

Senator Rafferty, Representative Brennan and members of the Education and Cultural Affairs committee. My name is Dianne Rowe and I am an IEP administrator for Child Development Services. I am also an Oxford Hills resident with a long history of being involved with special needs children. I am writing this testimony on my own time to against LD 345.

I would like to take a few moments of your time to point out some issues with Commissioner Makin's proposal. I recognize that it sounds good on the surface but there are things that are not addressed and will be a cause for failure to our children should this plan go into effect.

The first issue and probably the hardest to be fixed is also the biggest concern I can see. Currently CDS contracts with organizations like Margaret Murphy, Sandcastle, Woodfords, OT to Play and Southern Maine Children's Academy to name just a few. These organizations are allowed to see children above and beyond their IEP services by billing Maine Care. They can admit children without an IEP and provide any services they chose by billing Maine Care. Here is the problem with this, it is taking up educational opportunities for special needs children under "Medical Model" services. Let me provide an example to help explain. I ran an IEP meeting for Michael, in that meeting the team determined that Michael needed 15 hours a week of Specially Designed Instruction to help him educationally get to where his peers are. Michael attends one of the aforementioned programs. Since they can bill Maine Care they have him in program for 30 hours a week instead of 15. So now we have one child getting 30 hours of programming instead of 2 children getting 15. This is a huge problem and one of the biggest reasons for waiting lists for children with CDS. While not the only reason, this is a big reason placement is not available.

The Second issue Commissioner Makin does not address is the worker shortage. She does say in her plan that Schools would still use the organizations listed above but they have worker shortages as well, so moving CDS to schools will not fix that problem. Commissioner Makin stated when speaking to CDS staff that she would propose that if these organizations are receiving funding they would not be allowed to decline a referral for placement for a child. I am not clear on how not having staff would be fixed by forcing these organizations to take on more children then they are legally allowed to have on their campus.

The third concern I have is with the thought in this plan that CDS would stay intact and school districts would need CDS staff and hire them as contractors. This is not something that would happen. School districts currently use their own staff for special education case management. Rather than hire additional staff or pay CDS staff they would just place the burden on their current staff. Although nice in theory this is not going to happen. Commissioner Makin stated that schools would need people for filing and paperwork, CDS staff is highly educated with many holding Master's degrees, and at a minimum a Bachelors. These are not workers looking for filing jobs and it is insulting to think that they would.

The Fourth issue not addressed is certification. CDS staff are certified birth to 5 for special education. School staff is certified k -8 or k -12. School staff would need to be recertified requiring 100's of thousands in educational cost. Commissioner Makin's answer, when this question was posed to her by staff, they are going to work on changing the certification criteria.

The last issue I want to address is transportation, commissioner Makin does not address this issue. She does state that schools will contract and send students to places like I mentioned above but does not address how districts are going to get these pre schoolers there. The second issue with transportation is

putting non verbal 4 year old on the bus with 8th graders. As a parent I would not be able to put my non verbal 4 year on the bus with children who would more than likely pick on them, taunt them and make them hate school before their academic career even got started.

Is CDS broken yes, thanks to mismanagement, underpaid staff and providers, micromanagement of staff, and lack of partnership with staff. Can it be saved absolutely! First and foremost, staff and providers need to be paid correctly. CDS should have a board of directors so our upper management cannot do as they please, and not in CDS's best interest. CDS should have their own drivers to get children to and from educational programming. CDS should have on site, at every site, a minimum of one inclusive classroom and daycare. Realistically parents need to work, if CDS had onsite daycare as well as inclusive classrooms this would reduce the transportation need and provide students with access to typical peers. All too often parent can drop their child off but then need transportation if the program is a half day or if child only requires say 3 hours a day of special ed programming to get them to a daycare. Maine Care needs to be addressed so the previously mentioned organizations cannot fill their classrooms with children who do not need all the services just because the Organization can bill Maine Care.

There are other issues with this plan but these are the most concerning. Thank you for listening, I hope that you consider fixing CDS and giving this incredible staff the opportunity to prove that given the tools and proper management we are the best at what we do.

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