose



- **Category B:** Regular Early Childhood Program (RECP) is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs).
- < 10 hours in regular early childhood program
- **Example - ADVISER Code 18 (Majority of hours of SPECIAL EDUCATION and RELATED SERVICES in the RECP)**

# Examining Jose's IEP

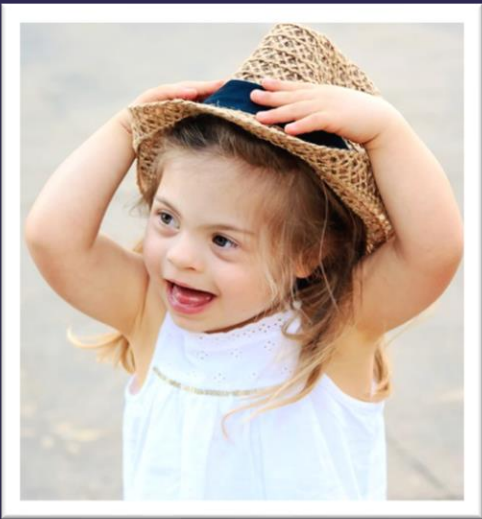


\*In the case of a child who spends an equal amount of time across two or more settings, districts may choose the least restrictive setting of these two.

- Special Education Services
- Additional Special Education Services
- Total Regular Early Childhood Program (RECP) Time Where Special Education Service Provided
- Total Special Education and Related Services outside the RECP
- Which ADVISER code has the greatest number of minutes?
- Minutes is where the majority of special education and related services are provided.



# Category B: Vera



- **Category B:** Regular Early Childhood Program (RECP) is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs).
- < 10 hours in regular early childhood program
- **Example - ADVISER Code 19 (Majority of hours of SPECIAL EDUCATION and RELATED SERVICES in SOME OTHER LOCATION)**



# Examining Vera's IEP



\*In the case of a child who spends an equal amount of time across two or more settings, districts may choose the least restrictive setting of these two.

- Special Education Services
- Total Regular Early Childhood Program (RECP)  
Time Where Special Education Service Provided
- Total Special Education and Related Services outside the RECP
- Which ADVISER code has the greatest number of minutes?
- Minutes is where the majority of special education and related services are provided.

# Category C: Destiny



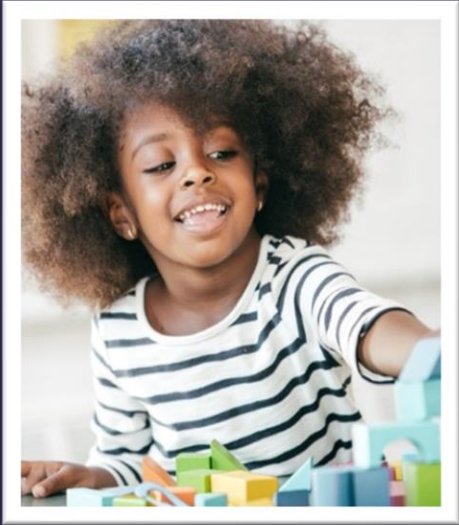
- **Category C:** Attends a special education program, specifically, a special education class.
- Special education classroom includes fewer than 50% non-disabled children (i.e., children not on IEPs). If the child does not attend a Regular Early Childhood Program, it is Category C
- **Example – ADVISER Code 6 (Attends a class intended primarily for children with disabilities and receives most special education and related services in that setting)**

# Category D: Jordan



- **Category D:** Receives the majority of hours of special education and related services at home.
- Home defined as principal residence of the child's family or caregiver, including non-licensed childcare
- **Example - ADVISER Code 08** (Majority of special education and related services within the principal residents of the child's family or caregiver, including non-licensed childcare)

# Category D: Aniyah



- **Category D:** Receives the majority of hours of special education and related services at the service provider location or some other location not in any other category.
- Service provider location defined as location where preschool comes for one or more special education and related services. Some other location defined as any location not in any other category.
- **Example - ADVISER Code 09** (service provided in a service provider location or some other location that is not in any other category)

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# Prior Written Notice: When Do You Need It?

# Documentation and Justification of Preschool LRE

- **When to use Prior Written Notice (PWN) to document Preschool LRE**

- According to 92 NAC 51-009.05A, Prior Written Notice (PWN) shall be given to the parents of a child with a disability a reasonable time before a school district or approved cooperative:
  - ✓ Proposes to initiate or change the identification, evaluation, or educational placement of a child or the provision of a free appropriate public education; or
  - ✓ Refuses to initiate or change the identification, evaluation, or educational placement of the child

# Documentation and Justification of Preschool LRE

## Jordan

- A description of the action proposed or refused by the school district or approved cooperative
- School District proposes refuses this action for the following reasons
- Other options the IEP team considered and reasons why those reasons were rejected
- Action based on the evaluation procedure, assessment, record, or reports described below
- Other factors which are relevant to the school districts proposal refusal

# Documentation and Justification of Preschool LRE

## Destiny

- A description of the action proposed or refused by the school district or approved cooperative
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# How the Crosswalk Can Help

## Preschool (Ages 3-5) Environments Crosswalk Nebraska 619 (District Level)

Adviser Code	Category	Definitions	Educational Environments included (not limited to):
16	Children attending a Regular Early Childhood Program (RECP) <b>at least 10 hours per week</b> ...and RECEIVING the majority of hours of SPECIAL EDUCATION and RELATED SERVICES in the RECP	The child attends a regular early childhood program for at least 10 hours a week <b>AND</b> receives the majority of special education and related services in the regular early childhood program. A regular early childhood program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on Individualized Education Programs (IEPs) or Individualized Family Service Plans (IFSPs)).	<b>Regular Early Childhood Program:</b> <ul style="list-style-type: none"> <li>• Head Start</li> <li>• Preschool classes offered to an eligible pre-kindergarten population by the public school system</li> <li>• Private preschools</li> <li>• Center-based childcare or development center</li> <li>• Licensed Child Care and Preschool Programs* (<a href="https://dhhs.ne.gov/licensure/Documents/ChildCareRoster.pdf">https://dhhs.ne.gov/licensure/Documents/ChildCareRoster.pdf</a>)</li> </ul>
17	Children attending a Regular Early Childhood Program (RECP) <b>at least 10 hours per week</b> ... and RECEIVING the majority of hours of SPECIAL EDUCATION and RELATED SERVICES in some OTHER LOCATION.	The child attends a regular early childhood program for at least 10 hours a week <b>BUT</b> receives the majority of special education and related services in some other location. A regular early childhood program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs or IFSPs).	<b>Other Location:</b> <ul style="list-style-type: none"> <li>• Any place outside the regular education classroom where a child receives their special education and related services.</li> <li>• This is typically considered a "pull out" service delivery model</li> </ul>
18	Children attending a regular early childhood program (RECP) <b>less than 10 hours per week</b> ...and RECEIVING the majority of hours of SPECIAL EDUCATION and RELATED SERVICES in the RECP.	The child attends a regular early childhood program for less than 10 hours a week <b>AND</b> receives the majority of special education and related services in the regular early childhood program. A regular early childhood program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs or IFSPs).	<b>Regular Early Childhood Program:</b> <ul style="list-style-type: none"> <li>• Head Start</li> <li>• Preschool classes offered to an eligible pre-kindergarten population by the public school system</li> <li>• Private preschools</li> <li>• Center based childcare or development center</li> <li>• Licensed Child Care and Preschool Programs* (<a href="https://dhhs.ne.gov/licensure/Documents/ChildCareRoster.pdf">https://dhhs.ne.gov/licensure/Documents/ChildCareRoster.pdf</a>)</li> </ul>
19	Children attending a regular early childhood program (RECP) <b>less than 10 hours per week</b> ...and RECEIVING the majority of hours of SPECIAL EDUCATION and RELATED SERVICES in some OTHER LOCATION.	The child attends a regular early childhood program for less than 10 hours a week <b>BUT</b> receives the majority of special education and related services in some other location. A regular early childhood program is a program that includes a majority (at least 50 percent) of nondisabled children (i.e., children not on IEPs or IFSPs).	<b>Other Location:</b> <ul style="list-style-type: none"> <li>• Any place outside the regular education classroom where a child receives their special education and related services.</li> <li>• This is typically considered a "pull out" service delivery model</li> </ul>

\*See Adviser Code 08 for non-licensed childcare.

# Questions?? and Evaluation

# For More Information Contact:

**Name:** Heather Ottoson

**E-Mail:** [heather.ottoson@nebraska.gov](mailto:heather.ottoson@nebraska.gov)

**Phone Number:** 531-289-8205

You may contact any of the following resources to help you understand the federal and state laws for education children with disabilities and parental rights granted by those laws. An explanation of your rights will be provided at no cost by any of the following organizations:

**Nebraska Parent Training Center:** 800-284-8520 or 402-346-0525

**Nebraska Advocacy Services:** 800-422-6091 or 402-474-3183

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**Project Officer:** Amy Rhone