



Florida Department of Education Office of Early Learning

Technical Assistance Paper #: 07- 03 Voluntary Prekindergarten (VPK) Education Programs and Programs for Children with Disabilities

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This technical assistance paper (TAP) replaces TAP # 05-02, *Voluntary Prekindergarten Education Programs (VPK) and Programs for Children with Disabilities*, disseminated July 20, 2005.

Background Information

Federal Requirements for Children with Disabilities

- Federal law (the Individuals with Disabilities Education Improvement Act (IDEA 2004) requires that State Educational Agencies (DOE) and Local Educational Agencies (LEAs) make a free, appropriate, public education available to eligible children with disabilities by their third birthday.
- Florida law (sections [1003.21\(1\)\(e\)](#) and [1003.57](#), Florida Statutes (F.S.)) designates local school districts as LEAs responsible for the provision of services to children with disabilities.
- Children with disabilities are entitled to extended school-year (ESY) services beyond the 180-day school year if these services are determined necessary by their individual educational plan (IEP) teams in order to address regression or other factors that must be considered when determining the need for ESY services.
- School districts provided special education and related services to 10,987 four-year-olds (34% of all four-year-olds served by school districts in 2005-06) (Charts 1 and 2).

Funding for Programs for Children with Disabilities

- Funding for school-year programs for children with disabilities is via the Florida Education Finance Program (FEFP) at K-3 cost factors (i.e., 111, 254, and 255) for a maximum of 720 hours (1.0 full-time equivalent (FTE)) (Chart 3).
- Prekindergarten children with disabilities often are served for less than 1 FTE (20 hours of net instructional time per week for 36 weeks) (Charts 4, 5, 6, and 7).
- There is not an additional designated funding source for ESY services. Districts can use their supplemental academic instruction funds or choose to allocate a portion of their federal IDEA funds to support ESY services.

Requirements for VPK Programs

- All eligible four-year-olds, including children with disabilities, are entitled to participate in **either** a school-year VPK program **or** a summer VPK.
- VPK programs are operated by early learning coalitions, and **are not funded as a part of the state's elementary and secondary program.**
- The VPK program itself is not a special education program and therefore does not provide for specially designed instruction and related services. However, a child's IEP team may

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determine that a school-year VPK classroom is an appropriate location for the child's IEP to be implemented, or that the child requires extended school year (ESY) to be provided in a summer VPK classroom.

- The requirements of Americans with Disabilities Act (ADA) apply to community-based child care programs.
- Section 504 of the Rehabilitation Act of 1973 applies to VPK programs if the provider receives federal funds for that program.

Questions and Answers

Service Delivery Models

1. Can a school-year VPK classroom be the location where FAPE is delivered by the local school district?

Yes. Districts have long had the obligation to provide services in the least restrictive environment to prekindergarten children with disabilities. VPK classrooms are one option for meeting this requirement. Districts are strongly encouraged to initiate new options for the delivery of specially designed instruction and related services through collaboration with school-based VPK programs or through services offered at community-based VPK provider sites. However, it is important to note that the VPK class size requirements of a minimum of four, and a maximum of 18 children, would apply to these classrooms for children with disabilities funded through the FEFP.

2. What might a classroom look like with both ESE children and VPK children enrolled?

The following examples of such program delivery models are not all-inclusive, but should provide districts with options to consider:

- Itinerant/Consultative Services at a VPK Program Site
 - The child is enrolled in a school-year VPK program.
 - The VPK program generates VPK funds for 540-hours.
 - The school district generates FEFP funds only for the amount of time for the specially designed instruction and related services (e.g. sixty minutes of speech therapy per week).
 - The IEP reflects ONLY the specially designed instruction and related services and indicates the VPK classroom as the location of services.
- Half-Day ESE Program and Half-Day 540-Hour VPK
 - The child is enrolled in a school-year VPK program.
 - The VPK program generates VPK funds for 540-hours.
 - The child is enrolled in an ESE program for the remainder of the school day.
 - The school district generates FEFP funds for the amount of time the child is enrolled in the ESE program for the specially designed instruction and related services.
 - The IEP reflects ONLY the specially designed instruction and related services and indicates ESE prekindergarten class as the location of services for the half-day program.
- Full-time ESE Services (720 hours) provided in a blended program that includes school year VPK program, Head Start, Title I, and/or School Readiness
 - The child is enrolled in the public school district ESE program for the full day, and is not enrolled in the VPK program.
 - The school district generates FEFP funds for the amount of time the IEP indicates the child receives specially designed instruction and related services.

- The IEP reflects the full-time ESE services and indicates a blended/general education prekindergarten classroom as the location of services.
- The child remains eligible for the summer VPK program option.
- Full- or Part-time ESE Program Provided by School District Through a Contractual Arrangement with a Community-Based VPK Provider during the School Year
 - The school district enters into a contractual agreement for the provision of special education services in accordance with Rule [6A-6.0361](#), Florida Administrative Code (FAC), *Contractual Arrangements with Nonpublic Schools*
 - The school district generates FEFP funds for the amount of time the IEP indicates the child receives specially designed instruction and related services
 - The IEP reflects the full- or part-time ESE services and indicates the contracted VPK classroom as the location of services.
 - The child remains eligible for the summer VPK program option when the IEP indicates full-time ESE services.
 - If the IEP indicates part-time services, the child could be enrolled in the half-day 540-Hour VPK program during the school year.

3. Can the summer VPK program be used as the location or site where ESY services are provided?

Yes. As noted above, districts have long had the obligation to provide services in the least restrictive environment to prekindergarten children with disabilities. The consideration of least restrictive environment applies to services provided within the traditional school year as well as ESY services. VPK classrooms are one option for meeting this requirement.

4. If a child with disabilities participates in the summer VPK program and his/her IEP does not include ESY, is the district obligated to provide specially designed instruction and related services or support the child's placement in the VPK program?

No. The obligation for such services beyond the traditional school year would be included in the ESY determination made on an individual basis through the IEP. However, the summer VPK program must be accessible to children with disabilities.

5. What staffing patterns are typically used when a school-district operated VPK class is blended with a prekindergarten class for children with disabilities?

Two staffing patterns have emerged based on conversations with school districts that implement this model of service delivery, a "single teacher" model and a co-teaching model.

In the single teacher model, the classroom is staffed by one teacher and at least one paraprofessional, with the teacher being qualified in accordance with the Course Code Directory to teach prekindergarten children with disabilities (Course Number 7650130) and VPK (Course Number 5100580). The teacher is assisted by a paraprofessional(s).

In the co-teaching model, the classroom is staffed by two teachers. One teacher is assigned as the teacher for the prekindergarten children with disabilities (Course Number 7650130) and is qualified as required. The other teacher is assigned to the children being served through the VPK program (Course Number 5100580). The teacher assigned for the VPK children may be a child development associate or have an equivalent credential (CDA/CDA-E), in accordance with the VPK credential requirements described in section [1002.63](#), F.S.,

School-year prekindergarten program delivered by public schools. These teachers also may be assisted by a paraprofessional.

6. If a school district plans to “blend” a prekindergarten class for children with disabilities with a VPK class (school-year program), what credential would be required for the instructor?

The 2006-07 Florida Course Code Directory provides guidance for situations in which the VPK classroom setting serves as the inclusive setting for a child with a disability (Section 1(F), *Course Code Directory System Guide: Course Numbering System*). It states that when the Head Start, Title I, school readiness, prekindergarten other, or voluntary prekindergarten education program serves as an inclusive setting for a child with a disability, or these programs are “blended” with the prekindergarten disabilities program, the teacher may hold certification as required in the Head Start, Title I, school readiness, prekindergarten other, or voluntary prekindergarten education course code description, or as listed in the Exceptional Education Table – Required Certification.

It is important to note, however, that the requirements differ for “blended” classrooms and those using a “reverse mainstreaming model.” That same section of the Course Code Directory states that if ESE classes for prekindergarten children with disabilities include children served in Head Start, Title I, school readiness, prekindergarten other, or the voluntary prekindergarten education program using a “reverse mainstreaming model,” the teacher must hold certification as listed in the Exceptional Education Table – Required Certification.

Funding

7. Can an eligible child with disabilities participate in both an FEFP- funded special education program and the VPK program?

Yes. A prekindergarten student’s schedule may be reported with multiple FEFP codes, such as VPK (FEFP number 999) for 900 minutes a week and ESE programs that are funded through the FEFP (such as a student who is 111 for 90 minutes a week).

8. What effect does the VPK program have on districts’ funding through the FEFP for special education programs?

None. Districts are required to continue to offer and provide FAPE to eligible four-year- olds. These services will continue to be funded via the FEFP. Funding for children participating in the VPK program is provided by the Agency for Workforce Innovation (AWI), through local coalitions, to districts, via a separate funding source.

9. Are there additional VPK funds for children with disabilities?

No. The per FTE allocation for the VPK program is based upon the base student allocation (BSA) determined annually by the legislature multiplied by the district cost differential (DCD). This allocation applies to all participating children.

10. What are the fiscal considerations when district-operated VPK classes and ESE prekindergarten classes are blended?

Direct instructional costs related to VPK should be reported in Function 5500, with other costs specifically incurred for VPK reported in the appropriate functions. In order to facilitate

reporting costs for each program, expenditures from the VPK school year program and expenditures from the VPK summer program should be recorded as separate projects. The projects should include the direct instructional costs (Function 5500) and other costs specifically incurred for VPK that are reported in the appropriate functions. Do not include allocation of costs that would otherwise be incurred by the facility for staff (e.g., regularly assigned administrative staff, custodial staff), facility operating costs (e.g., utilities, maintenance, insurance), or district administrative costs.

11. If a school district provides itinerant/consultative services in a VPK program, as stated in the first option referenced above, will this have a negative fiscal impact on the VPK provider and be considered to reduce the required 540-hours of VPK services?

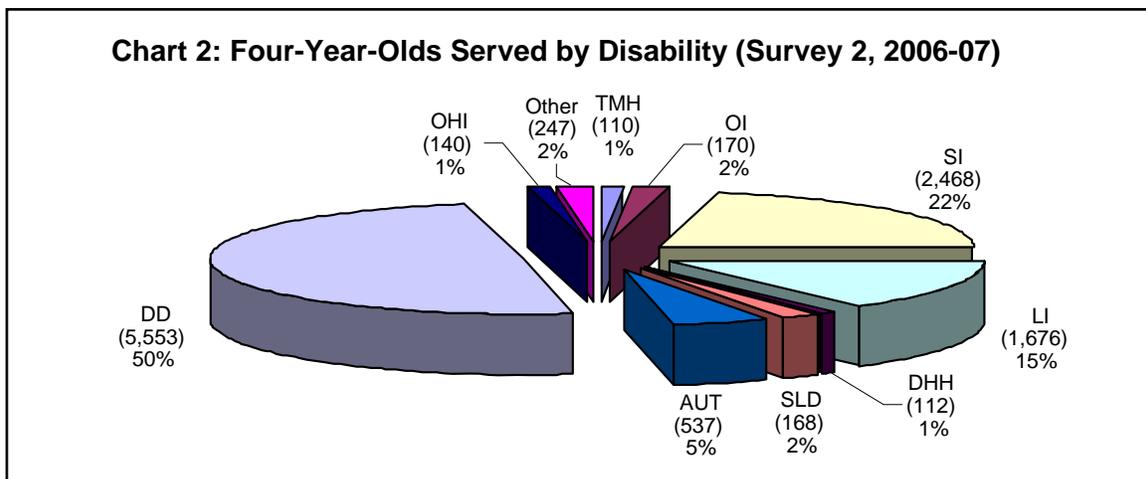
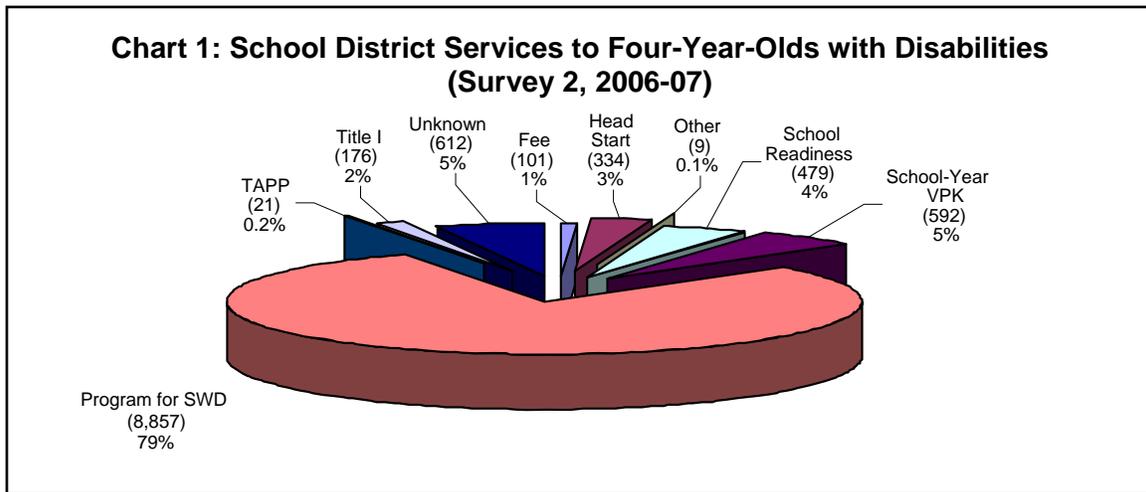
No. Itinerant services provided to children attending a VPK program will not create a negative fiscal impact for the VPK provider. To the extent possible when implementing this, districts should consider embedding interventions in the VPK classroom. In such a model the child would not be removed from the VPK classroom; instead, services would be incorporated into everyday classroom activities. This is an appropriate practice for many prekindergarten children with disabilities.

12. If a school district provides special education services that result in the child being absent from the VPK program, will this have a negative fiscal impact on the VPK provider and be considered to reduce the required 540-hours of VPK services?

No. Rule [60BB-8.204](#), FAC, *Uniform Attendance Policy for Funding the VPK Program*, allows for an instructional day from which a child is absent to be payable if the child's absence is excused. A child's absence is excused if the child does not attend the VPK program on an instructional day due to "(3)(b)7...[s]pecial education or related services as defined in 20 U.S.C. § 1401 (2004) for the child's disability..." Such an excused absence "(c)...is not payable unless the reason for the absence is documented in writing and the private provider or public school submits the documentation to the coalition or contractor. 1. A child's parent may document (e.g., parent's note) seven or fewer excused absences per calendar month. 2. Beyond seven excused absences, a person other than the child's parent must document the excused absence, the person must be unrelated to the child or the child's parent, and the documentation must show that the person has personal knowledge of the reason for the child's absence (e.g., letter from a physician)."

Appendix

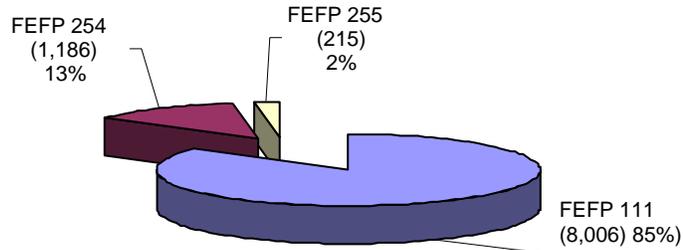
School District Services to Prekindergarten Children (Survey 2, 2006-07)



Note: Percentages may not equal 100 due to rounding.

Categories of Disabilities	
AUT	Autistic
DD	Developmentally Delayed
DHH	Deaf or Hard of Hearing
LI	Language Impaired
OI	Orthopedically Impaired
OHI	Other Health Impaired
SI	Speech Impaired
SLD	Specific Learning Disabled
TMH	Trainable Mentally Handicapped
Other	Educable Mentally Handicapped; Visually Impaired; Emotionally Handicapped; Hospital/Homebound; Profoundly Mentally Handicapped; Dual-Sensory Impaired; Severely Emotionally Disturbed; Traumatic Brain Injured

Chart 3: Four-Year-Olds with Disabilities by Program Cost Factor (Survey 2, 2006-07)



Note: There were 1,774 children not reported for state funding.

Cost Factor	Cost Factor x BSA (\$3,981.61)
111 (1.035)	\$4,120.97
254 (3.734)	\$14,867.33
255 (5.201)	\$20,708.35

Chart 4: Range of UFTE for Four-Year-Olds with Disabilities (Survey 2, 2006-07)

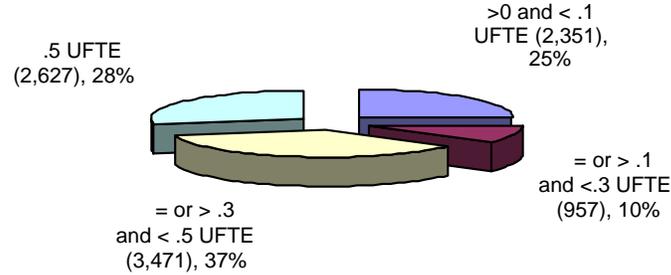


Chart 5: Percent of Four-Year-Olds with Disabilities with .5 UFTE by Program Cost Factor (Survey 2, 2006-07)

