



Senate Budget and Taxation Committee
SB 637: Children – Therapeutic Nursery Program - Funding
February 19, 2020
Letter of Information

The Maryland Developmental Disabilities Council's (Council) mission is to advance the inclusion of people with developmental disabilities in all facets of community life by eliminating barriers, creating opportunities, empowering people, and promoting innovation. Disability Rights Maryland (DRM) protects the legal and human rights of people with developmental disabilities. **The Council and DRM provide this letter of information to explain the possible unintended consequences of the additional funding mandate outlined in SB 637.**

Federal and state law requires young children with disabilities receive early intervention services in the natural environment and special education services in least restrictive environment. This means, to the maximum extent appropriate, the child receives services alongside their peers without disabilities. Separate education only occurs only if success cannot be achieved with appropriate services and supports in a less restrictive environment. This is true for young children as well. Currently, MSDE collaborates, through the Medically Fragile Children Birth to Five grant, with five organizations to provide medically-based child care and early education services to children with medical diagnoses and those who have developmental delays, physical disabilities, and behavioral issues requiring specialized care, throughout the state.ⁱ **Funding for that grant is provided through the budget process.**

SB 637 seeks to mandate and increase funding for the therapeutic nursery programs that currently receive funding through the Medically Fragile Children Birth to Five grant. We agree that increasing access to early care and education for Maryland's children is critical for their development. This is particularly true for young children with disabilities; however, **young children with disabilities need more access and opportunity to learn and play alongside their peers without disabilities.**

- **The funding mandate in SB 637 may provide an incentive for local school systems to send more young children to these separate programs.** \$45,000 per child with a disabilities and \$10,000 per child without a disability is significantly more money than any other funding formula (current or proposed) and more than the current grant provides.
- **Educating students in less restrictive settings is cost-effective.** Research shows that the total per pupil spending tends to be *higher* for students served in more restrictive environments. As compared to regular class: 13.8 percent higher for a resource placement, 33.3 percent higher for special class placements, 111.1 percent higher for special school placements.ⁱⁱ
- **Research shows that children with and without disabilities experience positive outcomes when students with disabilities are educated alongside their typically developing peers, yet 23.4% of Maryland's preschool children are in separate classes and schools.**ⁱⁱⁱ

Contact: Rachel London, Executive Director, MD Developmental Disabilities Council: RLondon@md-council.org

ⁱ *Child Care and Development Fund State Plan: FFY2019-FFY2021.*

ⁱⁱ Chambers, Perez, and Socias (May 2004).

ⁱⁱⁱ *Moving Maryland Forward: Elevating Maryland's Birth to Kindergarten System of Services for Young Children with Disabilities and their Families.* MSDE. January 2020.