

**Testimony of Beth White
Maine Service Employees Association, SEIU Local 1989**

LD 2214, An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025" (Emergency) (Governor's Bill) Sponsored by Representative Melanie Sachs

Before the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs

1:30pm Wednesday, February 21, 2024, State House Room 228 and Electronically

Senator Rotundo, Representative Sachs, Senator Rafferty, Representative Brennan, and members of the Committee on Appropriations and Financial Affairs and the Committee on Education and Cultural Affairs, I'm Beth White, director of politics and legislation for the Maine Service Employees Association, Local 1989 of the Service Employees International Union. We are a labor union representing over 13,000 Maine workers, including workers at Child Development Services (CDS), Maine Maritime Academy (MMA), and the Maine Community College System (MCCS).

First, on Maine Maritime Academy, we respectfully ask these committees to increase the State's share of operational funding so that it becomes commensurate with other public colleges and universities in the State that have enrollment within approximately 50% of MMA's enrollment. As of 2023, MMA received roughly 23% of its operational budget from State funding, which compares to an average of 40%-plus in State funding enjoyed by its peer institutions in Maine within around 50% of its enrollment. This funding disparity means that MMA must make up the gap through a myriad of ways that inevitably result in raising tuition, limiting programming, and minimizing labor costs to the detriment of both enrolled students and those employed by MMA. Legislation known as LD 2092, which we support, would address this funding issue.

Next, we are concerned about the proposed language related to CDS and moving the responsibility for a Free and Appropriate Public Education (FAPE) to School Administrative Units (SAUs) for several reasons. The most serious and immediate question we have is how this plan will address current waitlists. With 550 Maine children waitlisted for early childhood special education services that they are legally entitled to, immediate action needs to be taken to address the current barriers to accessing services. Eliminating these waitlists should be the top priority when considering any changes to CDS services. We fear that moving FAPE to SAU's without addressing the current waitlists is simply shifting the problem. What is the plan to address the students with unmet needs now and in the future?

If FAPE is transitioned from CDS to SAU's, it is essential that CDS remain intact. We appreciate that this plan does not include dissolving CDS and moving workers to SAU's like past plans have proposed. The experience and expertise of CDS staff is incredibly valuable; future changes should build upon the foundation of knowledge and services provided by CDS, both during AND after any transition is complete. While it may be possible that some SAU's will be able to take on the responsibility for FAPE and deliver services to children as well, there's no doubt that other SAU's, especially in more rural and

underserved parts of Maine, will rely heavily or even entirely on CDS for service delivery. With understaffing and a lack of resources impacting not only CDS, but the entire sector, it is critical that current experienced professionals are valued and that they remain in the field.

We believe that understaffing at CDS is a key contributor to the challenges the organization is facing. CDS is understaffed and has been for years. Below, I've pasted a link to job openings within CDS – as you can see, there are 31 posted vacancies, though it's important to note that some of these postings are for multiple openings of the same position. These posts are not limited to one job class. It may be helpful for this committee to ask CDS for more detailed information about where vacancies exist and what staffing gaps currently exist, as it could inform your work to address the waitlists going forward.

Here is a link to all current postings: <https://www.servingschools.com/employerjoblist/n6y7/501>

- Ed Techs 1-3
- Early Childhood Special Education Teachers
- Speech-Language Pathologists
- Physical Therapists
- Occupational Therapists
- Case Manager/IEP Administrator
- Case Manager/IEP Team Coordinator Level II

Not only are there many openings at CDS, but the pay listed for them is quite low. CDS workers have been expressing the need for higher pay for years; if you want to recruit and retain quality workers, you must pay them what they are worth. Current pay rates for positions at CDS are simply too low. Here are some examples of pay ranges for the jobs posted at the link above.

- Ed Tech 1 - \$14.19-\$19.27
- Ed Tech 2 - \$14.57-\$21.71
- Ed Tech 3 - \$15.19-\$23.57
- Physical Therapist, Speech/Language Pathologist, LCSW: \$49,109-\$85,134 (Calendar year)
- Early Childhood Special Education Teacher: \$44,886-\$77,813
- Case Manager/IEP Team Administrator: \$23.61-\$40.93

In January 2024, we surveyed CDS workers to gather their feedback about what's working, what is not working, and ideas they have for improving CDS. For our members at CDS, the children and families they serve are the top priority. They care deeply about the work they do and the Mainers they serve. Below, you will find a summary of the responses we received from workers. Many of the same themes were echoed over and over in these surveys. These workers are on the ground every day doing this work and their direct experience and expertise should be utilized as the Legislature seeks to address waitlists. We encourage you to take the time to read through their suggestions and vision for CDS, which we have included on the next page.

The workers at CDS do incredible, life-changing work; they do not receive enough support or thanks for the work they do. Their insight and feedback should be included in every conversation about CDS, and unfortunately, that has not been the case in past years. We hope that members of these committees will take the time to speak with families who use CDS services and CDS workers themselves to understand

what is working, what is not working, and how delivery of these essential educational services can be improved.

Thank you for your consideration, and while I would be happy to take any questions, I would stress that we believe the voices that matter most are those of parent advocates, CDS workers themselves, and the families who have worked with CDS now or in the past.

Recommendations from Frontline Workers on how to Improve Child Development Services and the Provision of Early Childhood Special Education Services

Invest in Child Development Services and its Staff

- **Increase Funding to CDS:** CDS has been chronically underfunded for years, and without adequate resources, waitlists will continue to grow. Many of the current issues could be improved simply by investing in both CDS directly and early childhood education services in general.
- **Retain Current CDS Staff:** Of the workers we surveyed, 95% said that they enjoy the work they do at CDS – this seems to indicate that workers are not leaving CDS because they don't like the work, but due to other factors. Increased pay, better benefits, allowing remote work, allowing flexible work schedules, increased training opportunities were all cited as things that would improve staff retention. Workers also expressed a desire for better communication within CDS, and for more opportunities to share feedback with management about what is and isn't working. Workers also feel that the uncertainty around the future of CDS and how legislative changes could impact the structure and/or employment status of workers has potentially driven some workers to find other jobs.
- **Recruit new staff for Child Development Services:** Dozens of workers expressed that current staffing levels at CDS are not sufficient, and that with an increased number of staff, it's likely that children would be able to access services sooner. Workers shared several ways to increase staffing at CDS, but the most common suggestions were improving pay and benefits and allowing for flexible remote work. Other ideas included creating internships at CDS and working to recruit future staff at colleges and job fairs. As with retention, workers feel that the uncertainty about the future of CDS is impacting the ability to recruit new staff.
- **Allow current CDS staff to use all tools to address waitlists:** Numerous workers shared that if it were available, they would be willing to work overtime to help address waitlists. We would not support mandatory overtime, but with 550 children on waitlists for services, it could be a useful tool to help children access services sooner than later.
- **Better Management and Oversight:** Workers shared that they often do not feel supported by upper-level management, and they would like to see managers who have direct experience working at CDS. That said, many workers said they feel supported by their direct supervisors. Historically, the regional CDS sites each had an independent board of directors to oversee CDS services, increasing accountability and providing a way for families, advocates, and workers to raise issues or concerns. Numerous workers have suggested the re-creation of a Board of Directors who have direct experience with CDS and early intervention/early childhood special education to increase oversight and help guide decision-making at the highest levels.

Invest in Our Communities & Early Childhood Services:

- **Address Transportation Issues:** Transportation issues and their impact on the ability for children to access services was one of the most mentioned issues throughout the CDS worker survey. The lack of accessible, reliable, and affordable transportation is a barrier for many families and can have a significant impact on CDS's ability to place children and provide services. Some suggestions in this area include providing decent mileage reimbursement to families who

transport their own children, and paying therapists or service providers to travel to children when they can't access those services locally.

- **Increase Preschool and Pre-K Placements:** The lack of preschool and pre-K placements for children in general, and especially those with special needs, has a substantial impact on the number of children on waitlists. In the short term, some workers flagged that reducing the barriers for private providers to work with CDS might help open slots that already exist. Others suggested increasing payments for private providers and private contracted specialists/therapists to encourage programs that are already in existence to work with CDS. Unless Maine moves to a universal Pre-K system, it will be necessary to invest in private preschools and pre-K's so that children have more places to access services in a least restrictive setting.
- **Recruit and Train More Workers in the Field:** While workers shared many suggestions to help retain current CDS staff, they also shared that we need to recruit more workers and train the next generation of workers. Some ideas on how to draw workers to early childhood special education, outside of improving pay & benefits overall, included using internships to introduce students to the field and increasing access to college courses and trainings in early childhood special education.