NYSAC Legislative Conference
January 28, 2019

New York State Education Department

Program and Fiscal Update

Office of Early Learning (OEL) & Office of Special Education (OSE) Preschool Unit

Joint Projects & Shared Stakeholder Engagement:

- A Resource Guide to Special Education Support Services: http://www.p12.nysed.gov/earlylearning/documents/AResourcetoSpecialEducationSupportServices.pdf

- Board of Regents Early Childhood Workgroup's Blue Ribbon Committee Report:
- http://www.p12.nysed.gov/earlylearning/documents/ECBRCFinalReport2018.pdf

- SCIS Methodology Workgroup: http://www.oms.nysed.gov/rsu/Announcements/SCIS/SCISInformation.html

A Resource to Special Education Support Services
FROM BIRTH TO THIRD GRADE
The University of the State of New York
New York State Education Department

NYS Board of Regents Early Childhood Workgroup's
BLUE RIBBON COMMITTEE
Final Recommendations
September, 2018

Betty A. Rosa, Chancellor of the New York State Board of Regents
Regent Lester W. Young, Jr. and Regent Luis O. Reyes, Co-Chairs
MaryEllen Elia, Commissioner of Education and President of the University

Board of Regents Budget Recommendations for Early Learning

Comprehensive recommendations to address improvements to early learning opportunities to benefit ALL CHILDREN

- Establish Early Learning Technical Assistance Centers: $2M

- Promote Blended Learning: $6M Pilot

- Fund Prekindergarten Expansion: $20M

- Fund Expansion of QUALITYstarsNY: $3M

- Multi-Agency Comprehensive Developmental Screening: $700,000

- Conduct a Cost Validation Study: $300,000

- Teacher and Leader Prep. and Professional Development: $2.5M

- Pipeline for 4410 Staff to Obtain Appropriate Certifications: $2M

- Excessive Teacher Turnover Prevention Compensation: $4M

- Special Education Services and Program Data System: $3.46M

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Board of Regents Legislative Recommendations for Early Learning

- Require Full Day Kindergarten.

- Authorize 4410 Program Providers to Contract with BOCES for Teacher Recruitment Services.

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SCIS Methodology & Lessons Learned

Lack of Inclusion Opportunities

- Not enough SCIS programs – increasing threat of closures
- Existing SCIS programs do not have sufficient enrollment of typically developing students
- Preschool students with disabilities enrolled in SCIS are not considered enrolled in the regular early childhood program component leading to inequities within classrooms

Insufficient Funding

- Preschool special education funding (4410) and other early childhood funding is complicated, unpredictable, and does not reimburse actual total program expenses
- Differing views as to what expenses should be reimbursed with 4410 funding vs. other early childhood funding streams (UPK, Head Start, Childcare)

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SCIS Methodology Objectives

1	**Expand and preserve opportunities for preschool students with disabilities to be enrolled in early childhood programs with their typically developing peers**
2	Promote early childhood program inclusion principles - bring the support services to the child rather than moving the child to the services
3	Enable programs to be fiscally viable with enrollment of preschool students with disabilities at between 1/3 to 1/2 of the total classroom student population
4	Maintain program quality standards among all providers
5	Provide transparency and predictability in funding at levels adequate to achieve the above objectives

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Policies Promoting Preschool Inclusion

- Develop updated guidance on school district's responsibilities relating to placements of students in the least restrictive environment (LRE) and preschool.

- Develop an inclusion principles self-assessment tool and recommend that Early Childhood Programs adopt inclusion principles so that SCIS students have equal access to all classroom benefits.

- Affirmatively clarify in guidance that any preschool student with a disability identified to received special education and related services in settings with typically developing peers must have equal access to enroll and be funded by any of the PreK programs. SCIS students may be "dually enrolled" (counting as enrolled in both programs) and "dually funded" (receiving funding under both programs) in 4410 and PreK to offer same opportunities afforded to other resident students.

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SCIS Program Models & Staffing Standards

- OSE is working with OEL to develop staffing standards to benchmark and quantify the number of Early Childhood and Special Education staff required to operate inclusion programs and to justify necessary funding more consistently.

- Along with discussions on staffing standards and program models, conversations will continue on how a budget-based reimbursement methodology for SCIS programs could work in the future.

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Special Education Integrated Data System

- The 2017-18 Enacted State Budget provided funding to NYSED to pursue the development of a Provider Data Management System.

- Improve our ability to collect, use and disseminate programmatic and fiscal information relating to the provision of special education by approved special education providers in New York State.

- Special Education Services and Program Data System: $3.46M for 2019-20 and 2020-21.

- Stakeholders involvement and support is key.

Special Education Integrated Data System -continued-

- Enable the improved use of data, information, and communication for NYSED staff, providers, school districts, counties, parents, and members of the public.

- Better reflect, in real time, the demand for and provision of special education and related services – for more informed decision-making.

- Increase efficiencies in day to day operations.

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Special Education Integrated Data System -continued-

- <u>School District Portal</u> – communicate data regarding student needs and placement services recommendations. Information would be used, among other data factors, to develop regional need. Linked to STAC reimbursement.

- <u>Provider Portal</u> – communicate information needed for SED requests (applications, tuition waivers, variances, capital projects) and report current enrollment. Information would be used to identify program availability, streamline communication, and improve SED processing timelines.

- <u>County Portal</u> – linked to STAC reimbursement.

- <u>Public Portal</u> – better information for parents and students about the availability of approved programs and services.

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2018-19 Methodology

– 3.4% growth for school-age programs

– 2% growth for preschool center-based programs

– "Higher-Of" tuition rate calculation flexibility for all center-based programs – school-age & preschool

– $8 million in Excessive Teacher Turnover Prevention funding

– Special Class in an Integrated Setting Offset of only the revenue received or earned for students without disabilities

– Minimum Wage Funding

"Higher-Of" & the Total Cost Screen

– "Higher-Of" rate setting flexibility in tuition calculations will be applicable to all center-based programs, both school-age and preschool – previously applicable to school-age only.

– This flexibility gives RSU a "higher" option when calculating rate limits under the Total Cost Screen.

– It is applicable to both Prospective and Reconciliation rates.

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"Higher-Of" & the Total Cost Screen

– *Total cost screen* means a control measure within the reimbursement methodology that controls material fluctuations in tuition rates from year to year. A program's per diem rate from one school year to the next is limited to approved growth.

– How to Calculate Approved Growth? It's All About the Base

- 18-19 Prospective rates may grow from the higher of:
  - 16-17 (two years prior) reconciliation rate; or
  - 17-18 (last year) prospective rate.
- 18-19 Reconciliation rates may grow from the higher of:
  - 17-18 (last year) reconciliation rate; or
  - 18-19 (current year) prospective rate.

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Excessive Teacher Turnover Prevention Program

- $8 million in Excessive Teacher Turnover Prevention funding
- NYSED will redistribute the awards with both school-age and preschool sharing equitably under the same formula
- Historical program data is used for teacher salaries (three year average 12-13-14-15) and compared to the public school teacher salaries in the region to calculate a weighted teacher FTE
  - Three levels of weighting: 1 (less than 100%); 1.5 (less than 75%); and 2 (less than 50%)
- Funds are directly added onto program rates – and reconciled <u>both</u> in amount and for care day changes
- To keep funds on reconciliation, usage forms are required – submission date will change to September of 2019 for 2018-19 forms
- NYSED is collecting teacher retention data on usage forms

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SCIS Revenue Offset Changes

– Previously, NYSED reduced SCIS rates to reflect expected revenue for students without disabilities using the OCFS child care subsidy rates as a floor.

– Reality, revenue did not always exist.

– SCIS offset will now be the <u>revenue earned</u> for students without disabilities.

– NYSED will continue efforts to incentivize that Early Childhood funding be targeted to programs serving both students with and without disabilities.

– NYSED will need to update regulations pertaining to the SCIS revenue offset and how the offset should be treated overtime (reoccurring or year specific).

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Minimum Wage Funding

– Requests for about 150 programs for 2016-17 reconciliation rate funding, and/or 2017-18 prospective rate funding.

– Minimum Wage funding will be added to tuition rates, carried forward and will not be reconciled in <u>amount</u> so long as programs are in compliance with the Minimum Wage Law. It will be reconciled for care days.

– A second survey for 2018-19 and 2019-20 funding will be issued in the upcoming months.

– Additional funding may be requested through a targeted tuition waiver with a detailed accounting.

School Districts as Approved Evaluators

- Chapter 429 amended Education Law §4410 to establish that all school districts are deemed approved evaluators of preschool students suspected of having a disability.

- Chapter 429 eliminated the additional paperwork for school districts.

- School district staff who provide such evaluation services must have appropriate licensure or certification.

- Regulations went out for public comment and the comments are being reviewed and summarized. The Department will prepare written responses.

- Received some questions about the implementation layers.

- Following public comment NYSED issue guidance.

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Questions?