



## Maryland Developmental Disabilities Council

EMPOWERMENT • OPPORTUNITY • INCLUSION

Commission on Innovation and Excellence in Education

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Testimony of the Maryland Developmental Disabilities Council<sup>i</sup>

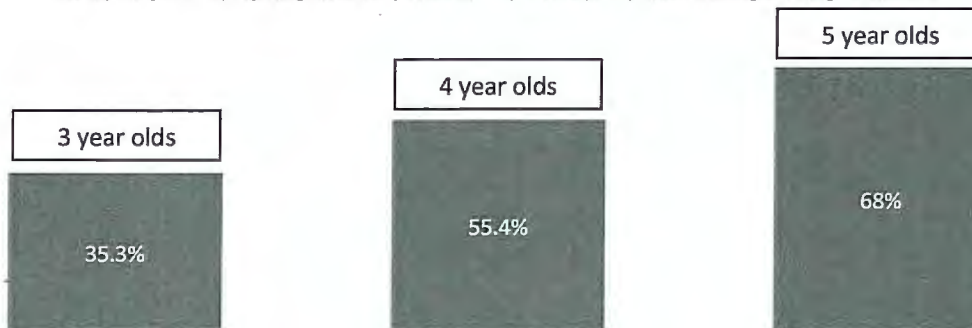
Young children with disabilities:

Despite much progress in policy, practice, and partnerships, families continue to struggle to find and keep high quality, inclusive early education where their young children with disabilities can learn, play, and grow alongside their peers without disabilities. As a result, young children with disabilities are significantly less prepared for kindergarten.

According to the Maryland State Department of Education's Division of Special Education/Early Intervention Services (DSE/EIS):

- There are over 13,000 three- to five-year-olds with Individual Family Service Plans (IFSPs) or Individualized Education Programs (IEPs) in Maryland.<sup>ii</sup>
- Data suggests the need for increased opportunities for all children to access high quality, inclusive early childhood programs, particularly 3-year-olds.<sup>iii</sup>

### PERCENTAGE OF CHILDREN WITH DISABILITIES RECEIVING SERVICES ALONGSIDE THEIR TYPICALLY DEVELOPING PEERS



Why does access to high quality, inclusive early care and education matter?

**Federal and state law requires that children with disabilities and their families have an equal opportunity to participate in early care and education programs and services with their peers without disabilities.<sup>iv</sup>**

Therefore, the quality of an early care and education program is tied to the ability of the program to create an environment that welcomes all children and provides appropriate services and supports to all children, including those with disabilities.

To meaningfully participate, children may need additional services and supports – some provided through early intervention services or preschool special education and some provided by the early care and education provider. Regardless of how the services and supports are provided, **federal and state law requires that children with disabilities receive necessary services and supports in their natural environments – a setting that is natural or normal for their same age peers without disabilities.**

### What are some of the barriers to making this happen?

- The Maryland Infants and Toddlers Program that provides children with developmental disabilities and delays with the services and supports they need has been level funded since SFY2009. A 20% increase in the number of children eligible for services has resulted in a 17% decrease in State General Fund dollars per child.
- There are no designated State or federal funds for three- and four-year-old children who still receive services through early intervention.
- There are no designated State funds for the provision of preschool special education services to preschool-age children served through an Individualized Education Program.

**Maryland is required by state and federal law to provide special education and related services for eligible preschool children with disabilities, ages three through five, yet no State General funds have been allocated specifically to support the provision of preschool special education services despite the proven benefits.**

- 14% of all children who exit early intervention or preschool special education no longer require special education services.
- Based on a cost of \$11,838 per child, \$46,333,932 is saved annually as a result of services provided by the MITP and preschool special education programs, assuming these children no longer require special education services.

### What is the result?

According to Maryland State Department of Education's (MSDE) school readiness report:

- **Only nineteen percent (19%) of young children with disabilities entered kindergarten fully ready to learn compared to forty-five percent (45%) of their non-disabled peers.**
- **Children with disabilities have the lowest percentage of school readiness compared to all other specific groups analyzed in the report.**<sup>v</sup>

Access to high quality, inclusive early care and education programs, including public prekindergarten for children with developmental disabilities and delays, is more critical than ever.

The type of child care setting influences a child's preparedness for school. Children who receive child care in more formal, regulated settings, such as a public prekindergarten, enter kindergarten more ready to learn than those in informal care. All children should be fully prepared for school. That means all early childhood programs should be inclusive, high quality and accessible to young children with disabilities and their families.

- **Only thirty-one percent (31%) of children who remained at home or were in informal, unregulated care entered kindergarten fully ready to learn compared to forty percent (40%) of their peers who attended public prekindergarten and fifty-one percent (51%) of their peers who attended a child care center.**<sup>vi</sup>

### What can Maryland do?

Funding is needed to better support young children with disabilities in their natural environments, which for most children with and without disabilities is an early care and education setting. **Without adequate funding, it is difficult for Maryland to meet its obligations under state and federal law to ensure young children with disabilities receive the services and supports they need to succeed.**

### Maryland Infants and Toddlers Program (MITP)

- The provision of early intervention services for eligible infants, toddlers, and preschool-age children is required by the IDEA and COMAR regulations.
- Each year, the MITP provides early intervention services to a growing number of infants and toddlers ages birth to three with developmental delays and disabilities and their families. **Since FY 2003 there has been a 93% increase in the number of children and families served annually in the program.**<sup>vii</sup>
- Education Article 8-416, the statute governing the MITP, includes a requirement that State funds constitute up to 20% of the total program cost. **State funding for the MITP was increased in Fiscal Year 2009 to \$10.4 million – where it remains today. This represents about 11% of the program’s cost.**
- **Since SFY 2009, there has been a 30.5% increase in the number of children eligible for MITP services, with a 23.4% decrease in State General Fund dollars per child.**

### Special Education Prekindergarten

- The provision of special education and related services for eligible preschool children with disabilities, ages three through five, has been required by the IDEA since 1990 and in State COMAR regulations since 1985.
- **MSDE provides special education services to over 12,800 preschool children with disabilities.**<sup>viii</sup>
- Federal funding under IDEA represents only 5% of the total costs of providing services to pre-kindergartners with disabilities. **To date, no State General funds have been allocated specifically to support the provision of preschool special education services.**

### Implementing Universal Prekindergarten

The DD Council was a member of the Workgroup to Study the Implementation of Universal Prekindergarten, mandated by the General Assembly this year. Of note, the Workgroup’s recommendations<sup>ix</sup> included (among other things):

- The per-child cost for the provision of prekindergarten programming must ensure reasonable compensation for teacher pay and program implementation. In addition to per-pupil funding amount, funds should be made available to cover implementation costs including supports for teacher credentialing, program accreditation, and improvements needed to reach Maryland EXCELS Level 5. **This is especially critical because Maryland EXCELS was developed to ensure Level 5 programs welcome, support, and include young children with disabilities alongside their peers without disabilities.**
- Four-year-old children with IEPs should be considered a priority for prekindergarten enrollment in a variety of settings, regardless of income. **The IDEA requires the free appropriate public education of all students with IEPs at no cost to the families; therefore, they should have priority for full day slots regardless of the eligibility phase-in plan.**

If the chronic underfunding of services and supports for young children with disabilities is not addressed, access to high quality, inclusive early care and education will remain difficult. Maryland’s young children, especially young children with disabilities, need the help of all schools, families, early care and education programs, State leaders and policy makers, and advocates to elevate school readiness. Comprehensive funding combined with the support and collaboration of all these partners is critical to close the school readiness gaps.

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<sup>i</sup> The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that works to advance the inclusion of people with developmental disabilities in all facets of community life.

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<sup>ii</sup> *MSDE, DSE/EIS Census Data & Related Tables*, October 1, 2015. Pg. 18.

<sup>iii</sup> *Services Ages 3 through 5 Source: MD Special Education, Preliminary Data*, October 1, 2016.

<sup>iv</sup> *Americans with Disabilities Act and Individuals with Disabilities Education Act*.

<sup>v</sup> *Executive Summary*, pg. 6. This information describes the percentage of students assessed who receive special education services and have an Individualized Education Plan (IEP).

<sup>vi</sup> *Id.*

<sup>vii</sup> *Maryland's Birth-Five System of Services*, January 2017. **The MITP serves almost 18,000 children annually.**

<sup>viii</sup> *Id.* Pg. 17.

<sup>ix</sup> *Workgroup to Study the Implementation of Universal Prekindergarten Report*, September 2017. Pg. 7.