



## TESTIMONY REGARDING

### **LD 1309 “An Act to Clarify Requirements for Payment of Tuition for Children with Disabilities by the Department of Education’s Child Development Services System”**

April 13, 2023

Senator Rafferty, Representative Brennan, and members of the Committee on Education and Cultural Affairs, my name is Allyson Lowell, and I am the Director of Programs at Woodfords Family Services. I am testifying in support of LD 1309. Woodfords is a nonprofit organization committed to the support and inclusion of individuals with developmental and intellectual disabilities and their families. I also proudly testify as the mother of four children, two of whom received significant early intervention services. Our family will be forever grateful for the services we received and the way they have impacted our children’s long term success. One child is currently attending graduate school and the other thriving in a mainstream 4<sup>th</sup> grade classroom.

Woodfords was founded more than 55 years ago by 5 families who wanted better educational opportunities for their children. Early intervention and educational services have been a core component of our mission for decades. Five years ago, we were one of the largest providers of specialized preschool services in the state. We served 140 children across three schools.

After years of significant financial losses that threatened the viability of our entire agency, we made the difficult decision to drastically limit enrollment, and our census today is just 35 preschoolers. We closed our wait list of more than 100 families, while we continue to reduce our census as children graduate from the program. Without a change in funding, we will phase out preschool services entirely in Fiscal Year 2024.

Conversely, our specialized K-5 program is growing and thriving, and we anticipate consistently increasing our census moving forward.

The Department of Education is legally obligated to provide children with disabilities ages 3-20 Free and Appropriate Education under the Individuals with Disabilities Education Act. The chronic lack of adequate funding for specialized preschool education has resulted in the State being out of compliance with this federal law. The difference in the funding model for preschools compared to K-12 is drastic, and the preschool system is in crisis.

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# Woodfords FAMILY SERVICES

For K-12 students, school districts pay Woodfords and other specialized schools a daily tuition rate to cover educational costs, and then we bill MaineCare for the cost of providing children with medically-necessary behavior support to meet their treatment goals and objectives.

For preschool children, the responsibility for providing educational services falls to Child Development Services. CDS does not pay for the Specially Designed Instruction or SDI for children who have MaineCare, who are the vast majority of students in the program. Providers do not receive reimbursement for these educational costs like their K-12 counterparts, and only receive revenue from MaineCare for medically-necessary activities. Preschool programs require the same infrastructure as K-12 programs, and the daily tuition is critical, funding everything from educational instruction and curriculum components to utilities and playgrounds.

The solution lies in creating parity and consistency in funding for preschool and K-12 educational programs. LD 1309 directs DOE and CDS to develop a daily tuition rate system to reimburse providers for preschool educational services, just like their K-12 counterparts.

Early intervention has always been a cornerstone of Woodfords' mission. Turning away young children in their most critical time of development has taken a huge toll on our staff and Board, and most importantly children and families. If this legislation is successful, we look forward to reversing course and rebuilding our preschool census. Please support and champion LD 1309. The clock is ticking for these kids and it's time they and their families will never get back.

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