

LD 255 Advisory Group



November 22, 2021



Meeting Agenda

- Introductions
- Ground rules
- LD 255 overview
- What have we done already?
- Review Proposal 3-year-old special education services
- Review proposed timeline
- Next steps - transition to Chair



Ground Rules

Norms of Collaboration

- Promoting a spirit of inquiry
- Pausing, Paraphrasing, Probing for specificity
- Putting ideas on the table
- Paying attention to self & others
- Presuming positive intentions

Technical Process

- Use chat to ask questions/share responses
- Raise hand if you prefer to speak
- Start and end on time
- Silence electronics and disengage from them throughout the presentation

***** Parking Lot Items *****



LD 255 Explained

- A. The establishment and appointment of an independent governing board for the quasi-independent government agency;
- B. Provide a current or proposed memoranda of understanding between the Department of Education and the Department of Health and Human Services;
- C. Describe how the plan addresses each of the 16 minimum required components under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1435(a) for a statewide, comprehensive system of early intervention services for infants and toddlers with disabilities;
- D. A detailed timeline for implementation, including but not limited to resources needed, any necessary statutory or regulatory changes and any other information necessary to implement the plan.



Completed

- ✓ Current or proposed memoranda of understanding between the Department of Education and the Department of Health and Human Services;
- ✓ How the plan addresses each of the 16 minimum required components under the federal Individuals with Disabilities Education Act, 20 United States Code, Section 1435(a) for a statewide, comprehensive system of early intervention services for infants and toddlers with disabilities; Reported annually since 1994



LD 255 Explained

Additionally, LD 255 asks us to address the provision of special education services for 3-year-old children.

Proposed Provision of Services

9 Regional Sites

Maine Early Intervention Services

IDEA Part C: Early Intervention Program

- Children birth through age 2
- Services are delivered through an Individual family service plan (IFSP)
- IFSP Identifies the priorities, resources, and concerns of families through early intervention services Maine receives IDEA federal grants funds

Early Intervention Services

To Be Determined

Preschool Special Education Programming

IDEA Part B (619): Educational guidelines for children

- Children age 3
- Maine receives IDEA federal grant funds
- Services are delivered through an Individual Education Program (IEP)

Free Appropriate Public Education

3-year-old children

Provision of services undetermined (addressed in both LD 386 and LD 255)

School Administrative Unit (SAU)

IDEA Part B (619)

- Children ages 4 +
- Maine receives IDEA federal grant funds
- Services are delivered through an Individual Education Program (IEP)

Free Appropriate Public Education

IDEA Part B (611)

- Children ages 5 through 22
- Maine receive IDEA grant funds
- Services are delivered through an Individual Education Program (IEP)

Free Appropriate Public Education

The proposed provision of services looks like this, taking into consideration the change initiated in LD 386



Review: Proposal for 3-year-old Provision of Services

OPTION 1

Quasi State Agency

- FAPE obligation on QSA
- Created within Maine DOE
- Oversight by Special Services Department
- Contracted agencies providing services
- Current CDS staff providing case management, IEP implementation
- Rebranded – Preschool Special Education Programming (PSEP)
- Facilitate transition from Part C to Part B

OPTION 2 Hybrid Model

- FAPE obligation on SAU
- Oversight by Maine DOE
- Individualized by SAU
- Choice in the following:
 - Provision of service
 - Staffing
 - Administrative oversight
 - Eligibility requirements including evaluation, child find, eligibility meeting
 - Transportation
 - Data system choice
 - Support referrals
 - Coordinate services
 - Case Management
 - Facilitate transition from Part C to Part B

OPTION 3 SAU Responsible

- FAPE obligation on SAU
- Maine DOE monitors SAU
- SAU responsible for enrolled children in catchment area
- Each SAU would determine how to provide services for 3-year-old children
- Could create regional preschools
- Continue to contract with preschool providers for services
- Provide staffing
- Provide transportation
- Facilitate transition from Part C to Part B

From a viability standpoint, what is the most viable option?



Review: Proposal for 3 year old Provision of Services, continued

OPTION 2 Hybrid Model

- FAPE obligation on SAU
- Oversight by Maine DOE
- Individualized by SAU
- Choice in the following:
 - Provision of service
 - Staffing
 - Administrative oversight
 - Eligibility requirements including evaluation, child find, eligibility meeting
 - Transportation
 - Data system choice
 - Support referrals
 - Coordinate services
 - Case Management
 - Facilitate transition from Part C to Part B



OPTION 3 SAU Responsible

- FAPE obligation on SAU
- Maine DOE monitors SAU
- SAU responsible for enrolled children in catchment area
- Each SAU would determine how to provide services for 3-year-old children
- Could create regional preschools
- Continue to contract with preschool providers for services
- Provide staffing
- Provide transportation
- Facilitate transition from Part C to Part B

Additional
insights?

- Using the hybrid would allow SAUs to begin to understand what is entailed in support 3 year old children
- Hybrid is already being piloted to support unmet need for preschool special education children
- Once SAUs have an idea of what the provision of services will be, there will be more consistency between preschool and school aged services
- Option 2 would allow time for SAUs to transition to becoming fully responsible via Option 3
- Could offer an opportunity for SAUs to build relationships with outside agencies and providers
- Reduced transitions
- Earlier development of relationships between families and SAUs



Proposed Timeline

A. Quasi Governmental agency – Jan 1, 2022 – January 1, 2023
developed by DOE in conjunction with Attorney General's Office
Reviewed 131st Legislative Session

B. After advisory group review and legislative approval, CDS begins rebranding to “Maine Early Intervention Services” starting July 1, 2022 (funding available until 2023)

C. After advisory group review and legislative approval, CDS Part C Extended Option to the fall of the 3rd birthday: application to OSEP May 2022. Initiation date July 1, 2022



Proposed Timeline

D. 3-year-old services – joint recommendation LD 386 + 255 – February 2022 (included in written proposal reviewed by the legislature)

E. January 1, 2022 – January 3, 2023: DOE and Attorney General's Office review and make recommendations to statutory and regulatory changes.

Additional feedback?



Next Steps

- Generate written proposal: December 2021
- Up to two additional Advisory Group meetings scheduled for December and January
- Review with Legislature February 2022
- Next steps – transition to Chair, Nancy Cronin