

State of Maine  
DEPARTMENT OF EDUCATION

Testimony of Courtney Belolan, Director of Policy and Government Affairs

Neither For Nor Against L.D. 1309

An Act to Clarify Requirements for Payment of Tuition for Children with Disabilities by the Department of Education's Child Development Services System (EMERGENCY)

Before the Joint Standing Committee on Education and Cultural Affairs

Sponsored by: Representative Gattine

Co-Sponsored by: Senator Pierce and Representatives Brennan, Crafts, Javner, Lanigan, Meyer, R. Millett and Murphy

Date: April 13, 2023

Senator Rafferty, Representative Brennan, and Members of the Joint Standing Committee on Education and Cultural Affairs:

My name is Courtney Belolan, the Director of Policy and Government Affairs, and I am here today representing the Department of Education speaking neither for nor against L.D. 1309, An Act to Clarify Requirements for Payment of Tuition for Children with Disabilities by the Department of Education's Child Development Services System (EMERGENCY).

The Special Purpose Private Schools that serve three through five-year-olds needing special education programming are an integral part of the pre-school landscape in Maine. The Department agrees that although Child Development Services (CDS) currently pays educational costs for preschool children attending these schools, it is appropriate to reexamine this payment structure and develop a funding formula that ensures a robust continuum of educational programming for our preschool children. It is important to note that because the Free Appropriate Public Education (FAPE) obligation is different for ages three through five than for school aged children, we cannot use the same tuition funding model that is currently being used for school aged children 5 through 22.

Maine Department of Education is working collaboratively with the sponsor, and we are hopeful we can get to language we can both support. The Department would also like to note that additional funds would be needed to support tuition reimbursement for Special Purpose Private Preschools. Without additional funding, CDS would go into deficit spending as the current budget request amount supports the continuation of current service levels only.

For these reasons, the Department of Education is neither for nor against L.D. 1309, An Act to Clarify Requirements for Payment of Tuition for Children with Disabilities by the Department of Education's Child Development Services System (EMERGENCY). I am happy to answer any questions the Committee may have, and we will have someone available to provide more details for the work session.