

Maine Developmental Disabilities Council



Early Childhood System Update:

To Many Years at the Crossroad

*Presented By: Nancy Cronin, MA: Executive
Director*



March 2021

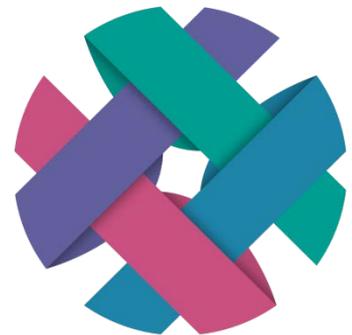
Part C and Part B §619 Services

- Child Developmental Services
- 30 Years
- 16 sites with individual boards – 9 sites centralized DOE
- Appropriations – How to Budget
- Direct Service – Internal or Contract
- How to ensure FAPE through oversight?
- How many years of reorganization bills???



129th Legislation

- 2 Bills
 - 1 Reorganize
 - 1 Slowdown and taskforce
- Merged Created a Full Independent Study – passed in budget
- Hired Public Consulting Group (PCG) –
- Advisory Group Role – A little Different
- Phase 1, Cost Study, Phase 2 reports
- Advisory Group Suggestions



PCG Suggests

- Move to DOE Part C (0-2 year old's)
- Move to SAU Part B (3-5 year old's)
- Key Finding
 - Very low ChildFind for Part C
 - Very restrictive eligibility Part C
 - Above average Part B eligibility
 - Least Restrictive Environment
 - Waitlists



Waitlists

- Phase 1 Report (pg 73): "Staff in each regional office develop collaborative relationships and contract with a network of SUAs, service providers and programs in order to provide special education IEP services. Despite efforts to recruit providers there has been a capacity issue that has resulted in eligible children with disabilities with an IEP being placed on a waiting list for services. In FY19 CDS had a waiting list of 632 children (10.4%) that didn't receive services timely and in accordance with IDEA due to lack of provider capacity. While these children eventually were provided services during the summer months this is a violation of their rights under IDEA and presents the potential for costly due process hearings and potential lawsuits if the wait list issue is not addressed. "



Procedural Complaint – York CDS - Findings

- January 2021
 - CDS-York serves 489 students with active IEPs, and CDS-York acknowledges that approximately 20% of students served by CDS-York (about 99 children) are not currently receiving their full special education services
 - 75 other children who are presently on some type of waitlist awaiting a program placement, as of January 8, 2021
 - 88 students who are awaiting placement for a program or service. Of the 88 students on the list, 75 students had been waiting more than 30 days
 - Waitlist still growing



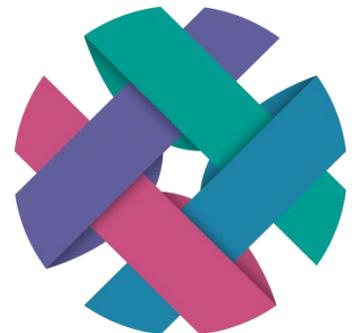
Complaint-Determination

- Page 14: CDS-York nd appropriate public education
- Page 18-19: In the present complaint, CDS-York is currently unable to fully implement the IEPs of approximately 20% of the children it serves. This amounts to nearly 100 children whose IEPs are not being implemented as written.
- CDS-York's inability to implement these students' IEPs is more than a minor discrepancy between the services being provided and the services required.
- Failed to reconvene IEP Team Meeting after 30 days of waiting.
- Robust Corrective Action Plan



March 5, 2021 - Commissioner

- Acknowledged Issue
- Indicated that from her point-of-view is that much of the issue of the waitlists are expecting private providers and, ultimately, waiting lists and underserved are due to the system having an over-reliance on providers.
- Ultimately it is the State's responsibility



March 5 Special Education – Upcoming Action

- Increase programming availability in all regions with unmet need in least restrictive environment
- Anticipated opening second pre school site in York (non-inclusive model)
- Intensive TA to support decreasing unmet needs
- Partner with SAUs to expand public preschool
- Support expansion of special education in existing Pre-K



March 5 -DOE – CDS Future

- Move Part C to Department
- Move Oversight of Part B 619 to Department
- Move 3-5 ultimately to SAU
- Align Part B 619 with Part B 611 rules.
- Major MUSER Changes Ahead



Advisory Recommendation: Part C

- Submit language to move Part C to the Department
 - Timelines for statutory changes, regulatory changes and any other of the multi-faceted variables, timing of the steps in the PCG report needs to be taken into consideration
 - Oversight to ensure consistency and equity
 - And also oversight of the new structure and management of any contracted providers, including in regard to consistency throughout the State
- Strong collaboration necessary in this effort with DHHS to connect with
 - Medicaid
 - Home Visiting/PHN



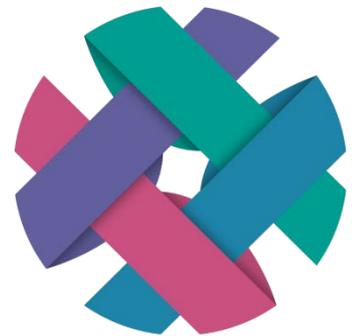
Part B 619

- Submit Legislation
 - Utilization of centralized billing and maximization of seed money through braided funding;
- Resolve or Letter with report back?
 - Implement the low/no-cost recommendations to improve ChildFind (highlighted by members present to be of critical importance as a developmental service); and
- Submit Legislation – Pick a Road
 - Regardless of which path forward the Education and Cultural Affairs committee chooses, examine the specific details of each part of the transition timeline and work with SAU's, service providers, Department of Education, and a family representative to create a clear sequence of steps rather than having everything happen simultaneously, with a focus on avoiding the loss of key resources, such as current staff and providers.



It's Not Done Yet

- It is in the Educational Committee's Court Now



Thank you for letting me speak.
Feel free to contact me:
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