

## Murphy, Elias

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**From:** Amie Earley <aeearley@woodfords.org>  
**Sent:** Tuesday, March 22, 2022 1:04 PM  
**To:** EDU  
**Subject:** DOE Proposal for 3/23

**This message originates from outside the Maine Legislature.**

To Whom it may concern;

My name is Amie Earley, I am a resident of Windham, and I am writing in regards to the DOE proposal affecting CDS Part B transition.

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.

As both a special educator in a K-5 classroom and a parent who has had and currently has children accessing services in the 3-5 year age group from CDS, this particular discussion is very close to me both personally and professionally. So many children and families already slip through the cracks as it currently stands. A transition of this magnitude without precise and specific details around choice, budget, and access would be incredibly detrimental to both families and providers. As an educator who works for a non profit organization whose preschools are geared specifically towards those children who access services under CDS in part B (3-5 years) I know the professional stress it causes when there isn't enough funding, time, and communication involved for all parties. As a parent of a four year old who is accessing speech, OT, and Special Education services at a private typically developing preschool, through CDS I know how hard it can already be to navigate the waters of early intervention. A rushed timeline with an incomplete plan serves no one, especially not the children of Maine who need these services.

As a parent and an educator, I ask you NOT to adopt this legislation.

Amie Earley  
BHP/Ed. Tech III  
Woodfords K-5 SPPS  
Westbrook Campus

## Murphy, Elias

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**From:** Caitlin Rothe <caitlin.augrad@gmail.com>  
**Sent:** Tuesday, March 22, 2022 1:55 PM  
**To:** Brenner, Stacy; EDU  
**Subject:** CDS Testimony – Caitlin Rothe (Parent) Gorham

### **This message originates from outside the Maine Legislature.**

As a concerned parent I urge you to revisit the timeline of this. With Covid wreaking havoc on our communities, especially our schools I implore you to extend this timeline. My son Jake is 3.5yrs old and is fortunate to receive 1:1 services at Woodfords Preschool extension program in Westbrook. There is such an overflow that they need to rent space from the Community center to accommodate the children. He is currently on a waitlist for the Glickman Center that had about 30 kids ahead of him. Woodfords has supplied a motor room, potty training assistance, and maintained small classroom sizes, would local schools be able to match this? I don't believe they currently have any programs for children younger than 5 and this raises concerns.

The staffing has been an issue all year, my son was on a rotation and called out regularly. Mondays have been cut from the program for the time being because they don't have enough teachers. They are offering \$15-18hr and this is where the problem lies. It's infuriating to read that there was a surplus of tax dollars and our specialized schools are unable to offer competitive salaries especially when the cost of living in southern Maine has skyrocketed. The Woodfords & CADD preschool programs are also year round. Would my school district be able to offer a continuation throughout the summer months? Disabled kids often cannot function at summer camp the way their typically developing peers would. Woodfords has also offered a level playing field for families of all backgrounds. If the local districts are setting up the programs would that impact the quality of services in more or less affluent towns? And would he have to transfer? Who would decide his placement?

Most importantly my son has thrived. Jake was diagnosed with Level 3 Autism and is preverbal. His team works tirelessly with helping him in all areas and they are truly doing God's work. If anything I'd love to see these programs get more support and not jolted, not after all that they've been through these past two years.

As a parent who relies so much on the community for my child's wellbeing, I am grateful for all who are seeking the best solution for the future of their education.

Please reach out to me 914-475-2060 if you would like any insight from a parent currently working with CDS.

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,  
Caitlin Rothe



# Maine Head Start Directors Association

Cristina Salois, MS Ed, Chair  
Southern Kennebec Child Development Corporation  
337 Maine Ave Farmingdale, ME 04344  
Phone: 207-582-3110. Email: [cristina.salois@skcdc.org](mailto:cristina.salois@skcdc.org)

March 22, 2022

**In opposition of: The proposed plan for the transition of Free and Appropriate Public Education for early childhood special education services from Child Development Services to School Administrative Units on July 1, 2023**

Senator Rafferty, Representative Brennan, and distinguished members of the Education and Cultural Affairs Committee,

The Maine Head Start Directors' Association is signing this testimony in opposition to the proposed transition of Free and Appropriate, Public Education (FAPE) for 3-5 year olds to School Administrative Units (SAU) on July 1, 2023.

The proposed legislation would greatly impact services currently delivered by Child Development Services (CDS) for children ages 3-5. The proposal needs more work and should not be adopted at this time. It lacks sufficient detail, fails to address significant concerns of stakeholders, and proposes a very quick timeline that could be damaging to children, families, providers, schools and taxpayers.

The proposed legislation would end CDS oversight of a FAPE and related services for children ages 3-5 by July 1, 2023. This will not give parents, service providers or schools enough time to prepare. The timeline recommended by members of the Maine Early Childhood Special Education Services-Independent Advisory Review Committee and Public Consulting Group (PCG) was for a minimum 2-year transition to seamlessly transfer services to the SAUs.

The proposal's aggressive timeline and incomplete plan does not sufficiently address the impact on children, families, schools or CDS employees. It could mean less parental choice in where and how children receive services, and cause confusing transitions between CDS and local SAUs. The proposal has no processes for contracting with childcare providers or Head Start centers. This could make obtaining child care close to home or work very challenging, thus disrupting Least Restrictive Environment (LRE) for children. In addition, there are no safeguards for existing CDS staff or programs serving students with developmental disabilities. Continued relationships with CDS employees will benefit and support transitions of children to a new

system. Seamless transition of services within existing community-based programs will support early childhood best practice and reduce child transitions.

The proposal lacks a detailed funding plan and has not provided an estimate of the cost of the proposed changes, or how such costs will be paid for now or in the future. Assessing costs and developing sustainable funding should be addressed in detail before any transition to the SAU. Just this week, the Department revealed that the plan may increase property taxes; this impact remains unclear.

SAUs need time to conduct community assessments to gather data on the current number of children receiving special education services in their districts. This information will be needed for schools to accurately plan and prepare to bring FAPE services in the LRE into the SAUs. In addition, SAUs need to gather information on community programs that currently have capacity to serve 3-5-year-old children and to develop service agreements or establish relationships to continue special education services as most appropriate for the child and family. What about the three year olds? As this population is not eligible for Public Pre K, is it most appropriate to provide FAPE services for this age group in Head Start, family child care, YMCA's and private child care centers? Brain research and our years of experience would say, yes. Consistent primary care givers are critical for positive social emotional growth and development, which is the very foundation of early learning. Established child care relationships, that reduce the need for multiple transitions during these early years is most beneficial to children in all areas of growth and development.

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 will hurt children 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 more guidance to SAUs on how to accomplish the task of identifying and educating 3-5 year olds with special needs.

Thank you for your consideration.

Cristina Salois, Chair  
Maine Head Start Directors Association

## Murphy, Elias

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**From:** Ellen D'Amato <edamato1985@gmail.com>  
**Sent:** Tuesday, March 22, 2022 3:09 PM  
**To:** EDU  
**Subject:** Important

This message originates from outside the Maine Legislature.

Good afternoon.

My name is Ellen D'Amato and I am in the special education field as well as a parent to a special needs child (3 years old) currently living in South Portland, Maine. My son was recently transitioned into CDS and is receiving both speech therapy and itinerant services. In just the short time, with additional supports and accommodations, we have seen leaps of progress. I am also an employee at Woodfords Family Services preschool which provides services to special needs kiddos. I have been in the special needs field for 14 years and know how critical early intervention is for the development of children who are behind.

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.

Ellen M. D'Amato

## Murphy, Elias

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**From:** Heather Marden <heather@maineaeyc.org>  
**Sent:** Tuesday, March 22, 2022 12:41 PM  
**To:** EDU  
**Subject:** Proposed changes to Child Developmental Services  
**Attachments:** Proposed changes to CDS.pdf

**This message originates from outside the Maine Legislature.**

I am submitting testimony on behalf of the Maine Association for the Education of Young Children and the Family Child Care Association of Maine against the current proposal for transition of special educational services for 3-5 year olds (Part B 619 FAPE) from CDS to SAU's on July 1, 2023.

I was on the Advisory Groups for LD 255 and LD 386 to provide my expertise and recommendations on behalf of early childhood education including child care programs. Not only does the current plan not have intentional language about the inclusion of child care programs as least restrictive environments and provide safeguards to make sure they are part of this plan, but the short timeline also risks closing child care businesses if they are excluded in SAU's implementation of these services. I hope you can take the time to read our recommendations on how we can move forward with the inclusion of child care in this plan.

Thank you,

Heather Marden  
Maine Association for the Education of Young Children  
Policy Director  
(207) 489-2187

**Murphy, Elias**

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**From:** Holly St Onge <holly@pediatricdevelopmentcenter.com>  
**Sent:** Tuesday, March 22, 2022 9:20 AM  
**To:** EDU  
**Subject:** CDS - Do NOT rush the process

**This message originates from outside the Maine Legislature.**

To Whom It May Concern,

*The DOE's current proposal is incomplete and will hurt kids and families. Please do NOT adopt the DOE legislation. Please slow down the process of transitioning special education services from CDS to School Administrative Units. Ask the 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 for your consideration,*

*Holly St. Onge, MS OTR/L  
Clinical Director  
Pediatric Development Center  
Portland, ME  
[holly@pediatricdevelopmentcenter.com](mailto:holly@pediatricdevelopmentcenter.com)*

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Holly St. Onge, MS OTR/L  
Clinical Director  
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207-591-7210

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Testimony of child care representatives, parents, and stakeholders in Maine

In opposition of

The proposed plan for the transition of Free and Appropriate Public Education for early childhood special education services from Child Development Services to School Administrative Units on July 1st, 2023

March 23rd, 2022

Senator Rafferty, Representative Brennan, and distinguished members of the Education and Cultural Affairs Committee, we are signing this testimony in opposition to the proposed transition of FAPE for 3-5 year olds to SAU's on July 1st, 2023.

This proposal's timeline and lack of details does not sufficiently address the impact on children, families, and child care programs including family child care, center based, faith based, Head Start programs, and other community providers serving children ages 3-5. It could mean less parental choice in where and how children receive services, and cause confusing transitions between CDS and local SAU's.

Child care programs are deeply concerned that a rushed timeline can result in SAU's working too swiftly to create new publicly funded preschool programs without first creating collaborative partnerships with child care programs. An unintended consequence of this could mean closing the doors of more child care programs leaving working families with even more limited options and in some communities no options at all for their young children.

***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.***

Beth Gagnon	Heidi's House Childcare & Preschool
Kristen Holzinger	Kennebec Valley Community College Early Childhood Faculty
Deborah Arcaro	Country Fun Child Care (opened 7/1988 - retired 7/2021)
Mary Pletcher	Maine Parent advocacy network, Educare Parent of a special needs 4 year old
Lisa Mills	Dovetail preschool/ CDS Reach/ teacher
Pamela Love ndall	Assistant Director in a child care center

Sue Powers	Early Childhood Educator
Nicole Hoglund	Director Early Childhood Education Preschool
Sara Larson	Coastal Kids Preschool, Teacher
Melinda Blair	Early Childhood Special Education teacher, CDS
Jasmyn Noonan	Childcare worker
Connor Archer	The Courageous Steps Project, Founder & Chairman/CEO
Lorri Vaillancourt	WCAP Early Childhood Program Site Supervisor
Raelene Bodman	Toddle Inn Westbrook
Karen Harwood	Infant teacher at a local child care program
Christina Butler	MSAD 70 ED TECH 3 TEACHER
Stacie Archibald	Your Little Artist Childcare/Preschool, South Portland, Family Childcare
Angela Francis	Passamaquoddy Child Development Center
Katherine Wright	Maine AEYC, Bowdoin College Children's Center
Gina Forbes	Early Childhood Educator, Falmouth Corner Preschool and Owner of Reweave Education
Jennifer Vachon	Parkside Children's Learning Center, Owner
courtney caouette	LRTC Lab preschooler teacher at Lewiston Regional Technical Center
Bethany Sirabella	South Parish Nursery School, Director/Teacher
Julie Farmer	Sweatt-Winter Child Care & Early Education Center
Gregory L. Crosby	Citizen
Sasha Shunk	Shunk Child Care, owner
Hayley Valdivia	Public School Pre-K Teacher
Tina Jennings	YMCA of Auburn-Lewiston Association Director of Community & Youth Engagement
Laura, Newman	Education Consultant to Educare Central Maine
EVA SAWTELLE	Retired Child Care Center Owner

## Murphy, Elias

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**From:** Karen McClure-Richard <kaylmack@hotmail.com>  
**Sent:** Monday, March 21, 2022 9:25 PM  
**To:** EDU  
**Subject:** CDS Testimony – Karen McClure-Richard

**This message originates from outside the Maine Legislature.**

Senator Raferty, Representative Brennan and esteemed members of the Legislative Committee on Education and Cultural Affairs,

My name is Karen McClure-Richard and I live in Lewiston. I am writing to you in opposition to the draft CDS legislation.

For over 25 years I have worked as an early childhood special educator in the State of Maine and have held a professional teachers B-5 282 certificate for as long. While never employed by CDS directly, I have spent most of my career as a contracted provider for CDS. I have seen so many changes over the years and I have seen attempts to dissolve CDS come to the legislature many times. This particular attempt appeared to have the most promise because of the efforts to get an outside review of the system and some (though not a very intensive) effort to get input from the actual stakeholders.

I have watched every meeting held by the Advisory Committee and was grateful for their efforts in attempting to really get the voice of the stakeholder despite (what felt like) a limited effort from PCG. I was impressed by their willingness to disagree and discuss and problem solve. Their discussions were respectful and there were many great ideas. They weren't trying to shut the idea down, but trying to vet it thoroughly and address concerns along the way.

I have also watched every discussion held at the committee level in regards to CDS. I was incredibly disappointed to see the MDOE proposal as it did not address many the concerns proposed by the advisory committee and felt a bit dismissive of the many challenges I am seeing daily. Members of the advisory committee were asked to comment and reported that they didn't feel prepared as the DOE hadn't shared their proposal with the committee ahead of time. I believe Representative Dodge expressed her utter disappointment in this lack of collaboration, and I could not agree more. Thank you, Representative Dodge.

I feel strongly that this is being rushed for the sake of a session coming to end. The DOE wants it pushed through, and that is incredibly obvious. The advisory committee has many concerns and these concerns have not been vetted thoroughly. Representative Millett was even shut down as she tried to get answers due to other members having concerns over the timeline for this very hearing! Incredibly disappointing. Thank you for your many thoughtful questions, Representative Millett.

As a provider in a community with some of the largest numbers of children needing services, I ask you to slow down. Take more time and do this right. Spend more time listening to and getting input from stakeholders who live and work in Maine and do this work every day. All of our communities are not ready for this - Why not start with a number of pilot sites and test things out before pulling the plug statewide? Our children deserve nothing less.

We currently have too many children with unmet need due to a lack of quality programs, a serious lack of transportation and a lack of staffing in programs. Rushing this legislation through does absolutely nothing to solve that very immediate problem.

The early childhood years are few, but hold great importance in the development of a child. We cannot waste one minute of that precious time. I agree that something needs to be done - but despite all the effort - this is not it. At least, not yet.

Thank you for your time,  
Karen McClure-Richard, M.Ed.

Testimony Against “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”.

Senator Rafferty, Representative Brennan and other distinguished members of the Committee on Education and Cultural Affairs.

My name is Ken Johnson, Superintendent of Schools for AOS 77 (9 towns in Washington County)

Many Superintendents in Washington County and other rural areas of the State oppose, “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”, for the following reasons:

- CDS has difficulty attracting staff to meet the needs of identified students, but school districts have the same struggle employing staff as well.
- Some school districts do not have the physical plant capacity to accommodate more students.
- Rural central offices do not have the capacity to administer the programming CDS is currently delivering to students. Our Special Education Directors are at their supervisory capacity now.
- Many Superintendents have reported there is no space to add administrative staff in central offices and many central offices do not have the capacity to take on more DOE paperwork and financial functions that would come with school districts absorbing CDS programming.
- In the first 2 years of transition, the DOE would implement a reimbursement model which assumes school districts have the necessary cash flow to up front costs. Many small districts do not have enough money on hand to wait for reimbursement for services.
- It is difficult to agree to take on more student services when there is no long term funding design in place. Many district leaders are afraid that program funding will eventually be added to the burden of local tax payers. The current EPS funding formula has a local required mill rate expectation.

Please allow school districts to opt out of taking on the student services that CDS currently provides across the State. This should be a local school district decision. Some school districts do not have the necessary resources to provide these important student services.

Thank you.

Ken Johnson

## Murphy, Elias

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**From:** Kenneth Spinney <kspinney@wiscassetsschools.org>  
**Sent:** Tuesday, March 22, 2022 1:17 PM  
**To:** EDU  
**Subject:** CDS Testimony - Ken Spinney II-Wiscasset Special Education Director

**This message originates from outside the Maine Legislature.**

Thank you for taking the time to hear my thoughts regarding the CDS System which I feel needs a major overhaul given my 32 years of serving children as a teacher/administrator.

I have a strong belief that regionalization of public preschools that are federally and state funded are needed. I am in full support of this if we take steps to meet with regional Special Education Directors and Superintendents to identify who has space and would like these programs. Here in Wiscasset, I would love to explore with the DOE.

I firmly believe since there is such a shortage of qualified personnel in a number of educational areas, we need to offer students loan forgiveness, potential housing offsets, paying for courses upfront, bonus pay, and place them on potentially a state contract in order not to interfere with local bargaining agreements. Simply put, money talks. Maine is far behind the eight ball in pay for educators and benefits. Get rid of not being able to "double dip" and educators should not have to pay tax on their retirement like in many other states. All of these things NEED to happen to attract and retain teachers.

I also believe serving the 3-5 age population is the #1 thing we can do if we do it WELL. Many of the parents need parenting classes and financing for enrichment opportunities. I would use some of the funding I hear about for just that and offer learning opportunities before and after the school day. While working in Portland, we had Family Centers in our schools with certified social workers. This may also want to be revisited given the social emotional needs families are facing and not knowing the resources that may be available to assist their child at an early age.

Outside of CDS, I would like to see regionalization of programs for the Deaf and Hard of Hearing, Visually Impaired and Blind and Day Treatment. Many day treatment centers have closed, are closing, or you can't find openings for an array of reasons. I am open to looking at all of these, but federal and state funds need to be used differently. I am more than willing to share my thoughts in person at any time and be part of the solution here in Wiscasset.

Best....  
Ken Spinney II

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Warmly,  
Kenneth A. Spinney II,  
Wiscasset Special Education Director

Telephone: 207-882-7767 Extension #310 or 207-882-7722  
Fax: 207-882-8279  
Cell Phone #: 1-207-415-0407

## Murphy, Elias

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**From:** Louise Moses <loumoses@aol.com>  
**Sent:** Tuesday, March 22, 2022 3:25 PM  
**To:** EDU  
**Subject:** Re: Object to DOE's proposal to have SAU's responsible for special education of all 3-5 year olds with special needs

**This message originates from outside the Maine Legislature.**

Please forgive me as I made mathematical errors in this email regarding my time in education.. I have corrected them..Louise Moses

Sent from the all new AOL app for iOS

On Tuesday, March 22, 2022, 2:23 PM, Louise Moses <loumoses@aol.com> wrote:

Please do NOT adopt the above legislation on March 23, 2022 . It is important to slow down the process of transitioning special education services from CDS to School Administrative Units. The DOE's current proposal is incomplete and may impair students and families and families in successfully gaining acces to the programs that they need and have the right to access.

Please revisit this proposal and in doing so, provide a complete funding mechanism, a budget, as well as guidance to address school readiness, community partnerships, and collaboration with stakeholders.

Though this proposal may be beneficial, it will be detrimental to all stakeholders if it is not done with all stakeholders at the table to provide the accurate and important information needed to provide the best program for all of the children. These are the students who have the most needs to move forward successfully in their education. All stakeholders, especially parents and providers, will need to know how to access programs, how they will be funded, and who to reach out to to get the answers.

Many of our 3-5 year olds are placed in out of district the preschool programs. They are also filled with children who can't access services or have too many needs for typically developing preschools.

An example would be- Funding for a special education nonprofit could be affected as well as the providers that they contract with.

Another possibility would be that of transportation. The problems that that are currently facing the K-5 students would now be expanded to the preschool. Often transportation staff not properly being trained to deal with children of special needs, not to mention the problem of not being able to man transportation on a daily basis due to driver shortage. Currently transportation is being funded through RTP, but without a real breakdown in budget from the DOE that also would be questionable. These important issues all need time to be worked through with everyone.

Everyone is in agreement that this will happen, the concern is when and how the transition will occur in a safe, responsible manner. Other things to discuss and communicate in a timely manner would be what the budget breakdown would look and be like, and how it will affect all of the facets in the equation.

As a retired and former special educator ( 14 years), regular classroom teacher (16 years), district teacher leader (7years), and administrator (5 years) for a total of 42 years, as well as a



grand parent with a two grandchildren who access OT, Speech and Special Education services I  
emplore you to revisit this proposal to make sure that there is clarification to all who will be  
responsible in making this a success.

I know that you want to make decisions in the best interest of our children/students. Making  
these decisions in haste would have the potential to affect where they went to preschool, or what  
services can be obtained at their current school and how to successfully access them.

Sincerely,  
Louise B. Moses  
632 Duck Pond Road  
Westbrook, ME 04092  
2072727066



Megan Hannan, Executive Director  
Maine Community Action Partnership  
c/o Penquis  
262 Harlow Road  
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207-831-9893

Jason Parent, CEO/Executive Director  
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Kara Hay, President & CEO  
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Donna Kelley, President & CEO  
Waldo Community Action Partners  
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207-338-6809

Jim Trundy, Executive Director  
Western Maine Community Action, Inc.  
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207-743-7763

Barbara Crider, Executive Director  
York County Community Action Corporation  
PO Box 72  
Sanford, ME 04073  
207-324-5762

## **Maine Community Action Partnership Opposes 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**

Senator Rafferty, Representative Brennan, and distinguished members of the Education and Cultural Affairs Committee, my name is Megan Hannan, Executive Director of Maine Community Action Partnership, and we are opposed 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.

Maine Community Action Agencies administer nine of the 11 Head Start / Early Head Start programs in the state, and so we are very concerned about the proposed legislation would greatly impact services currently delivered by Child Development Services (CDS) for children aged 3-5.

The proposal needs more work and should not be adopted at this time. It lacks sufficient detail, fails to address significant concerns of stakeholders, and proposes a very quick timeline that could be damaging to children, families, providers, schools and taxpayers.

The proposed legislation would end CDS's oversight of a Free and Appropriate Public Education (FAPE) and related services for children ages 3-5 by July 1, 2023. This will not give parents, service providers or schools enough time to prepare. The timeline recommended by members of the Maine Early Childhood Special Education Services-Independent Advisory Review Committee and Public Consulting Group (PCG) was for a 3-5 year transition to seamlessly transition services to the SAU's.

The proposal's aggressive timeline and incomplete plan does not sufficiently address the impact on children, families, schools or CDS employees. It could mean less parental choice about where and how children receive services and cause confusing transitions between CDS and local SAU's. The proposal has no processes for contracting with childcare providers or Head Start centers. This could make obtaining childcare close to home or work very challenging, thus disrupting Least Restrictive Environment (LRE) for children. In addition, there are no safeguards for existing CDS staff or programs serving students with developmental disabilities. Continued relationships with CDS employees will benefit and support transitions of children to a new system. Seamless transition of services within existing community based programs will support early childhood best practice and reduce child transitions.

The proposal lacks a detailed funding plan and has not provided an estimate of the cost of the proposed changes, or how such costs will be paid for now or in the future. Assessing costs and developing sustainable funding should be addressed in detail before any transition to the SAU.

Just this week, the Department revealed that the plan may increase property taxes; this impact remains unclear.

School Administration Units need time to conduct community assessments to gather data on the current number of children receiving special education services in their districts. This information will be needed for schools to accurately plan and prepare to bring FAPE services in the LRE into the SAU's. In addition, SAU's need to gather information on community programs that currently have capacity to serve 3-5-year-old children and to develop service agreements or establish relationships to continue special education services as most appropriate for the child and family.

And, what about the three-year-olds? Is it most appropriate to provide FAPE services for this age group in Head Start, family childcare, YMCA's and private child care centers?

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 will hurt children 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 more guidance to SAU's on how to accomplish the task of identifying and educating 3-5 year olds with special needs.

Thank you for your time and attention.

Megan Hannan  
[mhannan@mecap.org](mailto:mhannan@mecap.org) | 207.831.9893

March 22, 2022

To: Senator Rafferty, Representative Brennan, and members of the committee on Education and Cultural Affairs

From: Tiffany Haskell

Re: DOE's proposed legislation to move special education services from CDS and to the local SAU

My name is Tiffany Haskell; I'm the Clinical Director for Waban in Sanford and I am a special education director overseeing the educational and medically necessary services at our developmental preschool. I have worked with children and families in Maine for nearly 30 years and I have been co-chair of the Advisory Committee for LD 386 on behalf of the Maine Association for Community Service Providers (MACSP).

**Aggressive Timeline:**

- Throughout this process, DOE's message to Special Ed Directors in Maine was clear: a 3-5 year transition process would occur. Throughout the Advisory Committee process, the message was the same, with a transition through 2026. However, just this month, the DOE proposed to shift responsibility for special education to the SAU in July 2023. Questions: 1) Why? 2) What stakeholders supported this? 3) How does this demonstrate a commitment to ensuring SAU readiness? 4) How does this assist SAU's in developing community partnerships? 5) How does this ensure unique community needs and parent/family concerns are addressed? 6) How does this timeline impact the urgency of ensuring adequate funding?

**More on SAU readiness:**

- The EDU committee was clear in the LD 386 resolve language that the DOE must develop a plan that includes addressing SAU capacity, staffing, space, health & safety considerations, and needs related to transportation, among others. Assessing SAU readiness has not occurred to date; moving responsibility for special education services to SAU's in 2023 makes this information even more urgent. The resolve said the plan must "provide steps, benchmarks, and milestones for DOE, CDS and SAU's to meet before the transition. Questions: 1) Can you direct me to these benchmarks and results, which must be met before the transition? 2) In what ways would clear information about SAU readiness help SAU's take on this responsibility? 3) How will the results of a MEPRI assessment help districts plan? 4) Given the critical value of an assessment of each district's unique circumstances and community needs, how does the moving the timeline to 2023 help support children and families and ensure that SAU's are ready for this transition?

**Community partnerships:**

- PreK services in Maine are delivered in a complex system of care that involves childcare, head start, natural home environments, specialized developmental programs, and private service providers, to meet the needs of children with significant needs. Questions: 1) Can you direct me to where and how concerns of the childcare system, head start, and parents are considered in this plan? 2) The LD 386 resolve directed the DOE to define a role for contracting with private providers; can you direct me to that information? What is the contract process? Is there an updated funding/reimbursement model? 5) How does the plan ensure continued access to medically necessary services as protected in the settlement KS vs Harvey?

Funding:

- The EDU committee was clear in the resolve language that the DOE plan must provide specificity regarding funding through the State and MaineCare that does not flow through the EPS funding formula. Just last week, in the Department's revised draft language, DOE revealed that the EPS formula will be included after all. They also propose to pay 100% of special education costs and 100% of costs for 3-year-olds based on average October 1 pupil counts. In their "financial explainer" document shared just last week, DOE revealed an impact to taxpayers. Although a variety of "costs" are included, the narrative document does not adequately address total costs, district costs, increasing costs, tax impacts, a budget or informing what a fiscal note would be. Questions: 1) What are the total costs for providing services to Maine's 3–5-year-olds? 2) What is paid by CDS vs MaineCare vs Private Insurance? 3) What is the impact of moving responsibility in 2023 for 3–5-year-olds to SAU's who don't bill MaineCare? 4) DOE says it's going to pay 100%, what is that total? Where did it come from? "100% of what"? Where is it spent now? What does it cover? 5) What is the proposed mil rate increase/impact to taxpayers? 6) Should we understand the fiscal impacts and cost of these services before approving a transition date? 7) What would it cost to fully fund CDS during a hybrid model of transition where they retain responsibility for services? 8) Is there an opportunity to use covid relief funds to help fully fund CDS during a hybrid model of transition where CDS retains responsibility for services?

In summary, what could/should move forward at this time? CDS remains intact throughout a transition to 2026, maintaining responsibility for 3–5-year-olds during the transition, we continue with the hybrid model where SAU's pick up pieces of responsibility from CDS as they are able, establish community/provider partnerships, ensure a solid, adequate and appropriate funding model, ensure comprehensive school readiness, and start with 4-year-olds.

Respectfully submitted,

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**Murphy, Elias**

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**From:** Wendy Wright <butlerwrightclan@yahoo.com>  
**Sent:** Tuesday, March 22, 2022 12:47 PM  
**To:** EDU  
**Cc:** SenEloise.Vitelli@legislature.maine.gov  
**Subject:** CDS Testimony - Wendy Wright

**This message originates from outside the Maine Legislature.**

To the Joint Standing Committee on Educational and Cultural Affairs:

In regards to:

LD 255, Resolve, Directing the Department of Education To Develop a Plan for the Provision of Early Intervention Services and

LD 386, Resolve, Directing the Department of Education To Establish the Process for Transitioning the Provision of Early Childhood Special Education Services for Children with Disabilities from 4 Years of Age to under 6 Years of Age from the Regional Child Development Services System to School Administrative Units;

THESE BILLS OUGHT NOT TO PASS.

Based on my personal experiences with CDS, local School departments and the department of education and each of their specific involvement in addressing and actually improving my child's special education, CDS has the skills and tools needed to identify, address and apply services for my child prior to school age.

These bills ought not to pass.

The school departments cannot address and improve their English and Math comprehension scores, why on earth would we allow pre school age children be lost in K-12 system ?

These bills ought not to pass.

I reviewed reports and committee's agenda items attached to these bills including the DOE Government report dated 11/1/21. The committee wanting to pass theses bills do not have consensus to individual action items yet want these bills to be passed as emergency legislation. Since there are gapping holes in the administration of identifying and servicing children with special needs:

These bills ought not to pass.

Sincerely,

Wendy A Wright, parent to special needs Child.

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Sent from my iPhone