

Considerations for Developing State Policy and Guidance on Inclusion of Children with Disabilities in Early Childhood Programs

[Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#)¹ (September 14, 2015): The U.S. Departments of Education and Health and Human Services released guidance setting a vision for action that recommends states, districts, schools and public and private early childhood programs prioritize and implement policies that support inclusion, improve their infrastructure and offer professional development to strengthen and increase the number of inclusive high-quality early childhood programs nationwide. The Departments crafted the guidance with the input of early learning professionals, families and early learning stakeholders. The policy statement also includes free resources for states, local districts, early childhood personnel and families.

ECTA Center created this resource based on the *U. S. Department of Health and Human Services and the U. S. Department of Education Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs*. It is intended as a tool for States to develop policy/guidance in order to implement high-quality inclusive practices across early care and education programs. States should carefully examine current practices to determine what policy/guidance needs to be in place to improve the opportunities for high-quality inclusion across early care and education programs. States may choose to use all the areas of considerations to guide policy/guidance development, or select one or more specific areas to address. A cross-sector state work group representing the State's early care and education partners should collaborate in developing the policy/guidance.

Implementation Science is a part of this process. "We also know that simply having a new policy or a mandate by itself will not lead to implementation. It's important. But policies by themselves – mandates by themselves – won't lead to implementation." (*Karen Blase, Senior Scientist at the Frank Porter Graham Child Development Institute at the University of North Carolina at Chapel Hill and Co-Director of the National Implementation Research Network [NIRN]*).² To learn more about Implementation Science ECTA has developed [A Guide to the Implementation Process: Stages, Steps, and Activities](#).³

Policies guide, but do not ensure, inclusive opportunities. Effective inclusion policies require systemic supports. States can use the system components described in the ECTA Center's [System Framework for Building High-Quality Early Intervention and Preschool Special Education Programs](#)⁴ to identify areas where support for their inclusion policies may be lacking.

¹ <http://www2.ed.gov/policy/speced/guid/earlylearning/joint-statement-full-text.pdf>

² *Ready, Set, Whoa!* Blase, K., March 2009

³ <http://ectacenter.org/~pdfs/implementprocess/implementprocess-stagesandsteps.pdf>

⁴ http://ectacenter.org/~pdfs/pubs/ecta-system_framework.pdf

Getting Started

The purpose of developing early childhood inclusion policy or guidance is to create a vehicle to provide more inclusive opportunities for young children. State or local policy/guidance is intended to be collaboratively written and followed to guide high-quality inclusion of children with disabilities in early childhood programs. As a state, you will determine whether you will be developing policy, guidance, or both. Both are intended to impact practices in a positive fashion. However, guidance documents serve as a “guide” or recommendations, while policy is typically mandatory and enforceable. It is important to determine when policy (versus guidance) is needed by a particular program; that all partners agree to policies; that they are aligned and not conflicting, and which programs have the authority to require adherence to policies to ensure inclusion is implemented appropriately.

Consider:

1. How will you engage your early childhood colleagues (including families) in this work?
2. How will you include the early childhood programs and/or agencies who work with young children?
3. How will you identify and address barriers to high-quality inclusion?
 - a) Consider gathering and analyzing data from cross sector data sources.
4. Who is the intended audience?
5. Will this be a policy or a guidance document?
6. How will the policy/guidance be promoted and shared?
 - a) Consider developing different policy/guidance formats for different audiences.
7. What is the plan for moving from policy/guidance to accountability?
8. What is the process and communication plan for development of policy/guidance with stakeholders?
9. Consider developing an implementation plan for setting goals, collecting data and tracking progress in order to evaluate the policy/guidance.
10. What are the supports/resources necessary for implementing the policy/guidance?
11. Consider developing/implementing state technical assistance systems that lead to results-based accountability to improve high-quality inclusive opportunities.

Overview of Inclusion

Consider:

1. Creating a cross sector vision for inclusion of all young children.
2. Creating a cross-sector definition of inclusion.
3. Sharing the scientific foundations of inclusion including the research of benefits for children with and without disabilities, and children with significant disabilities.
4. Describing the State’s mixed delivery system of high-quality inclusive early learning opportunities of established partnerships with early care and education programs, including private programs such as child care that will define service delivery models, including primary provider model and itinerant services.

Federal Regulations

Consider:

1. Reviewing the Federal legal foundations for inclusion found in:
 - a) IDEA Part C, IFSP
 - b) IDEA Part B 619, IEP to include:
 - i) describing state and federal regulations on natural environments and least restrictive environment, and
 - ii) providing an overview of the IFSP/IEP team process for determining the natural environment/least restrictive environment to include:
 - (1) present levels of developmental, academic and functional performance,
 - (2) measurable goals,
 - (3) accommodations and modifications,
 - (4) needed services and supports, and
 - (5) the determination process of the natural environment/least restrictive environment (placement is used in IDEA as “placement in early intervention or special education – not placement in a program),
 - c) Office of Civil Rights, Americans with Disabilities Act, 504,
 - d) Every Student Succeeds Act (ESSA), Title I,
 - e) Head Start,
 - f) Child Care Development Block Grant,
 - g) Medicaid, and
 - h) Maternal Infant Health.

State and Local Regulations

Consider:

1. Reviewing state and local regulations regarding serving young children with disabilities:
 - a) Early Head Start /Head Start,
 - b) Child Care,
 - c) State Pre-K,
 - d) District preschool programs,
 - e) Title I preschool,
 - f) Home Visitation programs, and
 - g) other early childhood programs.

2. Reviewing program/services requirements for the entities above as applicable:
 - a) program requirements/licensing regulations,
 - b) entrance requirements,
 - c) required enrollment,
 - d) placement decision making,
 - e) transportation,

- f) funding requirements,
- g) positive behavioral supports/suspension/expulsion,
- h) teacher licensure requirements,
- i) early intervention/special education/related service provider requirements,
- j) child/staff ratios,
- k) children with dual enrollments,
- l) reporting child progress/performance,
- m) recruiting children with disabilities,
- n) sharing and implementing IFSP/IEPs,
- o) collecting data,
- p) monitoring process,
- q) communicating with families, and
- r) other applicable requirements.

Ensure State Policy/Guidance Supports High-Quality Inclusion

State policy/guidance sets the direction for how LEAs, schools, and early childhood programs implement inclusion and provide the necessary services and supports for children with disabilities. States should develop and review policy/guidance to ensure that requirements facilitate, rather than create barriers to, high-quality inclusion consistent with Federal and State legal requirements.

Consider:

1. Ensuring that state policies and guidelines are consistent and promote the use of the [DEC Recommended Practices](#).⁵
2. Determining how policy/guidance promotes and supports coordinated and culturally and linguistically responsive comprehensive services across early childhood programs, including, health, mental health, and other social services.
3. Determining how to promote policy/guidance that builds statewide infant and early childhood mental health consultation (IECMHC) systems as well as social emotional models and frameworks (Positive Behavioral and Intervention Supports [PBS]/Center on Social Emotional Foundations for Early Learning [CSEFEL]/Technical Assistance Center on Social-Emotional Interventions [TACSEI]) that offer programs support so that:
 - a) children with disabilities, including those with emotional and behavioral difficulties, can be successful, and
 - b) teachers, providers and families have the skills and knowledge needed to promote this success.
4. Establishing policy/guidance for children who are dually placed in more than one program that:
 - a) eliminates policy/guidance that requires unnecessary transitions between service providers that can burden families, disrupt service delivery, and interrupt child progress, and
 - b) considers policy/guidance specific to transportation needs.
5. Establishing policy/guidance to ensure that after children are identified with a disability, families do not have to choose between early intervention or special education services and can remain in their

⁵ <http://www.dec-sp.ed.org/dec-recommended-practices>

existing early childhood program so that children stay in their existing early childhood program while receiving early intervention/special education services in that setting.

6. Establishing policy/guidance to ensure the principle of natural proportions guides the design of inclusive early childhood programs that addresses:
 - a) class size and adult/child ratios,
 - b) ratio of number of children with and without disabilities that considers individual children's participation and engagement within the classroom,
 - c) staff credentials that considers staff's skills and knowledge needed to support each child within the classroom, and
 - d) supports provided to regular early care and education programs.
 - e) supports provided to regular early care and education programs.
7. Reviewing state early learning guidelines to ensure that they are inclusive of the learning and developmental needs of children with disabilities, to include:
 - a) how [Quality Rating and Improvement System \(QRIS\)](#)⁶ /Tiered Quality Rating and Improvement System (TQRIS) addresses children with disabilities in each level of the framework by reviewing:
 - i) how *all* early childhood classrooms and programs are encouraged to participate, and
 - ii) how families of children with disabilities have access to high-quality early childhood programs.
 - b) how QRIS/TQRIS provides incentives to programs serving children with disabilities to improve the quality of inclusive classrooms,
 - c) how QRIS/TQRIS provides coordinated comprehensive services and supports across early childhood programs serving children with disabilities, and
 - d) what constitutes high-quality inclusion, how the quality of inclusion is defined and being measured (for individual children; for the program) and what tools/measures are being used.
8. Determining how to promote policy/guidance so that future early learning initiatives within the State, including expansion of early childhood programs such as State pre-kindergarten, have specific policies and procedures to:
 - a) recruit, enroll, and appropriately support the learning and developmental needs of all young children with disabilities, from those with mild to those with significant disabilities, and
 - b) involve Early Childhood Councils, Special Education Advisories, family organizations and other early childhood groups as appropriate in the decision-making process.
9. Establishing policy/guidance to promote a mixed delivery system of high-quality inclusive early learning opportunities to ensure that all programs are equipped to support the learning and development of all children by:
 - a) establishing partnerships with private early childhood programs,
 - b) ensuring that professional development and technical assistance efforts span across public and private community-based programs (including center-based and family child care programs),
 - c) developing or revising competencies for all personnel standards, credentials, certifications, and licensure requirements to include a clear expectation that all providers have knowledge of child development and learning to serve all children, including those with disabilities,
 - d) coordinating a statewide professional development system that offers cross-sector professional development and technical assistance to all early care and education program that includes:

⁶ <http://ectacenter.org/topics/quality/QRIS.asp>

- i) coordinated professional development supports and coaching to staff serving children with disabilities,
 - ii) collaboration with itinerate special education professionals,
 - iii) access for families,
 - iv) training and supports that are responsive to program needs,
 - v) data collection and evaluation methods, and
 - vi) partnering with Institutions of Higher Education.
10. Establishing a baseline that identifies the number of high-quality slots for children to be included are available, the number of children with and without disabilities served in those slots, and benchmarks that track progress in reaching the State's goals.
11. Ensuring that families are involved in policy/guidance decisions, including providing support to family organizations to build the capacity of families to meaningfully participate in policy/guidance discussions, planning, and evaluating the State's progress towards their inclusion plan.

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