



# Maryland Developmental Disabilities Council

EMPOWERMENT • OPPORTUNITY • INCLUSION

Joint Committee on Children, Youth and Families

September 7, 2016

## Maryland DD Council<sup>i</sup> testimony about Quality Early Care and Education

Despite much progress in policy, practice and partnership, families continue to struggle to find and keep high quality, inclusive early care and education where their 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 and families work less or not at all.

### Access to high quality, inclusive child care

**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.** Maryland EXCELS, Maryland quality rating and improvement system that sets standards of high quality for all early care and education settings, recognizes this and includes standards that specifically address an early care and education program's role providing opportunities for children with disabilities and their families.

- The Americans with Disabilities Act (ADA) prohibits early care and education and school-age programs from discriminating against people with disabilities.<sup>ii</sup> Even though programs must provide children with disabilities and their families an equal opportunity to participate in the child care program and services, many families continue face discrimination on the basis of their child's disability in both finding and keeping early care and education. Yet, Maryland does not have a process to investigate and address discrimination complaints against providers.

Federal law requires that children with disabilities have the same opportunities to meaningfully participate in these programs with their non-disabled peers.<sup>iii</sup> In order to meaningfully participate, children may need additional services and supports – some provided by 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 any necessary services and supports in their natural environments – a setting that is natural or normal for their same age peers without disabilities. Yet, the following barriers exist in making this happen:

- **There are no dedicated funds that child care providers can access to support them in serving children with disabilities in inclusive settings.** Such funds could be used to provide accommodations, equipment and/or more staff, for example. While most accommodations for children with disabilities are relatively inexpensive, there are occasions in which child care providers need additional resources.
- 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**

-over-

**in the number of children eligible for services has resulted in a 16% decrease in State General Fund dollars per child.<sup>iv</sup>**

- **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.**

#### The result

- **Only 19% of young children with disabilities entered kindergarten fully ready to learn compared to 47% of their peers without disabilities.<sup>v</sup>**

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 child care center or family child care home 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.

- **64% of all families report lost income due to a lack of child care for their child with a disability.<sup>vi</sup>**

Families of children with disabilities still face obstacles to finding and maintaining high quality, inclusive early care and education as well as school-age care in Maryland. As a result, families are losing jobs, losing income and facing financial challenges in addition to not getting the support they need to ensure their children with disabilities are cared for in appropriate programs.

#### How can Maryland achieve high quality, inclusive child care for all children?

1. **The standards outlined in MDEXCELS should continue to include specific measures at all rating levels to ensure providers welcome children with disabilities and provide appropriate care and education adapted to their needs.** MDEXCELS is a measure of higher quality than licensing in general and represents a commitment by providers to continuous improvement.
2. **A process to investigate and address complaints of discrimination on the basis of disability should be implemented.** This will help address concerns by families that there is a need for a process to assist them in getting and keeping child care and assist providers in meeting legal requirements and getting the appropriate supports need to include children with disabilities in their programs.
3. **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.
4. **More training and technical assistance to providers is needed so that more providers are willing and able to support children with disabilities.** Although many efforts have been made to improve and standardize training and increase requirements, including the requirement that all providers are now

required to take a state developed and mandated training about the ADA and inclusive practices, more needs to be done.

Contact: Rachel London, Deputy Director  
RLondon@md-council.org

---

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

<sup>ii</sup> Americans with Disabilities Act (ADA), 42 U.S.C. § 12101 (2009).

<sup>iii</sup> 20 USC 1400 (IDEA, Part B, §619).

<sup>iv</sup> *Moving Maryland Forward: Building a Birth to Kindergarten System of Services for Young Children with Disabilities and Their Families*, MSDE, January 2016.

<sup>v</sup> *Readiness Matters! The 2015-2016 Kindergarten Readiness Assessment Report*, MSDE, March 2016.

<sup>vi</sup> *Barriers to Quality Child Care and Out of School Time Activities in Maryland*. Maryland DD Council, November 2012.