



**Maryland Developmental
Disabilities Council**

EMPOWERMENT • OPPORTUNITY • INCLUSION

Senate Budget and Taxation Committee and Education, Health, and Environmental Affairs Committee

House Appropriations Committee and Ways and Means Committee

February 17, 2020

SB 1000/HB 1300: Blueprint for Maryland's Future - Implementation

Position: **Support**

The Maryland Developmental Disabilities Council (Council) works to advance the inclusion of people with developmental disabilities in all facets of community life and seeks to ensure that people with developmental disabilities have the same rights, opportunities, choices, and protections as other citizens.

It is important to note that while significant investments in education, including for students with disabilities, are without question needed, the Council believes that the amount, purpose, and timing of the funding must take into consideration the needs of other Marylanders with disabilities. Large funding increases for education should not be offset by limiting essential funding for other critical needs, most immediately the Developmental Disabilities Administration community services that thousands of Marylanders depend upon.

This legislation will change the nature of public education in Maryland for years to come and the Council supports increased funding for all students, especially for young children and students with disabilities – **both promote the education of children with disabilities alongside their peers without disabilities.**

Prekindergarten Funding: State and federal law requires the provision of special education and related services for eligible prekindergarten children with disabilities, ages three through five. Eligible three and four-year-old children with disabilities should be able to participate in public and private regular early childhood programs and settings with their non-disabled peers with meaningful access to the general education early childhood curriculum. This leads to improved child outcomes on critical school readiness skills, resulting in a narrowing of the performance gap with non-disabled peers.

The Council strongly supports the expansion of public prekindergarten slots which includes “children with disabilities, regardless of income.” (HB1300, page 128, line 15).

Funding for students with disabilities: We support the increase in State funding to support students with disabilities. For students to learn, succeed, and stay on track for college and career readiness, a world-class educational system requires additional supports and services for students with disabilities. **The Council strongly supports §5-225 (HB1300, page 37-38) which requires each school to use the funds to provide the services and supports required by each student’s individualized education program or Section 504 plan.** However, we are concerned that the increase in State funding will be used to supplant local funding instead of supplement it. Funds should remain within the school districts to build capacity and ensure students with disabilities receive appropriate services and supports in the least restrictive environment, alongside their peers without disabilities that meet the legal requirements set out by state and federal law as well as *Endrew F. v. Douglas County School District*. Therefore, **the Council recommends adding stronger language to assure that school districts do not use additional state aid to supplant, but rather to supplement current funding, build capacity, and ensure students with disabilities receive the services and supports they need to succeed.**

Maryland Infants and Toddlers Program Funding: The Maryland Infants and Toddlers Program (MITP), ensures that infants and toddlers with disabilities, developmental delays, and certain medical conditions and their families receive the early intervention services and supports to which they are entitled under Part C of the Individuals with Disabilities Education Act (IDEA), the Annotated Code of Maryland, Education Article §8-416, and COMAR 13A.13.01. October 2019 data reveals that almost 19,700 children and families are served by the MITP a year - a 38% increase in the number of infants and toddlers receiving early intervention services since SFY2009. The benefits of early intervention is clear, yet, the MITP remains level funded since SFY2009.

- For SFY2019, preliminary data indicate that **23% of children receiving early intervention services completed their IFSP prior to age three and may not need additional special education services.**
- Maryland's 2018 longitudinal research confirms the benefits - **68% of children who received early intervention services enrolled in general education by the time they were in fourth through eighth grade.** (JHU, CTE, Spring 2018).

Recognizing the importance of early intervention services, the Kirwan Commission recommended that the MITP be fully funded – beginning with \$1,227,864 in FY 2021, and increases by that exact amount, each year until FY30, by which time it reaches \$12,278,638. Without funding, it is difficult for Maryland to meet its obligations under State and federal laws to ensure the participation of eligible three and four year-old children with disabilities in early childhood programs where they can learn and play alongside children without disabilities.

In addition to funding to support all children to learn and succeed, this comprehensive legislation addresses accountability, stakeholder input, and teacher preparation – an ongoing concern of the Council because not all school staff have sufficient training to meet the needs of the children with disabilities in their classrooms.

Because this comprehensive legislations promotes equity and recognizes all students can and should learn and play together, the Council strongly supports HB1300/SB1000.

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