

DISABILITY
RIGHTS
MAINE 

March 23, 2022

Sent Via Email

e) EDU@legislature.maine.gov

Senator Joseph Rafferty, Chair
Representative Michael Brennan, Chair
Joint Standing Committee on Education and Cultural Affairs
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

Re: Draft and Amended Draft Legislation for CDS Public Hearing

Dear Senator Rafferty, Representative Brennan and Members of the Committee on Education and Cultural Affairs:

My name is Ben Jones and I am a Managing Attorney at Disability Rights Maine (DRM), Maine's federally funded protection and advocacy agency for individuals with disabilities. Thank you for the opportunity to appear before you to provide testimony neither for nor against [no LD] Draft Legislation for CDS Public Hearing and [no LD] Amended Draft Legislation for CDS Public Hearing.

DRM continues to support the transfer of responsibility to provide a free and appropriate public education to toddlers with disabilities from CDS to local school districts. As schools are increasingly expanding preschool options for all children, and in light of the research supporting inclusive preschool settings, it makes sense for Maine to join the majority of states that assign the primary responsibility for meeting the needs of all students with disabilities, from age 3 through graduation, to local school districts. That said, it will be important to ensure that: a) Maine does not incentivize the creation of segregated programs for young children with disabilities; and b) local districts receive the resources and support necessary to provide all students with a free and appropriate public education in the least restrictive environment. With regard to serving children under age 3 with IDEA Part C early intervention services, we believe it is important to consider housing that program alongside existing programs within the state that already serve young children.

Our testimony here provides comments similar to those we submitted for LD 1715 in front of the 129th Maine Legislature in 2019, entitled: 'An Act To Reorganize the Provision of Services for

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MAINE'S PROTECTION AND ADVOCACY AGENCY FOR PEOPLE WITH DISABILITIES

Children with Disabilities from Birth to 5 Years of Age.’ The Draft and Amended Draft Legislation are different in some ways, but fundamentally, the same as LD 1715. We highlight here both our continued concerns and also the positive improvements, including the Draft and Amended Draft Legislation’s inclusion of some transition support to SAUs during the proposed transfer of responsibility for children age 3-5.

Part C, children ages 0-2:

Briefly with regard to IDEA Part C early intervention services, the recommendations of the Public Consulting Group (PCG) to this Committee in 2019 are a helpful guide.¹ PCG recommended that Maine consider not only an Education/DOE entity, but also a Health/DHHS entity, or a newly established cabinet-level entity (which could include home visiting, child care, Pre-K, and Head Start Collaboration) to take on the responsibility for Part C.² The rationale behind recommending a Health/DHHS entity or a newly established cabinet-level entity is that by housing Part C alongside an entity that provides others services to young children, there will be greater connections and referral. PCG explained: “Several trends have occurred nationally over the past several years which includes a move away from education lead agencies and an increase in the number of early childhood departments or offices that consolidate governance for multiple early childhood programs under one unified governance structure. Examples of this include New Mexico (NM) and Connecticut (CT) where the EI Part C program is now in a cabinet level early childhood agency.”³ And, PCG provided some data to show a correlation between lead agency and performance measures such as child find, “where 38% of Health and 47% of other state lead agencies meet or exceed the national average, compared to only 18% of Education lead agencies.” Regardless of where Part C lands, it is clear that meaningful participation from DHHS is important during this set up stage to maximize the reach of identification and service delivery.

Part B, children ages 3-5:

Research clearly supports integrated preschool settings.⁴ And “[t]he right to access inclusive early childhood programs is supported by a robust legal foundation.”⁵ The United States Department of Education holds that “all young children with disabilities should have access to inclusive high-quality early childhood programs where they are provided with individualized and appropriate supports to enable them to meet high expectations”⁶ From our perspective, it is important for CDS transition efforts to be fully aligned with any and all efforts to increase access to preschool programs to avoid inadvertently incentivizing the creation of more segregated programs for children with disabilities.⁷ The MDOE engaged the Early Childhood Technical Assistance Center

¹ Public Consulting Group, *Maine Early Childhood Special Education Independent Review, Final Phase I Report*, October 30, 2020, available at: <https://legislature.maine.gov/doc/4754>

² *Id.* at 22.

³ *Id.*

⁴ U.S. Departments of Education and Health and Human Services Policy Letter on the Inclusion of Children with Disabilities in Early Childhood Programs, pp. 3-4 (September 14, 2015), available at: <http://www2.ed.gov/policy/speced/guid/earlylearning/joint-statement-full-text.pdf>

⁵ *Id.*, p. 4.

⁶ Department of Education Dear Colleague Letter related to the Least restrictive Environment in Preschool (January 9, 2017) available at: https://sites.ed.gov/idea/files/policy_speced_guid_idea_memosdcltrs_preschool-lre-dcl-1-10-17.pdf

⁷ For example, the proposal requires that “the commissioner shall consider any school administrative unit space necessary for providing early childhood special education and related services for children at least 3 years of age and under 6 years of age as instructional space or regional programs and services space under section 15672.” There are

in 2019 to facilitate discussions regarding a possible shift of responsibilities under LD 1715 – it should consult with the ECTA or similar group again to develop a plan for ensuring access to integrated preschool settings as part of the CDS transition.⁸

Maine is near the top of the list nationally for educating 3 through 5 year olds in segregated schools, the second highest rate nationally after Arkansas, or 7.5 times the national rate (Maine: 14.48% of children in separate schools, according to most recent national data from 2020).⁹ The information CDS shared with this Committee as part of the LD 386 Response Data in February 2022 shows a slight improvement, down to 12.5% of children in separate schools, but that is still high enough to remain in the top two states nationally.¹⁰ This lack of inclusive settings for young children with disabilities needs to be squarely addressed as part of any transition, including how services and supports that children need could be pushed into inclusive settings.

The Draft and Amended Draft Legislation does not address or resolve the current problems facing CDS, which include an insufficient number of qualified staff, insufficient and/or overly restrictive placement options, inadequate funding, and inadequate transportation. In its 2021 report to the legislature, CDS documented challenges, including “statewide scarcity of qualified special education personnel to serve the birth-to-age 20 population, a failure to have adequate programming to provide timely services to all eligible preschool-age children, and the lack of a funding model to ensure that the birth-to-five system is adequately funded moving forward.” In its 2020 report to the legislature, CDS documented the exact same challenges.¹¹ In its 2019 report to the legislature, CDS documented continued “challenges with the recruitment and retention of qualified personnel” and documented a shortage of professionals like speech and language providers, which has resulted in preschool age children waiting for the services mandated by their individualized education programs.¹² These workforce issues need to be addressed as part of any transition.¹³

benefits to regionalizing and sharing services – such as behavior specialists, related services providers like speech and OT, and other support services. But MDOE should make sure it is not incentivizing the creation of programs that regionalize students – where many students with disabilities in a region end up travelling to a centralized school apart from the preschool options available to all children.

⁸ See: USDOE Office of Early Learning <https://www2.ed.gov/about/inits/ed/earlylearning/inclusion/index.html>; and the Early Childhood Technical Assistance Center <http://ectacenter.org/>

⁹ U.S. DOE, Special Education -- Technical Assistance on State Data Collection, Part B Child Count and Educational Environments, 2020, available at: <https://www2.ed.gov/programs/osepidea/618-data/static-tables/index.html>

¹⁰ MDOE, *LD 386 Report, Plan for Provision of Early Childhood Special Education*, February 1, 2022, <https://legislature.maine.gov/doc/8426>

¹¹ Child Development Services, Annual Report to the Maine Legislature (February 2020) available at: https://www.maine.gov/doe/sites/maine.gov/doc/files/inline-files/2020%20CDS%20Legislative%20Report%20FINAL%202.25.2020_0.pdf

¹² Child Development Services, Annual Report to the Maine Legislature (February 2019) available at: <https://www.maine.gov/doe/sites/maine.gov/doc/files/inline-files/CDS%202019%20Legislative%20Report.pdf>

¹³ In 2019, MDOE hired the Early Childhood Technical Assistance Center to facilitate regional forums with district administrators and early childhood community partners to discuss the proposed LD 1715 bill that would shift responsibility of providing FAPE of 3 and 4 year olds to the public school districts. A highlight from their report shows the start of a meaningful conversation about creative ways to address the workforce issues: “Recruitment and Retention: Questions were raised around the state’s plan for building capacity to meet personnel needs across the state education system, and particularly for preschool. Ideas generated for recruitment and retention included shared and regionalized staff, training and certification initiatives, as well as incentives and loan forgiveness programs. Suggestions were made to publicize existing programs that pay off or forgive teacher loans, initiate, provide and fund personnel incentives and collaborate with Head Start and other programs that provide training dollars and

A significant amount of children are not receiving services they are eligible for. CDS shared the data of unserved children with this Committee in March 2022 and documented it as follows: “For those children being served through Part B, there were 390 out of 4,457 children not receiving CDS services as of 1/31/2022. 8.8% of three to five year old children with IEPs (Part B 619 students) were not receiving a service identified in their IEP. According to the PCG report, in FY19 10.4% children in Part B 619 were not receiving a service identified in their IEP.”¹⁴

These conclusions are consistent with DRM’s experience. The calls we receive related to CDS focus on a lack of resources, lack of availability of providers, and lack of availability of transportation. Students may be going without speech services or OT services, or they may even be told to stay home because 1:1 adult services that have been determined necessary are unavailable. If CDS is not able to find qualified staff, programs, and transportation, and if current funding does not cover the services to which children are entitled, how will districts across the state fare any better when responsibility is transferred to them? This question needs an answer.¹⁵ As written, Draft and Amended Draft Legislation provide the implication that SAUs are better equipped to serve children, but it does not provide concrete steps to address these entrenched issues.

To support a robust transition, the Education and Cultural Affairs Committee should strongly consider additional assistance from experts. The Committee heard from one such expert when they engaged PCG to assess the early childhood education system in 2019, attendant to the discussions around LD 1715.

Again, DRM supports to goal of shifting the responsibility to provide a free and appropriate public education to 3-5 year old students with disabilities from CDS to local school districts. But MDOE must manage this transition in a way that ensures access to inclusive early childhood programs and does not incentivize the creation of segregated regional settings. MDOE must also ensure that local districts have the human and financial resources to provide a free and appropriate public education to all preschool students with disabilities.

Respectfully Submitted,

/s/ Ben Jones
Ben Jones
Managing Attorney

opportunities for coursework. Additional suggestions were made to collaborate with community colleges and universities to produce more Speech language therapists, PreK and special education graduates, develop consistent certification requirements, and alternative routes to certification and recertification.” See: ECTA, Executive Summary, Maine Regional Discovery Forums, 11-22-2019 ,available at:

https://www.maine.gov/doe/sites/maine.gov/doe/files/inline-files/Maine%20Executive%20Summary%20and%20Report%2011_22-19_FINAL_0.docx

¹⁴ MDOE, LD 135, LD 255, LD 386, *Question & Response Document*, March 2022, available at: <https://legislature.maine.gov/doc/8422>

¹⁵ In order to receive funding through the Individuals with Disabilities Education Act (IDEA), MDOE must submit a plan annually that provides assurances “the State has in effect policies and procedures to ensure that...a free appropriate public education is available to all children with disabilities...between the ages of 3 and 21.” 20 U.S.C. §1412(a)(1).

Senator Rafferty, Representative Brennan, and members of the Education Committee, my name is Colleen Brown and I am an IEP team administrator for Child Development Services but today I write to you on my own time to urge you to consider what's at stake with the Maine Department of Education's draft legislation known as An Act to Reorganize the Provision of Services for Infants, Toddlers, and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of IDEA Eligibility to 22.

While I was completing my Masters degree in Educational Leadership in 2020, as part of my capstone, I researched 14 other states' early childhood special education systems and learned that CDS is unique in how it accomplishes this task. What sparked my interest in this particular topic was that I had recently learned that CDS was once again on the legislative chopping block. I began my research by reading the 2012 OPEGA report which was completed after the 125th Legislature identified legitimate areas of concern within the structure of CDS. In short, this report cited instabilities and inadequacies with staff training, management, fiscal oversight and data tracking. Several strategies were put in place such as the development of a new data tracking system which was anticipated to help with streamlining data tracking and billing, appeasing providers who expressed concerns with slow payments for services, multi-tiered levels of management, new job descriptions specifically defining roles and responsibilities as well as spreadsheets to track staff efficiency.

Most recently an independent study was completed. While I think it was helpful in identifying that the previously developed strategies were not the answer to the problem, it was not entirely based on facts but rather perceptions and assumptions. Any attempt to dissolve an agency that has the distinct purpose of providing specialized interventions to Maine's most vulnerable population based on assumptions or inaccurate facts and data proves only to be reckless and irresponsible to the children and families we serve, not to mention the employees who pride themselves in providing these specialized early intervention services. Speaking to Ms. Frazier's proposed solution about how school systems will be able to meet the needs of 3-year-olds, what programs? CDS is already experiencing a shortage of learning opportunities and providers. In rural Maine especially, the local school districts do not have an adequate preschool infrastructure to accommodate the scores of children who receive our services. In fact, we have many who are not in programs now because there is nowhere to put them.

School districts are nowhere near ready to meet the demands of supporting preschool-age children with behavior problems and who are in need of specialized instruction. I do not think moving 619 services to the local school systems will resolve anything. It is simply reallocating a headache that the Maine Department of Education doesn't want to deal with onto the local school systems and taxpayers. Perhaps the Legislature would consider an independent study of the local communities and service providers and employees of CDS in order to gauge the impact of this agency and the important work it does. Following that type of study, the Legislature could consider a proposal from the people of CDS that outlines what is needed in order for CDS to be successful as an independent agency. Thank you.

Murphy, Elias

From: Connor Archer <connor@thecourageousstepsproject.org>
Sent: Wednesday, March 23, 2022 1:33 PM
To: EDU; Dill, James; Osher, Laurie; Dunphy, Michelle; Drinkwater, Gary; Carmichael, Meldon; Rosen, Kimberley; Guerin, Stacey; Rafferty, Joe; Millett, Rebecca; McCrea, David; Brennan, Michael; Daughtry, Matthea; Woodsome, David; Crockett, Ed; Dodge, Jan; Lyman, Sheila; Roche, Tim; Salisbury, Suzanne; Sampson, Heidi; Stearns, Paul
Cc: Connor Archer
Subject: Thank You & Following up on Testimony This Morning

This message originates from outside the Maine Legislature.

Good Afternoon everyone,

I wanted to follow up and say thank you for the opportunity to testify in front of you this morning. I would like to provide you with some additional information that I couldn't get to do this morning. I hope this will inspire you and give you some wisdom and experience coming from a youth perspective.

As I stated this morning, I live with high-functioning Autism and was diagnosed at 3 years old. The prognosis was very bleak and at the time, I was told by doctors and other medical professionals that I would most likely never talk. Well, I proved them wrong and a major reason was because of my strong early childhood foundation. I am now 24 years old.

19 years ago, my mom was seeking the right program that could support my needs in a small setting to work on those crucial developmental skills. After a successful visit, my mom registered me to attend the Green House Nursery School in Milford, a nursery school that served young children ages 3 to 5 years old. The program was contracted under CDS for many years and the program's leadership team was heavily involved in forming CDS back nearly 40 years ago. I, too, received special education services through CDS. To this day, I appreciate everything that the Green House team did for me and my family. More importantly, with proper collaboration between my family and staff, it allowed for a partnership that fit my needs and so many others too.

They truly changed my life and gave me the start I so needed. They have given so many children around Eastern Maine the start they so needed as well. I would not be speaking to you today without them.

For many, as we know, a strong early childhood foundation supports a child's overall development into the future. For many, it can be the determining factor of their future success.

Because of their incredible dedication to me, I was able to successfully transition into my local public school, make friends, continue developing my language and social skills, and learn other life skills that have led to my success today. I continued to receive special education services all through my schooling. Because I was mainstreamed within the typical classroom setting and pulled for supplemental services on a limited basis, I was able to make tremendous gains that lead to amazing accomplishments as I continued to grow. This included receiving national awards through the nation's largest youth volunteerism program called the Prudential Spirit of Community Awards, and launching the Courageous Steps Project in 2014 when I was a sophomore in high school. We are now a non-profit organization that serves children and young adults with various abilities and challenges in Eastern Maine and beyond.

In 2020, under my leadership and those associated with the Green House program for over 3 decades, we worked to form a new program under our organization with the same foundation that has touched so many lives. I had dreamed of this moment since I was 8 years old, and now was making this dream officially come true. We did this to increase opportunities for more children in this region ... beyond just early childhood. It was named the Green House Village Preschool.

Green House Village is contracted through CDS today and continues the legacy of supporting Maine's youngest children as it has for over 3 decades with one priority always at the forefront ... giving children the start they need and deserve!

As the leader of a youth organization, and an individual living with Autism, I feel it is my responsibility and civic duty to represent and advocate for Maine children and their families. In addition, we must support our providers/private partners who are in the trenches and ensure that they are given the fair opportunity to contribute feedback on these important issues to create better and more sustainable solutions. These partners in many cases, have experience spanning 4 decades.

We need to listen to these parties directly, before making a major decision like this one. I encourage you to personally contact providers and private organizations ... ask them what works ... what doesn't work ... and what could be improved upon. Most importantly ... we need to LISTEN to them. **They are the ones that are in the trenches EVERYDAY serving Maine's youngest children and families and supporting their needs...most of whom are sacrificing to give our youth the opportunities to succeed.**

We owe it to them to get concrete plans nailed down before making this decision. More time and planning will be beneficial for nailing down strategic and detailed solutions that are sustainable.

We can do better ... and we MUST do better!

On behalf of our organization and individuals living with developmental disabilities, I look forward to working with you and other partners as we continue to move forward.

With Profound Appreciation,

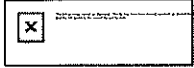
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Mission: The Courageous Steps Project strives to raise awareness of all abilities and challenges for children and young adults and channels resources to enhance their success in school and in life.

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Today I am writing you from the lens of a parent and Service Coordinator. In this letter I will discuss the opportunity for growth that I have been witnessed and hope to cultivate in the upcoming months and years. Although, this letter is written from my viewpoint I am writing this with a full team of Service Coordinators behind me. I have the honor of working on a team of passionate folks whom all value and uphold the valuable work it takes to support families.

I will first lend my support and lens of being a Service Coordinator—my office holds 8 passionate Service Coordinators. As a team, we are tasked with offering timely services to families whose children have been identified as having a developmental delay. Collectively, we see hundreds of families a year. Every family comes to us with a story, some of those stories are heartbreaking, some are told in native languages through interpreters, other stories inspire us with a family's ability to triumph. No matter the story, they all land on our desk and in our hearts.

Imagine meeting a parent, a fellow human, filled with anxiety and worry. Chances are they are a young parent(s), confused and lost in their parenting role—maybe they have parented before, but they are lost in the discovery of this child. Either way, our families know at their core that they are parenting differently, they might not know why but they know their family's work is different because their child has a different way of welcoming them to parenting.

We meet families in their moment of growth and offer to walk a road of support, trust, and relationship building with them. Part C Early Intervention services does this because we see the potential for growth in all children and all families. We are now asking that you see our potential for growth.

As a team of compassionate providers, we want the chance to push the envelope of change. We want to rebrand ourselves, creating a brand that is accessible to all families we serve. We would love for this rebranding to take place under a governing board that is ours to shape. Part C deserves to be individualized like the services we offer. Our team of skilled and compassionate providers, leadership, and service coordinator should have a chance to build a program that reflects the years of feedback and lived experience we have gathered from working right beside families. Every visit or meeting we sit down with families, we come into their homes, we listen, and we respond with services that reflect the support they need.

We are asking, really begging you, to respond to us with that same support. Come with us into the lives of our families, join us as we push for improvement. We have the ability to improve lives, our state, and really deeply respond to needs of hundreds of families in Maine. Please, consider this bill as an advancement in ability to show up and listen. To build programming and services that reflect years of responding to the needs of families, while respecting that it's time for change. Collectively we respect years of knowledge, skill, hundreds of hours of schooling, professional development and more. Let us put through years of ability to work, let us build an informed program that continues to meet the needs of our families. Join us in telling our families a different story about early interventions in Maine.

Sincerely the CDS Reach Service Coordination Team,

Emma Griffiths
Lauren Lantagne
Jen Gervais
Angela Redding
Kari Jenkins

Melissa Adams
Jen Farley
Alex Laggis
Heather Swisher

Murphy, Elias

From: Hannah Berry <hannaheberry1127@gmail.com>
Sent: Wednesday, March 23, 2022 11:11 AM
To: EDU
Subject: Please Reject Proposal

This message originates from outside the Maine Legislature.

Please do NOT adopt this legislation and slow down the process of transitioning special education services from CDS to School Administrative Units. The DOE's current proposal is incomplete and will hurt kids and families, so please vote against it. Ask DOE to go back to work and provide a funding mechanism and a budget, as well as guidance to address school readiness, community partnerships, and collaboration with stakeholders. Thank you.

Hannah Berry
Rome, Maine

Murphy, Elias

From: Jacki Billington <jacki.billington@icloud.com>
Sent: Wednesday, March 23, 2022 9:40 AM
To: EDU
Subject: CDS services

This message originates from outside the Maine Legislature.

I am a speech therapist and special
Educator with preschool programs in Windham and Portland.

Please slow down the process of transitioning early childhood special education services from the CDS system to School Administrative Units. The current proposal is incomplete and does not provide protection for child care programs, Head Starts, and other community programs serving children with developmental disabilities to continue to be part of the special education system.

The current CDS system may need some changes to work better but shifting responsibilities to the public schools is in mooned best interest. It will harm the you f kiddos with disabilities that it is intended to help.

Jacki

Sent from my iPhone

Murphy, Elias

From: jbillington@southernmainespeech.com
Sent: Wednesday, March 23, 2022 9:34 AM
To: EDU
Subject: Changes to CDS system

This message originates from outside the Maine Legislature.

The current move to put 3-5 special education services in the public schools is a big mistake.

It falls woefully short of meeting the needs of the very unique you children.

I worked in a system that had 3-5 year old in the public schools and the system we have in Maine is WAY better! It gives parents school choice and more ownership over their child's education. This is so important as we are still dealing with children that are just out of infancy/toddlerhood.

The system as it is now works better in every way except maybe financially. The school systems don't have the space, staff and capacity to provide these services NOR do they want to.

They will need to use private contractors like myself, which could cost more money.

I am so opposed to this proposal as it will without a doubt harm the 3-5 year old students with disabilities in Maine.

I hope you see this proposal for what it is. A chance to save money and shift responsibility.

Regards,
Jacki Billington

Sent from my iPhone

Testimony of Jeff McCabe
Maine Service Employees Association, SEIU Local 1989

Relating to the Maine Department of Education's draft legislation known as An Act To Reorganize the Provision of Services for Infants, Toddlers, and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of IDEA Eligibility to 22

Before the Joint Standing Committee on Education and Cultural Affairs
9:30 AM Wednesday, March 23, 2022, Electronically

Senator Rafferty, Representative Brennan, and members of the Committee on Education and Cultural Affairs, I'm Jeff McCabe, director of politics and legislation for the Maine Service Employees Association, SEIU Local 1989. We are a labor union representing over 13,000 Maine workers, including the approximately 340 workers at Child Development Services (CDS). We'd like to start by thanking CDS workers for the critical work they do and the important role they provide in educating Maine's youngest children.

You probably have been hearing from CDS workers via email this session. We had hoped many more CDS workers would be able to testify today, but changes in their leave policy and short staffing have prevented that from happening. CDS workers have a difficult time getting leave time during the day, as do many essential workers in our Great State of Maine. Despite those obstacles, many CDS workers have used their personal time to prepare written testimony. Please take the time to listen carefully to what they have to say, as they are the essential workers whom we are all counting on to help newborns through age 5 get the help they need early on so they can make the most of their public education.

As you well know, each legislative session, in recent years, the workers at CDS and the services they provide are routinely subject to bills or discussions about education reform, and the 130th session of the Maine Legislature is no exception. However, these bills and discussions of late regrettably have become nothing more than vehicles for the proposed elimination of Child Development Services in its entirety and the State's proposed transfer of responsibility for delivering these types of services onto each and every public school district in Maine. Aware that both their jobs and the quality services they provide are at risk of elimination, CDS workers have become increasingly engaged in their contract bargaining. CDS workers typically negotiate and work under two-year contracts, one for workers in the Professional Bargaining Unit, the other for workers in the Support Bargaining Unit. CDS workers in both bargaining units are working without contracts. Their contracts expired Dec. 31, 2021, and they currently are negotiating successor agreements with management.

For the record today and for those listening, we want to say that members of the Maine Legislature often don't show enough support for CDS workers. We don't thank enough those workers who provide direct services to the people and children of Maine. At times, we forget that when it matters the most, we need to seek workers' input. Thank you to all of the CDS workers for the work you do to strengthen the lives of children and the families whom you

support. We hope each member of this committee has spoken with at least one family using CDS services. We also hope you have talked with local CDS workers to understand what is working and what does not work in the delivery of these essential educational services.

Today is March 23rd. We are less than a month away from the Legislature's scheduled adjournment date. A massive supplemental budget proposal is pending before the Legislature. It is vital to think about timing, capacity and public input on such a massive undertaking. You have a massive amount of work before you, completed by management at the Department of Education and management at CDS, but yet there are so many more questions to sort out. You have before you some great work that can address key areas, put together by your analyst. However, holes are apparent in the Department's draft legislative proposal, which is getting this hearing even though it doesn't even have an LD number. Key questions remain unanswered.

One of the more powerful meetings we had on this subject was over the winter when CDS workers, the folks providing direct services to children and families from around the state, met with people from the task force outside of the task force meetings. It was clear that CDS workers and child advocates share goals and commitment to provide the best services to children and their families. Many things that came up are being shared with the committee via advocates and private providers.

We are extremely concerned that members of both the task force and this committee have yet to have representatives from the Maine Public Employees Retirement System (MainePERS) explain the retirement options for CDS workers and provide an overview of the impact the Department's draft legislation would have on them. This issue has been raised numerous times in recent years and it continues to be a concern. The federal Windfall Elimination Provision and federal Government Pension Offset, both known collectively as the Social Security Offsets, impact workers who have worked under both Social Security and MainePERS. Workers at CDS have been paying into Social Security; if they are forced to move into MainePERS, which is the retirement system for public school employees and state workers at the Maine Department of Education, it is most likely they will face cuts to their Social Security benefits upon retirement as a result of being forced into MainePERS midway through their careers. MainePERS has substantial expertise relating to these federal offsets and their impact on plan participants. We think this committee should get all the facts from MainePERS so it can make an informed decision on the Department's draft legislation. This is not only an issue of fairness and respect for the workers and their years of service to the people of Maine; it also is an issue of retaining the staff currently providing these services. If we do not have a just transition, should a transition be deemed necessary after all the facts are gathered and all the impacts on students, families and CDS staff are considered, some CDS staff might not choose to transition at all.

We also urge you to demand an improved system for delivering early intervention services that will better meet the needs of the children and families who depend on them to thrive. That is why we join advocates in respectfully asking you, as members of the Committee on Education and Cultural Affairs, to:

1. Rejects any plan that does not include input from families or the staff of CDS;
2. Eliminate waitlists for children who need services;
3. Improve identification of children who need early intervention;
4. Don't split Part C and Part B services between two separate agencies. Transitioning students from Part C to Part B can be complex, and the staff in each program currently talk with each other frequently and do a lot of collaborative planning for these transitions; such collaborations might not be possible anymore if Parts C and Part B were run by two separate agencies;
5. Don't place an unfunded mandate on our School Administrative Units, many of which are not prepared to provide Pre-K services.

Listening to advocates and CDS workers about what is needed to improve CDS and to improve identification for children who need early intervention will help bring Maine's eligibility for infants and toddlers in line with the rest of New England. Historically, the regional CDS sites each had an independent board of directors to oversee each site; however, those boards were removed during changes made by the Legislature. We would support the addition of an independent board of directors to oversee CDS services, increasing accountability and providing a way for families, advocates and workers to raise issues and concerns.

In closing, CDS workers have been plagued by recruitment and retention problems driven in part by the great uncertainty caused by bills such as this one and discussions taking place in the Legislature. When we asked a local school board member about the Department of Education's proposal before you today, he seemed excited and supportive. But when we asked how and where the services would be provided, he referenced a new school not yet built and a program that is unstaffed and not funded, one requiring both public and private funding. Moving Part B services to SAU's without a comprehensive, fully funded plan to do so won't solve the issues of waitlists and children not yet getting services. Instead, we must finally adequately fund Child Development Services and listen to the needs of families, advocates and CDS workers. Thank you and I would be glad to answer any questions.

Murphy, Elias

From: Jennifer Marquis <jmarquis@waban.org>
Sent: Wednesday, March 23, 2022 2:57 PM
To: EDU
Subject: 3-5 services

This message originates from outside the Maine Legislature.

Please do NOT adopt this legislation and slow down the process of transitioning special education services from CDS to School Administrative Units. The DOE's current proposal is incomplete and will hurt kids and families, so please vote against it. Ask DOE to go back to work and provide a funding mechanism and a budget, as well as guidance to address school readiness, community partnerships, and collaboration with stakeholders.

Thank you,

Jennifer Marquis, TCM
Children's Case Manager
Desk: (207) 324-7955 ext. 653
Cell: (207) 459-0250
Fax: (207) 490-1824

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Murphy, Elias

From: Jessica Saucier <jess.saucier84@gmail.com>
Sent: Wednesday, March 23, 2022 10:53 AM
To: EDU
Subject: Child Development Services

This message originates from outside the Maine Legislature.

Please slow down the process of transitioning early childhood special education services from the CDS system to School Administrative Units. The current proposal is incomplete and does not provide protection for child care programs, Head Starts, and other community programs serving children with developmental disabilities to continue to be part of the special education system



Kathy Hamblen
Director of Special Services

75 South Street
Gorham, Maine 04038
(207) 222-1002

Heather Perry
Superintendent of Schools

March 23, 2022

Written Testimony on EDU Public Hearing on Draft Legislation for CDS 3/23/22

To: Sen. Rafferty, Representative Brennan and Honorable Members of the Joint Education and Cultural Affairs Committee

From: Kathy Hamblen, Director of Special Services for Gorham School District

Re: Testimony on Draft Legislation for CDS Services

I am writing this testimony IN FAVOR of An Act to Reorganize the Provision of Services for Infants, Toddlers, and Children with Disabilities from Birth to 6 Years of Age.

Although there is much work to be done to organize a smooth transition of services of the three and four year old Special Education populations to the public school system, I believe it can be done well and will allow for all those students to receive the services they need and deserve.

As the Special Education Director for the Gorham School District for the past eight years, I have seen this age population grow significantly and, each year, less come to us having received the full services ordered on their plans. The public school systems currently have the organization structures in place to achieve better coordination of services for these students that is currently not able to occur easily through CDS. There are so many great staff through CDS that the schools will be able to hire into their systems to provide the oversight and services in partnerships with our local preschools and daycares.

Of course, this all depends on the funding sources as our local taxpayers are already increasingly overburdened by a continual growth of our K-12 programs in Gorham. As long as the funding for these 3-4 year old programs are supported 100% through the DOE funding sources, we feel that we would then have the ability to transition these services to our district with a strong transition plan developed.

In addition, I would ask that any future work sessions in this area have additional public school representation, as it has been minimal to date. It is imperative that public schools be able to share the practical questions and ideas that they have been discussing with the DOE in regards to this move for several years now to assist in developing a successful transition plan.

Please feel free to reach out with any questions or if I can help in the development of the transition plan. I very much appreciate your work on behalf of our children across the state and thank you for your time.

Thank you,

Kathy Hamblen
Director of Special Services



49 Community Drive, Augusta, ME 04330
Telephone: (207) 622-3473 Fax: (207) 626-2968
Website: www.msmaweb.com



TESTIMONY REGARDING THE PROPOSAL TO MOVE CHILD DEVELOPMENT SERVICES INTO PUBLIC SCHOOLS

Senator Rafferty, Representative Brennan and members of the Education and Cultural Affairs Committee. I am Eileen King, Deputy Executive Director of Maine School Management Association, testifying on behalf of the legislative committees of the Maine School Superintendents Association and the Maine School Boards Association regarding the proposal to have schools take over the responsibilities of Child Development Services for children ages 3 – under 6.

While we appreciate its intent to better integrate services for students, we are concerned that it affects school districts in very different ways and could put the greatest burden on districts in the most rural areas of the state. Superintendents and School Boards are concerned about this late-file bill.

In its latest iteration the bill would put Child Development Services under the purview of individual districts to have oversight of services for pre-school children. That shift of responsibility puts a burden on school districts that do not have the staff to take over programs currently delivered in multiple places, including day-care centers, YMCAs, in the home and, when appropriate, in schools.

Equally concerning is the funding, which includes MaineCare. Many school districts do not use MaineCare billing as it is difficult to navigate, hard to understand and time consuming. Some districts that began to use it have stopped because, in some cases, it costs more to bill than the amount they are reimbursed. Until MaineCare billing is simplified, that avenue will not be beneficial to many districts.

We also are concerned about staffing and understand CDS, as it exists today, also has staffing challenges. The answer to that concern should not be to pass the problem down to school districts. Many rural areas already are struggling when it comes to filling positions.

Superintendents as well as School Boards are concerned about their school district's liability under this bill if they are not able to offer a Free Appropriate Public Education, as required under the federal Individuals with Disabilities Education Act or IDEA.

There also is a question about whether all districts have the space to take on CDS programs, though we recognize that the proposed shift does not mean that all 3-year olds receiving special services, and 4-year olds not in PreK programs needing special services would have the need to receive their services within their local public school. Not all districts have available space or will have very little left after instituting a pre-kindergarten program. In a proposal we have seen, it indicates the state will pick up the cost for renovations, though that is not included as language within the proposed bill. Will the state pay for a modular, or rent external space for CDS programs? And for how long will that payment continue?

We also need to understand if the state's intention is to run funding for school-based CDS through the funding formula. Again, we have seen a proposal that indicates funding for 4- and 5-year olds would run through the EPS funding formula, and that funding for special services for 3-year olds would be 100% funded by the state.

If that is the case, the committee is all too aware the formula creates winners and losers. That is exacerbated today because of the high value of property in the state that is not necessarily a reflection of the income of its property taxpayers. The promise in the bill to “cover 100 percent of special education” for 3-year olds needs to be better defined including for how long a period of time as well as how funding of services would be provided.

A clear delineated funding formula has not been developed that will identify how funds will be awarded; there are questions about what “covering special education 100% means” and how that will be determined. Other concerns are what will happen after 2026 when the federal funds are no longer available—will these costs then become 100% responsibility of the district?

This plan provides that schools that pay for special ed costs will be reimbursed by the state. To what level, and how that is determined is still a question. Smaller districts are concerned about cash flow if they must pay for services upfront and then wait for reimbursement. This is a valid and real concern as we have seen districts need to take out loans while waiting for reimbursement for ESSER funds to cover general expenses and payroll.

There also are procedural questions that have not been addressed.

How will superintendent agreements, for example, be handled for those parents who want their child to stay in a program that is not in their hometown, but rather in the community where a parent works? We anticipate parents will want their child to stay in a district where they already are enrolled.

We also would like to know if there is an opt-out provision if a school district is not able to provide services to this age group and can show they already are struggling to provide services for the students they have.

Simply stated, we believe this proposal raises more questions than it answers. Even though much time has been spent by the Advisory Committee and staff of the Maine Department of Education, the process feels rushed given that the bill deals with some of our most vulnerable children. Language matters when it comes to legislation, and we need to get this right.

The legislative committee of the Maine School Boards Association was neither for nor against the bill and the Maine School Superintendents Association did not take a position, but wanted to raise issues that need to be addressed.



Testimony of Rita Furlow, Senior Policy Analyst
Maine Children's Alliance

Before the Joint Standing Committee on Education and Cultural Affairs
An Act To Reorganize the Provision of Services for Infants, Toddlers, and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of IDEA Eligibility to 22
March 23, 2022

Good morning, Senator Rafferty, Representative Brennan, and members of the Joint Standing Committees on Education and Cultural Affairs, my name is Rita Furlow. I am the Senior Policy Analyst at the Maine Children's Alliance, and I am providing testimony in opposition to *An Act To Reorganize the Provision of Services for Infants, Toddlers, and Children with Disabilities from Birth to 6 Years of Age and Extend the Age of IDEA Eligibility to 22*. The Maine Children's Alliance is a statewide non-partisan, non-profit research and advocacy organization whose mission is to promote sound public policies to improve the lives of children, youth, and families in Maine.

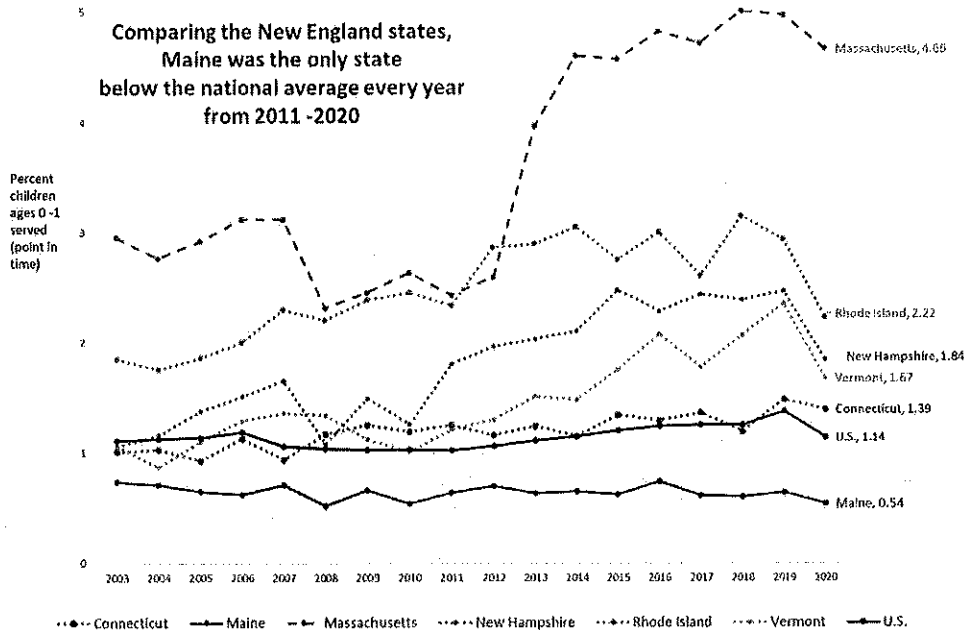
Maine's future depends in large part on our ability to support the children who will lead tomorrow's communities. We know from brain research the critical importance of the first five years of brain development, when the brain has the most plasticity -- or capacity for change. For some young children their development progresses along a slower timetable or in an atypical manner. For those infants and toddlers with a disability or developmental delay, intervening early can make all the difference in the world to their future outcomes. Congress determined that intervention services for our youngest children should:

- enhance the development of infants and toddlers with disabilities;
- reduce later educational costs by minimizing the need for special education;
- enhance the capacity of families to meet their child's needs; and
- minimize the likelihood of life-long supports and maximize independent living.

We were hopeful following the recommendations from the Public Consulting Group and the passage of LD 135, LD 255, and LD 386 that this committee would have before it a plan and accompanying legislation that the Maine Children's Alliance and other stakeholders could support. Unfortunately, the proposed legislation fails to address several fundamental issues that we feel are essential to improving services for our youngest children.

Child Find and Eligibility

Dissolving CDS, rebranding, and moving services without making changes to our "child find" procedure and our state's restrictive eligibility, particular for infants and toddlers, is not in the best interest of Maine children. We urge the Committee to undertake a thorough review of Part C services, including an examination of why significant numbers of children are NOT being identified and served by CDS.



As the chart above indicates, Maine has been well below the national average in identifying children under the age of one and significantly behind our New England neighbors.

Maine’s very narrow eligibility criteria contribute to the small number of children it serves in Part C services (less than 100 children under the age of one). A move to improve the eligibility criteria for this age group would help address the problem. Changes to the current criteria could be made in three ways under the federal Individuals with Disabilities Act.

First, the standard deviations that are required to identify a child with a developmental delay could be modified. Maine Unified Special Education Regulations currently requires a delay of at least 2.0 or more standard deviations below the mean in at least one of five areas of development or a delay of at least 1.5 standard deviations below the mean in at least two areas. Maine is one of 16 states with the most restrictive eligibility for infants and toddlers.

Second, states can also expand eligibility under federal law by utilizing an “at-risk” category. This provision of the Individuals with Disabilities Education Act (IDEA) gives states the discretion to find an infant or toddler eligible for Part C services who would be at risk of experiencing a substantial developmental delay if early intervention services were not provided. Biological or environmental factors that can be identified such as a history of abuse or neglect or being directly affected by illegal substance abuse could be considered. The committee should examine whether funds from settlement agreements relating to the opioid crisis could be used to support impacted children.

We were pleased to see changes relating to physical or medical conditions that qualify Maine children for CDS and urge the committee to review recent documents prepared by the Department.

Along with these potential changes, guidance and technical assistance to further promote the use of informed clinical opinion (encouraged by federal rules in IDEA) should be encouraged, especially for children who have delays or mental health concerns in the social-emotional domain.

We support a process to examine options and opportunities for expanding our eligibility criteria drawing from other state definitions. We also believe that the MDOE should investigate the reasons children were ineligible for current Part C eligibility criteria. These data will inform our deliberations and should help to define what makes sense to include in a new eligibility criterion and may also help to identify the number of potential additional children who would be eligible for services.

State Intermediate Educational Unit

We continue to struggle to understand why it is necessary to create a new “State Intermediate Educational Unit” rather than making changes to the existing law relating to Child Development Services. We suggest that the committee seek additional information from the committee analyst in order to comprehend the potential implications of these changes.

Reporting Requirements to the Legislature

We strongly urge you to reject provisions (Sec. 19 20-A MRSA §7209) that would eliminate reporting requirements, particularly OPEGA, to the Legislature for CDS. Regardless of the final timing and configuration of future services, there is obviously still a need for close legislative review of these services for children birth to five. As suggested by others in their testimony, the committee may wish to consider modifying the data reporting so that it is more focused on child outcomes and trends.

Parent education and engagement We would recommend that parent boards be developed at the regional level to assist with parent education, training, and engagement.¹ New Jersey The dissolution of the regional boards for CDS services appears to have contributed to less parent engagement in the provision of these services. We would also recommend requiring CDS to provide information to families about resources available from the state’s Parent Information and Training Center, the Maine Parent Federation, and organizations such as the Autism Society of Maine during the eligibility process.

We urge the committee to review additional recommendations in a joint document created with a number of our partners.

Thank you for your consideration.

¹ <https://www.state.nj.us/education/specialed/resources/SEPAGManual.pdf>



Dear Members of the Education Committee,
My name is Ryan Gallant and I am the Legislative chair for the Maine Occupational Therapy Association. We represent approximately 300 members providing Occupational Therapy services throughout Maine.

Thank you for taking on the challenge of revamping the CDS system and continuing to improve the educational system in Maine. Many of our members would closely as contracted providers with CDS and also as employees of CDS. We also have numerous members that provide services directly through School Administration Units.

We are writing in opposition to the draft legislation, particularly the timeline, for transitioning the provision of early childhood special education services for children with disabilities to School Administrative Units. We are not necessarily against the legislation, but are requesting that the timeline for implementation be extended in order for further collaboration with all stakeholders and more details in how the implementation will occur. At the present time, there are far too many questions for such a significant change and this could result in children not receiving the services that are critical in early intervention.

Some areas that we feel need additional work and detail include:

- A comprehensive funding plan
- A plan for identifying children in need of services
- More details on how providers (OT, PT, Speech) will be utilized/contracted

Please vote against this bill, particularly the aggressive timeline being proposed.

Thank you,

Ryan Gallant

Ryan Gallant, MOT, OTR/L
Maine Occupational Therapy Association

March 23, 2023

Dear Committee on Education and Cultural Affairs,

Re: Draft legislation regarding CDS.

I am not in favor of this moving forward as is for 3 & 4 year old special education July 2023.

3 year old and 4 year old children are very different when it comes to services.

4 year olds are mostly (always?) serviced in a pre-k or day care program.

3 year olds are serviced? We don't have room to start a 3 year old program. We can't even provide universal pre-k because of lack of room.

SDI -certification of special education teacher? 282 or early childhood?

SAU's will have many more meetings for referral /evaluation

Would we follow SAU protocol for 4 & 3 or CDS protocol?

45 school days for evaluations or 60 calendar days. Same for 3 & 4's? I would think 4's would follow current public school protocols as they are in a public school pre-k for many students.

Does SDI change? We do daily services, CDS does a few times a week. Who will do the services? As a public school I don't have extra staff hours now to service 4 or 3's. Do I contract with CDS? They don't have enough staff to service the kiddos who need SDI in my district now.

As the director I know nothing about 3 yr old services. I know a little about 4 yr old services. Will there be trainings?

3 yr olds on a school bus? We transport K-12 on every bus and have made room for 4 yr olds but buses are not made for 3 yr olds to navigate up the stairs find a seat etc.

I am not in favor of this moving forward for 3 & 4 year old children. I would like to see 4 year old children move to the public schools July 2023 and then a year or 2 later more 3 year olds to the public schools. This will give school districts the time to develop the processes needed to support all these students including certification of staff, special ed directors?, and related services and the ability to have programming space in every district.

Thank you,

Sandra G. Warden

Special Education Director
MSAD 55

Murphy, Elias

From: Gurney, Shawna I <Shawna.I.Gurney@maine.gov>
Sent: Wednesday, March 23, 2022 8:52 AM
To: EDU
Subject: CDS Testimony - Shawna Gurney

This message originates from outside the Maine Legislature.

Shawna Gurney of Raymond Maine in favor of the draft LD 255 legislation.

To the members of the Committee on Education and Cultural Affairs:

I am writing to you today as a citizen of the state of Maine, and as a professional who has dedicated my career to the support of families whose children have special needs. I have worked in the Early Intervention Program at CDS Reach for just shy of 16 years and for several of those years have been the program manager. My role as an Early Intervention Program Manager for Child Development Service's Reach (Cumberland County) is to run the program for our birth through two team of dedicated Early Interventionists who provide support to families across our region who are parenting (or grandparenting or foster parenting) infants and toddlers with disabilities and developmental delays.

Because of my position, I have had the opportunity to observe the advisory workgroup sessions for LD 255, I found that the majority of time spent in discussion was around a plan for three-year-olds, as opposed to future governance and oversight of early intervention services for birth through two-year-olds. While both these areas are important parts of LD 255, one certainly received the bulk of the group's time and attention, to the detriment of the other. I want to ensure that infants and toddlers in our state continue to receive the excellent support they need and are entitled to, regardless of what the plan for three-year-olds will be.

I want to ensure that you all understand the depth, breadth and quality of our early intervention services which is the key component to making the decisions necessary for our future. It is critical that you know about the quality of the services that children and families receive in the State of Maine from our program. Throughout my time in Early Intervention I have seen the dedication the State of Maine has to ensure that the families in Maine are receiving the most effective form of early intervention to date. The state has been phenomenal in evolving with the current research for Early Intervention as well as tracking fidelity on all components of our work to ensure we are providing families high quality evidence based services. Because of the dedication of the State of Maine, leadership that is unmatched and some of the most skilled pediatric therapists in the state, we are considered a model in early intervention for other states in this arena. Our evidence-based service delivery model is so well-implemented in Maine that the founder of the model has chosen to hold several of his international trainings here in Maine for early interventionists across the world to learn from our early interventionists. As a result of the quality of our program Spain, Portugal and Myanmar were referred to learn from us. We were recently asked to present about our program and how we run it so effectively and efficiently at an international symposium. As you can see, we are becoming widely recognized as a model program.

We've created an onboarding process for rigorous training of new employees, and all employees receive ongoing observations and feedback to work toward even greater fidelity to high-quality services to families. The process for families from referral through evaluation and provision of services is typically completed in a fraction of the time the same child/family would need to wait for a medical evaluation and services for the same concern. It is rare for us to have unmet needs for families of birth through two-year-olds, and the majority of families self-reported, when surveyed, that even during the worst of the pandemic, when many services had to be delivered via teletherapy, they felt their children made progress towards the goals they had set with their CDS Early Intervention team.

To ensure that each family we work with receives a comprehensive and individualized plan of services for their child we learn about and understand the family ecology because it is important for us to know the people that the family is

already connected with so we can coordinate and collaborate as needed, we administer a comprehensive functional needs assessment to identify functional goals that will address the child's participation or engagement needs, independence needs, and social relationship needs while ensuring that the families priorities are our top priorities. Each child and family has access to a team of early interventionists that consists of OT, PT, SLP, Nutritionist, Social worker, teacher of deaf, autism specialists, and/or early childhood special educators.

When an area of concern arises, we work very hard to put a plan in place to address any concerns and are seeing consistent improvements . Most recently we were below in the number of infants identified and served in the first year of life. We implemented targeted outreach efforts to hundreds of connections in communities all over the state and our birth to one child find numbers are rapidly increasing. Over the past ten years, our team of program managers have worked tirelessly, along with our teams, to standardize our processes and service delivery across the state, so that families can expect a high-quality experience, regardless of where the currently live or move within Maine. With recent COVID ARP funding, we have been able to schedule a number of high-quality, nationally-recognized professional development opportunities to further ensure the quality of all CDS Early Intervention team members and to help us retain a highly qualified workforce. The dedication of leadership, staff, and contractors allows us to provide families with a program that does not exist outside of our early intervention program. We are so excited for our future and to continue to hone our skills and practices.

Separating into our own SEIU, will allow us to rise from the shadows of the struggles that Part B Special Education has been experiencing for so many years now. Because of how closely tied we are to the special education department we have had the misfortune of, stakeholders, community providers, and sadly families assuming that we too are in crisis which is a complete misconception. If this bill passes we will be able to rebrand and in turn continue to flourish as a program, allowing stakeholders, families and community providers to see the high quality services that children and families receive in early intervention. The future of Early Intervention as its own SEIU has been something that many many of us experts in the field have supported for many many years. I urge you to consider allowing early intervention the opportunity to make this move so we can shine as our own entity even if you need more time to determine what is best for Part B and 3 year olds. I hope you find this information helpful as you move forward today. I am very proud of how comprehensive this bill is and the work that the DOE put into supporting this transition. The clear and consistent support of Directors Lucas and Frazier, as well as the greater Department of Education, speaks to their approval of the work that we are doing, and their advocacy is so appreciated. Your time, effort, and energy spent to read about and address these important issues for Maine families is equally appreciated.

Thank you so much for your time.

Shauna Gurney M.ed
Early Intervention Program Manager
Child Development Services – Reach
207-835-9120

<https://www.facebook.com/childdevelopmentsevices/>

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My name is Tammy Talbot. I am a Service Coordinator at the First Step site in Lewiston. I have been with CDS for over 20 years, starting my career at the CDS preschool in Farmington right after graduating from college. I have worked in the Farmington, Portland and Lewiston sites and have observed many changes over the years.

I believe in the work we do and the changes we can make in children's lives at very young ages. I have seen the progress that can be made with early intervention services. I have also seen the struggles of families and children who have not had the benefit of our services over the years, due in part to low staff and long waiting lists. CDS has always had a hard time retaining staff and that needs to change. We need staff members to feel valued and cared for by management. We need pay that is equal to what other agencies similar to ours offer in other states. We need to be able to take better care of our staff and allow them to take care of themselves and their own families. For too long we have given everything we have to the parents and children we work with only to go home tired, stressed, and underappreciated – which then makes our own families suffer.

When I think about moving CDS services for 3–5-year-olds to the public schools I worry how that will impact the level and quality of services those children will receive. Right now we struggle to find enough providers to fulfill the IEP's – public schools have the same issue. Over the years I have come to know many public-school employees. They are also understaffed and don't have enough time in a day to take care of everything, often working at home at night long after the school day ends. Most school therapists have caseloads that are already too high and too hard to manage. How will they incorporate even more children into their schedules? And when would the children 3-5 receive their services? In the middle of the school day when other children are already scheduled and can't be moved? Would they have to go early before school starts or go later in the day? How would that therapist handle that? You can't ask someone to see children for therapy from 7 a.m. to 6 p.m. everyday. I know many of the therapists that currently work for CDS have no desire to move to a school setting simply because of these concerns.

How would the children get to and from school for services as needed? We already have a bus driver shortage across the state and it is not fiscally responsible to send a bus (even a small bus) to pick up one child to bring them to school and then back home. What happens if the bus is late but the therapist has another child coming in or has to attend an IEP meeting? Who watches over that 3-year-old?

We have an amazing system at CDS right now that helps to transition children from our Part C program to our Part B program. Because we are together, we can work as a team with the family early on so that there is a seamless transition between programs. Having a Part B staff member in the office that we can talk to, could bring to a home visit, and could meet with the therapists is so beneficial. Once Part B is moved into the schools that personal connection is gone and the school staff will not have the time to give these children and families.

CDS needs to stay intact as it is. We are a successful program staffed by people who love their jobs and the children and families we work with. We struggle because of things out of our control – funding, pay, flexibility, working more than 40 hours a week consistently without compensation. These are things that can change and continue to make CDS a beneficial, successful and important program in the lives of children with special needs in Maine birth to age 5.