

These comments are provided on behalf of the Ohio School Boards Association, Buckeye Association of School Administrators, Ohio Association of Elementary School Administrators, Ohio Educational Service Center Association, Ohio Federation of Teachers, Ohio Association of School Business Officials, Hamilton County Educational Service Center and Montgomery County Educational Service Center

Integrated Definition

Return the definition of integrated classroom to the original definition proposed by ODE and one that is in compliance with the USOSEP Dear Colleague letter. ODE's draft language prior to July 2018 read:

"(ii) An integrated preschool education class with at least 50% nondisabled children enrolled meets the federal reporting requirement for a regular early education setting."

If ODE wants to expand the current definition of an integrated class to also include more than 50% but less than 100% of the students are children without disabilities, that is acceptable, but the current definition needs to be maintained for best practice purposes.

When you increase the percentage of students with IEPs in an integrated classroom you are no longer in compliance with the federal definition of regular education classroom. The general education needs of the typical children in an integrated class need to be assured also.

The Dear Colleague letter states that "the first placement option considered for a preschool child with a disability is the regular public preschool program the child would attend if the child did not have a disability." Ohio does not fund universal preschool, so most often, the integrated class is the regular preschool program the child would attend. If it is not the best placement for the child, the IEP team, including the parents, should make that decision.

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(2) In considering appropriate placement options consistent with the requirement to service students in the least restrictive environment, the IEP teams shall consider the **following** available options ~~in the following order~~:

- (a) A regular early childhood education setting in which more than 50% of the student are children without disabilities,
- (b) **An integrated or** regular early childhood education setting in which only 50% of the students are children without disabilities,
- (c) **A public school preschool special education class** in which more than 50% but less than 100% of the students are children without disabilities,
- (d) A public school preschool special education class **in which there are only children with IEPs enrolled in the class,**
- (e) A special school,
- (f) A home or service provider location.

Preschool Quality

The definition of a high quality preschool should be those public and private preschools with a Step Up to Quality rating of 4 or 5. A school with a rating of 3 does not have the necessary professional staff to

guarantee the fidelity of implementing a standards-based curriculum with lesson plans aligned to state early childhood standards and embedded assessment opportunities that inform individualization, as well as the skills to integrate the child's IEP into everyday activities.

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"Non – public school preschool program" means a program that meets all of the following:

- ii. A program having ~~a 3~~, a 4, or 5-star rating in Step Up to Quality.....

Requirement to Provide List of Available Community Preschool Options

The proposed rules would require school districts to create, post, and discuss with parents a list of available community preschool options. The list must include preschools outside of the district's boundaries. The following language should be deleted.

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(I) Delivery of Services

- (1) In ensuring that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services, a school district shall annually prepare, post publicly, and make available to parents during the evaluation process; a list of the available 4 and 5-star preschool education service options in the community. ~~This list shall not be limited to service providers within the geographic boundaries of the district but shall include providers outside the limits of the school district boundaries that may be more easily accessible to children with disabilities living within the boundaries of the school district.~~ This list shall inform the discussions and decision on the appropriate placement of each child with a disability.

Otherwise, since the current proposed rule does not specify how far outside of the district boundaries a district is required to look for qualified options, the rule must be amended to include some geographic restriction (i.e., miles, time on a bus, etc.).