



MAINE DEPARTMENT  
OF EDUCATION

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**Early Childhood Special Education  
Transition  
2026**

**Presented by:** The Office of Special Services and Inclusive Education, The Early Learning Team,  
The Office of Child and Family Services





**EARLY  
INTERVENTION  
FOR ME**  
A Brighter Start, Birth to Three

# Legislation

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**LD 345:** *An Act to Transition the Responsibility for Child Find Activities and for Ensuring a Free, Appropriate Public Education for Eligible Children from the Child Development Services to School Administrative Units*

**LD 2214:** *An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025*

**LD 2214 became Public Law 2023, Chapter 643, Part W**





# Elements of the law:

## Transition of child find and FAPE responsibilities to SAUs

- Responsibility for child find and free, appropriate public education (FAPE) for 3-, 4- and 5-year-old pre-K students with IEPs will transition to school administrative units (SAU) by July 1, 2028.
- SAUs may provide services directly or may contract with public or private providers to support services; the SAUs may also access their CDS Regional Site or other regional supports to provide services.

# Early Childhood Special Education (ECSE)

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- **Part B, Section 619 IDEA**
- **Special education provided to Preschool age children**
- ECSE services are designed to help children with disabilities participate in activities that are typically appropriate for their developmental stage. Children who qualify for ECSE may receive services in a variety of settings, including Pre-kindergarten classrooms, The home, and Community settings like Head Start and pre-school.
- Early Intervention Birth to 3 years of age – system of support for children with developmental delays



A photograph of several young children playing at a wooden playground. The children are seen from behind, walking away from the camera towards the play structure. The scene is set outdoors with trees in the background, some of which have yellow autumn leaves. The lighting is bright, suggesting a sunny day. The playground equipment includes slides, climbing structures, and platforms.

# FAPE Requirement for Preschool

- **Free**— Special education provided at public expense, under public supervision, at no cost to the parent
- **Appropriate**—Special education that meets the standards of the SEA; For preschool children, designed to participate in appropriate activities; Confers meaningful educational benefit, in Least Restrictive Environment
- **Public**—Special education offered by the SAU in an appropriate preschool, elementary school, or secondary school in the state
- **Education**—an education program that is provided in conformity with an individualized education program (IEP)

# How This Applies to Maine

- FAPE will look different from site to site
  - FAPE looks different because it is individually determined and because each community is different
- General Education Opportunities:
  - Public PreK programs in some SAUs
  - Head Start in some communities
  - Childcare in some communities
  - Kindergarten classrooms
- IEP teams will look at each child's needs, their goals, and services to ensure a FAPE in the mixed delivery system.





## Least Restrictive Environment Categories in Early Childhood Special Education

Attending a Regular Early Childhood Program  
(more than 50% non-disabled children)

### REC10YSVCS

AT LEAST 10 hours per week; receiving majority of special education and related services in REGULAR EARLY CHILDHOOD PROGRAM

### REC09YSVCS

LESS THAN 10 hours per week; receiving majority of special education and related services in REGULAR EARLY CHILDHOOD PROGRAM

### REC10YOTHLOC

REGULAR EARLY CHILDHOOD PROGRAM, more than 10 hours per week, services in some other location

### REC09YOTHLOC

REGULAR EARLY CHILDHOOD PROGRAM, less than 10 hours per week, services in some other location

Attending a Special Education Program Only  
(less than 50% non-disabled children)

### SC

Children attending a separate class, majority of children in class have a disability, NOT in a Regular Early Childhood Program

### SS

Children attending a special education program, NOT in any regular early childhood program); Specifically, in a separate school

### RF

Children attending a special education program; Specifically, a residential facility or in-patient hospital

Not Attending a Regular or  
Special Education Classroom

### SPL

Children are neither attending a regular early childhood program or special education program, majority of hours of special education and related services at the service provider's location

### H

Children attending neither a regular early childhood program nor a special education program, and receiving the majority of hours of special education and related services at home

# LRE Requirements

Each public agency must ensure that—

- To the **maximum extent appropriate**, children with disabilities, including children in public or private institutions or other care facilities, **are educated with children who are nondisabled**; and
- Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment **occurs only if the nature or severity of the disability** is such that education in regular classes with the use of supplementary aids and services **cannot be achieved satisfactorily**.



# Considerations for CDS & SAUs

## Least Restrictive Environment

- To the maximum extent possible, children with disabilities are educated alongside typical peers.

Placement in separate classes only allowed if disability so significant that education cannot be achieved in a regular classroom

## IEP Services (Special Education & Related Services)

- Clearly defined in the IEP:
  - **Frequency**
  - **Intensity**
  - **Duration**
- Includes:
  - Special education instruction
  - Related services (e.g., SLP, OT, transportation *if required*)

## Educational Setting (Placement in LRE)

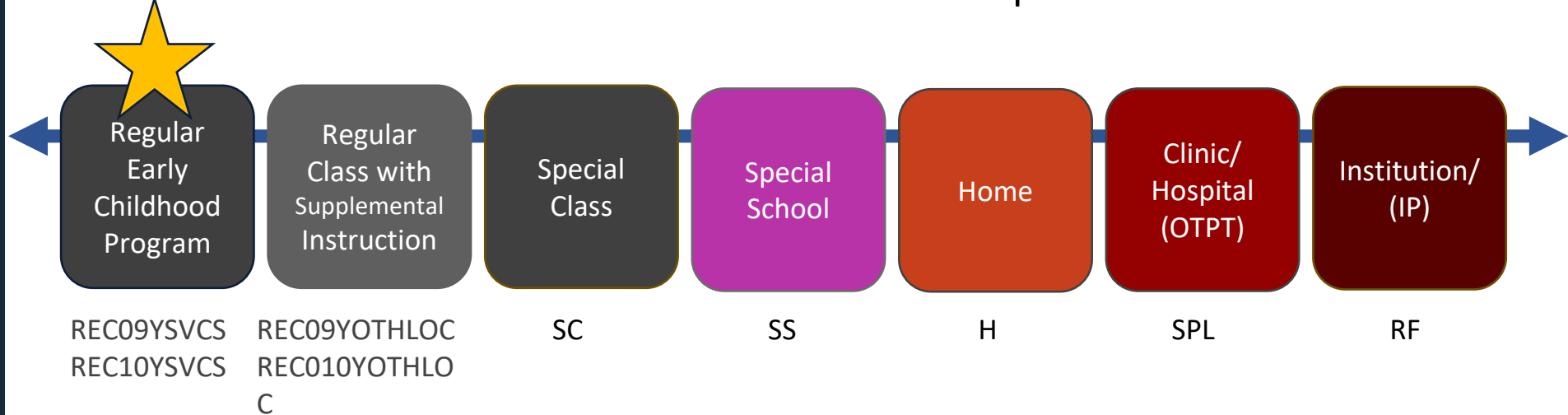
Determined by the IEP Team based on the child's needs

- **Must include access to general education** as part of FAPE
- For preschool-aged children in Maine:
  - Typically includes participation in a **Pre-K or early childhood program**
  - **Minimum general education access guidance:**
    - 6 hours/week (3-year-olds)
    - 10 hours/week (4-year-olds)
- *Important distinction:* General education hours are **not IEP services**—they are part of the **placement where the IEP is implemented**

# Continuum of Placement Options

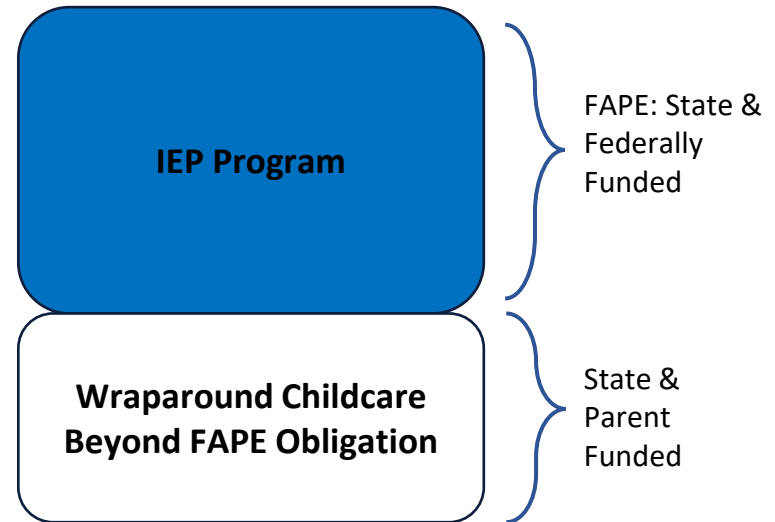
Least Restrictive to Most Restrictive

...must ensure that a continuum of alternative placements is available.



# FAPE in Early Childhood Special Education


- IEP programs can be implemented in a variety of learning environments.
- The child's IEP outlines the goals, supports, and services needed to access and make progress in the early learning curriculum.
- Families may need additional supports, beyond what is offered as part of a public preschool education program, such as wraparound childcare.



# FAPE Requirements for SAUs With and Without Universal Pre-K Programs

## SAUs Without Universal Pre-K Programming

 **Limited number of Pre-K seats**

 **Enrollment by procedure**  
*(lottery, first-come first-served)*

 **Mixed delivery options**

- ✓ Head Start
- ✓ Licensed child care
- ✓ Public Pre-K classrooms

 **Access to general education through partnerships**

 **Inclusive classroom composition**

- ✓ At least **50% non-disabled peers**  
*(aligned with Chapter 124 learning standards for four-year-olds)*

 **Ensures minimum instructional time:**

 **Four-year-olds:** 10 hours/week

 **Three-year-olds:** 6 hours/week

## SAUs with Universal Pre-K Programming

 **All four-year-old children**

*(must be 4 years old on or before October 15 of the school year; Rule Chapter 124)*

 **All three-year-old children eligible for special education**

*(per Maine DOE guidance)*

**FAPE Offer Reflects General Education**

 **Access to general education curriculum**

- ✓ Aligned with Chapter 124 learning standards for four-year-olds

 **Inclusive classroom composition**

- ✓ At least **50% non-disabled peers**

 **Mixed delivery collaboration**

- ✓ May partner with community providers to support programming

# SAUs Preparing for Three-Year olds

## Embed within Public Pre-K (4-year-old programs)

- Leverage existing classrooms to ensure inclusive peer access
- Structure to meet minimum hours (6 hrs./week) and IEP implementation

## Partner with Community Programs

- Utilize child care, Head Start, and private preschool settings
- Ensure partners are prepared to support IEPs in inclusive environments and meet QRIS expectations

## Recommended Steps

- Map community capacity and identify gaps
- Build itinerant and integrated service delivery models
- Prioritize inclusion as the baseline over self-contained settings



# Serving ECSE Students Within and Beyond SAU Boundaries

## Serving ECSE students – District Boundary

1.SAUs are responsible for ECSE for children who reside within their SAU boundary.

- Attend the SAU Pre-K programs
- Attend a collaborative program in the SAU community

2.SAUs are not responsible for ECSE when children

- Attend a program out of state
- Attend a program out of the SAU boundary *and* there is programming available in the SAU.

3.For SAUs that do not have programming/ space within their Pre-K programs nor any collaborative programs in the SAU community, the resident SAU would do the following:

*There are multiple options:*

- Superintendent’s agreement with the SAU where the student is in a program
- Develop partnerships with the childcare/ preschool program where the child attends
- Provide telehealth in the childcare/preschool program where the child attends
- Offer that the child participate in drop-in services already provided in the SAU
- If the IEP agrees, the child can access services at the service provider location
- Or another solution that is specific to your area

*The Department will support the provision of services if there are challenges or questions with these options.*





# Parental Placement

- Parents play an important role in decisions of IEP team
- Parental Placement occurs when parent enrolls child in a program outside of the SAUs FAPE offer/mixed delivery structure
  - SAU offered FAPE
  - Parent declines FAPE offer made by the SAU for general education programming in the SAU or in a partnership location
  - Parent enrolls the child in a private program that does not meet the Star 3 Quality Rating criteria, that is outside the catchment area, and/or will not contract/collaborate with the SAU



## What This Means for Early Care and Education Providers

### ECE Role Remains Essential

#### ☀️ ECE providers are key partners in Child Find

Continue identifying developmental concerns

Share observations with families and local SAUs

#### 💛 Collaboration will shift locally

Increased partnership with your local SAU

CDS continues to support through regional hubs during transition

#### 🏠 Inclusion happens in your setting

More children will receive services in ECE programs

Opportunities to strengthen inclusive practices

#### 🔔 ECE programs are part of the system

ECE providers input helps shape services and supports

Strong partnerships = better outcomes for children



# Partnering for FAPE in Maine's Mixed Delivery System

## Maine's Transition:

- ECSE services are shifting from CDS to SAUs for children ages 3–5
- This impacts how FAPE is delivered, increasing collaboration across settings.

## Your Role in the Mixed Delivery System:

- Be an active participant in transition planning meetings with CDS, SAUs, and families.
- Share developmental insights to inform Individualized Education Programs (IEPs).
- Support implementation of IEP strategies within your childcare environment.
- Communicate regularly with SAU service providers (e.g., therapists, special educators)

# How Child Care Programs Can Connect

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## Why:

- Supports inclusive education within natural environments.
- Strengthens community partnerships and continuity of services.
- Enhances access to high-quality care and education for all children.

## What:

- Express interest in serving as a placement site for preschoolers receiving ECSE services.
- Highlight your program's inclusive practices, staff qualifications, and environment.
- Offer opportunities for SAU staff (e.g., therapists, educators) to visit your site.
- Offer to schedule or collaborate in joint professional development or planning meetings.
- Explore pilot or partnership opportunities during Maine's transition from CDS to SAUs.



## ECSE Partnerships & Rising Stars for ME *Star 3 Requirement – Effective June 19, 2026*

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### ☀️ Who is Eligible?

**Star 3 or higher, or  
Star 2 with an approved waiver  
(with a plan to reach Star 3)**

### 📌 Questions about Star 2 waivers?

Contact: Jackie Hersom

Email: [Jacquelyn.N.Hersom@maine.gov](mailto:Jacquelyn.N.Hersom@maine.gov)

### ★ Eligible Programs Can:

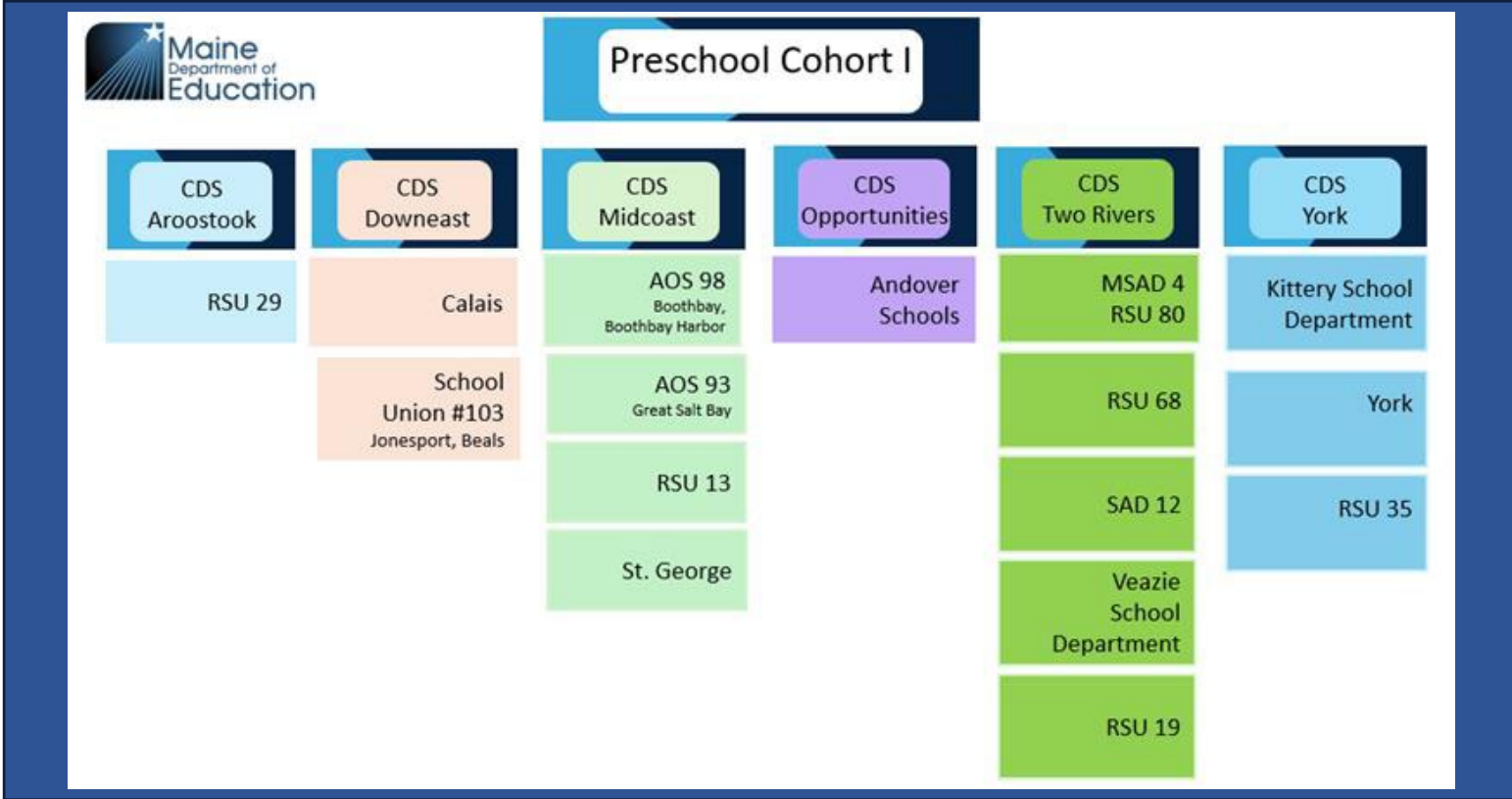
- ✓ Serve as **ECSE placement partners**
- ✓ Provide **special education services on site**
- ✓ Partner with **CDS & SAUs** for inclusive programming
- ✓ Receive **public funding** for placements

### ⚠️ Important

After **June 19, 2026**

ECSE services and funding are limited to **eligible programs**

# Cohort 1



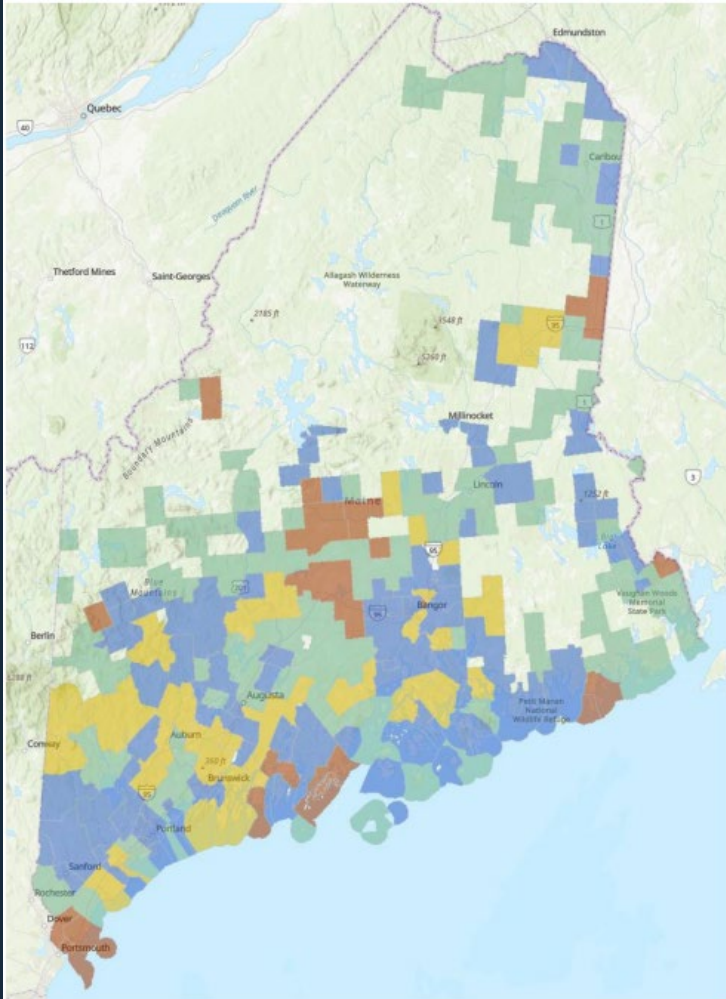
## Cohort 2 2025-2026

Aroostook	Washington	Hancock	Midcoast	Western	Kennebec	Cumberland	Penquis	York
RSU 50	Blue Hill Union # 93	Auburn	Edgecomb AOS 98	RSU 17	RSU 54	④ RSU 15	Airline Community School AOS 47	④ RSU 21
	Brooksville Union # 93	RSU 4	Georgetown AOS 98	RSU 52	RSU 83	RSU 72	Brewer	④ Saco
	Castine Union # 93		④ RSU 1	RSU 56	Richmond	RSU 75	Dedham AOS 47	
	Hancock		④ RSU 12	RSU 72			Greenbush	
	Lamoine		④ RSU 71	RSU 4			MSAD 41	
	Penobscot Union # 93		④ Wiscasset				Orrington AOS 47	
	Surry Union # 93		Southport AOS 98				RSU 26	

# Cohort 1-4

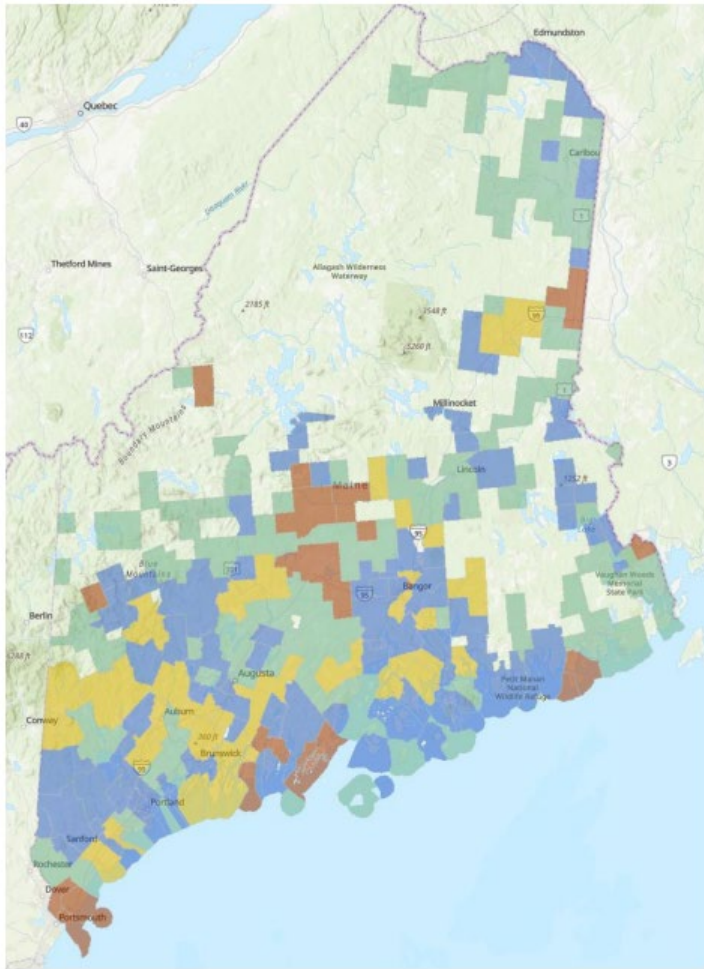
## Cohort 3- 92 SAUs

## Cohort 4- 107 SAUs



CDS Anasotack		CDS Downeast		CDS First Step		CDS Mid-coast		CDS Opportunities		CDS PEDES		CDS Reach		CDS Twin Rivers		CDS York	
SAU 1	SAU 2	SAU 3	SAU 4	SAU 5	SAU 6	SAU 7	SAU 8	SAU 9	SAU 10	SAU 11	SAU 12	SAU 13	SAU 14	SAU 15	SAU 16	SAU 17	SAU 18

# CDS Sites to CDS Support & Service Hubs



## Continued CDS Operations

During the ECSE FAPE transition, CDS sites have continued to operate as they have (FAPE) for children in towns and municipalities of **non-cohort schools**

## Partnership with Cohort SAUs

CDS has partnered with **Cohort 1 and Cohort 2 SAUs** in a **Support and Service Hub** capacity *(dependent on each SAU's MOU)*

## Planning for Future Cohorts

CDS is analyzing how **child count** will be impacted by **Cohort 3 and 4 schools**

## Capacity & Sustainability

Assessing capacity to:

Ensure CDS continues fulfilling its **FAPE responsibility**

Support SAUs through the **Support and Service Hub model**

# CDS Service and Support Hubs

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## MOUs are developed with each Cohort SAU

- Detail Service and Supports
- Monthly Meeting
- Individualized for Each SAU

## Service and Support Hub Services

- Preschool Programming
  - CDS classrooms in Cohort SAUs
- Related Services
  - Speech, OT, PT, etc.
- Itinerant 282B Services
  - SDI and Consultation
- Case Management
  - Referrals, IEPs, WN, etc.
- Professional Development





**Q & A**

**Information:**

**[ECSE.Team@Maine.Gov](mailto:ECSE.Team@Maine.Gov)**

**[ECSE Website](#)**



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