



**Maryland Developmental
Disabilities Council**

EMPOWERMENT • OPPORTUNITY • INCLUSION

Maryland State Department of Education – Office of Child Care
Public Hearing
May 7, 2018

2019-2021 Child Care and Development Fund State Plan

The Maryland Developmental Disabilities Council (DD Council) is an independent, public policy organization that works to improve policies, programs, and services that support people with developmental disabilities and their families in our communities. The DD Council is led by people with disabilities and their families and it is from that perspective, the Council offers the following comments with regard to the Child Care and Development Fund State Plan (State Plan) in conjunction with the undersigned organizations.

Since previous plans, we are pleased that the Maryland State Department of Education (MSDE) – Division of Early Childhood Development (DECD) has undertaken a variety of quality enhancement initiatives that will increase access to high quality, inclusive early care and education in Maryland. Specifically, the DECD has, among other things:

- Developed and fully implemented Maryland EXCELS that sets standards of high quality for all early care and education settings, including standards that specifically address an early care and education program’s role providing opportunities for children with disabilities and their families.
- Developed a comprehensive assessment system, including developmental screening so that early care and education providers can share the results with families and refer them to appropriate resources as well as use the information to individualize instruction for young children.
- Developed and mandated a training on “Including all Children and the Americans with Disabilities Act.”
- Created a dispute resolution process to investigate and address complaints of discrimination based on disability. This process will assist families 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.

In addition, we are pleased this State Plan acknowledges that Maryland law allows for increased Child Care Subsidy Program reimbursement rates to a child care provider for the additional costs of providing one-time or ongoing accommodations to a child with a disability – up to 15% above the traditional reimbursement rates or more if approved by the MSDE.ⁱ Including this in the State Plan is an important step in providing children with disabilities and their families an equal opportunity to participate in child care programs and services.

The possibility of an increased reimbursement rate presents a welcomed opportunity for child care providers to access additional funding if needed to provide appropriate support to children with disabilities as required by state and federal law. In fact, the majority of child care providers want to support children with disabilities but need assistance to do so. It will also help the families of children with disabilities who are still struggling to find and keep high quality child care where their children with disabilities receive reasonable modifications, accommodations, and appropriate auxiliary aids and services needed for effective communication.ⁱⁱ

Despite this significant 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.

Therefore, we recommend that DECD take the next step and guarantee the expansion of inclusive child care programs by incorporating additional actions in the State Plan. The following recommendations, combined with the initiatives already underway, will increase access and opportunity, improve outcomes, and narrow the school readiness gap for children with disabilities.

1. Combine funding to support children with disabilities

Federal law requires that children with disabilities have opportunities to meaningfully participate in programs with their non-disabled peers.ⁱⁱⁱ 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 any necessary services and supports in their natural environments – a setting that is natural or normal for their same age peers without disabilities. One way to do that is to coordinate and combine funding from other sources, such as the Individuals with Disabilities Education Act (IDEA) funds that provide for services and supports for children in the Maryland Infants and Toddlers Program and for services and supports for children that receive prekindergarten special education. **The State Plan should include a way to combine funds to ensure children with disabilities receive the services and supports they need to learn and play alongside their peers without disabilities in all early care and education settings.**

2. Include the newly developed Dispute Resolution process

As the result of legislation in 2017, the Office of Child Care developed, in collaboration with the Dispute Resolution Workgroup members, a dispute resolution process to resolve complaints based on disability. And created documents to assist providers in meeting the needs of all families and children. The Workgroup discussed the existing policies and protocols for investigating complaints and the Office of Child Care agreed to specifically include complaints where discrimination is alleged to those policies and protocols. Creating a process was a critical step for families of children with disabilities as well as providers. **The State Plan should specifically include information about the process and the documents to assist families and providers when a complaint is alleged in Section 2.2 - Parental Complaint Process.**

3. Address the needs of children with disabilities in all continuous quality improvement

Fewer kindergarteners with disabilities demonstrated school readiness this year than last year. In fact, according to the Maryland State Department of Education’s *2017-2018 Kindergarten Readiness Assessment Report*, only 17% of children with disabilities were ready for kindergarten compared to 47% of their peers without disabilities.

While the State Plan does include information about the required training mentioned above, more needs to be done. The State Plan should include more information about how the DECD will address the growing school readiness gap for children with disabilities by specifically including the following:

- **In Section 7.2: Provide technical assistance in conjunction with training on inclusive practices 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.
- **In Section 7.3: Include funding for one time or on-going accommodations for children with disabilities for providers participating in Maryland EXCELS.** Using State Plan funds this way would increase quality, help support the Maryland EXCELS standards, and ensure access and opportunity for more children.
- **In Section 7.4: Coordinate and collaborate with the Maryland Infants and Toddlers Program to provide services for infants and toddlers with disabilities.** This is section was left blank in the State Plan and is a missed opportunity to partner for professional development and collaborate to expand inclusive practices.
- **In Section 7.9: Describe the supports offered related to the physical development standard.** Physical well-being and motor development is assessed by the Kindergarten Readiness Assessment. Given that only 27% of children with disabilities demonstrate readiness in that category compared to 59% of children without disabilities, DECD should increase efforts to help early care and education providers better support the physical development of all children.
- **In Section 7.10: Specifically identify the training supports for the child care community and the instructional practices needed to close the school readiness gap for children with disabilities.**

Thank you for the opportunity to provide comments. We look forward to our continued partnership to ensure all children, including children with disabilities, learn and play together.

Sincerely,



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ⁱ COMAR 13A.14.06.11(E)(5).

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

ⁱⁱⁱ 20 USC 1400 (IDEA, Part B, §619).