



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Ways and Means Committee

HB 770: Publicly Funded Full-Day Prekindergarten Program – Tier 1 Child – Alteration of Definition

February 22, 2023

Position: Support

The Maryland Developmental Disabilities Council (Council) is an independent, public policy organization that creates changes to make it possible for people with developmental disabilities to live the lives they want with the support they need. Our vision is that people with and without disabilities in Maryland live, learn, work, and play together.

Public prekindergarten programs need funding 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.** As a result, young children with disabilities are significantly less prepared for kindergarten.

According to the 2021-2022 Maryland State Department of Education's (MSDE) school readiness report:

- **Only seventeen percent (17%) of young children with disabilities entered kindergarten fully ready to learn compared to forty-two percent (42%) of their non-disabled peers.**

Access to high quality, inclusive early care and education programs, including public prekindergarten for children with developmental disabilities and delays, is more critical than ever.

WHAT does this bill do?

- Defines a "Tier 1 child" to include a child who is 3 or 4 years old and **who is a child with a disability.**

WHY is it important?

- **Codifies existing state and federal requirements.** The provision of special education and related services for eligible preschool children with disabilities, ages three through five, has been required by the IDEA since 1990 and in State COMAR regulations since 1985.
- **Aligns with the intent of the Blueprint for Maryland's Future.** The Blueprint already requires priority in prekindergarten expansion slots be provided to 3 and 4 year old children who are children with disabilities, regardless of income. However, because the law separately defines Tier 1 children, children with disabilities and their families may not receive public prekindergarten or public prekindergarten programs may not receive funding to support children with disabilities through the Blueprint.

HB 770 fixes a problem that should not exist. It also further promotes equity and recognizes that all children can and should learn and play together. The Council strongly supports HB 770.

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