

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

**Neither for Nor Against
LD 345, "An Act Regarding Educational Policies and Programs"**

**Before the Joint Standing Committee on Education and Cultural Affairs
1pm Tuesday, February 27, 2024, Cross Building Room 208 and Electronically**

Senator Rafferty, Representative Brennan, and members of 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).

We are concerned about the proposed language in LD 345, which would move the responsibility for a Free and Appropriate Public Education (FAPE) to School Administrative Units (SAUs). We have a number of concerns with the plan as drafted; however, 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; fully staffed and providing a full range of support and services. 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, and within the entire early childhood education system, are key contributors 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. Workers have shared that there are likely more openings, as it can take up to a month after a job is vacated for Human Resources to publicly post the opening. It may be helpful for this committee to ask the Department of Education for more detailed information about where vacancies exist within CDS 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; we also asked CDS workers what they think legislators should know as they work to address these challenges, and I've included many of these quotes at the end of my testimony as well. 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. A number of CDS employees who could not be here in person today have submitted written testimony, and I'd be happy to connect members of this Committee with workers directly as well.

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.

In January 2024, MSEA asked CDS workers- “What they think legislators should know about your work at CDS or about CDS in general?” – here are some of their responses:

“Despite all its imperfections CDS has serviced many children with special needs. The State of Maine has a shortage of OT, PT, Speech/language, ed techs, and SDI providers. Public and schools have the same issues. It is a state wide issue. Not just a CDS issue.”

“We do this job because we have a passion for helping others, especially those that can't help themselves. The families that reach out to us have most likely tried as much as they can with what they have. They turn to us in a time of need. It can be heartbreaking to hear how a child is struggling and it is as equally heartbreaking to deliver the news over and over that their child will be waiting for services. We work tirelessly to keep parents in the loop and dig around for creative solutions. We have to make hard decisions of who gets support and who doesn't. We case managers and IEP administrators, along with our evaluators and service providers, are down here in the trenches trying to keep ourselves above the never ending referrals. We need help from those at the state level so we can help the families down here, who we build relationships with and who entrust us with their most precious assets.”

“We are very good at what we do when we have the support, resources, and respect to do what we do. We strive to get services in place to get children out of special education before they go to kindergarten or at the very least require fewer services. This saves the state money in the long term. Sadly, most people have no idea what we do because we do not inform the public of who we are.”

“Legislators hold the purse strings for making changes--not only for CDS, but for all schools and related services. Potential SLPs, OTs, and PTs will go where the job market and work conditions satisfy their goals and families.”

“What we do matters. We make a difference. We are working hard despite all the obstacles.”

“CDS does an incredible job at working with inadequate systems and supports to serve the most children they can.”

“We have a dedicated team of teachers who are working each day to provide for the children who have special needs in our area. We care deeply for the outcomes of these children along with the classrooms we serve as a whole. I left the public school setting running a special purpose program due to the lack of staff and not believing I could provide what these children needed any longer. I am VERY concerned about the public schools taking on such a role and assuming they can "make it work" when many schools I KNOW are not able to staff the programs they already have.”

“That CDS is working towards a better work culture and we're under staffed and the need for services isn't getting any smaller and there is less and less support. CDS is just the

scapegoat because we're the first place of support. We need more CDS facilities and more community supports - special purpose programs, ways to access transportation, more preschools, more staff."

"It's impossible with the work load, but we do it because we want to help kids. Early intervention is so important and we need supports at the ground level to help set these kids up for success."

"Changes to Part B could easily make the problems worse. A longer, slower transition will be necessary to make sure kids continue getting the services they need."

"We work extremely hard to provide services to the youngest students and help them and their families get ready for kindergarten. We are the village."

"It is important and valuable work to reduce costs down the line. We should be highly rewarded for education and experience. Part C is about educating adults, but present-day parents have so many concerns in their real life, home visiting is a social service job and staff should be hired accordingly."

"I think that it is important for all who do not work with the birth to five population, to know that the skill set for working with this population is very different than that of school age children. When children (and their parents) transition from Early Intervention, they have had a routines based, natural environment service, that supports the child and their family. The transition to Special Education, within the agency allows for collaboration between providers to ensure this transition is smooth and supportive. How will families be supported in this transition if three-year-olds are transitioning to public school. I also have ongoing concerns about transportation for our three-year-olds, if Special Education goes into the public school. In the rural parts of our state, school bus rides can be an hour or more. These are all considerations that should be made."

"CDS needs HELP! Caseloads are too high and providers cannot actually meet that demand. Service Coordinators are struggling with paperwork load, attending evaluations, meetings."

"CDS Part C provides high quality early intervention to children and families at no cost. We travel across the state and offer services individualized to meet each family and child's unique needs. The State of Maine is unique in offering naturalistic development behavioral intervention (NBDI) via the Parent-implemented Early Start Denver Model (P-ESDM) to toddlers with or suspected of having autism spectrum disorder (ASD). We do this because we care about children and families and know the impact it can have on the families self-efficacy in helping their child meet their potential. With that said, we need to have our mileage reimbursement rate increased to the federal reimbursement rate. We are currently .20 under that rate."

"We work hard to support these children and their families. Unfortunately, we do not get paid enough for the work we put in."

“CDS is currently not working due to low pay, high demands, and unrealistic expectations placed on employees.”

“They need to know that there are many different obstacles just stand in the way of us doing our job. We need better management and more conversations towards ways we can manage things.”

“They need to know about the number of children each site is responsible for and the lack of staff. They need to know of the challenges working with contracted providers. They need to know the concrete data of our lack of resources.”

“That early intervention works for young children who face cognitive and developmental delays!”

“CDS Part C gives families and children with disabilities the support they need to be successful moving forward in the education system.”

“Our jobs are so important in childhood development. We help and educate families navigate having children with delays or disabilities. We assist in setting families up for success.”

“This [proposed plan] will not address the current problems. It will likely create new problems and larger burdens on individual school districts. The barriers to accessing special education resources will likely increase rather than decrease for low income families.”

“The need for early intervention is not going anywhere. Birth to age five are developmentally extremely important and formative years for fast learning, and decrease the likelihood for persisting and long term delays. Interventions before kindergarten give kids their best chance for success when there are areas of need.”

“We are a group of hard-working people who have an expertise in an area that public school cannot duplicate because preschoolers are not the same as K students!”

“CDS employees are seasoned, caring, hard working professionals with knowledge who deserve better respect & deserve to feel valued for their hard work ... CDS is a team of people with many moving parts, one link stops & the wait begins. It starts with proper management who care. CDS employees are committed to doing their jobs but hands are tied.”