

2011 SENATE HUMAN SERVICES

SB 2298

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
2-2-2011  
Job Number 13859

Conference Committee

Committee Clerk Signature *AM Gordon*

## Explanation or reason for introduction of bill/resolution:

Relating to the establishment of a grant program for licensed early childhood service providers who care for children with special needs.

## Minutes:

Attached testimony.

**Senator Judy Lee** opened the hearing on SB 2298.

**Senator Joan Heckaman**, District 23, introduced SB 2298. Attachment #1

A short discussion followed on providing assistance to family members so they would be able to stay at home with the special needs child.

The definition of special needs is not spelled out in this bill.

**Linda Reinicke**, Lutheran Social Services of ND, provided supporting testimony.  
Attachment #2

**Blake Crosby**, ND Child Care Resource and Referral, gave supporting testimony.  
Attachment #3

**Senator Dick Dever** asked about inclusion and exclusion. Is it a matter of people not wanting to deal with special needs kids or is it a matter of needing to provide the resources so they are able to deal with it?

**Mr. Crosby** said it is a matter of both inclusion and exclusion.

**Roxanne Romanick**, Designer Genes of ND, supported SB 2298. Attachment #4  
She also talked about the inclusion specialists. Essentially they were looking at four inclusion specialists – one in each quarter of the state. Right now Child Care Resource and Referral has some ability to provide assistance in general to providers and definitely training. When it comes to supporting children with disabilities or developmentally delays in setting what is needed is specific intervention by professionals with expertise in that area. ND Early Intervention works with infants and toddlers. Not all children qualify and there isn't that service after children turn three.

**Senator Tim Mathern** talked about reimbursement rates and asked what her perspective was on giving parents more resources, depending on the needs of the child, when there is a child care assistance program. Should there be more reimbursement made to the payer of child care depending on the needs of the child? Is it already in place?

**Ms. Romanick** didn't know if there is anything in place with the child care assistance program. She said there is probably a population of people who do not get child care assistance that still may have the same needs and that would have to be considered.

**Senator Dick Dever** stated that people who provide child care are special people and people who provide child care to children with special needs are extra special people. He asked if this is about asking special people to take kids with special needs or is it about identifying those extra special people.

**Ms. Romanick** thought it was about sending the message out that everybody is capable of being extra special and the door should be open on every child care facility ready to take children. It's about strengthening the entire system.

**JoAnn Brager**, ND Association for the Education of Young Children, sees this bill as an excellent opportunity for collaboration between pre-school special needs programs. Attachment #5

**Senator Judy Lee** asked her to comment on some of the other not for profit support that might be available to families in other areas – not just child care.

**Ms. Brager** said there are a lot of organizations that work together – head start programs, early intervention, pre-school special needs, Easter Seals, March of Dimes. There are restrictions on what they can and cannot do. This bill is an opportunity to bring those collaborators together.

**Jennifer Skjod**, parent of child with Asperger's, testified in support. Attachment #6

**Senator Tim Mathern** said it seemed like they were able to develop the skills that were necessary to care for their children. He asked if she saw the lost income just provided to the family as a systems perspective in trying to solve this.

**Ms. Skjod** replied that would be hard for them – accepting assistance. It is a generous solution and would be helpful for some people but thought there might be other people with reservations also – pride issues.

**Beth Nodland**, parent, spoke in support of SB 2298. Attachment #7

**Senator Dick Dever** asked if, based on her experience with different day care providers, it's her feeling that any of those providers can and should be expected to do this or if the efforts should focus on those that are willing to do it.

**Ms. Nodland** said anybody who doesn't want to can figure out a way to not take kids. She thought it should be available to any child care provider who is willing.

**Shelley Hauge**, Child's Hope Learning Center in Bismarck, provided a letter of testimony from a parent in Minot who had a hard time finding child care. Attachment #8  
Ms. Hauge believes in inclusion. They learn a lot from other children and take greater leaps forward when they work with children that don't have a disability.

**Veronica Zietz**, the ARC of Bismarck, provided testimony in support of SB 2298. Attachment #9

**Carol Cartledge**, Public Assistance Division of the Dept. of Human Services, provided basic information on SB 2298. Attachment #10

**Senator Tim Mathern** asked if the department has ever thought of changing the reimbursement level.

**Ms. Cartledge** said the child care system is based on the sliding fee scale and based on incomes. The sliding fee scale hasn't been changed since 2003 due to federal funding. In addition to that there are maximums that are paid based on the type of facility and the ages of the children.

**Senator Tim Mathern** wanted more of a philosophical point of view. They come to the legislature asking for different rates for payment of elderly patient's and the care they receive – why don't they come to the legislature asking for different payment rates for children in terms of this care.

**Brenda Weisz**, CFO for the Dept. of Human Services, said their philosophy is such that they do recommend those changes.

**Senator Tim Mathern** asked if the recommendation to change it is based on the needs of the child or just across the board – all child care.

**Ms. Weisz** answered that this time the recommendation put forth as a department was to increase the needs of the child care providers or increase the rate for the providers. It wasn't for a select population.

There was no further testimony.

The hearing on SB 2298 was closed.

Attachment #11 Testimony in support by Carlotta McCleary, ND Federation of Families for Children's Mental Health.

Attachment #12 Testimony in support by Donene Feist, Family Voices of ND.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
2-7-2011  
Job Number 14162

Conference Committee

Committee Clerk Signature *FAMOUSOX*

## Explanation or reason for introduction of bill/resolution:

## Minutes:

Attachments

**Senator Judy Lee** opened SB 2298 for committee work.

**Senator Tim Mathern** provided and explained amendments .01001 from Sen. Heckaman which gives some clarification for the staff and the eligibility for the technical assistance program. Attachment #13

**Senator Tim Mathern** moved to **accept the amendment .01001.**

Seconded by **Senator Dick Dever.**

The committee reviewed and discussed the amendments. The wording provides for the use of the entire amount of dollars even if it moves beyond the biennium level. The 750 thousand dollar appropriation is for this biennium. The gifts and grants that they are able to accept are on a continuing basis.

The amendment calls for the entire 750 thousand dollars to come from the Land and Minerals Trust Fund.

**Senator Judy Lee** suggested that they visit with appropriations to learn more about the financing side of this so they could make better decisions. With the agreement of the committee she recessed the committee until later in the day.

**Senator Judy Lee** brought the committee back to order and explained that **Senator Tim Mathern** had further information about the Land and Minerals Trust Fund which he shared with the committee. Attachment #14 was prepared by Legislative Council – Analysis of the Lands and Mineral Trust Fund

Roll call vote 5-0-0. **Amendment adopted.**

**Senator Tim Mathern** moved a **Do Pass as Amended and rerefer to Appropriations.**

Seconded by **Senator Dick Dever**.

This would only be funded for this biennium.

There was some concern indicated that there is only state funds being used when for most of these types of things there is federal cost share. The intent was to use block grant funds and there is a point of view that the dollars aren't there. The intent is to move the program forward and use state dollars.

It was the understanding that this does not force anybody to take children they are not comfortable with. It will assist those who are willing to try.

**Senator Judy Lee** thought the only problem would be with the ADA saying they can't discriminate. She asked **Theresa Larson**, Protection and Advocacy, what a child care provider is to do who doesn't have the special training that might be needed to address the needs of a child with special needs.

**Ms. Larson** replied that the ADA, American with Disabilities Act, says that child care centers cannot discriminate in terms of providing services to children with disabilities. It does allow exceptions to that if they believe they cannot meet the child's needs or if in doing so they would not be able to do that within reasonable limits in terms of providing services to other children or if it would be too costly for them.

**Senator Judy Lee** asked if they get complaints at Protection and Advocacy about the challenges that these families have in dealing with child care providers.

**Ms. Larson** said they hear lots about this but they have not themselves gotten referrals about specific centers that have been discriminating.

This bill would not change any requirements. It would provide some needed resources to child care providers who are having a difficult time serving children. Some of them need extra resources in terms of education and training and possibly extra staffing.

Discussion: Some people put themselves forward to provide these kinds of services and this bill will provide the support to those people. Those people who want to be proactive about this would have a resource to help them. It was also noted that there is a great need for a different payment level and support for children and families not in this bill.

Roll call vote 5-0-0. **Motion carried.**

Carrier is **Senator Dick Dever**.

February 4, 2011

*Handwritten initials: JH3*  
*2-8-11*  
*1 of 2*

PROPOSED AMENDMENTS TO SENATE BILL NO. 2298

Page 1, line 2, after "of" insert "early childhood services inclusion support services and"

Page 1, line 3, after the semicolon insert "to provide a continuing appropriation;"

Page 1, line 7, after "services" insert "inclusion support services and"

Page 1, line 8, remove "establish an early childhood services inclusion grant program for"

Page 1, replace lines 9 through 15 with "fund early childhood services specialists to make available technical assistance to early childhood services providers that care for children with special needs or developmental delays. The technical assistance program must be designed to:

- a. Assist early childhood services providers that request support and information regarding caring for children with special needs or developmental delays;
- b. Assist early childhood services providers in adapting the program environment and care practices to meet the individual child's needs and to build the early childhood services providers' capacity to serve children with special needs or developmental delays;
- c. In partnership with the child's parents and health care provider, assist the early childhood services provider in the development or coordination of care plans for children with special needs or special health care needs relevant to the care setting;
- d. In partnership with the child's parents, foster communication with the team of specialists serving the child to ensure consistency in therapy practices and appropriate approaches;
- e. Provide classroom training to early childhood services providers to assist the providers in the integration of children with special needs; and
- f. As requested by the early childhood services providers, conduct one-on-one training at the provider's business to assist the provider in the integration of children with special needs."

Page 2, after line 20, insert:

- "6. The department may accept gifts, grants, and donations from any source to assist the department in the establishment and implementation of the early childhood services inclusion support services and grant program. Any gifts, grants, and donations received are appropriated to the department on a continuing basis for the purpose of funding the early childhood services inclusion support services and grant program under this section."

Page 2, line 21, remove "There is appropriated out of any moneys in the general"

Page 2, replace lines 22 through 27 with "The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the lands and

2012

minerals trust fund in the state treasury, not otherwise appropriated, to the department of human services for the purpose of funding the early childhood services inclusion support services and for establishing an early childhood services provider inclusion grant program as provided for in section 1 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

Early childhood services inclusion support	\$450,000
Early childhood services grant program	<u>300,000</u>
Total lands and minerals trust fund appropriation	\$750,000"

Renumber accordingly

Date: 2-7-2011

Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2298

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number .01001

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment

Rerefer to Appropriations  Reconsider

Motion Made By Sen. Mathern Seconded By Sen. Dever

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		Sen. Tim Mathern	✓	
Sen. Dick Dever	✓				
Sen. Gerald Uglem, V. Chair	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-7-2011

Roll Call Vote # 2

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 2298

Senate HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number 11.03/3.01001 Title 02000

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Sen. Mathern Seconded By Sen. Dever

Senators	Yes	No	Senators	Yes	No
Sen. Judy Lee, Chairman	✓		Sen. Tim Mathern	✓	
Sen. Dick Dever	✓				
Sen. Gerald Uglem, V. Chair	✓				
Sen. Spencer Berry	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Sen. Dever

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2298: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2298 was placed on the Sixth order on the calendar.

Page 1, line 2, after "of" insert "early childhood services inclusion support services and"

Page 1, line 3, after the semicolon insert "to provide a continuing appropriation;"

Page 1, line 7, after "**services**" insert "**inclusion support services and**"

Page 1, line 8, remove "establish an early childhood services inclusion grant program for"

Page 1, replace lines 9 through 15 with "fund early childhood services specialists to make available technical assistance to early childhood services providers that care for children with special needs or developmental delays. The technical assistance program must be designed to:

- a. Assist early childhood services providers that request support and information regarding caring for children with special needs or developmental delays;
- b. Assist early childhood services providers in adapting the program environment and care practices to meet the individual child's needs and to build the early childhood services providers' capacity to serve children with special needs or developmental delays;
- c. In partnership with the child's parents and health care provider, assist the early childhood services provider in the development or coordination of care plans for children with special needs or special health care needs relevant to the care setting;
- d. In partnership with the child's parents, foster communication with the team of specialists serving the child to ensure consistency in therapy practices and appropriate approaches;
- e. Provide classroom training to early childhood services providers to assist the providers in the integration of children with special needs; and
- f. As requested by the early childhood services providers, conduct one-on-one training at the provider's business to assist the provider in the integration of children with special needs."

Page 2, after line 20, insert:

- "6. The department may accept gifts, grants, and donations from any source to assist the department in the establishment and implementation of the early childhood services inclusion support services and grant program. Any gifts, grants, and donations received are appropriated to the department on a continuing basis for the purpose of funding the early childhood services inclusion support services and grant program under this section."

Page 2, line 21, remove "There is appropriated out of any moneys in the general"

Page 2, replace lines 22 through 27 with "The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the lands and minerals trust fund in the state treasury, not otherwise appropriated, to the department of human services for the purpose of funding the early childhood services inclusion support services and for establishing an early childhood services provider inclusion

grant program as provided for in section 1 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

Early childhood services inclusion support	\$450,000
Early childhood services grant program	<u>300,000</u>
Total lands and minerals trust fund appropriation	\$750,000"

Renumber accordingly

2011 SENATE APPROPRIATIONS

SB 2298

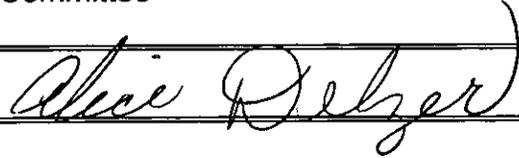
# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee  
Harvest Room, State Capitol

SB 2298  
02-10-2011  
JOB # 14303

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A BILL relating to the establishment of a grant program for licensed early childhood services providers who care for children with special needs; and to provide an appropriation.

Minutes:

See Attached Testimony"

Chairman Holmberg called the committee to order on Thursday, February 10, 2011 at 9:00 am in reference to SB 2298. Lori Laschkewitsch, OMB and Roxanne Woeste, Legislative Council were also present. The First Engrossed Bill was handed out.

Senator Heckaman District 23, introduced SB 2298 and is in support of SB 2298. (Testimony attached # 1). The important part of this is, we will allow for grants up to \$5000, for a provider, if they take a special needs child and we would also have an "inclusion specialist". They would go into the child care facilities, during the day, and assist that child care provider. There are two important parts of this bill. The first would be the grants to the providers that accept children and the other would be to have "inclusion specialists" that would go in and help those providers with suggestions. When we looked at the program and the engrossed bill, we think that there may be a section that got omitted. When we did the engrossment on it, we don't see that the grant portion got left in. We, again, think it got taken out.

Chairman Holmberg stated the subcommittee from Dept. of Human Services, which is Senator Fischer, Senator Kilzer, Senator Erbele and Senator Warner will look at that and verify it did not get taken out.

Blake Crosby, Manager, Business Center for ND Childcare Resource and Referral and testified in favor of SB 2298 (Testimony attached # 2). Urged a DO PASS.

Senator Warner states that when his granddaughters were infants, they paid a higher rate for daycare than later on when they were toddlers. In long term care, we have a process, of determining rates, based on ability to do daily activities. Is there a similar system for determining rates within the child care system?

Blake Crosby states no. They are not allowed to discriminate based on the special needs of that child.

**Senator Robinson** asks, "What types of numbers of special needs children are in the daycares?"

**Blake Crosby** states, we do not pull those numbers out. It is not a statistic that is kept. We would have to look at the public school enrollment reports. The diagnosis is typically not made until they reach the public school system. This bill would allow us to gather some of that data.

**Senator Robinson** states that it is probably far more than we would expect.

**Kathy Haarstad, Board Chair of ND FamNet.** A private rural health network serving people with special healthcare needs in ND. We represent over 10 North Dakota agencies and 5000 families who have children with special healthcare needs. We are here to testify, in favor of SB 2298, with its current amendments. (Testimony attached # 3).

We know you get many requests for funding. And if this bill does pass, we will make the families we serve aware of the issue and inform them about the need, and to let the legislature know where they stand.

**Roxane Romanick, representing Designer Genes of ND,** which is a Down syndrome support organization consisting of 250 members across the state of ND, testified in favor of SB 2298. (Testimony attached # 4). While we fully support SB 2298, we think that the components of it should be within a comprehensive systems approach to building capacity in our early childhood system.

**Jennifer Skjod** testified in favor of SB 2298. She is the parent of a child with Aspergers. I have told people that this bill enables parents with special needs children to work to support their families.

**Vice Chair Grindberg** states he is on a website that talks about her child's situation. Has there been any updates with medication?

**Jennifer Skjod** states, "It has really helped but it is an ongoing thing". It is a constant changing thing. When they are that little and metabolism is high, they build a tolerance. It has helped us.

**Ann Bry** testified and stated she runs a day treatment program in Bismarck, ND. It is the brothers and sisters that we forget. We have been open for 17 years. We are currently applying to be a licensed child care center for children with Special Needs. We run an inclusive program. We were not able to take brothers and sisters until we became licensed. We get a call from a child care center, approximately one to two times per month, for children they can't handle. We feel we can handle them quite well. I need you to know that the cost to take one child who is profoundly autistic, to have in my center for one hour, cost me about \$42/hr. For me to have the appropriate staff and an educated teacher, who knows what she is doing, in a situation when a child is aggressive, for myself, who works with this individual, and additional staff and a para to help us with her, that was \$42/hr. We do not charge our parents any different than the child that is next because we run an "inclusive program". We can have brothers and sisters in our center and that is a brand new thing. I am in support of SB 2298.

**Beth Nodland**, as a parent, testified in favor of SB 2298 (Testimony attached # 5) She addressed the issues of her son who has been diagnosed with Down Syndrome and the special needs he has and the difficulty of finding a day care that would care for him because of his condition. She stated he has been participating with BECEP and Early Intervention his whole life.

**Senator Holmberg** closed the hearing on SB 2298.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee  
Harvest Room, State Capitol

SBB 2298  
02-17-2011  
Job 14672 ( Meter 26.06)

Conference Committee

Committee Clerk Signature



**Explanation or reason for introduction of bill/resolution:**

**A SUBCOMMITTEE HEARING ON SB 2012 (SEVERAL BILLS WRE DISCUSSED AND ACTION WAS TAKEN BY THE SUBCOMMITTEE CONCERNING THOSE BILLS.**

**Minutes:**

**Senator Fischer, Chairman** opened the subcommittee hearing in reference to the Department of Human Services. Senator Kilzer, Senator Erbele, Senator Warner were also present. Lori Laschkewitsch, OMB and Roxanne Woeste, Legislative Council were also present. Brenda Weisz, DHS was present.

**Senator Kilzer** states he would like to go through the nine "stand alone" bills. This bill is for the Early Childhood Services Providers Grant Bill.

**The bills that this subcommittee is assigned are: 2029, 2043, 2163, 2212, 2240, 2264, 2298, 2334, 2357.**

**Senator Fischer** states that **Senator Heckaman** asked me to, when we consider this bill, (passes out amendment 11.0313.02001). review this and take the amendment into consideration. They were dropped off at my desk and I did not go over it with Senator Heckaman. Maybe this is a bill we should "hold up on" until we can find Senator Heckaman and she can come down and explain this.

**Roxanne Woeste** states you may still want to Senator Heckaman to come down but I have written down in my notes that "when Senator Heckaman appeared before the committee, she was concerned that the "engrossed bill" excluded some information about the grant program. Perhaps, it was an inadvertent omission that the bill came out of policies. I am thinking that the amendment does is, puts back into language, that she was concerned that the "engrossed bill" was missing, as it came out of policy.

**Senator Kilzer** states that he would like to hear from her and the Dept. because it says, "the department shall establish an early childhood services inclusion grant program". So they would have to set up this area.

The question is asked of the committee if they have any specific questions about the "inclusion grant?" I know that Jennifer Berry, our child care administrator, had worked with

Senator Heckaman on this earlier, to take a look at both "why this was needed and how it might work". We would anticipate that we would be using some of our contract providers, to assist us in setting up this process.

**Senator Kilzer** asks if that would affect the fiscal note.

**Brenda Weisz:** states that the bill itself has an appropriation and the money they are using is coming from the lands and minerals trust fund. The reason the dept. is named is because we currently work with the vendor that they anticipate would be a possible recipient of the "inclusion grants". We carry out the childcare quality program as it stands today.

**Senator Kilzer** asks, "Would the vendor have additional fees?"

**Brenda** asks if that meant, would they have additional fees to pass on to the families?

**Senator Kilzer** states, "or to you?"

**Brenda** states, no. What this would do our understanding, is that we would go out on a RFP and then have the money that is included in the bill for the "inclusion support" and for the grant program. Then have people respond to those dollar amounts, that are appropriated to the dept. and have them submit a proposal for the amount that is appropriated to the dept. and then vendor that is most responsive, according to procurement rules, would then be awarded the granting program and the inclusion specialist for the dollar amount appropriated.

**Senator Fischer** states that the "engrossed bill" shows \$750,000 fiscal note. I believe it is from the land and trust fund appropriation.

**Senator Warner** states a **DO PASS ON THE AMENDMENT.**

**Senator Erbele** seconds the motion.

**Roll call vote on amendment 11.0313.02001.**

**Vote was 4/Yes.**

**The amendment was carried.**

**Senator Judy Lee, District 13,** states that the reason that program for childcare for kids with special needs was very favorably reviewed, is that, there is an extraordinary challenge for people who want to work and want to continue to work and have to work. Sometimes there are people that are not trained to do it and sometimes there may be some physical adaptation that would be needed. We were particularly looking at things that would train these childcare providers on how to best serve these children. They are being shuffled from one to another, which isn't good for any child, but certainly is not good for one that has some kind of special needs. That was why the committee looked favorably at it and we were trying to be responsible, as well. This is a big deal, actually, to the families with kids that have special needs.

**Senator Fischer** states to Senator Heckaman that we have already adopted the amendments, if you would like to speak to the bill.

**Senator Heckaman** states she doesn't know what Madame Chair has already presented but her end of the conversation was exactly what I would have said also. This came about as identification out of the governors' autism task force that I serve on. It was one of the things that we found was a severe need, significant need, in our state, was a lack of child care, if you have a special needs child. Instead of specifically pointing to the autistic children, we went with anyone with special needs. That would include Down's syndrome and any type of developmental delays. Every child is unique. We can have someone, a daycare provider; have one child with Down's syndrome and the next week have a different child with different needs. That is what these "inclusion specialists" will be working on. They will be people specifically trained to help with any kind of questions that the provider would have. We don't expect these providers to become well trained specialists in child care, as far as special needs children go, we aren't expecting them to know every single disability across the spectrum. We do expect to be able to provide them with some technical assistance. That alone, may be able to have some parents, access the workforce again. Relating to me, some parents have tried to get their children into daycare and have been accepted, and then all of a sudden, have to take them back out. It has been a hardship on some families, because of the fact, that they need the employment and need the health care that is provided as a benefit, from that employment because their child has special needs. We are looking for these "inclusion specialists" basically to help. When we looked at the bill, we had a larger amount of funding and we moved it back down. One of the reasons we moved it back down, is that, we feel that this is important. The amount of money we asked for, we figured you wouldn't think kindly on it, and this is an important program to get started, so we want to work with you, on what you think is a funding amount that could make this work. The support people will be working first. The "inclusion specialists", we will be taking applications, we will be setting up the criteria for accepting day care providers into their service, and then the \$300, 000, won't start right away. There is going to be some work to be done, in the background, by the "inclusion specialists" and the program developers, to get that going. We originally started with enough funding for 62 day care providers per year of the biennium. This is now cut down. Our thoughts were about \$5000 per grant, to the providers, and that would basically help them fix any accommodations, that they may have. It may also help them add staff, to help with these, and part time staff. Some of these children may be in some other programs too. They may be in part time Headstart or some other program, and not be in daycare full time. Then a service provider may need someone part time to help them with a special needs child. We took some recommendations from people, specialists in the field, and this what we started with. We don't even know if we will need all this right away because we are on the ground level with this program.

**Senator Fischer** states, "What you are looking at, is specialists that go around to day cares and provide them with information of what they have to do and maybe find some people that are already qualified. You are not talking about, let's use autistic kids, because I dealt with a case some years ago got bumped. This little guy did very well in kindergarten amongst regular kids. When he was put in day care, with other autistic kids, he regressed. So you are suggesting that there may be only one or two at a provider.

**Senator Heckaman** states that we don't know right now. We are looking at this as a beginning. I know Senator Lee has some comments that she wants to add. This can be any kind of a provider. This could be an in-home provider that only accepts 7 children. If that person and there is a need for childcare in that small community, or in a large community, and they have an in-home facility, adding one child with special needs, is really going to make a difference in their day. If you are an in-home provider, you may have to add a support staff person or you may have to drop down in your count. So I am thinking it would be similar in large facilities. Larger facilities are more difficult for autistic children. Due to my background in special education, that makes a lot of difference. The smaller setting that they could be in, the better off, I think the most of them would be. There are a couple of special service providers right now for autism. One is in Fargo or West Fargo. They are a day care for autistic children. Every kid is unique. You can't say by putting one autistic child in a large number of kids, is going to be bad. It may be good for that child. However, with another child, it may be bad for that child. So these specialists are trained in helping facilitate what needs to be done in a day care provider's home.

**Senator Kilzer** states on your governor's commission, you must have recommended this to the governor, to include in his executive budget, but he did not do it. Is that correct?

**Senator Heckaman** states, that is not correct. We did not make any recommendations, financially or fiscally, on any programs right now. What our focus was on the first year, was to look at what services there are for children on the autism spectrum disorder, and look at what we see as weakness and strengths, in our state. When we got done, we didn't find very many strengths, right now. We do have some specialty services around there for children. Most of our area is focused on weakness. All we have done so far, is look at what we think needs to be done and we presented that plan to the governor. It was not presented to him until July 1. As a result of that, the task force is still going to continue working. This was my own undertaking, to start in this area for day care. Basically, because I have seen a need in my district, for this kind of a service and connecting it to the day care issues, that the task force saw. The task force has many other issues too and we never made any other recommendations to the governor for any funding of anything right now. We just have a "bare bones plan" in place and then we are going to continue to work on that. There may be recommendations in the governor's budget in the next biennium but we did not have time to do that. This is separate from anything from the plan itself.

**Senator Kilzer** asks Senator Heckaman is this an OAR or not?

**Senator Lee** states, that is extremely important to make clear, that we are not looking to set up autism or Down 's syndrome child care facilities. All of the people that came in to testify as parents, talked of the fact that they are living in a community where they have been trying to find child care facilities that would be able to accommodate the needs of their kids. It was very challenging for the day care provider to do that. Not only is it important, as you mentioned Senator Fischer, for these children to be involved in a more mainstreamed setting in child care, but also in school. Dr. Ken Fischer, is a real expert in autism services in Fargo, states that the schools should be the focus; we shouldn't be doing everything 40 hours a week, in some separate setting somewhere, is his position. What we are looking at here, is not establishing new child care facilities, not making them specialty service

providers but rather, that if I have a child that has Down's Syndrome or some other special needs, and you are a child care provider and you don't know how to communicate with this child, due to this child "signs" but doesn't speak well yet, that there is a way to increase that communication skill. Each one is going to be unique to the kid. This bill is to help the kids that are already there to do, what they can do, even better if they have a family who comes to them for child care. The families that spoke to us, weren't looking for government support for child care, they were able to pay for child care. They were paying privately for child care. That is not even an issue here. They just couldn't get child care for any length of time.

**Senator Heckaman** states that is very true. We are not looking to start up new facilities any place. We are looking at enabling present day care providers to be able to facilitate one or two additional special needs children into their program. This bill is more specific, such as, if I run a day care and I haven't had any experience with special needs children before, someone brings in a child with MS, and a lot of specific needs for moving, transporting, carrying, feeding, I would need some kind of technical assistance with that. These people, that we are attempting to fund with this program, are not going to have all the answers but they will have a network to find answers to.

**Senator Fischer** states it has nothing to do with the teacher. I don't think everyone is capable of handling certain situations.

**Senator Erbele** states that Senator Heckaman indicated earlier that you weren't sure how much money you need, or where it is all going to be spent, but do you have some idea of what the flow of the money is and what it will be spent on, who would get it, what is it used for?

**Senator Heckaman** states the \$450,000, that will be to provide funding across the two years of the biennium, for "4 inclusion specialists", one in each quadrant of the state. I don't know if the quadrants have been delineated yet. A person to work in the NE section, one in the NW and that will be the funding for those people. We are hiring 4 people in developmental disabilities and have background in that. I would guess they would have some credentials and special needs children along the way. We are going from infants to age 12. The \$300,000, are grants out to the providers. They could be in the form of assistance in hiring an aide to help them in their service or finding equipment that would work better for the child that the day care provider would not have to provide themselves and the parents wouldn't have to transport back and forth each day. It may be equipment for feeding. We are not expecting this to start on Day 1, when the program starts. We are hoping the 4 specialists could get hired right away and with the depts. help, set up the criteria for accepting applications and get this done in a timely manner. Timely manner depends on other programs and who we can get hired right away. The four "inclusion specialists" would be hired right away. They would develop the plan for accepting applications from day care providers. They would get the word out, that this program is available, and start accepting applications and determine how they are going to accept the facilities and accept the providers. The \$300,000 will be used in the next 18 months. We are guessing that about \$5000 per provider, either to supplement other staff that they would need, or equipment that they would need.

**Senator Erbele** asks if they would need 4?

**Senator Heckaman** states that they are looking at dividing the state into 4 quadrants. I don't know if anyone here would be able to address the other issues, if they went to 3.

**Senator Lee** states that rather than have this go away entirely; I would like to see us be able to at least get this program launched. I think there is room for 4. I would like to see this possibility exist, even in some small way, so that we can have this "inclusion specialist" concept available to child care providers, who need it. I would encourage you to consider moving it forward, even if you can't support the amount of funding that came to you.

**Senator Fischer** states that we have to deal with the money.

**Senator Warner** states that I am not going to move this quite yet but could I propose \$150,000 for 1 person. I think that would cover 2 years of the biennium plus benefits plus a little office space. Would that be open to discussion?

**Senator Kilzer** states that this would be a new program. The \$150,000 would be the "camel's nose". I don't know if there is an academic program or some sort of training program. There is not nearly enough people out there that are trained in this type of day care.

**Senator Warner** states that my understanding of the American Disabilities Act would consider a differential rate, based upon need, to be a form of discrimination.

**Senator Heckamann** states we are not in the business of training teachers. If you have a day care and there was 6 children and someone from your community came and asked if they would take a special needs child and think of how a person would react to that? My first response, thinking of people in my community that are day care providers, would say, "I wouldn't know where to start with that child". The 'inclusion specialist' aren't going in there and make teachers out of these day care providers. They are going to come in and they would say, you have a child with MS, that they want daycare for and we will come in and we will bring someone into your home or we will bring examples into your home, how you can help with this specific child. Every child is different so they are treated differently. We would make sure our "inclusion specialist" found out some information, maybe visited with the parents and also brings in suggestions so that they would be more comfortable accepting that child for day care.

**Senator Heckaman** states that she agrees with Senator Lee's suggestion of "wherever you feel financially, that the minerals and land trust fund can absorb this or accept this." I would be willing to get something going rather than nothing.

**Senator Erbele** states he is not ready to act on this.

**Senator Fischer** states he is not ready to act on this and we will put a hold on this for more discussion and thought.

The subcommittee continued on regarding other bills that pertain to the Department of Human Services.

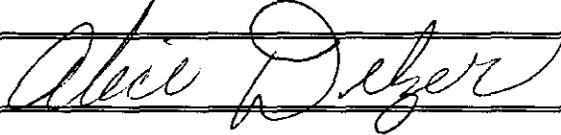
# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee  
Harvest Room, State Capitol

SB 2298  
02-17-2011 (later hearing)  
Job # 14685 (Meter .00 to .53)

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

Early childhood provider grants. (Subcommittee hearing for 2012)

Minutes:

See attached testimony."

**Chairman Fischer** called the subcommittee back to order at 10:25 am. (this is the second subcommittee hearing this morning) Different Bills were discussed and voted on by the subcommittee in the first meeting. This meeting will discuss more fully the appropriations to this Bill. Lori Laschkewitsch, OMB and Roxanne Woeste, Legislative Council were present.

**Chairman Fischer: We will deal with SB 2298.**

**Senator Erbele** suggested we leave this up to the entire committee and just move it out without recommendation. **I make this motion. Seconded by Senator Kilzer.**

**Chairman Fischer:** We have a motion and a second to take 2298 to the full committee without recommendation. Discussion. Call the roll please on 2298. **A ROLL CALL VOTE WAS TAKEN: YEA: 4; NAY: 0; ABSENT: 0. Motion carried. (vote #1) Proposed amendment 11.0313.02001 for SB 2298 was presented but not acted on as the subcommittee voted to take SB 2298 to the full committee without recommendation.**

**Chairman Fischer then went on to discuss the budget in SB 2012.**

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Appropriations Committee  
Harvest Room, State Capitol

SB 2298  
02-17-2011  
Job # 14716 (Meter 34.47)

Conference Committee

Committee Clerk Signature



## Explanation or reason for introduction of bill/resolution:

A Roll call vote on Grant program for licensed early childhood services providers who care for children with special needs.

## Minutes:

You may make reference to "attached testimony."

**JOB # 14716 INCLUDES THE ROLL CALL VOTES ON THE FOLLOWING BILLS: 2345,2159,2029,2299,2298,2212,2334,2357 and discussion on several other bills.**

Discussion was held on several Bills that tie into the Human Service Bill or budget. The committee acted on several of those bills at this time.

**Chairman Holmberg:** We will take up SB 2298 (Meter 38.10) There is an engrossed bill for 2298. We have to amend it as a committee. He was told yes. Would you move the Heckaman amendments? # 11.0313.02001. **Senator Fischer moved the amendments. Seconded by Senator Warner**

**Chairman Holmberg** asked what the amendments do.

**Senator Warner:** These are just technical amendments. Inadvertently the paragraphed form was deleted when they drafted the engrossed version and this just replaces them. They were in the original bill but they got missed during the engrossment. It just restores them.

**A Roll Call vote was taken on amendment 2001. Yea: 13; Nay: 0; Absent 0. Motion carried.**

**Chairman Holmberg** asked for a motion on the bill.

**Senator Christmann moved Do Not Pass. Seconded by Senator Kilzer.**

**Senator Kilzer:** This would set up a new program starting with a problem which is special needs children in daycare. Daycares are not able to accept them and they are not able to charge more and so this would be to train people how to go around and instruct daycare providers in how to take care of special needs children. And on the fiscal part of it it would be \$450,000 to have 4 new inclusions specialists around the state, one in each quarter of the

state and they would be the permanent full time people who would do the instructing. The additional \$300,000 would be grants to daycare facilities for these special needs children to give them special chairs and equipment that they would use, that is the basic part of the bill. It would be a new program.

**Senator Fischer:** I look at it differently and parents need this service for their special needs children. Right now they are being refused services. To keep the bill alive I would reduce the appropriation in it because I understand that's the largest appropriation, I think that is something that could be considered as well. We have a motion on the table right now. I would ask to resist the do not pass and vote no. (very inaudible as he did not use the microphone.)

**V. Chair Bowman:** When you heard this did you get any information on the total number of kids involved in this? That these special people that train would be going around to different areas to train.

**Senator Fischer:** right now there are 1400 licensed day care providers. (Inaudible)

**V. Chair Bowman:** If they are not accepted at these daycares then do the parents take care of them? He was told yes because they would have no other place to go.

**Senator Kilzer:** There were some parents who testified and these were all individual cases who expressed their difficulty in placing their kids but they did find places eventually.

**Chairman Holmberg** We have a motion on the floor. **Would you call the roll on a DO NO PASS ON 2298 AS AMENDED.**

**A Roll Call vote was taken. Yea: 3; Nay: 10; Absent 0. MOTION FAILED.**

**Senator Fischer:** I would make a motion to amend the total amount to \$150,000. **Seconded. By V. Chair Grindberg.**

**Chairman Holmberg:** **Would you call the roll on the written Fischer amendment for changing it from \$750 to \$150. A Roll Call vote was taken. Yea:11; Nay: 2, Absent 0.**

**Senator Christmann:** You don't have to change the vote but I would have voted yes on the amendment.

**Chairman Holmberg instructed the clerk to change the vote to show that Senator Christmann voted yes on the Fischer amendment. So the final vote on the amendment is Yea: 12; Nay 1; Absent 0.**

**Senator Fischer moved a DO PASS AS AMENDED. Seconded by Senator Warner.**

**A Roll Call vote was taken. Yea: 11; Nay: 2; Absent 0. Senator Heckaman will carry the bill. The hearing was closed on 2298. (Meter 50.06)**

Date: 2-17-11  
 Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

Senate Subcommittee for 2012 Committee

Check here for Conference Committee

Legislative Council Amendment Number (11.0313, 02001-not acted on)

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Erbele Seconded By Kilzer

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg			Senator Warner		
Senator Bowman			Senator O'Connell		
Senator Grindberg			Senator Robinson		
Senator Christmann					
Senator Wardner					
Senator Kilzer			Fischer	✓	
Senator Fischer			Erbele	✓	
Senator Krebsbach			Kilzer	✓	
Senator Erbele			Warner	✓	
Senator Wanzek					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*the intent is to take this back to full committee without recommendation.*

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2298

Page 1, line 10, after the underscored period insert "The department shall establish an early childhood services inclusion grant program for licensed early childhood services providers that provide care for children with disabilities or developmental delays. The grant program must be designed to:

- a. Increase the number of staff in the adult-to-child ratio to expand supervision and the ability to care for children with disabilities or developmental delays; and
- b. Assist in modifying or adapting the early childhood services setting as needed to address the health and safety needs of children with disabilities or developmental delays.

2."

Page 2, line 9, replace "2." with "3."

Page 2, line 18, replace "3." with "4."

Page 2, line 27, replace "4." with "5."

Page 2, line 29, replace "5." with "6."

Page 3, line 7, replace "6." with "7."

Renumber accordingly

Date: 2-17-11  
Roll Call Vote # 1

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2298

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number 11.0313.02001

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Fischer Seconded By Warner

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2-17-11  
 Roll Call Vote # 2

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Christmann Seconded By Kilzer

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg		✓	Senator Warner		✓
Senator Bowman	✓		Senator O'Connell		✓
Senator Grindberg		✓	Senator Robinson		✓
Senator Christmann	✓				
Senator Wardner		✓			
Senator Kilzer	✓	✓			
Senator Fischer		✓			
Senator Krebsbach		✓			
Senator Erbele		✓			
Senator Wanzek		✓			

Total (Yes) 3 No 10

Absent 0

Floor Assignment Motion Failed

If the vote is on an amendment, briefly indicate intent:

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2298

Page 1, line 10, after "1." insert "The department shall establish an early childhood services inclusion grant program for licensed early childhood services providers that provide care for children with disabilities or developmental delays. The grant program must be designed to:

- a. Increase the number of staff in the adult-to-child ratio to expand supervision and the ability to care for children with disabilities or developmental delays; and
- b. Assist in modifying or adapting the early childhood services setting as needed to address the health and safety needs of children with disabilities or developmental delays.

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Page 2, line 29, replace "5." with "6."

Page 3, line 7, replace "6." with "7."

Page 3, line 19, replace "\$450,000" with "\$100,000"

Page 3, line 20, replace "300,000" with "50,000"

Page 3, line 21, replace "\$750,000" with "\$150,000"

Renumber accordingly

Date: 2-17-11  
 Roll Call Vote # 3

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

Senate Senate Appropriations Committee

Check here for Conference Committee

Legislative Council Amendment Number Fischer amendment  
amend to 100,000 + \$50,000

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Fischer Seconded By Grindberg

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann	✓				
Senator Wardner	✓				
Senator Kilzer		✓			
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 11 No 2

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*After The Vote.  
 Comment by Senator Christmann he would  
 have voted yes on the amendment.*

*Passed*

Date: 2-17-11  
 Roll Call Vote # 4

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

Senate \_\_\_\_\_ Committee \_\_\_\_\_

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Fischer Seconded By Warner

Senators	Yes	No	Senators	Yes	No
Chairman Holmberg	✓		Senator Warner	✓	
Senator Bowman	✓		Senator O'Connell	✓	
Senator Grindberg	✓		Senator Robinson	✓	
Senator Christmann		✓			
Senator Wardner	✓				
Senator Kilzer		✓			
Senator Fischer	✓				
Senator Krebsbach	✓				
Senator Erbele	✓				
Senator Wanzek	✓				

Total (Yes) 11 No 2

Absent 0

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Heckaman*

**REPORT OF STANDING COMMITTEE**

**SB 2298, as engrossed: Appropriations Committee (Sen. Holmberg, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2298 was placed on the Sixth order on the calendar.

Page 1, line 10, after "1." insert "The department shall establish an early childhood services inclusion grant program for licensed early childhood services providers that provide care for children with disabilities or developmental delays. The grant program must be designed to:

- a. Increase the number of staff in the adult-to-child ratio to expand supervision and the ability to care for children with disabilities or developmental delays; and
- b. Assist in modifying or adapting the early childhood services setting as needed to address the health and safety needs of children with disabilities or developmental delays.

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Page 3, line 19, replace "\$450,000" with "\$100,000"

Page 3, line 20, replace "300,000" with "50,000"

Page 3, line 21, replace "\$750,000" with "\$150,000"

Renumber accordingly

2011 HOUSE HUMAN SERVICES

SB 2298

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee  
Fort Union Room, State Capitol

SB 2298  
March 14, 2011  
Job #15378

Conference Committee

Committee Clerk Signature

*Vicky Crabtree*

## Explanation or reason for introduction of bill/resolution:

Establishes a child care grant program for providers who care for children with special needs. Also provides for inclusion specialists who can build capacity among child care providers.

## Minutes:

See attached Testimonies #1 - 11

**Chairman Weisz:** Opened the hearing on SB 2298.

**Sen. Joan Heckaman:** From District 23, New Rockford sponsored and introduced the bill. (See Testimony #1)

**Rep. Porter:** In the first version of the bill some funding sources included some federal funds and TANF funds. Is there are reason why we switched to the general fund #3?

**Sen. Heckaman:** There is. When I drafted this bill it came at a late time in the session to put bills in and I was looking for a funding source. I was told that some of these parents might already qualify for TANF and that we could use those funds. As the bill was drafted I was told to leave the TANF funds alone. If you see a way to include any other funds, I would think that would be appropriate. I do know the lands and mineral trust fund is going to be a little more flush than we thought it was going to be and so that was the reason for taking TANF out of the bill.

**Rep. Porter:** Was there anything specific on federal funds? Was there a grant that you had identified? You had \$600,000 coming out of federal funds and then an additional \$650,000 out of TANF. Was there something federally that you had recognized as a grant?

**Sen. Heckaman:** I don't think the original \$600,000 was out of federal. The \$650,000 would have been out of (pauses) I think the comma is in the wrong place there. I think the \$650,000 would have been the federal TANF. The \$600,000 would have been the general funds. When working through this bill and when I drafted with legislative council, I went into the drafting situation with an unknown on the funding source and so we put it in anyhow. I told them we would work through that as the bill went through the session and that is basically what we did.

**Rep. Porter:** If the bill remains at the funding level that it currently is now the \$150,000, what would be your estimates of the number of providers and the grant dollar amount that would be put out?

**Sen. Heckaman:** We are looking at about a maximum of \$5,000 to a provider. This gives no funds to the families. It is not going to the provider specifically to supplant that money from the parents that are still going to be funding the daycare. This is so the provider can hire additional help if they need to provide additional services to the children. On page 3, line 17, I looked at some other sources of funding and with some of the private foundations around and there may be a way to access that. I'm still working on that. We did write in on Page 3, line 17 that "the department may accept gifts, grants, and donations". There are other options out there and I don't want to do over them right now as they may not work out. When we originally started we wanted to have four specialists out there. One in each quadrant of the state and it is going to be a big job for them. The program is to be developed with the help of the human services department. It will take a while to develop the plan and all providers won't access this. I'm sure you have providers now that do special needs childcare that won't may not access the granting program. But, it will be open on an application process and that is going to be developed by the committee too.

**Blake Crosby:** Manager of Business Center for ND Child Care Resource and Referral testified in support of the bill. (See Testimony #2)

**Rep. Porter:** Can you go through how you see this bill becoming a program that becomes then a grant to the provider? I'm missing something here on how it works and who is applying for what and where and if the department is running this program; there isn't any kind of a fiscal effect with FTEs from the department. Sen. Heckaman talked about direct grants to providers of \$5,000. Somebody has to be overseeing those grants and doing that. It kind of reads like it is a grant review committee that the department establishes. Is it all voluntary at that level? Is the department just the pass through? Does all the money go to providers? I'm not clear on the mechanisms that make this a good bill like you said.

**Blake:** Some of that process still has to be developed as Sen. Heckaman indicated, but yes it is a voluntary committee that would get together and establish the application process. And again that process still needs to be developed. When Sen. Heckaman indicated that we start out at \$1.2 million she backed that off to \$750,00 because she realized it would probably take 4-6 months to put the process into place and gather up the entities that might take place in that process. It is my understanding it is an application process and the application requests will be reviewed within the context of people who have a professional background in diagnosis. Special needs equipment and supplies. Obviously we are not going to give out things (inaudible) explicable to that particular child and that particular diagnosis.

**Rep. Porter:** On page 1, line 18, it says, "The department shall fund early services specialists", which to me are FTEs, "to make available technical assistance to early childhood services providers that care for children" and then it goes through a whole area all the way though line 16 on page 2 of what those FTEs will be doing. I'm unclear of any mention of FTEs anywhere in this bill. In the appropriation a support amount and then a grant amount.

**Blake:** It is my understanding that there would be no FTEs added to the DHS. The responsibility is going to fall on the personnel that are already in place with the ND Childcare Resource and Referral. That would only amount to 2 FTEs with the NDCRR.

**Earleen Friez:** From Hettinger, ND. (Handed in Testimony by Blake Crosby) (See Testimony #3)

**Rep. Kathy Hawken:** From district 46 in Fargo. I am here to support this important bill. I have talked about affordable childcare for as long as I have been here. There are many components to this. We have been lucky to have child resource and referral people in this state to fill in the holes. We have a marvelous retention, training and recruitment program that we piloted last session that we have fabulous results on that we are hoping will continue through the session and be funded in the Dept. of Commerce to move forward next year. And there are different components people can take. This is a possible place where additional training could be available to every childcare provider on how to deal with special needs. There are a number of areas that can benefit in the knowledge base and how to. We label or diagnose more children now so the needs then change. There are different methods of meeting them and this is a trial, a start. The Dakotas Boys and Girls Ranch in Fargo wanted to do a special needs childcare facility. They had trouble getting it sited and everything else and am not sure where that piece is, but the need is out there. This bill does an initial step toward meeting that need. Hope you will look at this favorably.

**Roxane Romanick:** Representing Designer Genes of ND testified in support of bill. (See Testimony #4)

**Jennifer Skjod:** From Mandan, ND. (Roxane read this testimony) (See Testimony #5)

**Rep. Porter:** Ms. Romanick, it is your understanding in the bill with the two components that the \$100,000 would be a grant type program to a private provider such as the ND Childcare Resources and Referral? And then the other component of the actual grant would be directed then from that committee to the providers so that there wouldn't be an impact to the DHS?

**Roxane:** My understanding is that there would be no increase in FTEs to state government. That the hope would be that the inclusion specialists would be embedded in the training and technical assistance piece that NDCRR does. And the impact of the department would be the disbursement of the grant funds. At this point we have not heard from the department whether or not they would see impact in increased responsibilities to that, so I couldn't answer that for them.

**Beth Nodland:** Testified in support of the bill. (See Testimony #6)

**Melanie Hendrickson:** From Grand Forks, ND testified in support of this bill. (See Testimony #7)

**Veronica Zietz:** Executive Director of the ARC testified in support of the bill. (See Testimony #8)

**Sherris Richards:** Testified in support of the bill. (See Testimony #9)

**JoAnn Brager:** Testified in support. (See Testimony #10)

**Rep. Holman:** In the training of the professionals at work in early childhood, how much is done with special education?

**JoAnn:** My masters degree is in education with an emphasis in early childhood special education. I am certified and licensed to teach in ND to children from birth through age 8 with identified disabilities. I can tell you there are not nearly enough of us.

**Rep. Holman:** If someone has an associate's degree from one of our school's that does early childhood training, what kind of training do they have in special ed?

**JoAnn:** I don't have the answer to that. If there is someone from higher education here, maybe they can answer that question for you. (People in audience said something to her.) People who come out of college with two year degrees have very little or no classroom working with disabled children.

**Elaine Grasl:** I use to take of kids that had cleft palates and cleft lip. Also a child hit by a car and it takes extra work. The other day I overheard a conversation in our office. A lady was in the office crying because her child had autism and she couldn't find a daycare and that daycare provider was in the process of turning her down.

**Linda Reinicke:** From Child Care Resource and Referral: I want to clarify a couple of things that I have heard. We are contracted with the DHS and they provide the funding to do two things; we helped people find childcare in the state and provide training and consultation to childcare providers. Last year we helped 6,000 families find childcare. We have a data base (inaudible) match. People give us the information of what kind of childcare they need whether it is Bismarck or Mandan or wherever and the computer pulls a list of parents. We have 250 in the Bismarck, Mandan area licensed childcare providers. If we didn't have our data base you would be calling from A to Z those 250 names, but we give you the short list of providers that would work for you. We hear from a parent point of view what it is like to find childcare. The other function we have with the DHS is we provide training and consultation. We don't do licensing. We have four major offices in the state and they are Grand Forks, Fargo, Bismarck and Minot. Out of those offices comes specifically consultation to childcare providers. We have staff that go out and help childcare providers, primarily help them set up their business. We help them write business plans, and help them invest the money they have wisely. When this bill was drafted, it was the understanding was that the special needs consultants would be housed in those four offices across the state so they could be integrated into the services that we already provide providers. We have many calls from providers and our staff does not have the skills and abilities to provide many of the answers that people have regarding special needs. In answer t the question about the degree of training people have in the area of special needs. Primarily childcare providers don't have a lot of high education and we have 15% of the 1500 across the state have a four year degree. The rest are high school

education and some two year degrees. That in no way provides them the knowledge or the skills to respond to the situations that are coming their way.

**Rep. Porter:** Inside of the bill then, it is your understanding that with your existing contract with the department that a lot of these funds will flow back to your organization. Your training side of it; you already mention you already do a lot of this training, what would the additional funds inside of this bill be used for if you are already doing a lot of that training? Do you charge the businesses for training and consultation? Or is that service done for free?

**Linda:** The money that is in the bill that is identified for the early childhood specialists would hire 4 FTEs. There wouldn't be any money for preparation of training. What would happen these early childhood specials could help childcare resource and referral. The training we do and we do a lot of training on line. Last year we had 11,000 classes taken on line. They are two hours classes. It would help our training people to integrate the special needs issues into the training for everyone. We are limited in our capability and in our capacity to do training and specific consultation to childcare providers. Right now the training on line is free because we were funded last session with the money to get training out to childcare providers. The consultation is also free and funded from the last session.

**Rep. Porter:** Can you tell me what the total state appropriation to your organization is per year or biennium?

**Linda:** There are two nonprofit agencies that hold this contract. The federal dollars that flows through the DHS, there are no state dollars funding childcare. I believe it is 1.7, but will get that for you. Last session you appropriated a one-time funding of \$3.6 million to do what Rep. Hawken talked about in implementing a recruitment, training and retention program for childcare providers. That is mainly our focus there is to create capacity for childcare with our economy growing and particularly in the west. We have huge need for childcare in the west. We want this recruitment, training and retention package.

**Rep. Porter:** The 3.6 million you talked about, that was in the Commerce budget last session and now this session there 5 million in the Commerce budget for the same purpose to keep that program going?

**Linda:** The 3.6 million was in DHS budget in 2009. This year it is in the Commerce's budget. And the 3.6 funded 18 months of work and it will be 4.9 million to accommodate the full biennium.

**Rep. Porter:** It would be useful information for me to have a brochure or a program overview of these two non-profit agencies and the work they are currently doing under the current appropriations that we can see. We hear of a need from one group and two current agencies or groups doing a lot of the work short of the component of the direct dollars going to the providers. I need more information for what we are getting for the 5 million now will turn into 6.7 million as we go through this next biennium.

**Linda:** I will get you that information. Just in general, Lutheran Social Services of ND holds the contract in western ND and a community action program does in eastern ND. I

do have a report to date on what we have been able to accomplish with the dollars appropriated last session and I'll provide you all copies of that. We promised we would recruit 110 and have done that. We promised we would work with 90 existing childcare providers to retain them and we have done that. We promised to recruit 10 centers and we are on target and we promised we would work with 20 existing centers to help them train and retain and we have done that. We are ahead of schedule. The interest on part of the childcare providers is very strong. We have 1500 childcare providers and 120 centers in the state and it is taking a slice off the program needs that is out there.

**Craig Sinclair:** (See Testimony #11)

**NO OPPOSITION**

**Chairman Weisz:** Closed the hearing on SB 2298.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee  
Fort Union Room, State Capitol

SB 2298  
March 21, 2011  
Job #15714

Conference Committee

Committee Clerk Signature

*Vicky Crabtree*

**Minutes:**

See Attachment #1

**Chairman Weisz:** Committee, 2298.

**Rep. Porter:** I asked some questions that Linda Reineke put together this sheet so everyone could see how the funding mechanisms work and will explain it quick. (See attachment #1) If you go across the top two lines. Federal Funds and TANF funds those are current. If keep going over that is the split between the two groups, Lutheran Social Services and Lakes & Prairies. The total ties back to the 2.7. If you look down you will see 2009 that was last session for 18 months of additional funding worth 3.6 million dollars through the Commerce. The next line down breaks down the TANF funds between business support and infant-toddler care. The next line down the HB 1418 activity that is Commerce. It's the same program as 2009 commerce bill only for 24 months. Inside of Commerce budget is \$5,002,690 and that is the continuation of that program from 18 – 24 months. I think House Appropriations added that to the Commerce budget. The next gray box that says proposed inclusive child care budget that is our bill 2298. The consultation piece is for two people. One in the east and one in the west. \$150,000 per year of the biennium for both. The person would be available to go out and consult if a day care facility has a child with a disability. The next line down is grants. There would be \$25,000 a year available for grants to purchase those pieces of equipment that the consultation thought was necessary. Then that equals the \$350,000. If you go down to the next line down that says, total child care support, look all of those numbers that includes everything in one lump total. It says \$8,070,069 that is what is out there between the federal funds, the TANF dollars, the current appropriation in Commerce and the \$350,000 coming out of 2298.

**Chairman Weisz:** On this \$150,000 on the consult. Wouldn't it be fairly obvious to that day care provider what that special needs child would need?

**Rep. Porter:** I asked specifically what the difference was between the training and the consultation because I wasn't clear on those two components. She said the training is just that. The consultation is people hired specifically to go out when a business is dealing with someone with a disability. I did not look to see where that fiscal note was at.

**Rep. Kilichowski:** You said that the \$25,000 grant was for equipment, but it also says one line 13 to increase number of staff. \$25,000 is not going to cover much if that is included in there.

**Rep. Porter:** I didn't say that, I'm telling you what I was told. This is how it was explained to me in the hallway.

**Chairman Weisz:** The original language had \$300,000 for grants instead of \$50,000. At \$750,000 instead of \$150,000 for the consult.

**Rep. Porter:** The way it looks to me like the bill in front of us has a \$150,000 and what she put in this explanation of 2298 (starts new thought) somebody must have recommended it going back to \$350,000 because that is how she wrote the explanation to us on this sheet.

**Rep. Conklin:** It going from 5 million to 8 million doesn't make sense.

**Chairman Weisz:** That is part of the problem with some of these issues is that funding is in five different places. They are adding them all together. If we pass this bill there will be \$8 million flowing to child care from all of these different sources.

**Rep. Holman:** Seems to me there is an opening of duplication of services in a big way.

**Chairman Weisz:** I had issues last session. I didn't think it was appropriate to put it in Commerce.

**Rep. Louser:** May a provider refuse acceptance of a special needs child?

**Chairman Weisz:** Yes.

**Rep. Louser:** Can they charge a higher rate for a special needs child?

**Chairman Weisz:** Yes.

**Chairman Weisz:** What do you want to do with this?

**Rep. Porter:** I would offer an amendment. On page 3, line 29 to overstrike line 29. I would also on line 24, overstrike "lands and mineral trust fund" and put it back into general fund. Update the language.

**Rep. Kilichowski:** Wouldn't you not want to include striking on page 1, line 13 and 14? So it would be strictly for the equipment needed.

**Rep. Porter:** With \$50,000 total I wouldn't have a problem with them using it wherever they feel it is best used. I don't have a problem leaving that in there.

**Rep. Porter:** I move the amendment.

**Rep. Pietsch:** Second.

**Rep. Paur:** I'm not going to make a motion, but I am going to vote against it.

**Voice Vote: Motion Carried**

**Rep. Holman:** I move a Do Pass as amended and re-referred to Appropriations.

House Human Services Committee

SB 2298

March 21, 2011

Page 3

**Rep. Hofstad: Second**

**VOTE: 8 y 5 n 0 absent**

**Motion Carried**

**Bill Carrier: Rep. Holman**

March 21, 2011

YR  
3/21/11

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

Page 3, line 23, remove "The funds provided in this section, or so much of the funds"

Page 3, line 24, replace "as may be necessary, are" with "There is"

Page 3, line 24, replace "lands and minerals trust" with "general"

Page 3, line 25, after the second comma insert "the sum of \$50,000, or so much of the sum as may be necessary,"

Page 3, line 28, replace ", as follows:" with a period

Page 3, remove lines 29 through 31

Renumber accordingly

Date: 3-21-11  
Roll Call Vote # 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2298

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Porter Seconded By Rep. Pietsch

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. CONKLIN		
VICE-CHAIR PIETSCH			REP. HOLMAN		
REP. ANDERSON			REP. KILICHOWSKI		
REP. DAMSCHEN					
REP. DEVLIN					
REP. HOFSTAD					
REP. LOUSER					
REP. PAUR					
REP. PORTER					
REP. SCHMIDT					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*Motion Carried*

Date: 3-21-11  
 Roll Call Vote # 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

House HUMAN SERVICES Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Holman Seconded By Rep. Hofstad

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ	✓	✓	REP. CONKLIN	✓	
VICE-CHAIR PIETSCH	✓		REP. HOLMAN	✓	
REP. ANDERSON		✓	REP. KILICHOWSKI		✓
REP. DAMSCHEN	✓				
REP. DEVLIN	✓				
REP. HOFSTAD	✓				
REP. LOUSER		✓			
REP. PAUR		✓			
REP. PORTER	✓				
REP. SCHMIDT	✓				

Total (Yes) 8 No 5

Absent \_\_\_\_\_

Floor Assignment Rep. Holman

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2298, as reengrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (8 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2298 was placed on the Sixth order on the calendar.

Page 3, line 23, remove "The funds provided in this section, or so much of the funds"

Page 3, line 24, replace "as may be necessary, are" with "There is"

Page 3, line 24, replace "lands and minerals trust" with "general"

Page 3, line 25, after the second comma insert "the sum of \$50,000, or so much of the sum as may be necessary,"

Page 3, line 28, replace ", as follows:" with a period

Page 3, remove lines 29 through 31

Renumber accordingly

2011 HOUSE APPROPRIATIONS

SB 2298

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee  
Roughrider Room, State Capitol

SB 2298  
3/29/11  
16115

Conference Committee

Committee Clerk Signature

*Meredit Tracholt*

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to the establishment of early childhood services inclusion support services and a grant program for licensed early childhood services providers who care for children with special needs; to provide a continuing appropriation; and to provide an appropriation.

## Minutes:

You may make reference to "attached testimony."

**Chairman Delzer:** Next is SB 2298, early childhood services.

**Representative Robin Weisz, District 14:** This is a grant program of \$50,000 to go to childcare facilities for making their places accessible or amenable to special needs children. Not a lot of providers want to do that because of the extra time and money it takes. This would give grants of up to \$5,000 for a facility to make them more special needs accessible so they would take on some of these children.

**Chairman Delzer:** In 1018, the commerce budget, this committee put quite a bit of money in. Did you talk about this coming out of there?

**Representative Weisz:** We did have those discussions. We felt we weren't qualified to answer whether there was room within that 4.9 or whether you should add \$50,000 to that amount, which is why this is here in front of you.

**Chairman Delzer:** Did you ask if the 4.9 currently covers any of these when they want to get a grant?

**Representative Weisz:** They don't specifically cover this. There's money for building improvements and egress and ingress and safety related issues.

**Chairman Delzer:** There's nothing in there that you're aware of that prohibits them from using those grants to do these changes?

**Representative Weisz:** No, it wouldn't prohibit that, but this was designed to try to encourage someone to modify their facility to accept special needs children, so it would be over and above what's already in there for building upgrades. That's why the additional.

**Chairman Delzer:** What about one that renovated last time with what we funded and then wanted to do this, is there a limit on how many times they can qualify?

**Representative Weisz:** This is specific to a grant to deal with special needs children. It wouldn't be for renovation, it would be for modification to make their facility capable of handling special needs children.

**Representative Hawken:** There are almost no spaces in the state of ND that take special needs day care children. Part of the money in the department of commerce budget, if it remains there, that does the training, there will be additional training on how to deal with children with special needs. The modification piece that this bill deals with is not necessarily construction. Any time you deal with special needs children, you deal with dollar figures. The number of children you can take when you have a special needs child goes down dramatically. There are pieces that fit together, but it is a huge puzzle. The grant program last time is very specific. It could be modified, in my opinion. We've done enough egress windows and enough fences. We could utilize some of that leftover grant money for this if the language is changed.

**Chairman Delzer:** There is leftover grant money for modifications?

**Representative Hawken:** Very little.

**Chairman Delzer:** But there would be enough to cover the \$50,000?

**Representative Hawken:** No.

**Chairman Delzer:** Okay. Further questions or comments? Thank you.

# 2011 HOUSE STANDING COMMITTEE MINUTES

House Appropriations Committee  
Roughrider Room, State Capitol

SB 2298  
4/5/11  
16353

Conference Committee

Committee Clerk Signature

*Meredith Trachott*

## Explanation or reason for introduction of bill/resolution:

A BILL for an Act relating to the establishment of early childhood services inclusion support services and a grant program for licensed early childhood services providers who care for children with special needs; to provide a continuing appropriation; and to provide an appropriation.

## Minutes:

You may make reference to "attached testimony."

**Chairman Delzer:** SB 2298 is the last bill to discuss this morning and there is an amendment being passed around. The bill deals with the department of human services (DHS). When we had the discussion about the bill before, there were some suggestions that we look at removing the money and dealing with it with the childhood services money, which was in commerce. I believe the Senate has removed that money out of commerce, but I'm sure that will be a point of contention in the conference committee on that bill. The amendment takes the money out of the bill, and since the money is not in DHS, it changes the 'shall' to 'may' so the department can do it, but since there's no money, it is not a requirement that they do it. Is there any discussion? What are your wishes?

**Vice Chairman Kempenich:** I move amendment .03003.

**Representative Pollert:** Second.

**Chairman Delzer:** We have a motion and a second to amend SB 2298 with .03003. Is there any discussion?

**Representative Kaldor:** Are the dollars within DHS or the department of commerce?

**Chairman Delzer:** The dollars in the bill would go to DHS. The amendment removes the dollars.

**Representative Kaldor:** But they may fund an early childhood service specialist...

**Chairman Delzer:** That's the reason we needed to add in conjunction with commerce, because that's where the money was existing for the early childhood services. We understand that will be a point of contention in conference committee.

**Representative Nelson:** There's always some danger in an effort like this, but in the event we wouldn't pass it, the appropriation in this bill, what exactly could be done with \$50,000?

**Chairman Delzer:** I believe they were limited to \$5000 grants, so they could do modification on 10 facilities. I think the bill also gives language for training. I'm not sure how much training you could do for \$50,000. I'm not sure how I feel about the bill in general, but I think this was the direction the committee seemed to be going when we had the discussion on it before. Further discussion on the motion to amend? If not, we'll do a voice vote. Motion carries. Further amendments to 2298? If not, we have the amended bill before us.

**Vice Chairman Kempenich:** I move Do Pass as Amended.

**Representative Kaldor:** Second.

**Chairman Delzer:** Further discussion on the motion for a Do Pass as Amended. Seeing none, we'll call the roll for a Do Pass as Amended on SB 2298. Motion carries 16-5-0. Representative Hawken, since you will be working on the conference committee, you will carry the bill. Committee members, that is it for today. We'll stand adjourned at the call of the chair.

VM  
4/5/11

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

In lieu of the amendments adopted by the House as printed on page 1073 of the House Journal, Reengrossed Senate Bill No. 2298 is amended as follows:

Page 1, line 4, after the first semicolon insert "and"

Page 1, line 4, remove "; and to provide an"

Page 1, line 5, remove "appropriation"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, remove lines 23 through 31

Renumber accordingly

Date: 4/5  
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2298

House Appropriations Committee

Legislative Council Amendment Number 03003

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Kempenich Seconded By Rep. Pollert

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer			Representative Nelson		
Vice Chairman Kempenich			Representative Wieland		
Representative Pollert					
Representative Skarphol					
Representative Thoreson			Representative Glassheim		
Representative Bellew			Representative Kaldor		
Representative Brandenburg			Representative Kroeber		
Representative Dahl			Representative Metcalf		
Representative Dosch			Representative Williams		
Representative Hawken					
Representative Klein					
Representative Kreidt					
Representative Martinson					
Representative Monson					

Total (Yes) \_\_\_\_\_ No \_\_\_\_\_

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

*voice vote carries*

Date: 4/5  
 Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2298

House Appropriations Committee

Legislative Council Amendment Number 03003

Action Taken:  Do Pass  Do Not Pass  Amended  Adopt Amendment  
 Rerefer to Appropriations  Reconsider

Motion Made By Rep. Kempenich Seconded By Rep. Kaldor

Representatives	Yes	No	Representatives	Yes	No
Chairman Delzer		X	Representative Nelson	X	
Vice Chairman Kempenich	X		Representative Wieland	X	
Representative Pollert		X			
Representative Skarphol	X				
Representative Thoreson	X		Representative Glassheim	X	
Representative Bellew		X	Representative Kaldor	X	
Representative Brandenburg	X		Representative Kroeber	X	
Representative Dahl	X		Representative Metcalf	X	
Representative Dosch		X	Representative Williams	X	
Representative Hawken	X				
Representative Klein	X				
Representative Kreidt		X			
Representative Martinson	X				
Representative Monson	X				

Total (Yes) 16 No 5

Absent 0

Floor Assignment Rep. Hawken

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**SB 2298, as reengrossed and amended: Appropriations Committee (Rep. Delzer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (16 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). Reengrossed SB 2298, as amended, was placed on the Sixth order on the calendar.**

In lieu of the amendments adopted by the House as printed on page 1073 of the House Journal, Reengrossed Senate Bill No. 2298 is amended as follows:

Page 1, line 4, after the first semicolon insert "and"

Page 1, line 4, remove "; and to provide an"

Page 1, line 5, remove "appropriation"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, remove lines 23 through 31

Re-number accordingly

2011 SENATE HUMAN SERVICES

CONFERENCE COMMITTEE

SB 2298

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
4-13-2011  
Job Number 16569

Conference Committee

Committee Clerk Signature *A. Anderson*

## Explanation or reason for introduction of bill/resolution:

Relating to the establishment of a grant program for licensed early childhood service providers who care for children with special needs.

## Minutes:

Attachments

**Senator Dick Dever** opened the conference committee meeting on **SB 2298**.

All members were present: Senator Dick Dever, Sen. Karen Krebsbach, Senator Tim Mathern, Rep. Gary Kreidt, Rep. Kathy Hawken, Rep. Ralph Metcalf.

**Rep. Kreidt** reviewed the history of SB 2298. (Attachment #1 dated 4-13-2011)

**Senator Tim Mathern** thought the material heard in the policy committee was quite dramatic in terms of the need in the state. Sending it out at 750,000 was really just an attempt to keep it alive. It wasn't meeting the entire need. He felt they needed to relook at this and try to get some money back into it and help the program move forward. It is way of upgrading the services for children between birth and kindergarten.

**Rep. Hawken** said that there is some money left in the grants and loans program that Governor Hoeven put into the commerce budget bill last session. As far as adaptations for child care centers or homes that provide care for special needs children, one of the thought processes was that should be one of the first considerations on the grants. She wasn't sure what effect the House's recent actions would have.

The training piece would be very important but keeping the language is a major piece so if there were dollars they could try and get them.

**Senator Dick Dever** pointed out that in the Senate Human Services Committee it was introduced at 750 and Senate Appropriations reduced it to 150. Some of the language changed that gave him greater comfort in the bill. The argument in the hearing was that every child care should be able to accommodate any child with whatever special needs. The amendments acknowledged that we should focus those dollars that are willing and able to do it.

**Rep. Hawken** replied that there is a definite difference. For children with severe special needs different training and different facilities are needed. This can't address it all but it could start with the training.

**Senator Dick Dever** asked if the appropriation is the only point of discussion and if they were ok with the rest of the bill.

**Rep. Kreidt** responded that the way .05000 reads at this point they would go along with it.

**Senator Dick Dever** noticed another difference. The House apparently added the language "in collaboration with the Dept. of Commerce".

**Rep. Hawken** said that was because that is where the other money was.

Discussion followed on the commerce bill - funding through the Dept. of Human Services in collaboration with commerce – the status of the commerce bill.

**Senator Tim Mathern** asked Sen. Krebsbach if the funds should still come from the Land and Minerals Trust Fund if putting money back in is supported.

**Sen. Krebsbach** said it should because that was the position of the Senate when it left.

**Senator Tim Mathern** suggested going back to the Senate version of the bill down to Section 2, reinstitute the appropriation section but take a total of 600,000 dollars from the Land and Minerals Trust Fund. It would still address the two programs of early childhood services inclusion support and early childhood services grant program although at a reduced amount.

**Rep. Hawken** resisted taking commerce out because they worked hard with the commerce dept. This is workforce training and is an important piece. What they are trying to do, in the total picture, is train quality workforce people for the childcare industry and then to have the quality childcare for the workforce who need it to do their jobs. Those two pieces are really involved with workforce.

There is a piece in Human Services that should stay there – TANF. That's different – providing the help for those who need daycare.

**Senator Tim Mathern** understood what she was saying and would support it but the House defeated the commerce bill which told him that they should find a home for this funding. If the House comes back and says the commerce is funded again then they could consider her point of view.

Discussion on the commerce bill followed. It contained \$4.9 million for the recruitment/training and retention piece of childcare.

**Rep. Kreidt** said the House is not interested in restoring any funding for 2298.

Restoring the funding in the amounts suggested by **Senator Tim Mathern** was discussed. He was open to different amounts to reflect what the providers of the services might suggest in terms of how to apportion any dollar amount between the two programs.

**Sen. Krebsbach** said she would like time to visit with the rest of Senate Appropriations as well as the Chairman of the Senate Human Services Committee. Before they go a lot further she thought they needed some commitment from the House that they are willing to put some money back. Another issue that needs to be settled would be whether it is through the Dept. of Commerce or Dept. of Human Services.

The committee was adjourned to be rescheduled at a later date.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
4-15-2011  
Job Number 16660

Conference Committee

Committee Clerk Signature

*A. Mathern*

## Explanation or reason for introduction of bill/resolution:

## Minutes:

**Senator Dick Dever** called the conference committee on SB 2298 to order.  
All members were present.

**Senator Dick Dever** reminded the committee that when they left before what they were concerned about was the appropriation.

**Rep. Kreidt** reported that the House did pass 2057 that put the funding back in that they were concerned with at the last meeting. The House would still like to go forward with the wording where the department can accept the gifts/grants. He feels comfortable with the .05000 version.

**Senator Tim Mathern** was hoping that, if the commerce bill was again alive and well in the House and the House wants to put this in the Commerce Dept., they would still be adding some money. He could see accepting putting it in commerce.

**Rep. Hawken** said she wouldn't want to restrict all the 370 thousand to grants for this purpose. If they could come up with some language saying it would be a factor in choosing day cares that received grants that would be important. It shouldn't be the only factor but it should be one.

**Senator Dick Dever** asked how much money was in 2057 for childcare and whether any was designated.

**Rep. Hawken** said it is not designated. There is \$370,000 that is left over money in the grants and loans line item and there is \$4.9 million in the other recruitment/training and retention program. That's workforce training and workforce development money.

**Senator Tim Mathern** believes the money left in the Dept. of Commerce now reflects an ongoing attempt on the part of our state to assist all day cares in providing services. 2298 is to acknowledge the fact that where there are special needs on the part of children we need a special effort. He didn't believe they should go down the road where one displaces the other. This is a new need.

**Senator Dick Dever** understands that the money appropriated last session to the Commerce Dept. was basically for the purpose of economic development to allow childcare providers to upgrade their licenses and do some things with construction etc. This almost seems to be more appropriate to Human Services.

**Rep. Hawken** said the special needs piece is huge. The training piece still needs to be with the rest of the training.

**Senator Tim Mathern** asked if she wanted this in commerce or in human services.

**Rep. Hawken** replied that she wasn't sure there would be additional money. She would rather still have the training piece and the grant piece and she would like to have them where they are.

**Senator Dick Dever** wondered if it would be appropriate in this bill to indicate language to appropriate a certain amount of dollars from the appropriation going to commerce for this purpose.

**Rep. Hawken** hesitated to say a certain percentage has to go to that. What if they don't get any requests?

Discussion continued on the carry over money from the grant/loans program and whether some of it can be used for this program.

**Senator Tim Mathern** implored the House to take the commerce bill and use the leftover money for all kinds of the other childcare centers and keep this bill for doing the enhancements in the special needs area.

**Rep. Hawken** reported that one of the things done this session outside of the legislative piece was to pull together a group of people who work with early childhood education from the Health Dept., Human Services, DPI, Commerce, Extension and everyone is talking. The different programs are listed and they are looking at how they can interact and how to best utilize the resources they have. This speaks to what Sen. Mathern was talking about.

If they can get this going it doesn't make so much difference where it is. It's what the project is.

**Senator Dick Dever** said the language is really the Dept. of Human Services getting the money from Commerce.

**Sen. Krebsbach** asked if there has been a good interim study on this issue of child care and special needs and if that is something that should be done in the interim.

**Rep. Hawken** said that has never been done. She thought the groundwork has been laid out with that group.

**Sen. Krebsbach** said that sometimes an interim study is the process that can bring people together so it becomes clear.

**Rep. Hawken** said she would be in favor of it.

The meeting was adjourned for the day and will be rescheduled.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
4-16-2011  
Job Number 16685

Conference Committee

Committee Clerk Signature *Ammonson*

## Explanation or reason for introduction of bill/resolution:

## Minutes:

Attachments.

**Senator Dick Dever** opened the conference committee on SB 2298.  
All members were present.

**Rep. Hawken** reported that she had not had a chance to visit with the Dept. of Human Services but there is a certain percentage of TANF money that can be used for training. She would like to follow up to see whether this would be a logical spot. The special needs piece is what she is having the difficulty with and wanted to see if it could fit there for the next two years.

**Senator Dick Dever** – so the question is whether the TANF dollars are appropriate to use for this purpose.

**Rep. Hawken** knew they were appropriate/legal to utilize 30% of TANF money for training but they needed to make sure they weren't redirecting something that's already directed.

**Senator Dick Dever** – part of the question then would be how many TANF dollars would be available for that purpose.

**Senator Tim Mathern** provided an amendment .03004 for consideration – Attachment #2. He recommended changes in the appropriations and explained what the amendment would do.

**Senator Tim Mathern** moved to accept the amendments .03004 with the suggested changes.

Seconded by **Rep. Metcalf**.

**Sen. Krebsbach** felt they should wait until they could check to see if the TANF dollars are available and what percent they can get before they took action.

**Rep. Kreidt** agreed with Sen. Krebsbach to wait for the information on TANF dollars before moving forward. He thought the study part is a good beginning.

**Rep. Hawken** also wanted to have a chance to check this out to see if they could do it or if there was some method of moving forward with a study.

**Senator Tim Mathern** emphasized that the need is so great that anything they can do to bring in unused TANF dollars would be a wonderful addition to this. He would see that as using the dollars to get closer to what the need is. He supported the motion.

**Senator Dick Dever** asked if the study was something he wanted to see included in the motion.

**Senator Tim Mathern** said the wording was recommended from legislative council.

**Senator Dick Dever** asked if the numbers were what the committee was comfortable with assuming that TANF dollars are available for this purpose.

Discussion followed on the dollar amounts clarifying that this is doubling what came out of the Senate. House Appropriations stripped everything out.

Roll call vote 2-4-0. **Motion failed.**

The meeting was adjourned and will be rescheduled

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
4-18-2011  
Job Number 16734

Conference Committee

Committee Clerk Signature *Anderson*

## Explanation or reason for introduction of bill/resolution:

## Minutes:

**Senator Dick Dever** opened the conference committee meeting on SB 2298.  
All members were present.

**Rep. Hawken** met with Dept. of Human Services about how to work together and how to make sure they can move forward on an issue that is more major than what they can deal with all at once.

There was total agreement that there should be a study. One addition to the wording in Sen. Mathern's proposed amendment was to add in the third line "and other programs dealing with early childhood".

The second piece was funding for training. There is some training dollars and some training has been done. The feeling was that that piece could be handled with the current availabilities. On the grant side there is some carry over money so it would be important to decide how to say that there should be preference given to adaptations of special needs day cares.

The one place where money isn't covering would be the consulting piece.

**Senator Dick Dever** asked if they needed legislative authority to spend that money for this purpose.

**Rep. Hawken** didn't believe so.

**Jennifer Barry** (Dept. of Human Services) answered that she didn't believe they would need the authority to spend the money that they already have budgeted for training for this purpose.

**Sen. Krebsbach** asked if they would need the directive.

**Ms. Barry** saw a commitment from members of the department.

**Senator Tim Mathern** asked if the carry over money is being appropriated by another committee and if they are authorized to use carry over dollars for an area that is not appropriated.

**Ms. Barry** replied no. She didn't believe that is what they are talking about on this. They were talking about existing dollars in their budget and collaborating between different departments that already do training and gearing that training towards this specific population.

The carry over dollars are in the Dept. of Commerce. She didn't have input on that.

**Rep. Hawken** said they would probably want some language about the collaboration and looking at those grants with a more positive eye.

Discussion continued that out of any dollars appropriated by this legislative session some would be directed to be spent in this areas. New dollars would not be identified anyplace.

**Rep. Kreidt** pointed out that at this point the House still has no interest in moving forward with any general fund money. He said he would like to see Rep. Hawken come back with the information on how she would like to have her amendment worded.

**Senator Tim Mathern** asked what she found out about the TANF dollars.

**Rep. Hawken** replied that those have been earmarked so that is not an option. As far as additional dollars outside, they looked at additional dollars that would be able to do the training. Those would already be in those budgets. That would take the place of what she thought they could use TANF for.

If they were to do additional funding for the consulting and the piece that helps make sure things get implemented that would be additional money.

**Senator Tim Mathern** pointed out that it appears there are three pieces (1) the study (2) a statement of encouragement about the grants and (3) a dollar amount.

Discussion followed on addressing the study and grants in the bill.

The meeting was adjourned and will be rescheduled.

# 2011 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee  
Red River Room, State Capitol

SB 2298  
4-19-2011  
Job Number 16762

Conference Committee

Committee Clerk Signature



**Explanation or reason for introduction of bill/resolution:**

**Minutes:**

Attachment

**Senator Dick Dever** brought the conference committee meeting on SB 2298 to order. All members were present.

**Rep. Hawken** proposed amendment .03005 - Attachment #3 It deals with the grant funding and the study.

The grant funding would be used for special needs adaptations in day care homes or centers. It would not have any money in it for training. The training would be done with the existing programs.

**Senator Tim Mathern** appreciated her intent but was concerned that there wasn't the money in it for the need that is there for the children to have care providers.

**Rep. Hawken** understood and shared his concern. She explained that there would be at least the beginnings of additional training. There are currently people who do care for special needs children. She explained how a special needs child could be in different areas which are kind of individualized situations. There is the feeling among the experts that they can bring some training dollars to it at least for the initial piece.

There aren't dollars, however, to go out to see if it is implemented properly.

**Senator Dick Dever** pointed out that the bill at least puts in place a structure and an opportunity to get a start.

**Senator Tim Mathern** stated that he would like to go beyond the start. He thought the amendments were useful but hoped they would put some dollars into this project so they don't have a situation where more demands are created on the existing programs within the same amount of dollars.

If there is money in the big childcare bill, having the structure in this bill would be good.

**Rep. Hawken** moved to accept amendment .03005. Seconded by **Sen. Krebsbach**.

**Senator Tim Mathern** resisted the motion because it would mean this would be the final action of the conference committee as there are no dollars in this motion.

**Rep. Kreidt** moved to further amend .03005 by including a general fund appropriation of \$50,000.

Seconded by **Rep. Hawken**.

Discussion followed that the \$50,000 is what the House Human Services had appropriated. Although the thought is that it isn't enough the reality is that additional financial support is not there at this time. They don't want to lose this bill.

The amendments will be on the .03000 version of the bill. The intent of the motion was that the \$50,000 is for inclusion support.

Roll call vote 6-0-0 - **Motion carried.**

April 15, 2011

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 3, after line 22, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - EARLY CHILDHOOD SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and the funding sources for early childhood services recipients and providers. The study must include a review of the various agencies involved in providing grants and other funding for early childhood services recipients and providers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Page 3, line 29, replace "\$100,000" with "~~\$300,000~~" *150,000*

Page 3, line 30, replace "50,000" with "~~300,000~~" *150,000*

Page 3, line 31, replace "\$150,000" with "~~\$600,000~~" *300,000*

Renumber accordingly

2011 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: Senate Human Services

Bill/Resolution No. 2298 as (re) engrossed

Date: 4-16-2011

Roll Call Vote #: 1

- Action Taken**
- SENATE accede to House amendments
  - SENATE accede to House amendments and further amend
  - HOUSE recede from House amendments
  - HOUSE recede from House amendments and amend as follows

Senate/House Amendments on (S)/HJ page(s) 1217 -

- Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) SB 2298 was placed on the Seventh order of business on the calendar

Motion Made by: Sen. Mathern Seconded by: Rep. Metcalf

Senators	4-13	4-15	4-16	Yes	No		Representatives	4-13	4-15	4-16	Yes	No
Sen. Dever	✓	✓	✓		✓		Rep. Kreidt	✓	✓	✓		✓
Sen. Krebsbach	✓	✓	✓		✓		Rep. Hawken	✓	✓	✓		✓
Sen. Mathern	✓	✓	✓	✓			Rep. Metcalf	✓	✓	✓	✓	

Vote Count: Yes 2 No 4 Absent 0

Senate Carrier \_\_\_\_\_ House Carrier \_\_\_\_\_

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

#3

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide a statement of legislative intent; to provide for a legislative management study; and"

Page 1, line 4, remove "; and to provide an"

Page 1, line 5, remove "appropriation"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, replace lines 23 through 31 with:

**"SECTION 2. LEGISLATIVE INTENT - GRANT FUNDING.** It is the intent of the legislative assembly that the funding source for grants provided under section 1 of this Act come from that portion of the grant line item of the department of commerce appropriation attributable to the department of commerce's grants for the early childhood facilities program. The total amount of grants awarded under section 1 of this Act which are funded by the department of commerce grant line item may not exceed fifty percent of the funds available under the department of commerce's grants for the early childhood facilities program, and the grant under section 1 of this Act must comply with the maximum grant amount and matching fund requirements of the department of commerce's grants for the early childhood facilities program.

**SECTION 3. LEGISLATIVE MANAGEMENT STUDY - CHILDREN SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and programs aimed at providing services to children, such as head start, temporary assistance to needy families, the early childhood comprehensive system program, and department of public instruction-approved preschools and the funding sources for the recipients and providers of these services. The study must include a review of the various agencies involved in providing grants and other funding for the recipients and providers of these services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

April 19, 2011

*JB*  
*4-19-11*

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide a statement of legislative intent; to provide for a legislative management study;"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, replace lines 23 through 31 with:

**"SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the department of human services for the purpose of funding the early childhood services inclusion support services, for the biennium beginning July 1, 2011, and ending June 30, 2013.

**SECTION 3. LEGISLATIVE INTENT - GRANT FUNDING.** It is the intent of the legislative assembly that the funding source for grants provided under section 1 of this Act come from that portion of the grant line item of the department of commerce appropriation attributable to the department of commerce's grants for the early childhood facilities program. The total amount of grants awarded under section 1 of this Act which are funded by the department of commerce grant line item may not exceed fifty percent of the funds available under the department of commerce's grants for the early childhood facilities program, and the grant under section 1 of this Act must comply with the maximum grant amount and matching fund requirements of the department of commerce's grants for the early childhood facilities program.

**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - CHILDREN SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and programs aimed at providing services to children, such as head start, temporary assistance to needy families, the early childhood comprehensive system program, and department of public instruction-approved preschools and the funding sources for the recipients and providers of these services. The study must include a review of the various agencies involved in providing grants and other funding for the recipients and providers of these services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

2011 SENATE CONFERENCE COMMITTEE ROLL CALL VOTES

Committee: Senate Human Services

Bill/Resolution No. 2298 as (re) engrossed

Date: 4-19-2011

Roll Call Vote #: 1

- Action Taken
- SENATE accede to House amendments
  - SENATE accede to House amendments and further amend
  - HOUSE recede from House amendments
  - HOUSE recede from House amendments and amend as follows

Senate/House Amendments on SJ/HJ page(s) 1217 -

- Unable to agree, recommends that the committee be discharged and a new committee be appointed

((Re) Engrossed) SB 2298 was placed on the Seventh order of business on the calendar

Motion Made by: Rep. Hawken Seconded by: Sen. Krebsbach  
Further amend Rep Kreidt Rep Hawken

Senators	4-18		Yes	No		Representatives		4-18		Yes	No
	4-19	4-19				4-19	4-19				
Sen. Dever	✓	✓	✓			Rep. Kreidt	✓	✓	✓		
Sen. Krebsbach	✓	✓	✓			Rep. Hawken	✓	✓	✓		
Sen. Mathern	✓	✓	✓			Rep. Metcalf	✓	✓	✓		

Vote Count: Yes 6 No 0 Absent 0

Senate Carrier Dever House Carrier Kreidt

LC Number \_\_\_\_\_ of amendment

LC Number \_\_\_\_\_ of engrossment

Emergency clause added or deleted

Statement of purpose of amendment

**REPORT OF CONFERENCE COMMITTEE**

**SB 2298, as reengrossed:** Your conference committee (Sens. Dever, Krebsbach, Mathern and Reps. Kreidt, Hawken, Metcalf) recommends that the **HOUSE RECEDE** from the House amendments as printed on SJ page 1217, adopt amendments as follows, and place SB 2298 on the Seventh order:

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide a statement of legislative intent; to provide for a legislative management study;"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, replace lines 23 through 31 with:

**"SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the department of human services for the purpose of funding the early childhood services inclusion support services, for the biennium beginning July 1, 2011, and ending June 30, 2013.

**SECTION 3. LEGISLATIVE INTENT - GRANT FUNDING.** It is the intent of the legislative assembly that the funding source for grants provided under section 1 of this Act come from that portion of the grant line item of the department of commerce appropriation attributable to the department of commerce's grants for the early childhood facilities program. The total amount of grants awarded under section 1 of this Act which are funded by the department of commerce grant line item may not exceed fifty percent of the funds available under the department of commerce's grants for the early childhood facilities program, and the grant under section 1 of this Act must comply with the maximum grant amount and matching fund requirements of the department of commerce's grants for the early childhood facilities program.

**SECTION 4. LEGISLATIVE MANAGEMENT STUDY - CHILDREN SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and programs aimed at providing services to children, such as head start, temporary assistance to needy families, the early childhood comprehensive system program, and department of public instruction-approved preschools and the funding sources for the recipients and providers of these services. The study must include a review of the various agencies involved in providing grants and other funding for the recipients and providers of these services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly

Reengrossed SB 2298 was placed on the Seventh order of business on the calendar.

2011 TESTIMONY

SB 2298

# 1

SB 2298-Senator Heckaman's testimony

Good Morning Madam Chairman and members of the Human Services Committee

I am Senator Joan Heckaman from New Rockford and I represent District 23.

I am here today to introduce you to SB 2298 that establishes a child care grant program for providers who care for children with special needs.

This bill comes as an identified need from the State Autism Task Force. The task force identified lack of child care for families of children on the autism spectrum. In working on the issue, I identified a lack of child care across the state for families with special needs children.

Families with special needs children find it difficult to find child care. One of the reasons is that special needs children often take more care time and the provider is not able to care for as many children as licensed for. So providers don't always accept special needs children into their programs.

This bill before you makes grants available to child care providers so they can financially provide care for special needs children when those children take up additional time.

Others following me will provide specifics, but I want to talk about 4 points.

1. This bill will provide financial supplements and programming services to the providers
2. It will allow parents of special needs children to access the workforce
3. It will establish a review committee to accept grants and inclusion staff to support the work of the providers
4. And it is "Just the right thing to do". We have child care for most of our children. Now let's do what's right and provide it for all children and families.

I will bring in amendments today that address the inclusion support staff and also change the appropriation to \$450,000 for the staffing support positions and \$300,000 for the grants. I don't believe we will need the grant money the first 6 months as the program is being developed. Also the funds will be accessed from the Lands and Minerals Trust Funds. In addition to those funds, the amendments will address other funds being accepted from private foundations, grants, and gifts.

Madam Chairman and members of the committee, that concludes my testimony and I would stand for any questions.

Senate Human Services Committee

Wednesday, February 2, 2011

Chairman Lee and Members of the Committee:

I am Linda Reinicke, Child Care Resource & Referral Program Director for Lutheran Social Services of ND. I am here to bring data on the child care programs that serve ND's children and families.

**CCR&R works with all aspects of child care industry by**

- Helping families find child care
- Recruiting and supporting new child care business owners
- Training the child care workforce
- Helping communities increase their child care supply

To give you a clearer picture of the number of programs and the number of children impacted by child care, I want to share the 2010 child care program and capacity report.

**Types of regulated child care**

1. Family providers\* caring for no more than 7 children at one time
2. Group providers\* caring for no more than 18 children at one time
3. Centers enrollment based on square footage

*\*Primarily residential-based*

I appreciate the opportunity to present this information. I will stand for any questions.

Linda Reinicke

CCR&R Program Director

Lutheran Social Services of ND

[lreinicke@lssnd.org](mailto:lreinicke@lssnd.org)

530-2501 (office) 226-2510 (cell)

# Child Care in North Dakota: Supply, Demand and Cost

## North Dakota Families Rely on Child Care

North Dakota's economy continues to thrive, with parents of young children a significant portion of the ever-growing workforce. For North Dakota's working parents, child care has become a major part of family life and a critical support system. This report, prepared by ND Child Care Resource & Referral, provides data on the licensed child care programs currently operating in North Dakota. It also identifies the challenges families face when searching for affordable child care.

Today, in North Dakota:

- 75% of working mothers who have children ages 0-12 years rely on some form of child care for an estimated 80,460 children
- 61% of mothers with infants and toddlers rely on child care to keep their babies safe, healthy, and happy
- 78% of single parents rely on child care to help them provide for their family
- The many parents who work two jobs rely on child care to help them make ends meet. (9.7% of employed residents in North Dakota worked more than one job in 2008, the highest in the nation)

During FY 2010, 5,864 families turned to ND Child Care Resource & Referral (ND CCR&R) as the trusted resource to help them efficiently navigate their child care options. 23% of parents who searched for care through ND CCR&R needed child care during nontraditional hours (before 7:00

## Child Care Arrangements

Parents select from two major types of care arrangements:

1. Care provided by unlicensed caregivers, family members or friends.
2. Care provided by regulated facilities

If individuals care for six or more children, including their own under 12 years of age, the provider must, by state law, be licensed. Licensed providers receive annual inspections and comply with minimum health and safety regulations.

For the 48,501 children not in licensed child care, parents may arrange care with family or friends, work alternate shifts to allow them to cover their own care needs or find unlicensed care. Many parents feel comfortable asking friends or relatives, however, many may not or do not have family living in close proximity. Regardless, the demand outpaces the supply.

Highest demand for care is for children under the age of two.

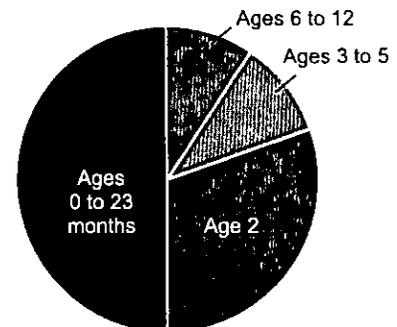


Figure 1:  
Referral Requests\*  
by age  
Source: ND CCR&R  
NaccraWare Database

Ages 0 - 23 months	52%	4986
Age 2	14%	1355
Ages 3 to 5	23%	2182
Ages 6 to 12	11%	1078
<b>TOTAL</b>		<b>9601</b>

\* Not all families seeking care use CCR&R's Referral Services

a.m., after 6:00 p.m. or on weekends)

Parents rely on child care to keep them in the workforce, but they also realize that child care greatly influences who their children become. Each child spends an average of 35 hours a week (nearly 50% of a child's awake hours) in child care. Parents rely on their child care provider to partner with them to promote all aspects of their child's development, enhance early brain development, and set the stage for successful school achievement.

North Dakota has 1,538 licensed facilities able to care for 31,959 children. The capacity does not meet the demand of the 80,460 children who potentially need care.

## Types of Licensed Child Care

License Type	Description
<b>Family Providers</b>	Provider is owner/operator. Children of all ages are together in a family setting. Enrollment limited to 7 children.
<b>Group Child Care</b>	Home-based or in a public/private building. Enrollment limited to 18 children. Additional staff needed when the number of children exceeds adult-to-child ratios.
<b>Center Child Care</b>	Program cares for 19 or more children. Enrollment capacity is based on square footage of the facility.
<b>School Age</b>	Program cares exclusively for school-age children before or after school, during school holidays and summer.

Figure 2: Child Care Licensed  
Source: ND CCR&R NaccraWare Database

# Child Care Demand Exceeds Supply

The gap between the actual child care supply and potential demand presents challenges for parents searching for child care, particularly for families searching for infant/toddler care. During FY 2010, 5,864 parents turned to ND CCR&R to help them efficiently navigate their child care options. Families using ND CCR&R needed care for 9,601 children. Of those, 52% (4,986) were under the age of two (Figure 1). This data is indicative of the increasing number of young mothers entering the workforce and a growing shortage of infant-toddler care.

North Dakota's child care supply shortage permeates the state with significant shortages in western North Dakota counties experiencing economic growth due to oil and energy development. Only five counties (Adams, Cass, Grand Forks, Ramsey, and Sheridan) meet child care industry standards that suggest local licensed child care supply exceeds 50% of the local potential demand. Although the supply in these counties exceeds 50%, they still have inadequate spaces for infants.

Unlike other industries that respond to market fluctuations, the supply of child care will not increase simply because parents need more care. True demand that drives a supply increase must be backed with purchasing power. Although parents pay child care fees ranging from \$6,000 to \$8,000 per year per child, this does not cover the true cost of operating a child care business.

North Dakota is seeing a slight trend in child care settings, shifting capacity from family child care to child care centers (Figure 5). However, child care centers struggle to make a profit. For programs providing infant and toddler care, staff expenses are high. One staff person is needed for each group of four infants or five toddlers. A low child-to-staff ratio is required to protect the welfare of the children. Child care operators cannot increase fees to expand their profit margin because parents, their primary source of income, cannot afford to pay more (a young family enrolling their infant in care will pay more than \$30,000 in child care fees before the child enters school).

Keeping salaries low and not providing employment benefits remain the only options to reduce expenses and actualize a slight profit. Not paying staff adequately does not solve the problem. It sets the stage for high staff turnover, increases stress on owner/operators, drives away potential new business entrepreneurs, and shortens the life span of many existing child care businesses. The instability of the industry results in a churning of staff in and out of child care employment. Staff leave for better wages - often available at the local fast-food chain. Because child care centers lose one in three staff annually, children attending centers find themselves cared for by seven new people on an annual basis (this takes into account 2-3 work shifts necessary in centers).

17% of in-home child care programs close annually (approximately 250 in ND) meaning families must, again, resume their child care search often disrupting their ability to be at work or be productive while at work.

License Type	Total Programs	Total Capacity
Family	394	2,758
Group	844	11,900
Center	139	12,801
School Age	45	5,641

Figure 3: Total Programs by License Type

Source: ND CCR&R NaccraWare Database

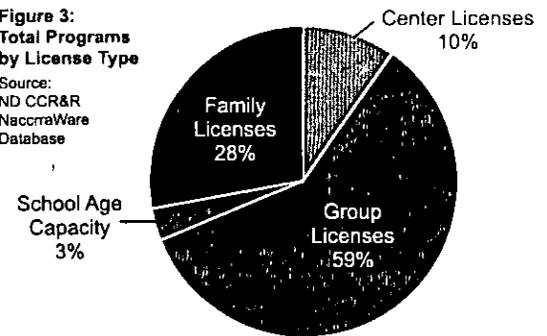
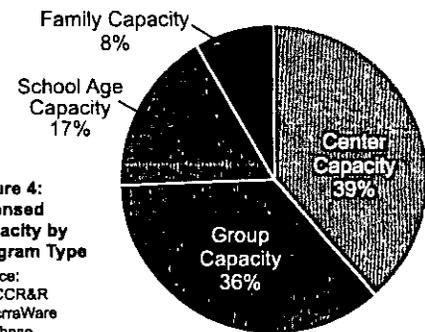


Figure 4: Licensed Capacity by Program Type

Source: ND CCR&R NaccraWare Database



Trend shows growth of center licensed facilities in North Dakota

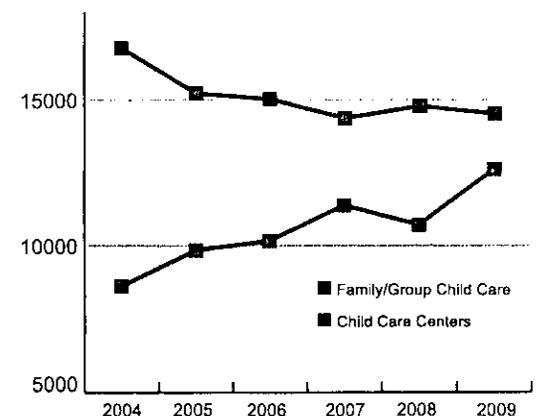


Figure 5: Capacity Trend of Family/Group and Center Licenses

Source: ND CCR&R NaccraWare Database

# Child Care Taps Family Budgets

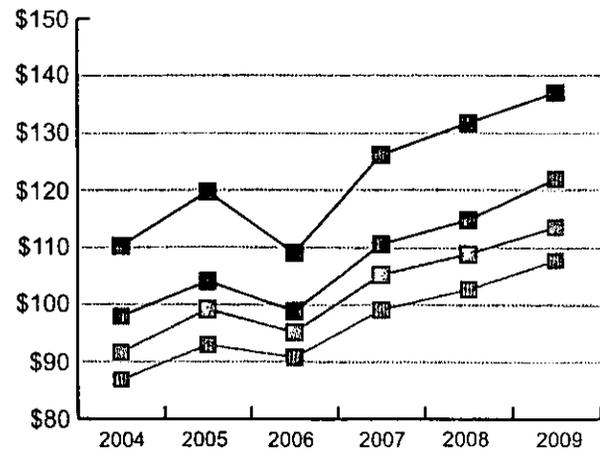
While parents want safe, stable, stimulating environments to support their children's development, quality child care comes at a price. Some parents are forced to compromise on quality in order to make ends meet. Care for one infant in a center averages \$7,503 per year, – 15.7% higher than a year's tuition at North Dakota State University (\$5,639). And unlike college tuition, families have not had years to save for child care costs. A family of four could earn no more than \$35,196 to qualify for the Child Care Assistance Program (CCAP). From August 2009 to June 2010, 2,345 families with low incomes took advantage of CCAP to help offset a portion of their child care costs - an average of \$219 per month supported care for approximately 3,787 children each month. (Source: ND DHS Quarterly Budget Insight July 2009-June 2010)

Most parents receive some financial relief in the form of tax credits. Families may be eligible to set aside pre-tax dollars for child care expenses in an employer sponsored flexible spending account. Parents working or looking for work qualify for a federal child care tax credit if they paid someone to care for their children. The credit depends on the number of children, the cost of care and the family's income. Families can count up to \$3,000 in child care expenses for one child or up to \$6,000 for two or more children. The credit is a percentage of the amount spent on child care, and that percentage gradually decreases as income increases. Families that earn less than \$15,000 can claim a credit for 35% of qualifying expenses. Families that earn more than \$43,000 get the smallest credit—20% on eligible costs. Tax credits benefit all families, but come after child care fees have been paid throughout the year. Some families find it hard to make ends meet on a monthly basis while waiting for the year-end tax benefit to arrive.

In North Dakota, child care provided by centers typically costs more than care provided in homes, and care for infants costs more than care for 3 to 5 year olds. Centers tend to have higher staffing costs, facility and overhead costs. Family child care providers often charge lower fees due to fewer overhead expenses. They also have access to business tax credits and more generous USDA Child and Adult Care Food Program reimbursements.

Child care rates have increased 22% to 24% in the last six years, as providers work to attract staff, keep pace with

Average weekly cost of child care by age & care setting



Average Weekly Cost for:	2004	2005	2006	2007	2008	2009
Preschooler in Family/Group	\$86.79	\$92.90	\$90.69	\$99.00	\$102.52	\$107.58
Infant in Family/Group	\$91.56	\$99.09	\$95.08	\$105.10	\$108.69	\$113.44
Preschooler in Center	\$97.91	\$104.00	\$98.75	\$110.42	\$114.73	\$121.85
Infant in Center	\$110.22	\$119.72	\$108.92	\$126.14	\$131.71	\$137.00

Figure 6 - Average Weekly Cost of Full-Time Child Care  
Source: ND CCR&R NaccraWare Database

overhead costs and provide the early education that today's families want.

Specific data on child care in North Dakota is provided on the following pages including:

- A State Profile on child care
- County by county data on child care programs and capacity, by type
- County by county data on the child care workforce
- County by county data on child care costs

Contact ND CCR&R for more specific child care data or any child care related questions.

## About Us

North Dakota Child Care Resource & Referral was established by the North Dakota State Legislature in 1991. Today, through a contract with the North Dakota Department of Human Services, we help parents connect to child care, plus work to recruit, train and retain a child care workforce that serves the needs of communities, employers and working families.

### CCR&R office locations in western North Dakota

- Bismarck: 888-223-1510
- Minot: 800-450-7801

### CCR&R office locations in eastern North Dakota

- Fargo/Moorhead: 800-941-7003
- Grand Forks: 888-778-3435
- Jamestown: 888-767-0350

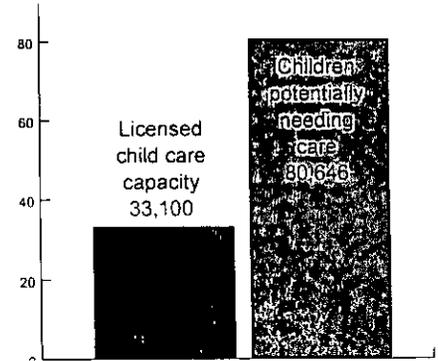
[www.ndchildcare.org](http://www.ndchildcare.org)

# North Dakota Child Care Data Profile - Appendix A

## Children potentially needing child care

	Ages 0-2 years	Age 3 years	Ages 4-5 years	Ages 6-12 years	TOTAL Ages 0-12
Number / percent of children in ND by age	24,682 25%	7,791 8%	14,946 15%	52,486 52%	99,905

% of mothers with children ages 0 to 5<sup>1</sup> in labor force<sup>1</sup> ..... 76.1%  
 % of mothers with children ages 6 to 17 in labor force<sup>1</sup> ..... 84.9%  
 Children ages 0 to 5 potentially needing child care due to mother in workforce ..... 36,086  
 Children ages 6 to 12 potentially needing child care due to mother in workforce ..... 44,561  
 Capacity of licensed child care programs (family, group, center, school-age) ..... 33,100  
 Current Child Care Assistance Program recipients ages 0-13<sup>1</sup> ..... 8,300

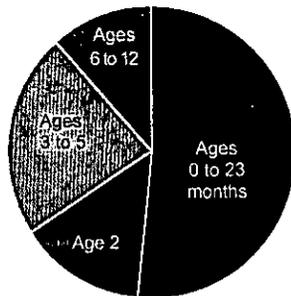


## Referral requests (July 2009 to June 2010 includes CCR&R phone inquiries and internet searches)

Total children needing care as requested through CCR&R<sup>2</sup> ..... 9,601

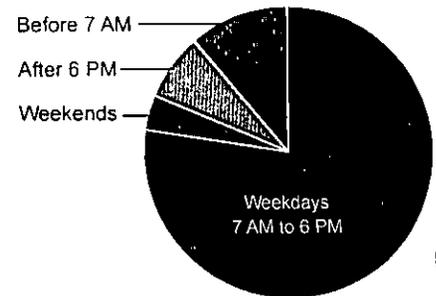
### Referral requests by child's age

Ages 0 - 23 months	52%	4,986
Age 2	14%	1,355
Ages 3 to 5	23%	2,182
Ages 6 to 12	11%	1,078
<b>TOTAL</b>		<b>9,601</b>

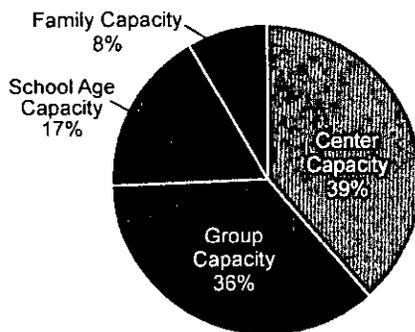


### Referral requests by time/day

7 AM to 6 PM	77%	7,417
Before 7 AM	11%	1,073
After 6 PM	8%	724
Weekend care	4%	387
<b>TOTAL</b>		<b>9,601</b>



## Licensed Early Childhood Programs by program type, capacity and enrollment<sup>4</sup>



	Family	Group	Center	School Age <sup>3</sup>	TOTAL
Licensed programs	394	844	139	45	1,422
Licensed capacity	2,758	11,900	2,801	5,641	33,100
Reported enrollment <sup>5</sup>	2,143	8,502	8,188	1,703	20,536
Reported vacancies <sup>6</sup>	385	845	684	525	2,439
Providers /Capacity added <sup>2</sup>	91 / 637	63 / 880	8 / 439	5 / 269	167 / 2225
Providers /Capacity lost <sup>2</sup>	67 / 469	101 / 1482	3 / 241	5 / 177	176 / 2369
Programs open before 7 AM	92	301	79	26	498
Programs open after 6 PM	23	53	13	0	89
Programs open weekends	10	17	5	0	32
Reported size of workforce	382	1,326	2,212	458	4,378

## Annual Cost of Licensed Child Care by Age

	Family and Group Care		Child Care Centers	
	Average	Highest	Average	Highest
Ages 0-11 months	\$6,069	\$11,700	\$7,503	\$10,530
Ages 12-23 months	\$6,046	\$11,700	\$7,464	\$10,530
Age 2 years	\$5,839	\$11,700	\$7,130	\$10,530
Ages 3 to 5 years	\$5,748	\$11,700	\$6,628	\$10,530

<sup>1</sup> 2009 ND Kids Count Fact Book

<sup>2</sup> ND CCR&R June 2010 NACCRRAware Database

<sup>3</sup> School-age care numbers reflect programs licensed exclusively as before and after school programs under Early Childhood Services rules. School-age children are also enrolled in family/group programs and child care centers

<sup>4</sup> NDCCR&R September 2010 NACCRRAware Database

<sup>5</sup> Not all programs surveyed reported their current enrollment. Data is based on an approximate 85% response rate.

<sup>6</sup> Vacancies change daily and may not match the location or program characteristics desired by families needing care. A 10% vacancy rate allows families some choice among programs.

Potential demand for child care - Appendix B

County	Children ages 0 to 5	Children ages 6 to 12	% of women in labor force with children ages 0 to 5	% of women in labor force with children ages 6 to 12	Children ages 0 to 5 potentially needing child care	Children ages 6 to 12 potentially needing child care	Capacity of Licensed Child Care	Extent licensed care meets potential demand
Adams	101	139	84.3%	86.4%	85	120	109	53%
Barnes	643	791	77.1%	86.8%	496	687	305	26%
Benson	819	826	67.5%	72.3%	553	597	57	5%
Billings	43	50	69.0%	81.6%	30	41		0%
Bottineau	365	376	79.6%	86.7%	291	326	176	29%
Bowman	165	175	92.3%	92.6%	152	162	99	31%
Burke	99	106	83.3%	91.8%	82	97	63	35%
Burleigh	5,733	6,400	79.5%	86.9%	4,558	5,562	4,826	48%
Cass	11,332	11,792	77.0%	86.2%	8,726	10,165	10,043	53%
Cavaller	194	220	70.8%	87.8%	137	193	105	32%
Dickey	413	423	77.2%	92.0%	319	389	283	40%
Divide	97	84	76.5%	90.7%	74	76	33	22%
Dunn	181	268	66.2%	87.0%	120	233	36	10%
Eddy	119	182	69.5%	83.7%	83	152	91	39%
Emmons	158	239	82.2%	88.0%	130	210	101	30%
Foster	222	265	87.2%	82.3%	194	218	77	19%
Golden Valley	79	120	71.8%	85.7%	57	103	68	43%
Grand Forks	4,979	5,267	71.3%	83.6%	3,550	4,403	5,756	72%
Grant	93	143	78.7%	83.1%	73	119	32	17%
Griggs	110	153	75.7%	95.9%	83	147	78	33%
Hettinger	91	138	67.3%	79.9%	61	110	78	45%
Kidder	123	158	77.1%	80.6%	95	127	58	26%
Lamoure	234	266	70.3%	84.2%	165	224	132	34%
Lamban	84	151	83.5%	81.2%	70	123	82	43%
Henry	290	402	73.0%	81.7%	212	328	121	22%
McIntosh	117	182	89.0%	87.8%	104	142	86	35%
McKenzie	358	480	67.8%	80.4%	243	386	74	12%
McLean	419	560	70.3%	76.6%	295	429	193	27%
Mercer	413	570	67.8%	80.3%	280	458	136	18%
Morton	1,940	2,252	83.6%	82.6%	1,622	1,860	1,173	34%
Mountrail	551	608	73.2%	76.3%	403	464	137	16%
Nelson	150	179	77.3%	86.8%	116	155	88	32%
Oliver	75	98	72.7%	82.8%	55	81	18	13%
Pembina	421	540	72.3%	84.7%	304	457	243	32%
Pierce	233	286	78.5%	89.4%	183	256	140	32%
Ramsey	774	922	86.1%	84.6%	666	780	698	62%
Ransom	367	464	71.4%	85.9%	262	399	115	17%
Renville	134	141	86.2%	86.6%	116	122	49	21%
Richland	1,124	1,381	80.8%	85.8%	908	1,185	748	36%
Rolette	1,565	1,598	61.6%	81.5%	964	1,302	190	8%
Sargent	241	322	81.5%	81.1%	196	261	138	30%
Sheridan	130	173	57.7%	65.8%	117	148	33	51%
Sioux	546	520	67.8%	73.7%	370	383		0%
Slope	26	47	81.3%	60.7%	21	29		0%
Stark	1,613	1,735	81.2%	84.6%	1,310	1,468	847	30%
Steele	76	137	75.8%	89.0%	58	122	18	10%
Stutsman	1,234	1,460	81.0%	89.7%	1,000	1,310	914	40%
Towner	88	149	81.6%	89.0%	72	133	87	43%
Trail	515	632	75.9%	83.5%	391	528	394	43%
Walsh	756	884	79.7%	86.6%	603	766	349	26%
Ward	5,382	5,352	71.0%	84.3%	3,821	4,512	2,590	31%
Wells	182	266	80.9%	86.2%	147	229	165	44%
Williams	1,322	1,534	75.7%	88.8%	1,004	1,362	470	20%
<b>TOTAL</b>	<b>47,419</b>	<b>52,486</b>	<b>76.1%</b>	<b>84.9%</b>	<b>35,921</b>	<b>44,539</b>	<b>33,100</b>	<b>41%</b>

Licensed early childhood programs by type, capacity & workforce - Appendix C

County	Family or Group			Center			School Age			Total		
	Number of Programs	Licensed Capacity	Size of Workforce	Number of Programs	Licensed Capacity	Size of Workforce	Number of Programs	Licensed Capacity	Size of Workforce	Number of Programs	Licensed Capacity	Size of Workforce
Adams	9	109	15	0	0	0	0	0	0	9	109	15
Barnes	11	14	16	3	164	16	0	0	0	14	305	32
Benson	4	57	11	0	0	0	0	0	0	4	57	11
Billings	0	0	0	0	0	0	0	0	0	0	0	0
Bottineau	14	176	17	0	10	0	0	0	0	14	176	17
Bowman	6	99	12	0	0	0	0	0	0	6	99	12
Burke	4	63	10	0	0	0	0	0	0	4	63	10
Burneigh	167	1623	189	26	2279	387	3	924	128	196	4826	705
Cass	287	3166	371	51	4587	919	28	2290	214	366	10043	1504
Cavalier	4	45	5	1	60	22	0	0	0	5	105	27
Dickey	15	234	27	1	49	5	0	0	0	16	283	32
Divide	2	33	18	0	0	0	0	0	0	2	33	18
Dunn	2	36	5	0	0	0	0	0	0	2	36	5
Eddy	5	61	6	1	30	12	0	0	0	6	91	18
Emmons	9	101	10	0	0	0	0	0	0	9	101	10
Foster	6	77	9	0	0	0	0	0	0	6	77	9
Golden Valley	4	68	4	0	0	0	0	0	0	4	68	4
Grand Forks	126	1360	157	11	2707	326	2	1689	62	139	5756	545
Grant	3	32	6	0	0	0	0	0	0	3	32	6
Griggs	2	36	2	1	40	5	0	0	0	3	76	7
Hettinger	5	78	7	0	0	0	0	0	0	5	78	7
Kidder	4	58	6	0	0	0	0	0	0	4	58	6
Lamoure	8	132	11	0	0	0	0	0	0	8	132	11
Lincoln	6	82	10	0	0	0	0	0	0	6	82	10
Logan	8	121	20	0	0	0	0	0	0	8	121	20
McIntosh	6	88	9	0	0	0	0	0	0	6	88	9
McKenzie	2	29	3	1	45	14	0	0	0	3	74	17
McLean	14	193	17	0	0	0	0	0	0	14	193	17
Mercer	9	136	9	0	0	0	0	0	0	9	136	9
Morton	59	605	65	5	448	79	1	120	4	65	1173	148
Mountrail	9	137	22	0	0	0	0	0	0	9	137	22
Nelson	7	88	8	0	0	0	0	0	0	7	88	8
Oliver	1	18	5	0	0	0	0	0	0	1	18	5
Pembina	8	131	16	2	112	14	0	0	0	10	243	30
Pierce	6	90	7	1	50	8	0	0	0	7	140	15
Ramsey	30	420	35	4	354	42	2	124	13	36	898	90
Ransom	6	85	10	1	30	4	0	0	0	7	115	14
Renville	4	49	7	0	0	0	0	0	0	4	49	7
Richland	38	467	46	4	182	42	3	99	9	45	748	97
Rolette	5	70	8	2	120	15	0	0	0	7	190	23
Sargent	9	138	11	0	0	0	0	0	0	9	138	11
Sheridan	3	33	3	0	0	0	0	0	0	3	33	3
Sioux	0	0	0	0	0	0	0	0	0	0	0	0
Slope	0	0	0	0	0	0	0	0	0	0	0	0
Stark	60	707	138	1	140	13	0	0	0	61	847	151
Steele	1	18	3	0	0	0	0	0	0	1	18	3
Stutsman	48	496	60	5	361	56	3	57	9	56	914	125
Towner	4	47	6	0	0	0	1	40	3	5	87	9
Trails	12	153	23	3	171	29	1	70	9	16	394	61
Walton	20	271	26	2	78	11	0	0	0	22	349	37
Ward	126	1689	167	10	673	168	1	228	6	137	2590	341
Wells	7	120	9	1	45	6	0	0	0	8	165	15
Williams	33	394	51	2	76	19	0	0	0	35	470	70
<b>TOTAL</b>	<b>1238</b>	<b>14658</b>	<b>1708</b>	<b>139</b>	<b>12801</b>	<b>2212</b>	<b>45</b>	<b>5841</b>	<b>458</b>	<b>1422</b>	<b>33100</b>	<b>4378</b>

# Average weekly cost of child care - Appendix D

County	Average Weekly Cost of Family/Group Child Care				Average Weekly Cost of Child Care Center			
	0 to 11 Months	12 to 23 Months	2 Years	3 to 5 Years	0 to 11 Months	12 to 23 Months	2 Years	3 to 5 Years
Adams	79.65	78.30	77.85	76.95				
Barnes	104.91	104.91	104.00	104.00	114.57	114.27	111.88	105.36
Benson	101.25	101.25	101.25	101.25				
Billings								
Bottineau	115.39	113.52	111.46	110.63				
Bowman	109.64	106.76	106.76	106.76				
Burke	111.26	111.26	105.86	102.83				
Burleigh	121.87	121.08	118.23	117.42	153.33	150.44	142.57	133.84
Cass	127.25	126.28	119.53	116.73	157.92	157.68	147.53	134.44
Cavalier	123.75	123.75	123.75	123.75	114.57	114.27	111.88	105.36
Dickey*	100.28	100.28	96.09	94.19	114.57	114.27	111.88	105.36
Divide	146.25	146.25	135.00	135.00				
Dunn	123.75	119.38	119.38	119.38				
Eddy	115.25	115.25	115.25	115.25	114.57	114.27	111.88	105.36
Emmons	98.55	98.55	96.75	96.75				
Foster	108.17	108.17	108.17	108.17				
Golden Valley	92.77	92.77	92.77	92.77				
Grand Forks	117.03	116.52	112.11	110.18	158.67	153.95	141.42	130.94
Grant	90.00	90.00	90.00	90.00				
Griggs	101.25	101.25	101.25	101.25	114.57	114.27	111.88	105.36
Hettinger	97.65	97.60	95.40	95.40				
Kidder	104.17	104.17	95.83	95.83				
Lamoure	107.63	107.63	105.83	105.83				
Logan	93.60	93.60	92.70	92.70				
Henry	104.60	103.83	101.17	97.83				
McIntosh	110.25	110.25	103.05	102.60				
McKenzie*	103.50	103.50	103.50	103.50	138.19	138.19	135.11	130.40
McLean	112.79	112.79	111.26	110.94				
Mercer	125.55	126.45	121.50	121.50				
Morton	110.75	110.61	108.42	107.87	120.44	118.52	118.04	113.26
Mountrail	103.61	103.61	103.05	97.50				
Nelson	101.55	101.55	99.40	98.08				
Oliver	115.47	115.47	115.47	115.47				
Pembina	119.23	119.23	117.20	117.20	114.57	114.27	111.88	105.36
Pierce*	117.90	117.90	114.30	114.30	138.19	138.19	135.11	130.40
Ramsey	111.87	111.87	109.00	106.58	120.25	120.25	117.36	115.74
Ransom*	104.85	104.85	101.25	99.45	114.57	114.27	111.88	105.36
Renville	115.20	115.20	107.10	107.10				
Richland	109.33	108.57	102.64	101.33	120.73	120.73	115.73	107.65
Rolette	112.83	112.83	103.80	101.49	114.57	114.27	111.88	105.36
Sargent	101.76	101.76	101.76	101.76				
Sheridan	112.50	112.50	112.50	112.50				
Sioux								
Slope								
Stark*	114.22	113.85	113.52	111.68	138.19	138.19	135.11	130.40
Steele	120.00	120.00	110.00	110.00				
Stutsman	105.22	105.24	103.23	102.65	125.18	125.18	125.18	119.78
Towner	117.90	117.90	112.50	107.10				
Trail*	121.08	119.95	115.33	115.33	114.57	114.27	111.88	105.36
Tygh	103.36	101.99	99.78	99.19	114.57	114.27	111.88	105.36
Ward	112.88	112.59	108.60	106.23	139.77	138.86	134.93	128.80
Wells*	98.10	96.30	93.15	93.15	114.57	114.27	111.88	105.36
Williams*	124.76	124.19	117.23	116.42	132.75	132.75	130.50	123.75

\*In counties with fewer than 4 centers, rates reflect a regional average

SB 2298

Senate Human Services

Wednesday, February 2, 2011

Chairman Lee and members of the Committee. For the record I am Blake Crosby, Manager of the Business Center for North Dakota Child Care Resource and Referral. I am here in support of Senate Bill 2298.

This bill recognizes that North Dakota's 1,400 licensed child care providers, who care for 30,000 children, play a significant role in the care of children with special needs. Keep in mind we could be talking about a child with autism, a wheel chair bound child, or a child with a feeding tube. Providing care for children with a broad range of special needs, these 1,400 providers are often the first persons to recognize if a child is not developing appropriately.

Being skilled and knowledgeable regarding the varied needs of children without professional support can make operating a child care business very difficult. To assist those providers Child Care Resource & Referral delivers training on caring for children with special needs. Over the past 3 years we have offered 38 courses that have been attended by over 1000 child care providers on topics from autism, to developmentally appropriate care, to child care and disability rights law. We even provide a unique class in how to have what can be a very emotional conversation with parents about their child. However, we could never begin to provide training to equip providers with all they need to know. They need individualized professional support that reflects the needs of each child in each care setting.

Tight finances makes child care a difficult business. I work on business plans, business practices, and financial analysis. Most providers do what they do because they love children, all children, and I have seen first-hand the financial impact of caring for children with special needs. It is not uncommon for me to review financial statements that show staff wages (very few employees receive health insurance) consuming more than 80% or more of total revenue. There is not money left for needed specialized equipment, appropriate environmental adaptations, or additional staff.

Recognizing developmental concerns early on and being able to address those concerns in a prudent manner, before the child enters the public school system, is certainly more cost effective than waiting until the child is there on the door step of the school. Coming out of the private business sector, I know that investments on the front end are always cheaper than investments later. This bill provides the link to existing services and complements early diagnosis and care planning.

*Early Intervention*

This is a good bill for children, this is a good bill for tax-paying parents, this is a good bill for the child care industry, and this bill demonstrates our commitment to all citizens of North Dakota.

Thank you for our time this morning. I will stand for any questions.



#4

Testimony on SB 2298  
Senate Human Services Committee  
February 2, 2011  
Prepared By: Roxane Romanick

Chairman Lee and Members of the Senate Human Services Committee:

My name is Roxane Romanick and I am here today representing Designer Genes of North Dakota. Designer Genes is a Down syndrome support organization consisting of 250 members across the state of North Dakota, mainly consisting of family members raising children with Down syndrome. I am here in support of SB 2298.

This bill is about promoting inclusive child care. Inclusive child care is defined as full participation by children with disabilities in programs and activities designed for children who are developing typically. Designer Genes of North Dakota is currently a part of a coalition of family support organizations called ND FamNet. One of the set priorities for ND FamNet and its member organizations is inclusive child care. Cathy Haarstad, Board President of ND FamNet, will be submitting written testimony on behalf of ND FamNet. Because of these efforts, I was a part of working with the sponsors on this bill.

This bill establishes a state funded grant program that is available to ND child care providers to specifically assist a child with disabilities or who is at-risk for developmental delays. As stated, the grant program would be administered through the Department of Human Services with the assistance of a grant review committee. We understand that this places a burden on the Department, but we hope that the value of such a program is worth the effort to figure out a solution. We would be willing to assist in that effort in way that we could.

Through my work with Designer Genes, I am often in a place of supporting families around a variety of issues. Children with Down syndrome present a myriad of issues that can be perceived as challenging to child care providers, such as delayed developmental skills such as walking or potty training, health problems, behavioral challenges, alternate communication needs, feeding concerns, etc. We often receive questions about how to talk to child care providers about a child's needs or diagnosis. In general, I can tell you stories of success about how child care providers have risen to the occasion and supported children with Down syndrome in their settings, but I also know that parents worry constantly about those placements and whether they will last. In addition, they are constantly working to "beef up" the placement with additional information and communication to the provider. While there are many stories of success, there are also stories of rejection and failed placements.

After my daughter was born, I started looking for child care for her. I called over 25 child care providers. In some cases I would tell the provider right out that she had Down syndrome and in others, I would wait until I knew if they had a placement or not. I felt deceptive, but I was getting weary. I was also curious about whether or not the diagnosis made a difference. In about half of the cases, her diagnosis did make a difference and the provider said that they weren't comfortable caring for her or talked their way of it.

In 2007, ND Kids Count and Child Care Resource and Referral conducted a survey to look at dismissals in child care. Reported from 538 completed surveys were a total of 244 dismissed cases of children from child care. 51% of those cases were due to behavioral concerns. In 26% of the cases, it was due to safety concerns for the other children in the care of the provider. What we don't know about the 51% and the 26% is what else was going on with those children. What we know about developmental delays, disabilities, at-risk conditions, and/or special health concerns in young children is that often their communication is behavior. Often their

only method of letting others know something is wrong is to act out. This is the vulnerable population that we are talking about today.

We need a few things in North Dakota in relation to making sure child care is available to all children. First off, we need to increase the opportunities to child care access. If families chose or need to work, we need to make sure that they have the option for child care no matter what type of challenges their child brings with them. Then, we need to make the child care options great. We need to make sure child care providers have access to training and specific consultation. What we know from universal design theories in education is that if we design programs to meet our most vulnerable citizens, we also improve the supports for everyone. This can be true in child care as well.

About two years ago, I spoke at a Health and Safety Summit for area child care providers and assisted in setting up a panel of parents of children with special needs that spoke on the accessing child care. I didn't know what kind of an impact the information presented had until I was at the play park at a local mall a couple weeks later and I had a woman approach me. She asked me if I was the woman that had spoke at this training and when I told her I was, she said "I left that day crying. I didn't want to tell anyone that I had turned down a number of people who had called and said that they had a child with a disability. I always believed that I couldn't do it, couldn't care for them, but after hearing all of you parents speak, I really believe that I was being selfish and now believe that I should take a chance."

It is our hope that the grant program will build capacity and will encourage more providers to "take a chance". We need to get support to providers in some form or another and we need to be realistic about it. Sometimes it takes another hand, equipment, or a home modification to make it work. We can talk about the regulations of the Americans with Disabilities Act and the requirements that are placed on child care providers all we want, but in the end, we have to make sure we are realistic and that both providers and children are supported.

So why does the government need to help? We know that its programs like these that help to change attitudes. You, as lawmakers, are saying that you believe firmly in making sure that all children have a place in our communities. You say this when you set policy and when you invest in children. We also know that you want families to continue to live their lives as fully as possible and continue to hold down jobs even when their children have challenges. Increasing capacity in child care and increasing quality both will make a huge difference to families.

On a final note, it is our belief at Designer Genes that inclusive efforts should be infused into all child care and early childhood efforts in North Dakota. While we fully support SB 2298, we think that the components of it should be within a comprehensive systems approach to building capacity in the early childhood system. As I noted before, if we are building systems it should be with a universal design approach so that every child no matter their experiences or situations should be able to "come in the front door."

Thank you for your time.

Roxane Romanick  
Designer Genes of ND President  
P.O. Box 515  
Bismarck, ND 58502  
[romanick@bis.midco.net](mailto:romanick@bis.midco.net)  
701-258-7421

## Licensed Child Care Dismissal Study

Results of September 2007 Survey of Licensed Child Care Providers in North Dakota Conducted for North Dakota Child Care Resource and Referral

### Link to the full Licensed Child Care Dismissal Study:

[http://www.ndsu.nodak.edu/sdc/publications/reports/LicensedChildCareDismissalStudy\\_FinalResults.pdf](http://www.ndsu.nodak.edu/sdc/publications/reports/LicensedChildCareDismissalStudy_FinalResults.pdf)

### Highlights from the study:

#### Child Care providers identified Profile of dismissal cases

- Providers gave information for a total of 244 dismissal cases. Provider could have dismissal cases involving children in more than one age group.
  - Infants age 0 to 11 months: 12% of dismissal cases were of infants age 0 to 11 months.
  - Infants age 12 to 23 months: 18% of dismissal cases were of infants age 12 to 23 months.
  - Toddlers: 28% of dismissal cases were of toddlers.
  - **Preschool-age children: 31% of dismissal cases were of preschool-age children.**
  - Kindergarteners: 12% of dismissal cases were of kindergarteners.
  - School-age children: 19% of dismissals cases were of school-age children.

#### Reasons for dismissal

- Providers said inability of parent/guardian(s) to pay for child care was a reason for dismissal in 31% of dismissal cases.
- **Providers said the safety of other children was a reason for dismissal in 26% of dismissal cases.**
- Providers suggested other reasons in 29% of dismissal cases. **Other reasons included: behavior problems of the parent, specific behavior problems of the child, issues with hours, special needs of the child, health issues, parent was uncooperative in resolving issues, and payment issues**

- **Providers said behavior problems of the child were a reason for 51% of dismissal cases.**

***Not enough resources/child had special needs***

In several dismissal cases, **the provider indicated that they did not have the time, staff, or resources to deal with a very problematic child.** Problems included an attachment disorder, autism, and being abusive.

**Resources that would have been helpful to retain the dismissed child**

- Providers were asked what resources would have been helpful in order to retain the child. **Resources they indicated included additional staff** (i.e., one-on-one adult/child ratio), a higher percentage of the child care bill paid by social services or payment reimbursement, parental responsibilities and participation, and knowing more about the child at time of enrollment

**Additional resources relating to child care dismissals that providers would like to see made available**

- 42% of providers indicated they would like to see printed materials made available to them.
- 21% would like to see information on regulatory policies regarding care of children of special needs.
- 12% would like one-on-one consultation training.
- 10% would like a phone consultation by infant mental health specialist, special needs specialist, etc.
- 4% had other additional resources they would like to see made available, including: training, information relating to parents, assistance/guidance, and financial assistance

# 5

SB 2298: An appropriation to establish a grant program for licensed early childhood services providers who care for children with special needs

To: Senator J. Lee and members of the senate human services committee

My name is JoAnn Brager and I am the Vice President of Public Policy for the North Dakota Association for the Education of Young Children. NDAEYC represents approximately 400 members who work with or on behalf of children ages birth to eight years of age. NDAEYC's mission is "To serve and act on behalf of the needs, rights and education of all young children."

NDAEYC strongly supports a grant opportunity for early care and education providers to either increase the adult-to-child ratio to provide quality care to children with disabilities and to be able to modify the setting for young children with disabilities or developmental delays. Young children with disabilities often times needs additional assistance in order to be in settings with their peers. This is an excellent opportunity for the children in the early care and education setting both with out and with identified disabilities.

Collaboration of resources that currently work with young children with disabilities includes programs such as Early Intervention (8 regions), preschool special needs programs and Head Start programs. Currently, there is no funding to support the inclusion of children with special needs in child care, but this bill would provide that support. Additionally, the bill could foster collaboration between child care and the agencies that provide services for children with special needs. For example, a Head Start staff in Hebron has her M.Ed. degree in Education with an emphasis in Early Childhood Special Education. The Hebron and Glen Ullin Public Schools contract part of her time to work with children in the Hebron Head Start classroom. The funding provided in SB 2298 would be an opportunity to extend that service to child care providers in those two communities.

Thank you for your time today and I am happy to answer any questions you may have.

Good morning Chairman Lee and Members of the Senate Human Services Committee. My name is Jennifer Skjod and I live in Mandan, ND. I am here today in support of SB 2298.

My husband Jim and I have a child with Asperger's, a Sensory Processing Disorder and an Anxiety disorder. Prior to his starting grade school, securing reliable childcare put an extreme burden on our family. My husband and I are both college-educated professionals. We are fiscally responsible adults who never thought we might find ourselves in financial stress.

Finding adequate care for a child with special needs is a real challenge. We don't send our children into care situations without informing potential providers of what to expect --and frankly, anything less than a perfect expectation often results in closed doors.

Families with special needs have higher expenses as a rule. It takes more therapy and other interventions to bridge the gap between them and their peers. This can run hundreds or even thousands of dollars per month --even with decent insurance. I find it particularly ironic that those who need to work --to financially support these situations in their families, are often prevented from doing so due to lack of support and incentive in the child care community.

My husband and I first started noticing things were not quite right with our child when I was called at work to come pick him up. They'd had a fire alarm at preschool and our son was still cowering in a corner with his hands over his ears an hour later. His care provider that year had a decent reputation. My main complaint was she had the TV on the entire day... and since her home was very small, there was no place my son could get away from the TV. They watched shows like Scooby Doo, which might be okay from some kids, but not for a child with anxiety issues. He was up all night. My requests that the children have a break from TV or at least watch less scary shows went ignored.

She complained about him "growling" at the other kids. We were noticing other odd behaviors and so we took him in for an evaluation that resulted in his being diagnosed with a sensory processing disorder or SPD. Physical touch was painful to him and the growling discouraged the other kids from invading his personal space. I brought her some documentation explaining SPD and some strategies for helping him out. But after listening to her husband tell me that SPD was simply some made-up problem people used to defend their children's bad behavior, we decided to make the move to new childcare.

This next woman was just what we had hoped for. She lived in the country. The kids got to be outside for much of the day and there was no TV. I tried to explain that our older child was high strung at times and told her about the SPD. (We didn't know he had Asperger's then as well. He wasn't actually diagnosed with that until the following year in Kindergarten.) I even suggested that we have him come by for an afternoon so he could play with the kids before we made the permanent switch.

But she declined that opportunity. The beginning went really well, but she was very task oriented and our son just didn't fall in line with the other kids.

Sometimes he had accidents and that angered her. She wouldn't allow him to play outside on those days. I tried to suggest that we find other methods to curb his behavior since outside time and physical activity seemed to alleviate his stress. I suggested a reward chart. I contacted Childcare Resource and Referral to see if they could send someone out to observe him in that setting and address some of her concerns. But for every suggestion I had, there was a negative response.

I even put her in contact with our son's occupational therapist. Her husband met me one day at the door told us we should save the money spent on OT and just give our son a "good swat" first thing in the morning.

That night I asked our son if the husband ever spanked him and he said "Yes." I asked if his younger brother ever got spanked and he said "No, because he is good like the other boys."

At that time, we were unable find any licensed care providers willing to take on a child with special concerns in our area. We were forced to place them in an unlicensed home. They were only there for only a month. Again, our child was spanked for having an accident.

The fourth and very last provider we secured in that 6-month period had complained about him being hyperactive and so we took him back to the doctor -- who prescribed him some medication. After they were told he was on medication -- without providing even 24-hour notice --we were told they would no longer watch him. Evidentially, a child with enough concerns to warrant a prescription was beyond their acceptance.

At that point, I resigned my employment and stayed home with our boys until our eldest began Kindergarten that fall. Even though we tried to be positive, I'm sure the stress of the situation showed. My son woke me up one night to tell me that if I were "thinking of selling him" that maybe his grandparents would like to have a boy because they don't have kids anymore.

We told him that he may have lost preschool, daycare and therapy but we loved him very much and he was not going lose us.

He is a first grader this year. Our situation has improved, we understand his condition better, and the employment challenges for us have lessened. But as spring approaches --and the school year begins to wrap up, I know we will find ourselves wondering what we will do for care in the summer and if it will impact our employment.

#7



Testimony for SB 2298

Beth Nodland, District 32,  
905 N. Anderson St.  
Bismarck, ND 58501  
(701) 223-6306

Thank you for your time and attention this morning and for this opportunity to speak in support of SB 2298.

In 2009, my husband and I started a small business here in North Dakota, we provide archaeological consulting services to industries developing all kinds of energy and infrastructure projects in ND. This little company is doing well, both in the oil field and in other parts of the state; however, in order to grow this company, we need to find child care for our two year old son, for at least part time, sometimes full time, so that we can build this company. There are a lot of parents, especially moms, in North Dakota who have to work, and a lot of them are working multiple jobs, with no benefits. Statistics say more ND moms work than in most other states. Child care is hard to find in North Dakota for everybody. I'm the president and CEO of this company; I have to have time to make it work, so we have to use child care. The reason I'm here today is to make sure you understand how even more difficult it is to find child care if your child has a special need.

Our son, Lochlan Morrison, is 2 years and 10 months old. He is an active and healthy boy who has a diagnosis of Down syndrome. He has been participating with the BECEP Early Intervention program, and goes to five therapy sessions per week at the hospital. Lochlan has had one positive childcare experience and two negative experiences that I'd like to share with you to help you understand what parents face trying to find and keep child care.

My son's first experience was at a brand new facility managed by a woman with a background in special education. She was comfortable enough with kids with special needs that she was willing to train and guide her staff who didn't have any experience. For almost a year it was fabulous. She and her staff participated in Lochlan's Early Intervention program and Individual Family Service Plan, they welcomed Early Intervention consultants into the facility and put their coaching to use. They used the toys and tools and information that specialists brought. This helped Lochlan immensely in the areas where he was delayed, in starting to learn how to feed himself, how to stay focused, play with other kids, and so forth. Three of the facility's staff members volunteered to go to baby signing classes, on their own time, for three evenings, so that they could better communicate with Lochlan. When the other little kids who weren't verbal yet saw how signing worked for Lochlan, when he'd sign for cookies, or milk, or whatever, they started using it, too. The staff started teaching a new sign to everybody every week. It worked so well because, first, the facility was willing to open their doors to Lochlan, second, the facility welcomed the coaching of trained specialists, and third, because the staff were stable and consistent, and had extra tools and information at their disposal.

After a year, unfortunately, the owner made some business decisions that profoundly changed the setting. The center suddenly merged with another, and the number of kids doubled within a week period. The more mature, experienced, and probably more expensive staff (at wages only slightly higher than minimum wage,) were replaced with what was for the most part, transient, part-time high school and college kids. Curriculum and structure disappeared. There was constant shuffling of room assignment, and finally my son's primary play room was assigned to a closed off third stall, an RV stall, of the garage. We found ourselves introducing our son nearly every morning to new, part-time staff. I had to explain to one young woman, after she'd been caring for him all morning, that he was in fact a boy, not a girl. All the special accommodations, tools, and coaching went out the window. Finally, after we learned several things, for example that he wasn't eating anything, because none of the new staff knew he wasn't able to feed himself yet, we pulled him out.

Next he was enrolled at a preschool facility that had never enrolled a child with special needs and had no training. They were not particularly welcoming of outside consultants; I think it went against their theoretical foundations. Lochlan was "fired" after six mornings. The reasons they gave for firing this little two and a half year old were: 1) he liked to put things in his mouth, 2) when he moved through the room, he liked to dump things out, 3) he would try to get the attention of other little kids, and 4) they were unable to communicate with him. The first three are goofy, he's 2 ½, we're not any more concerned about those things than if she accused him of being a "twiddler, a dreamer, and a silly heart." The one that bothers us most is the one about him not communicating. Which I think was a failure on the part of the adults to take a few extra steps needed to accommodate a developmental delay. I think that had they had resources, perhaps people and training, and willingness, they could have easily learned how to understand and communicate with him.

Lochlan actively uses about 55 signs. He gestures, points, makes faces, says "no" emphatically, and stop, and smiles big and claps in agreement. He signs please, and more, and eat and book and kitty and horse. He signs come here, please, and play with balls, and says "oh, no," and signs I'm hungry and my diaper is wet, and I'm sleepy. We provided the facility with a picture dictionary of his most used signs, and a list of web sites that will translate signs, and others tell us that he is a good communicator. I just wonder, what would have happened if he'd have been a child who was deaf or nonverbal, a child with autism, or any other child who couldn't sign, well - he wouldn't have had a chance. What this facility didn't write, but what they complained about most in person, was that he wasn't potty trained. Staff said several times to us: "technically we don't change diapers." To which we would reply, "Technically, because you enroll several kids in diapers and pull ups, you do." But they didn't want to. He was fired.

This potty training thing is an important issue for people with disabilities, especially kids with disabilities. Most typical preschools in the community require kids to be potty trained at 3 years old -- like in our community, the YMCA or the Montessori programs. In reality, most kids with special needs take longer to become potty trained. This precludes kids with special needs from a lot of typical community preschools. Our goal as a nation has been to help these kids succeed in typical community settings so they are ready to succeed in typical neighborhood schools, and then typical community jobs. Yet something so simple as potty training is keeping kids out of neighborhood childcare and preschools.

Could this bill provide funding that would allow facilities to hire staff and maintain changing stations so that kids with disabilities who are delayed in potty training could attend? I think so.

This week, Monday, after a wait of a couple months, Lochlan started at new child care facility, at Super Kids, where they have warmly welcomed him. They have a couple other kids with disabilities and are open to having specialists help make the program fit Lochlan's needs. So now, over the course of the next few months, they will welcome Early Intervention occupational therapists, physical therapists, speech therapists, and program coordinators. Hopefully, they will accept coaching and then, starting in April, a totally different set of specialists will start meeting with them, as he transitions out of EI, into the preschool age program -- new special education coordinators from the School District, new OT, PT, and speech consultants and maybe a few direct service providers. Well, all of this will need coordination at the childcare center, top. and will require more staff time to schedule the meetings, to meet, to learn, to implement, and to report. All of the School District personnel will be looking for measurable results; they will be asking the child care administrators and teachers and aides for data and information in return. This will place a substantial extra burden on the child care facility. Not to mention that it still might take extra time to communicate with and teach my child. And all because they accepted my child with a special need.

At this point, we, his parents are paying for his child care services. We're asking you through this bill to help us bridge the gap with extra support to the child care facility to make sure they are equipped to accept our kids, to keep them willing to train their staff, and be able to allocate time to learn and to juggle our requests for special accommodations. This bill will help them find resources to make the experiences successful, and maybe even to help them become willing to accommodate our kids who are not potty trained. I urge you to support SB 2298.

I will be glad to answer any questions. Thank you Chairman Lee and Committee members.



#8

January 25, 2011

Dear Legislators,

I write to you as a parent and would like to share my experiences of finding child care, quality child care, in Minot, ND. I like you work for the State of North Dakota as a social worker. Unfortunately, I must work to support our family and rely on child care to co-parent our children with me. This has not always been so easy.

My husband, Steven, and I have 2 beautiful, healthy boys. While they are healthy, they are also busy and have had their share of difficulties. Our oldest son, Carter, was recently diagnosed with ADHD, and Disruptive Behavior Disorder. He also has something we are learning about, Sensory Integration Disorder, which makes each step of his day difficult if not handled appropriately. Let me back up and tell you his child care story. Because of the structure and supervision a child care center provides, I have always been more interested in this setting for my children. I also never knew a home provider that I trusted to leave my children alone with all day. We initially started child care when Carter was 10 weeks old at a center. At first all appeared to go well, until we learned that a staff was making poor decisions that were affecting not only our son but the other children. Sadly, we learned of this after she was let go and replaced. It seems that this was the beginning of a pattern for our child. He eventually switched classrooms and then switched again and again. During these times, until he was 2 years old, he experienced an average of 4-5 caregiver changes a day. Often the caregivers were new staff he had never met before as this center employed many people part time while they attended college. Some weeks he would see up to 6 new faces. It is no wonder he has terrible separation anxiety and hated to go to child care. As a parent, this is heart-breaking, to watch and try to support your child while you all experience this. I would often ask how his day went and staff would say, "I don't know, I just got here" or "he cried all day". I had to ask this Center to make a special exception to allow him an am snack or at least a drink of water. Child care programs must not get funded from their

food programs for an am snack, as this was incredibly difficult to get accomplished until I agreed to bring am snack each day for all of the children in his class. Eventually they became more flexible with this when the staff saw that it helped the children have a better day. Because of all of the turnover we decided to switch to a smaller center setting when Carter was just 25 months old. Initially this went ok, until I started to observe that while the staff was the same throughout the day, there were also a lot of concerning interactions myself and other parents observed between the children and staff. After talking with the Director, some of these staff were let go. Then we began the pattern of staff bickering amongst themselves and not caring for the children, so much that they forgot children in the center when they took others on a walk. Out of desperation a friend of mine called Good Shepherd Child Care, as we had both been on their waiting list for over 2 years, and pleaded our case. By some miracle they were able to get both of our children in that June 2009. I was concerned about another transition for our son but I am happy to report that it went smoothly, as the care, warmth, and genuine concern for children was evident from the beginning. While Carter has had struggles, the staff has been always supportive, empathetic and willing to work with me on these things. They also have very realistic expectations for children that are age appropriate. They also include learning in their day to day play and provide structure and activities for the children throughout the day. While we have experienced major aggressive outbursts with our son, they have worked closely and supportively with me in working through these. It would have been much easier for them to ask him to leave their facility, but because of their care for children and what is best for him, they have provided unconditional support and care to him and this shows. He now loves daycare, who would have ever guessed it after all that he has been through!

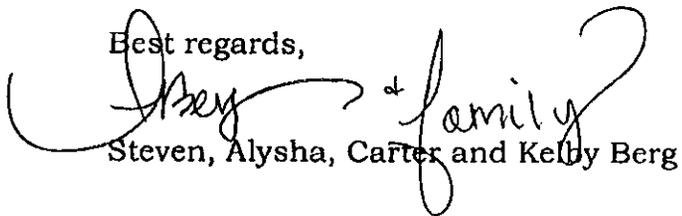
In the midst of our struggles with Carter we were blessed with a beautiful baby boy, Kelby, 2/2/10. His early arrival presented a child care struggle for us that we did not anticipate. We could not start at Good Shepherd with him until June 2010. He ended up at a different center for 5 weeks. These were 5 very long weeks as our Kelby has major eating concerns, with reflux and refusal to drink his bottle. While at the different center, I received daily phone calls that the young staff were stressed out by his screaming and refusal to eat and were not sure what to do. When he started Good Shepherd I expected much the same. But to my amazement, I still have not experienced this from them. They have added an extra staff to the room, 3 staff for 8 babies instead of the 2 that are required, to essentially staff him one on one. They did this without my knowledge and without an added burden to me. They have always been supportive of me and very easy going about his struggles which has helped him immensely to succeed and do well in this environment! I cannot say enough about their care, and love for him, despite the stress this brought to their world each day. Our pediatrician warned that if not in the appropriate caring environment where caregivers can get a break, he would be at high risk for shaken baby. I can tell you, while at Good Shepherd, I have never, once,

worried about this for him. I can only thank God for the staff that has cared for him. I should also mention, he has had the same 4 staff throughout the day for the past 7 months. He loves child care and his "teachers" and has no separation problems! We are so blessed!

I can say without a doubt that my children would not be doing as well as they are would it not be for the excellent care they receive while I work each day. We have personally experienced no staff turnover, or change, in the past, nearly 2 yrs at Good Shepherd Child Care. Each of the staff truly loves children and their job! They range in age and experience but all support each other and work together as a team. There is no bickering amongst each other and they all present as mature and proud of what they do. I believe this comes from their director and leadership, Sherry Wagner. I can only tell you that she is an angel! We are so blessed to have her here! I thank you for the training requirements that child care staff must have, as they can learn and learn and never know too much, and am appreciative that there are several staff getting their early childhood education (CDA) degrees. This is wonderful to hear that quality child care is supported as not only a State but Federally. Anything that you do to support quality child care in our communities comes with many thanks and much appreciation! Take care in making child care decisions as these people are co-parenting our children and have a huge impact on our next generation. Please show them how much you care and support them in their day to day jobs, they have big shoes to fill...mine, and yours, as this is our next generation! Show them how much you care and support them in your decisions!

Thank you for your time and all that you do!

Best regards,

A handwritten signature in cursive script that reads "Berg + family". The signature is written in black ink and is positioned above the printed names of the signatories.

Steven, Alysha, Carter and Kelly Berg



P.O. Box 2081  
Bismarck, ND 58502-2081  
701.222.1854  
veronica.zietz@thearcobismarck.org  
www.thearcobismarck.org

#9

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**Testimony of Support Senate Bill 2298**  
**Human Services Committee**  
**February 2, 2011**

Good morning Madam Chair and members of Human Services Committee. My name is Veronica Zietz (#99); I am the Executive Director at The Arc of Bismarck and I'm here today representing both The Arc of Bismarck and The Arc of Cass County. The Arc is an organization that provides education and advocacy to people with disabilities to foster empowerment and full inclusion in the community.

The Arc supports Senate Bill 2398, because it would establish a grant program focused on providing inclusive childhood services to kids with disabilities. This grant will allocate funds to programs that have more preferable staff ratios for the care of children with disabilities as well as necessary adaptations that would ensure services to children with disabilities are appropriately provided. This bill would be a wonderful opportunity for childhood service providers all while encouraging the development of much needed services for kids with disabilities.

Parents frequently face challenges when trying to find services for their children with disabilities whether that is daycare, afterschool programs or others. Though federal law requires childhood service providers to make reasonable accommodations for children with disabilities, all too often children with disabilities are denied access to programs. Reasons for this typically include a lack of training on the part of the provider; a concern that taking a child with a disability may increase the demands on staff; a belief that the provider will be held responsible for medical issues and a perception that having a child with a disability under their care will drive other customers from their programs. According to the Americans with Disabilities Act, kids are supposed to be evaluated on their individual needs, however this is not always the case and some providers look to a list of excuses so they don't have to take on children with disabilities.

The Arc believes this bill could help remedy the many problems parents have when trying to find appropriate care for their children with disabilities. This bill would encourage childhood service providers to enhance the quality and quantity of programs available to kids with disabilities. By passing this bill the state of North Dakota would be ensuring that providers are able to meet federal standards outlined in the ADA by allocating the necessary resources.

I urge the committee to support Senate Bill 2298. Thank you for your time and attention.

#10

**Testimony**  
**Senate Bill 2298 – Department of Human Services**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
**February 2, 2011**

Chairman Lee, members of the Senate Human Services Committee, I am Carol Cartledge, Director of Public Assistance Division of the Department of Human Services. I am here today to provide you with information on Senate Bill 2298.

The child care assistance program provides help to low-income families to assist with the cost of child care while the caretaker is engaged in work, training or education. The program is available for children through the child's 12<sup>th</sup> birthday and may cover children up to 19 years of age. Youth ages 13 to 19 may be covered under the program if the need is due to a disability or incapacity verified by medical documentation or if the need is for supervised care as specified in a court order. Families may have a copayment which is based on income, household size and allowable maximum. Allowable maximum is based on the type of provider.

Senate Bill 2298, section two, states, "and other income from the temporary assistance for needy families program." Temporary Assistance for Needy Families (TANF) anticipated carryover into the 2013-2015 biennium is estimated to be \$8 million. The Department receives \$52.8 million a biennium however the spending is expected to exceed the grant amount. Using TANF for this purpose may not be a viable option due to sustainability. First and foremost, the block grant must be used to support the TANF program and Emergency Assistance (foster care and other services).

This concludes my testimony. I would be happy to answer any questions.

# 11

**Testimony  
Senate Bill 2298  
Senate Human Services Committee  
Senator Judy Lee, Chairman  
February 2, 2011**

Chairman Lee and members of the Committee: my name is Carlotta McCleary. I am the Executive Director of ND Federation of Families for Children's Mental Health (NDFFCMH). NDFFCMH is a parent run advocacy organization that focuses on the needs of children and youth with emotional, behavioral and mental disorders and their families, from birth through transition to adulthood.

NDFFCMH supports the establishment of an early childhood services inclusion grant program for licensed early childhood services providers that provide care for children with disabilities or developmental delays.

Mental disorders affect about one in five American children and one in ten experience serious emotional disturbances that severely impair their functioning, according to the Surgeon General's comprehensive report on mental health. Families of young children with mental health needs identify childcare as area of need. Many families have experienced difficulty in getting childcare for their child. It is not uncommon for these children to have multiple dismissals from childcare. In fact, in Partnerships program it is very common need that is identified.

According to the Licensed Child Care Dismissal Study child care providers identified 31% of dismissals were of preschool-age children. The study further identifies behavior problems of the child were a reason for 51% of dismissal cases. Providers said the safety of other children was a

reason for dismissal in 26% of dismissal cases. Providers indicated they did not have enough resources for children with special needs. They indicated the need for one to one staff.

Inclusive child care for children is needed in North Dakota. I am including a link to the dismissal study as well as highlighting a few results from the study. Please support this bill as a first step in addressing this issue for children with mental health needs

Thank you for your time.

Carlotta McCleary, Executive Director  
ND Federation of Families for Children's Mental Health  
PO Box 3061  
Bismarck, ND 58502

Phone/fax: (701) 222-3310  
Email: [carlottamccleary@bis.midco.net](mailto:carlottamccleary@bis.midco.net)

#12

Testimony on Senate Bill 2298  
2011 Legislative Session  
February 2, 2011  
Sen. Lee HS Committee Chairperson

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Senator Lee and Committee Members,

My name is Donene Feist and the state director for Family Voices of North Dakota. Thank you for the opportunity to testify on behalf of Senate Bill 2298.

Data from the Federal Maternal and Child Health Bureau conducted a survey in 2005-2006. This survey identified through the Data Resource Center for North Dakota, <http://www.cshcndata.org/Content/StatePrevalence2005.aspx?geo=North%20Dakota> has identified that there are 16, 541 children in North Dakota with special health care needs.

Locating appropriate child care is difficult for many families. It is even more difficult for families who have a child with special health care needs. In survey data that we have obtained from families the lack of child care and access to appropriate child care for many of these families is a frequent difficult topic. This specific need continues to rise.

As the Director for Family Voices of ND, we hear the frequent stories from families. Lack of child care can cause a family member to work fewer hours and become unemployed to care for their child. Eighteen percent of ND families of children with special health care needs must end employment or decrease the number of hours they work due to their child's special needs. Our families would be greatly helped if quality affordable child care was available to them. Think of the return on investment.

SB 2298 would begin to bridge the gap in assisting not only families, but child care providers' incentives to provide services to children with special health care needs would be greatly beneficial.

All children in North Dakota deserve to have equal access to affordable, high quality, developmentally appropriate and culturally competent child care.

We ask the state of North Dakota to help increase the quality of early care and education for children with special needs. We ask that through this bill increase the number of child care providers that offer inclusive child care.

While this is a great first step, we must also change the mindset of child care language. Being inclusive should be part of all of the language to all who provide child care. In policies and child care activities, including the simple language "Inclusive child care" should be a part of what we want to achieve. Publications, policies, legislative language should utilize the "Inclusive" language.



More times than not when we look at policies for children, we look at the policies for children in general. We often think of children with special health care needs in hindsight. Can we collectively look at the needs of children in an inclusive way from the beginning.

We must set the example, we must be the change agent that we want others to be. Families should not have to ask for inclusive child care. Families through the ADA should have equal access to child care but that simply is not happening.

A necessary component is to increase awareness among parents, child care providers and child care resource and referral agencies of the services available for children with special needs. If we do not provide appropriate awareness and guidance, change will not happen. Children with special health care needs should be included in all early development and child care discussions.

We must continue to improve the delivery of services for children with special needs through collaboration among providers of child care services and special needs services. An advisory group among early childhood providers, agencies and families to monitor, advise, develop and create necessary components to achieve inclusive child care is vital.

An advisory, much like autism task force developed last session, we should consider how we will collectively address the needs of child care for children with special health care needs in North Dakota.



While North Dakota has historically ranked well in children's well-being, we recently ranked 47<sup>th</sup> in the nation for making improvements to children's well-being. In a state which has one of the highest percentages of working mothers, and lacking appropriate child care for this population is tragic.

Speaking on behalf of families of a child with special health care needs and the financial strain we ourselves have experienced, know and understand all too well the financial burden not having appropriate child care places on families. Having appropriate child care can assist a family by maintaining employment or returning to work which is good for the family, the community and the state.

Ongoing dialogue needs to continue to discuss our most vulnerable in this state which is our children. As a state we need to do all that we can to assure our children are taken care of.

Let us remember as each of us makes decisions that will affect children—whether we are parents, educators, health professionals, or government officials—it is our duty to consider if that decision either affirms or denies a child's most basic human rights. This bill will embrace the needs of families and move us forward in the right direction.

Thank you for your consideration.



Donene Feist  
Family Voices of North Dakota  
PO Box 163  
Edgeley, ND 58433

February 4, 2011

#13

PROPOSED AMENDMENTS TO SENATE BILL NO. 2298

Page 1, line 2, after "of" insert "early childhood services inclusion support services and"

Page 1, line 3, after the semicolon insert "to provide a continuing appropriation;"

Page 1, line 7, after "**services**" insert "**inclusion support services and**"

Page 1, line 8, remove "establish an early childhood services inclusion grant program for"

Page 1, replace lines 9 through 15 with "fund early childhood services specialists to make available technical assistance to early childhood services providers that care for children with special needs or developmental delays. The technical assistance program must be designed to:

- a. Assist early childhood services providers that request support and information regarding caring for children with special needs or developmental delays;
- b. Assist early childhood services providers in adapting the program environment and care practices to meet the individual child's needs and to build the early childhood services providers' capacity to serve children with special needs or developmental delays;
- c. In partnership with the child's parents and health care provider, assist the early childhood services provider in the development or coordination of care plans for children with special needs or special health care needs relevant to the care setting;
- d. In partnership with the child's parents, foster communication with the team of specialists serving the child to ensure consistency in therapy practices and appropriate approaches;
- e. Provide classroom training to early childhood services providers to assist the providers in the integration of children with special needs; and
- f. As requested by the early childhood services providers, conduct one-on-one training at the provider's business to assist the provider in the integration of children with special needs."

Page 2, after line 20, insert:

- "6. The department may accept gifts, grants, and donations from any source to assist the department in the establishment and implementation of the early childhood services inclusion support services and grant program. Any gifts, grants, and donations received are appropriated to the department on a continuing basis for the purpose of funding the early childhood services inclusion support services and grant program under this section."

Page 2, line 21, remove "There is appropriated out of any moneys in the general"

Page 2, replace lines 22 through 27 with "The funds provided in this section, or so much of the funds as may be necessary, are appropriated out of any moneys in the lands and

minerals trust fund in the state treasury, not otherwise appropriated, to the department of human services for the purpose of funding the early childhood services inclusion support services and for establishing an early childhood services provider inclusion grant program as provided for in section 1 of this Act, for the biennium beginning July 1, 2011, and ending June 30, 2013, as follows:

Early childhood services inclusion support	\$450,000
Early childhood services grant program	<u>300,000</u>
Total lands and minerals trust fund appropriation	\$750,000"

Renumber accordingly

**ANALYSIS OF THE LANDS AND MINERALS TRUST FUND  
FOR THE 2007-09 AND 2009-11 BIENNIUMS**

	2007-09 Biennium Actual		2009-11 Biennium Estimated	
Beginning balance - July 1, 2009		\$14,056,683		\$32,586,643
Add estimated revenues				
Production royalties	\$23,017,314		\$44,636,219	
Mineral leases	382,874		440,874	
Oil and gas bonuses	10,915,471		106,223,197	
Investment earnings	1,416,649		5,186,431	
Loan repayments from facilities providing services to the developmentally disabled (1983 SB 2020; 1985 SB 2249)	953,784		697,400	
Total estimated revenues		36,686,092		157,184,121
Total available		\$50,742,775		\$189,770,764
Less estimated expenditures and transfers				
Payments to common schools trust fund - Developmentally disabled loan fund Nos. 2 and 3 (2005 SB 2013 - continuing appropriation)	\$1,417,504 <sup>1</sup>		\$697,354 <sup>1</sup>	
Industrial Commission - Oil and Gas Division contingency (2007 HB 1014; 2009 SB 2014)	248,186 <sup>2</sup>		515,207 <sup>2</sup>	
Transfer to the general fund (2007 HB 1014; 2009 SB 2013)	15,000,000		35,000,000	
Office of Management and Budget - Heritage Center expansion (2007 SB 2341)	1,000,164 <sup>3</sup>		499,835 <sup>3</sup>	
State Historical Society - Cold War missile sites (2007 SB 2018)	250,000			
Administrative costs/other fees	240,278		997,075	
Restricted fund income			13,199,731 <sup>4</sup>	
Total estimated expenditures and transfers		18,156,132		50,909,202
Estimated ending balance - June 30, 2011		\$32,586,643		\$138,861,562

<sup>1</sup>Payments to common schools trust fund - North Dakota Century Code Section 15-08.1-09 provides an annual continuing appropriation from the lands and minerals trust fund of the amount necessary to make payments of principal and interest to the common schools trust fund for loans made to developmentally disabled loan fund Nos. 2 and 3.

<sup>2</sup>Industrial Commission - Department of Mineral Resources contingency - House Bill No. 1014 (2007) provides a \$285,000 contingency appropriation from the lands and minerals trust fund to the Oil and Gas Division for the purpose of hiring, upon Emergency Commission approval, up to 2 FTE positions if the average drilling rig count exceeds 30 active rigs for each month in any consecutive three-month period. The Emergency Commission approved a transfer of \$285,000 at its March 14, 2008, meeting. The division spent \$248,186 of the \$285,000 available for the 2007-09 biennium. Senate Bill No. 2014 (2009) provides a \$515,207 contingency appropriation from the lands and minerals trust fund. If funds are required due to the average drilling rig count exceeding 100 active rigs for each month in any consecutive three-month period, the Oil and Gas Division may spend \$319,041 of these funds and hire up to 2 FTE positions, upon Emergency Commission approval. If funds are required due to receipt of an application for solution mining of potash or uranium, the Geological Survey Division may spend \$196,166 of these funds and hire up to 1 FTE position, upon Emergency Commission approval. The division anticipates spending \$515,207 for the 2009-11 biennium.

# 14

<sup>3</sup>Office of Management and Budget - Senate Bill No. 2341 (2007) provided a contingent appropriation of \$1.5 million from the lands and minerals trust fund to the Office of Management and Budget for the Heritage Center expansion project. The appropriation was only available when the State Historical Society certified to the Office of Management and Budget that \$1.5 million of other funds had been received or pledged for the project. The State Historical Society certified to the Office of Management and Budget in May 2007 that \$1.5 million of other funds had been received or pledged for the project. The Office of Management and Budget spent \$1,000,164 of the \$1.5 million for the Heritage Center expansion project during the 2007-09 biennium and anticipates spending the remainder of \$499,835 on the project during the 2009-11 biennium, as permitted in Section 54-44.1-11.

<sup>4</sup>These funds represent oil and gas bonus received from areas of the Yellowstone and Missouri Rivers and Lake Sakakawea where mineral rights are in dispute. Based on the outcome of legal settlements, these funds may need to be returned.

**NOTE:** The estimated June 30, 2011, balance made at the end of the 2009 legislative session was \$3,684,907. The increase in the estimated balance of \$135,139,841 is primarily due to a \$103,936,040 increase in oil and gas bonuses and a \$35,747,211 in production royalties.

#### **FUND HISTORY**

The lands and minerals trust fund originated in 1977 when the Legislative Assembly transferred to the Board of University and School Lands possessory interest in properties obtained by the Bank of North Dakota, including tracts of real property and reserved mineral interests. All income from the sale, lease, and management of the mineral interests relating to these properties is deposited in the lands and minerals trust fund, pursuant to North Dakota Century Code Section 15-08.1-08. The principal and interest of the trust fund may be used only for purposes approved by the Legislative Assembly.

SB 2298-Senator Heckaman's testimony

Good Morning Mr. Chairman and members of the Human Services Committee

I am Senator Joan Heckaman from New Rockford and I represent District 23.

I am here today to introduce you to SB 2298 that establishes a child care grant program for providers who care for children with special needs.

This bill comes as an identified need from the State Autism Task Force. The task force identified lack of child care for families of children on the autism spectrum. In working on the issue, I identified a lack of child care across the state for families with special needs children.

Families with special needs children find it difficult to find child care. One of the reasons is that special needs children often take more care time and the provider is not able to care for as many children as licensed for. So providers don't always accept special needs children into their programs.

This bill before you makes grants available to child care providers so they can financially provide care for special needs children when those children require more care. It also provides for inclusion specialists whose job description will be explained by another presenter.

Others following me will provide specifics, but I want to talk about 4 points.

1. This bill will provide financial supplements and programming services to the providers
2. It will allow parents of special needs children to access the workforce, not only for financial reasons and access to health insurance, but those parents provide important expertise in many careers areas.
3. It will establish a review committee to accept grants and inclusion staff to support the work of the providers
4. And it is "Just the right thing to do". We have child care available for most of our children. Now let's do what's right and provide it for all children and families.

The bill provides an appropriation of \$450,000 for the inclusion staffing positions and \$300,000 for the grants to providers. The funds will be accessed from the Lands and Minerals Trust Funds which by the end of the 2013 biennium is expected to have over \$130 million in it.

Mr. Chairman and members of the committee, that concludes my testimony and I would stand for any questions.

SB 2298  
Senate Appropriations Committee  
February 10, 2011

Chairman Holmberg and members of the Committee--for the record I am Blake Crosby, Manager of the Business Center for North Dakota Child Care Resource and Referral. I am here in support of Senate Bill 2298.

This bill recognizes that North Dakota's 1,400 licensed child care providers, who care for 30,000 children, play a significant role in the care of children with special needs. Keep in mind we could be talking of children with autism, Down 's Syndrome, a wheelchair bound child, or perhaps a child with a feeding tube. Providing care for children with a broad range of special needs, these 1,400 providers are often the first person to recognize if a child is not appropriately developing. They are not only the first responders but also the gatekeepers for that child and the family.

Being skilled and knowledgeable regarding the varied needs of children, without professional support, can make operating a child care business very difficult. To assist those providers, Child Care Resource and Referral delivers training on child care for children with special needs. Over the past 3 years we have offered 38 courses that have been attended by over 1000 child care providers on topics from autism, to developmentally appropriate care, to child care and disability rights law. We even provide a unique class in how to have what can be a very emotional conversation with parents about their child. However, we could never begin to provide training to equip providers with all they need to know. They need individualized professional support that reflects the needs of each child in each care setting.

Tight finances and minimal cash flow make child care a difficult business. Most providers do what they do because they love children, all children. I work on business plans, business practices, and do financial analysis; so I have seen first-hand the financial impact of caring for children with special needs. It is not uncommon for me to review financial statements that show staff wages (very few employees receive health insurance) consuming more than 80% or more of total revenue. There is not money left for needed specialized equipment, appropriate environmental adaptations, or additional staff.

SB 2298

February 10, 2011

Senate Appropriations Committee

Recognizing developmental concerns early on and being able address those concerns in a prudent manner, before the child enters the public school system, is certainly more cost effective than waiting until the child is there on the steps of the school. Coming out of the private business sector, I know that investments on the front end are always cheaper and have a higher return than investments after the fact. This bill provides the link to existing services, encourages early intervention, and complements early diagnosis and care planning.

This is a good bill for children, this is a good bill for tax-paying parents, this is a good bill for the child care industry, and this bill demonstrates our commitment to all citizens of North Dakota.

Thank you for your time this morning. I will stand for any questions.



Senate Appropriations Bill 2298 – Inclusive Child Care Testimony  
February 10<sup>th</sup>, 2011

Chairman Holmberg and Committee Senators

Thank you for the opportunity to testify today. My name is Cathy Haarstad. I am the current board chair of ND FamNet. We are a private, non-profit rural health network serving people with special health care needs in ND. We represent over 12 ND family support agencies and 5000 families who have children with special health care needs.

We are testifying in favor of this bill with its current amendments.

**Workforce Development:** We believe that inclusive child care is a significant component for workforce development in our state. The availability of *inclusive* childcare is critical because providers often hesitate to enroll children with special needs. They feel they do not have the resources or ability to provide adequate care. This leaves parents without care forcing them to quit their jobs or access less-than-adequate care. If care isn't adequate, parents are forced to leave work often, respond to frequent phone calls, and be distracted at work.

**Limitations in Kinship Care:** ND families of children with special health needs who cannot find inclusive child care are either forced to stay out of the workplace or to rely on kinship care. This places a burden on all families but especially military families as they often do not have extended family in the area that they can rely on. As you may know airmen make a very basic salary. Doing without a second income is often a financial burden for these families and many families are already facing high costs associated with caring for a child with special needs. Relying on extended family is sometimes an unreliable system of support as families move, are working themselves or do not have the skills or support to care for our children even though they love them very much.

**Reasonable Course of Action:** We support this legislation because it offers a practical, realistic step towards eliminating disparities in access to childcare services in our state. We believe that ND communities and families are strengthened and economically viable only when safe, affordable, quality and inclusive child care is available.

**Representative Experiences:** As the parent of a child with special needs I can personally testify to how devastating it is to lose childcare because the provider did not understand that our daughter's reluctance to get on the morning school bus was related to her difficulty with transitions as a child with autism. When the provider has no one to turn to for advice or support it is easier to say "You have two weeks to find someone else." I can testify to how difficult it is to see your child dismissed from a child care setting because she chose to climb to the top of the monkey bars on the playground even though

she had been told not to because she didn't understand the negative term "not" or "don't" due to her intellectual disability and limited language development. On that occasion we lost the child care without notice. It may not be legal or even right but we are told by families that it is all too common.

**Building Capacity:** This bill provides for inclusion specialists who can help build capacity among child care providers when parents are on the job where they are not always available to the provider or when we, as parents, don't have the expertise to tell the provider *how* to include our children. We would like to draw your attention to the specific components on inclusion specialists.

**Need:** In ND, we have 1,400 licensed child care programs caring for 30,000 children. 1 in 28 children or approximately 1,000 children in child care have special needs. While this is at best an estimate, we also have to consider that 1 in every 5 children have a special health care need. While this may not constitute a full-fledged disability, it may require additional cares by the provider that are novel or unprecedented for them.

**Responsibilities:** Provider responsibilities vary from caring for children with feeding tubes to diabetes, to autism to emotional or behavioral challenge or intellectual disabilities, hearing loss, vision impairments, using wheelchairs or asthma.

**Care Plans:** In partnership with the child's parents and health care provider, inclusion specialists can assist the provider in the development of care plans for children with special health care needs relevant to the care setting. Care plans are essential for child safety making sure that medications are administered as required, that position changes are provided, that rest periods are given, that allergens are avoided, that hydration occurs and that hygiene is adequate for children that may not wash independently after meals or using the bathroom. Consistency, while important for all children, is essential to prevent emergencies and to allow these children to anticipate and control events and prevent the development of learned helplessness, isolation, and fatigue.

**Non-duplication of Effort:** Inclusion specialist services are directed at the provider in helping the care provider support the child in their setting. These services would help complement other services that are available in our state, but not duplicate them. While some support services do exist, there are a majority of the above noted children that fall through the cracks either due to their age or their condition. Inclusion specialists would also work to link children and their families with additional needed services in their communities.

**Family Support:** Inclusion specialists can assist providers who are concerned about children possibly having developmental delays. They can guide the provider in approaching parents with concerns about delays and help them to identify possible resources for the family.

**Why Training Alone is Insufficient:** When it comes to helping children with special needs be successful in child care, providers need both in-service training and direct one-on-one support. Each child's needs are unique and may require accommodations that are specific to that child and the setting that they are

in. Caring for children with special needs may require some adaptations to the daily routine, to teaching methods, to helping children learn and play, for self care routines and for behavior supports.

Some training is available on-line and face-to-face. Inclusion specialists can help develop or choose more training specific to the child care industry. While providers may be able to read about a condition online, they cannot use the Internet to understand how the condition impacts a specific child or to learn how to demonstrate a new technique that is essential to a child's well being.

Technical assistance can help providers be less intimidated and less cautious about accepting children with special need. Training can be completed but access to technical assistance can motivate providers to take the next step in actually welcoming and including children with special needs.

**Providing Flexible Care Options:** This bill makes it possible for providers to serve children who need additional supervision. Inclusive child care is not just about fences and egress windows, which although helpful, do not support *care*, only caring environments. We believe that using resources to help address limitations in the staff to child ratio is essential to realizing inclusive childcare and should be an option that is planned for using available funding.

**Honoring Family Voices:** Finally, this bill provides a means for bringing family voice to decision-making by creating an advisory committee that would have input into consideration of applications for inclusive child care funding.

**Backing You Up:** We realize that there are many requests for funding and that your job is both difficult to do and to do fairly. We thank you for considering our testimony which we believe is supported by families across ND. If you approve this legislation and it comes to a floor vote we can make certain that the families that we serve are aware of the issue and informed about the need to let the ND legislature know where they stand.

I would be happy to answer any questions from the committee. Thank you!

***Cathy Haarstad***

Chairperson – ND FamNet

1600 2<sup>nd</sup> Avenue SW

Minot, ND 58703

701.837.7505 or 701.858.3042

<http://www.ndcpd.org/ndfamnet/>

## ND FamNet Members

Child Care Resource & Referral  
Children's Special Health Services  
Designer Genes of North Dakota  
Family Voices of North Dakota  
Federation of Families for Children's Mental Health  
Head Injury Association of North Dakota  
Path, Inc.  
Pathfinder Parent Center  
ND Center for Persons with Disabilities  
ND Protection Advocacy Project  
UND Center for Rural Health

### ND FamNet Officers:

Carlotta McCleary, Past Chair  
Federation of Families for Children's Mental Health

Cathy Haarstad, Chair  
Pathfinder Parent Center

Roxane Romanick, Chair Elect  
Designer Genes of North Dakota

Connie Irely, Treasurer  
North Dakota Center for Persons with Disabilities

Donene Feist, Secretary  
Family Voices of North Dakota

A Rural Health Network for Family Support



**ND**  
FamNet  
A Rural Health Network

Contact Information:  
Vicki Troftgruben, Project Director  
500 University Ave West  
Minot, ND 58707

Ph: 800-233-1737

vicki.troftgruben@minotstateu.edu

**ND**  
FamNet  
A Rural Health Network

\* Alternative service available upon request

## Our Mission...

Is to do together what may not be done alone to enhance the well-being of ND families of children, youth and adults with special health care needs or disabilities.



**Our Vision** is that ND families are supported at all stages of the lifespan no matter who they are, where they live or when a need occurs; they achieve their goals and dreams; and they are strengthened through collaborative efforts to support and empower families.

The purpose of the network is to build capacity among partners to achieve health outcomes for rural families in which children have special health care needs or disabilities. This is accomplished through joint projects in benefits counseling, policy development, family and the use of technology to enhance family involvement and leadership.

ND FamNet is currently funded by the Health Resources Services Administration (HRSA) through a Network Development Grant. Agencies may join us for planning discussions, access our website, contribute to our speaker's bureau or training library, participate on one of several work groups, help us showcase family support models or collaborate on grant writing or business development. Participating agencies are encouraged to bring new ideas for collaboration to the attention of the staff or board of directors. We invite ND Rural Health Clinics or Hospitals to collaborate with us on new initiatives or projects to refine or enhance efforts to provide customer friendly valued services to families of children, youth and adults with special health care needs or disabilities.



Agency partners in ND FamNet all provide some type of information or support to families of children, youth and adults with special health care needs or disabilities. We use work groups, discussion forums and joint projects to build our capacity to meet the unique challenges we encounter in serving rural and frontier communities. We are working together to build our capacity to use technology to support and involve families, provide training, showcase what works and communicate across agency lines. Our network is currently supporting initiatives to help partners build capacity in:

- Benefits counseling
- Tele-medicine
- Innovative use of technology
- Inclusive child care
- Adoption of quality standards
- Fundraising and sustainability



We advance policies that help rural families to achieve health outcomes.

Chairman Holmberg and Members of the Senate Appropriations Committee:

My name is Roxane Romanick and I am here today representing Designer Genes of North Dakota. Designer Genes is a Down syndrome support organization consisting of 250 members across the state of North Dakota, mainly consisting of family members raising children with Down syndrome. I am here in support of SB 2298 as amended.

This bill is about promoting inclusive child care. Inclusive child care is defined as full participation by children with disabilities in programs and activities designed for children who are developing typically. Designer Genes of North Dakota is currently a part of a coalition of family support organizations called ND FamNet. One of the set priorities for ND FamNet and its member organizations is inclusive child care. Cathy Haarstad, Board President of ND FamNet, will be submitting written testimony on behalf of ND FamNet. Because of these efforts, I was a part of working with the sponsors on this bill.

This bill establishes two components: a grant program that is available to ND child care providers to specifically assist a child with disabilities or who is at-risk for developmental delays and the addition of two inclusion specialists who can assist care providers statewide.

As stated, the grant program would be administered through the Department of Human Services with the assistance of a grant review committee. We recognize that this places a burden on the Department, but we hope that the value of such a program is worth the effort to figure out a solution. We would be willing to assist in that effort in way that we could.

It is our vision that the hiring of the inclusion specialists would be contracted out to an appropriate entity such as Child Care Resource and Referral. We believe that having inclusion specialists in place within an agency such as theirs would further enhance inclusive efforts in all child care training and support.

Through my work with Designer Genes, I am often in a place of supporting families around a variety of issues. Children with Down syndrome present a myriad of issues that can be perceived as challenging to child care providers, such as delayed developmental skills such as walking or potty training, health problems, behavioral challenges, alternate communication needs, feeding concerns, etc. We often receive questions about how to talk to child care providers about a child's needs or diagnosis. In general, I can tell you stories of success about how child care providers have risen to the occasion and supported children with Down syndrome in their settings, but I also know that parents worry constantly about those placements and whether they will last. In addition, they are constantly working to "beef up" the placement with additional information and communication to the provider. While there are many stories of success, there are also stories of rejection and failed placements.

In 2007, ND Kids Count and Child Care Resource and Referral conducted a survey to look at dismissals in child care. Reported from 538 completed surveys were a total of 244 dismissed cases of children from child care. 51% of those cases were due to behavioral concerns. In 26%



of the cases, it was due to safety concerns for the other children in the care of the provider. What we don't know about the 51% and the 26% is what else was going on with those children. What we know about developmental delays, disabilities, at-risk conditions, and/or special health concerns in young children is that often their communication is behavior. Often their only method of letting others know something is wrong is to act out. This is the vulnerable population that we are talking about today.

We need a few things in North Dakota in relation to making sure child care is available to all children. First off, we need to increase the opportunities to child care access. If families chose or need to work, we need to make sure that they have the option for child care no matter what type of challenges their child brings with them. Then, we need to make the child care options great. We need to make sure child care providers have access to training and specific consultation. What we know from universal design theories in education is that if we design programs to meet our most vulnerable citizens, we also improve the supports for everyone. This can be true in child care as well.

About two years ago, I spoke at a Health and Safety Summit for area child care providers and assisted in setting up a panel of parents of children with special needs that spoke on the accessing child care. I didn't know what kind of an impact the information presented had until I was at the play park at a local mall a couple weeks later and I had a woman approach me. She asked me if I was the woman that had spoke at this training and when I told her I was, she said "I left that day crying. I didn't want to tell anyone that I had turned down a number of people who had called and said that they had a child with a disability. I always believed that I couldn't do it, couldn't care for them, but after hearing all of you parents speak, I really believe that I was being selfish and now believe that I should take a chance."

It is our hope that the grant program will build capacity and will encourage more providers to "take a chance". We need to get support to providers in some form or another and we need to be realistic about it. Sometimes it takes another hand, equipment, or a home modification to make it work. We can talk about the regulations of the Americans with Disabilities Act and the requirements that are placed on child care providers all we want, but in the end, we have to make sure we are realistic and that both providers and children are supported.

On a final note, it is our belief at Designer Genes that inclusive efforts should be infused into all child care and early childhood efforts in North Dakota. While we fully support SB 2298, we think that the components of it should be within a comprehensive systems approach to building capacity in the early childhood system. As I noted before, if we are building systems it should be with a universal design approach so that every child no matter their experiences or situations should be able to "come in the front door."

Thank you for your time.  
Roxane Romanick  
Designer Genes of ND President  
P.O. Box 515  
Bismarck, ND 58502  
[romanick@bis.midco.net](mailto:romanick@bis.midco.net)  
701-258-7421



### Testimony for SB 2298

Beth Nodland, District 32,  
905 N. Anderson St.  
Bismarck, ND 58501  
(701) 223-6306

Thank you for your time and attention this morning and for this opportunity to speak in support of SB 2298.

In 2009, my husband and I started a small business here in North Dakota, we provide archaeological consulting services to industries developing all kinds of energy and infrastructure projects in ND. This little company is doing well, both in the oil field and in other parts of the state; however, in order to grow this company, we need to find child care for our two year old son, for at least part time, sometimes full time, so that we can build this company. There are a lot of parents, especially moms, in North Dakota who have to work, and a lot of them are working multiple jobs, with no benefits. Statistics say more ND moms work than in most other states. Child care is hard to find in North Dakota for everybody. I'm the president and CEO of this company; I have to have time to make it work, so we have to use child care. The reason I'm here today is to make sure you understand how even more difficult it is to find child care if your child has a special need.

Our son, Lochlan Morrison, is 2 years and 10 months old. He is an active and healthy boy who has a diagnosis of Down syndrome. He has been participating with the BECEP Early Intervention program, and goes to five therapy sessions per week at the hospital. Lochlan has had one positive childcare experience and two negative experiences that I'd like to share with you to help you understand what parents face trying to find and keep child care.

My son's first experience was at a brand new facility managed by a woman with a background in special education. She was comfortable enough with kids with special needs that she was willing to train and guide her staff who didn't have any experience. For almost a year it was fabulous. She and her staff participated in Lochlan's Early Intervention program and Individual Family Service Plan, they welcomed Early Intervention consultants into the facility and put their coaching to use. They used the toys and tools and information that specialists brought. This helped Lochlan immensely in the areas where he was delayed, in starting to learn how to feed himself, how to stay focused, play with other kids, and so forth. Three of the facility's staff members volunteered to go to baby signing classes, on their own time, for three evenings, so that they could better communicate with Lochlan. When the other little kids who weren't verbal yet saw how signing worked for Lochlan, when he'd sign for cookies, or milk, or whatever, they started using it, too. The staff started teaching a new sign to everybody every week. It worked so well because, first, the facility was willing to open their doors to Lochlan, second, the facility welcomed the coaching of trained specialists, and third, because the staff were stable and consistent, and had extra tools and information at their disposal.

After a year, unfortunately, the owner made some business decisions that profoundly changed the setting. The center suddenly merged with another, and the number of kids doubled within a week period. The more mature, experienced, and probably more expensive staff (at wages only slightly higher than minimum wage,) were replaced with what was for the most part, transient, part-time high school and college kids. Curriculum and structure disappeared. There was constant shuffling of room assignment, and finally my son's primary play room was assigned to a closed off third stall, an RV stall, of the garage. We found ourselves introducing our son nearly every morning to new, part-time staff. I had to explain to one young woman, after she'd been caring for him all morning, that he was in fact a boy, not a girl. All the special accommodations, tools, and coaching went out the window. Finally, after we learned several things, for example that he wasn't eating anything, because none of the new staff knew he wasn't able to feed himself yet, we pulled him out.

Next he was enrolled at a preschool facility that had never enrolled a child with special needs and had no training. They were not particularly welcoming of outside consultants; I think it went against their theoretical foundations. Lochlan was "fired" after six mornings. The reasons they gave for firing this little two and a half year old were: 1) he liked to put things in his mouth, 2) when he moved through the room, he liked to dump things out, 3) he would try to get the attention of other little kids, and 4) they were unable to communicate with him. The first three are goofy, he's 2 ½, we're not any more concerned about those things than if she accused him of being a "twiddler, a dreamer, and a silly heart." The one that bothers us most is the one about him not communicating. Which I think was a failure on the part of the adults to take a few extra steps needed to accommodate a developmental delay. I think that had they had resources, perhaps people and training, and willingness, they could have easily learned how to understand and communicate with him.

Lochlan actively uses about 55 signs. He gestures, points, makes faces, says "no" emphatically, and stop, and smiles big and claps in agreement. He signs please, and more, and eat and book and kitty and horse. He signs come here, please, and play with balls, and says "oh, no," and signs I'm hungry and my diaper is wet, and I'm sleepy. We provided the facility with a picture dictionary of his most used signs, and a list of web sites that will translate signs, and others tell us that he is a good communicator. I just wonder, what would have happened if he'd have been a child who was deaf or nonverbal, a child with autism, or any other child who couldn't sign, well - he wouldn't have had a chance. What this facility didn't write, but what they complained about most in person, was that he wasn't potty trained. Staff said several times to us: "technically we don't change diapers." To which we would reply, "Technically, because you enroll several kids in diapers and pull ups, you do." But they didn't want to. He was fired.

This potty training thing is an important issue for people with disabilities, especially kids with disabilities. Most typical preschools in the community require kids to be potty trained at 3 years old -- like in our community, the YMCA or the Montessori programs. In reality, most kids with special needs take longer to become potty trained. This precludes kids with special needs from a lot of typical community preschools. Our goal as a nation has been to help these kids succeed in typical community settings so they are ready to succeed in typical neighborhood schools, and then typical community jobs. Yet something so simple as potty training is keeping kids out of neighborhood childcare and preschools.

Could this bill provide funding that would allow facilities to hire staff and maintain changing stations so that kids with disabilities who are delayed in potty training could attend? I think so.

This week, Monday, after a wait of a couple months, Lochlan started at new child care facility, at Super Kids, where they have warmly welcomed him. They have a couple other kids with disabilities and are open to having specialists help make the program fit Lochlan's needs. So now, over the course of the next few months, they will welcome Early Intervention occupational therapists, physical therapists, speech therapists, and program coordinators. Hopefully, they will accept coaching and then, starting in April, a totally different set of specialists will start meeting with them, as he transitions out of EI, into the preschool age program -- new special education coordinators from the School District, new OT, PT, and speech consultants and maybe a few direct service providers. Well, all of this will need coordination at the childcare center, top. and will require more staff time to schedule the meetings, to meet, to learn, to implement, and to report. All of the School District personnel will be looking for measurable results; they will be asking the child care administrators and teachers and aides for data and information in return. This will place a substantial extra burden on the child care facility. Not to mention that it still might take extra time to communicate with and teach my child. And all because they accepted my child with a special need.

At this point, we, his parents are paying for his child care services. We're asking you through this bill to help us bridge the gap with extra support to the child care facility to make sure they are equipped to accept our kids, to keep them willing to train their staff, and be able to allocate time to learn and to juggle our requests for special accommodations. This bill will help them find resources to make the experiences successful, and maybe even to help them become willing to accommodate our kids who are not potty trained. I urge you to support SB 2298.

I will be glad to answer any questions. Thank you Chairman Holmberg and Committee members.



#1

March 14, 2011

SB 2298-Special Needs Child Care

Chairman Weisz and Members of the House Human Services Committee:

Good morning. I am Senator Joan Heckaman from New Rockford and I represent District 23.

I am here this morning to introduce SB 2298 to you. This bill establishes a child care grant program for providers who care for children with special needs. It also provides for inclusion specialists who can build capacity among child care providers.

I serve on the Governor's State Autism Task Force. That task force identified lack of child care for children with autism as a critical need across North Dakota. But this bill does not identify any specific disability for this program. It would serve parents of children with any special developmental or health care needs.

Families with special needs children find it difficult to find child care. Special needs children often take more care time and the provider is not able to care for as many children as they are licensed for. As an example, a provider may be licensed to serve 7 children. If they accept a special needs child, they may only be able to accept 6 children because of the extra care a child may need. The grant portion of this bill will provide a grant to providers to employ additional staff to assist in their child care program.

Parents often have to leave their careers to care for their child or children with special needs. Families do without a second income and the health insurance often important for the care of that child. I feel this bill is an opportunity for these families to return to the work force. These parents have skills important for the economic development of North Dakota.

This bill is good for providers. In partnership with parents and providers, inclusion specialists would assist with care plans for children with special developmental or health care needs. These inclusion services are directed at providers who request that assistance. Others testifying will explain this further in their testimony.

As you can see, this bill is engrossed. Part of those amendments addressed a portion of the bill inadvertently omitted in amending it. But the other amendments were completed by Senate Appropriations. I am pleased that this is one bill that successfully emerged from Appropriations. But I would like this committee to consider amending some of the original requested funding back into this bill. I have attached a suggested amendment on the next page.

This appropriation will come from the Lands and Minerals Trust Fund. That fund is expected to have over \$130 million in it by the end of the 2013 biennium.

Mr. Chairman and members of the committee, as you hear further testimony, I hope you can see the need for this program and give SB 2298 a Do Pass Recommendation. That concludes my testimony and I would stand for any questions.

REQUESTED AMENDMENTS TO SB 2298

P.3 Line 29 change \$100,000 to \$300,000

P.3 Line 30 change \$50,000 to \$150,000

P.3 Line 31 change total of \$150,000 to \$450,000

SB 2298  
House Human Services Committee  
March 14, 2011

Chairman Weisz and members of the Committee--for the record I am Blake Crosby, Manager of the Business Center for North Dakota Child Care Resource and Referral. I am here in support of Senate Bill 2298.

This bill recognizes that North Dakota's 1,400 licensed child care providers, who care for 30,000 children, play a significant role in the care of children with special needs. Keep in mind we could be talking of children with autism, Down's Syndrome, a wheelchair bound child, or perhaps a child with a feeding tube. Providing care for children with a broad range of special needs, these 1,400 providers are often the first person to recognize if a child is not appropriately developing. They are not only the first responders but also the gatekeepers for that child and the family.

Being skilled and knowledgeable regarding the varied needs of children, without professional support, can make operating a child care business very difficult. To assist those providers, Child Care Resource and Referral delivers training on child care for children with special needs. Over the past 3 years we have offered 38 courses that have been attended by over 1000 child care providers on topics from autism, to developmentally appropriate care, to child care and disability rights law. We even provide a unique class in how to have what can be a very emotional conversation with parents about their child. However, we could never begin to provide training to equip providers with all they need to know. They need individualized professional support that reflects the needs of each child in each care setting.

Tight finances and minimal cash flow make child care a difficult business. Most providers do what they do because they love children, all children. I work on business plans, business practices, and do financial analysis; so I have seen first-hand the financial impact of caring for children with special needs. It is not uncommon for me to review financial statements that show staff wages (very few employees receive health insurance) consuming more than 80% or more of total revenue. There is not money left for needed specialized equipment, appropriate environmental adaptations, or additional staff.

SB 2298

March 14, 2011

House Human Services Committee

Recognizing developmental concerns early on and being able address those concerns in a prudent manner, before the child enters the public school system, is certainly more cost effective than waiting until the child is there on the steps of the school. Coming out of the private business sector, I know that investments on the front end are always cheaper and have a higher return than investments after the fact. This bill provides the link to existing services, encourages early intervention, and complements early diagnosis and care planning.

This is a good bill for children, this is a good bill for tax-paying parents, this is a good bill for the child care industry, and this bill demonstrates our commitment to all citizens of North Dakota.

Thank you for your time this morning. I will stand for any questions.

*-Canded in #3  
by  
Blake  
Crosby*

Honorable Members of the House Human Services Committee:

I am Earleen Friez from Hettinger and since I am unable to be present for the Monday March 14<sup>th</sup> hearing for SB2298, I am submitting this written testimony. I support this bill and would greatly appreciate your support in amending the bill within committee to include much needed additional funding dollars.

Child care facilities can not charge parents for the added expense of providing for a special needs child. Facilities are often not able to provide care for a special needs child because they can't afford the cost of additional equipment and/or the extra staff necessary to meet the child's needs. Grant monies in this bill would cover some of these added expenses.

Funding for child care inclusion specialists would be invaluable especially for those providers living in rural areas where such support is critically lacking. It would benefit facilities regardless of location.

My interest in child care is because of:

- Being a teacher for 3 years needing care for our preschool age children
- Being a licensed child care provider in our Hettinger home for 26 years
- Involvement with child care on the state level for the past 25 years including serving on the Early Childhood Services Advisory Board mandated by the 2009 ND Legislature to review and propose changes to the DHS child care rules
- For the past 9 years serving Adams County Development Corporation and Hettinger Area Chamber of Commerce as Office Manager where I am able to see first hand the impact inadequate child care has upon business owners and employees

Thanks you for your consideration of voting for additional funding for this bill and for recommending a do pass vote for SB2298. There is a general shortage of child care slots across North Dakota, and it is a known fact that for parents of special needs children accessing child care is much more difficult.

Earleen Friez, Hettinger cell phone: 701-567-3102 email: bigwhite@ndsupernet.com

Chairman Weisz and Members of the House Human Services Committee:

My name is Roxane Romanick and I am here today representing Designer Genes of North Dakota. Designer Genes is a Down syndrome support organization consisting of 250 members across the state of North Dakota, mainly consisting of family members raising children with Down syndrome. I am here in support of SB 2298.

This bill is about promoting inclusive child care. Inclusive child care is defined as full participation by children with disabilities in programs and activities designed for children who are developing typically. Designer Genes of North Dakota is currently a part of a coalition of family support organizations called ND FamNet. One of the set priorities for ND FamNet and its member organizations is inclusive child care. Cathy Haarstad, Board President of ND FamNet, will be submitting written testimony on behalf of ND FamNet. Because of these efforts, I was a part of working with the sponsors on this bill.

This bill establishes two components: a grant program that is available to ND child care providers to specifically assist a child with disabilities or who is at-risk for developmental delays and the addition of inclusion specialists who can assist care providers statewide.

As stated, the grant program would be administered through the Department of Human Services with the assistance of a grant review committee. We recognize that this places a burden on the Department, but we hope that the value of such a program is worth the effort to figure out a solution. We would be willing to assist in that effort in way that we could.

It is our vision that the hiring of the inclusion specialists would be contracted out to an appropriate entity such as Child Care Resource and Referral. We believe that having inclusion specialists in place within an agency such as theirs would further enhance inclusive efforts in all child care training and support.

Through my work with Designer Genes, I am often in a place of supporting families around a variety of issues. Children with Down syndrome present a myriad of issues that can be perceived as challenging to child care providers, such as delayed developmental skills such as walking or potty training, health problems, behavioral challenges, alternate communication needs, feeding concerns, etc. We often receive questions about how to talk to child care providers about a child's needs or diagnosis. In general, I can tell you stories of success about how child care providers have risen to the occasion and supported children with Down syndrome in their settings, but I also know that parents worry constantly about those placements and whether they will last. In addition, they are constantly working to "beef up" the placement with additional information and communication to the provider. While there are many stories of success, there are also stories of rejection and failed placements.

In 2007, ND Kids Count and Child Care Resource and Referral conducted a survey to look at dismissals in child care. Reported from 538 completed surveys were a total of 244 dismissed cases of children from child care. 51% of those cases were due to behavioral concerns. In 26% of the cases, it was due to safety concerns for the other children in the care of the provider.

What we don't know about the 51% and the 26% is what else was going on with those children. What we know about developmental delays, disabilities, at-risk conditions, and/or special health concerns in young children is that often their communication is behavior. Often their only method of letting others know something is wrong is to act out. This is the vulnerable population that we are talking about today.

We need a few things in North Dakota in relation to making sure child care is available to all children. First off, we need to increase the opportunities to child care access. If families chose or need to work, we need to make sure that they have the option for child care no matter what type of challenges their child brings with them. Then, we need to make the child care options great. We need to make sure child care providers have access to training and specific consultation. What we know from universal design theories in education is that if we design programs to meet our most vulnerable citizens, we also improve the supports for everyone. This can be true in child care as well.

About two years ago, I spoke at a Health and Safety Summit for area child care providers and assisted in setting up a panel of parents of children with special needs that spoke on the accessing child care. I didn't know what kind of an impact the information presented had until I was at the play park at a local mall a couple weeks later and I had a woman approach me. She asked me if I was the woman that had spoke at this training and when I told her I was, she said "I left that day crying. I didn't want to tell anyone that I had turned down a number of people who had called and said that they had a child with a disability. I always believed that I couldn't do it, couldn't care for them, but after hearing all of you parents speak, I really believe that I was being selfish and now believe that I should take a chance."

It is our hope that the grant program will build capacity and will encourage more providers to "take a chance". We need to get support to providers in some form or another and we need to be realistic about it. Sometimes it takes another hand, equipment, or a home modification to make it work. We can talk about the regulations of the Americans with Disabilities Act and the requirements that are placed on child care providers all we want, but in the end, we have to make sure we are realistic and that both providers and children are supported.

On a final note, we ask that you strongly consider restoring the original funding that was included in the bill. We believe that this program help support children with both the components supported.

Thank you for your time.

Roxane Romanick  
Designer Genes of ND President  
P.O. Box 515  
Bismarck, ND 58502  
[romanick@bis.midco.net](mailto:romanick@bis.midco.net)  
701-258-7421

*Handed in #5  
by Roxane Romanick*

**Testimony in Favor of SB 2298 – Jennifer Skjod**

My name is Jennifer Skjod and I live in Mandan, ND. My husband Jim and I have a child with Asperger's, a Sensory Processing Disorder and an Anxiety disorder. Prior to his starting grade school, securing reliable childcare put an extreme burden on our family. My husband and I are both college-educated professionals. We naively thought as long as we were fiscally responsible, we could avoid financial stress.

Finding adequate care for a child with special needs is a real challenge. I never sent our children into care situations without informing potential providers of what to expect. But frankly, anything less than a perfect expectation often resulted in closed doors.

Families with special needs have higher expenses as a rule. It takes more therapy and other interventions to bridge the gap between them and their peers. This can run hundreds or even thousands of dollars per month –even with decent insurance. I find it particularly ironic that those who need to work –to financially support these situations in their families, are often prevented from doing so due to lack of support and incentive in the child care community.

My husband and I started noticing things were not quite right with our child the first time I was called at work to come pick him up. They'd had a fire alarm at preschool and our son was still cowering in a corner with his hands over his ears an hour later.

His care provider that year had a decent reputation. My main complaint was she had the TV on the entire day... and since her home was very small, there was no place my son could escape the TV. They watched shows like Scooby Doo, which might be okay from some kids, but not for a child with anxiety issues. He was up all night. My requests that the children have a break from TV or at least watch less scary shows went ignored.

She complained about him "growling" at the other kids. We were noticing other odd behaviors and so we took him in for an evaluation that resulted in his being diagnosed with a sensory processing disorder or SPD. Physical touch was painful to him and the growling discouraged the other kids from invading his personal space. I brought her some documentation explaining SPD and some strategies for helping him out. But after listening to her husband tell me that SPD was simply some made-up problem people used to defend their children's bad behavior, we decided to make the move to new childcare.

This next woman was just what we had hoped for. She lived in the country. The kids got to be outside for much of the day and there was no TV. I tried to explain that our older child was high strung at times and told her about the SPD. (We didn't know he had Asperger's then as well. He wasn't actually diagnosed with that until the following year in Kindergarten.) I even suggested that we have him come by for an afternoon so he could play with the kids before we made the permanent switch. But she declined that opportunity.

The beginning went really well, but she was very task oriented and our son just didn't fall in line with the other kids. Sometimes he had accidents and that angered her. She wouldn't allow him to play outside on those days. I tried to suggest that we find other methods to curb his behavior since outside time and physical activity seemed to alleviate his stress. I

suggested a reward chart. I contacted Childcare Resource and Referral to see if they could send someone out to observe him in that setting and address some of her concerns. But for every suggestion I had, there was a negative response.

I even put her in contact with our son's occupational therapist. Her husband met me one day at the door told us we should save the money spent on OT and just give our son a "good swat" first thing in the morning.

That night I asked our son if the husband ever spanked him and he said "Yes." I asked if his younger brother ever got spanked and he said "No, because he is good like the other boys."

At that time, we were unable find any licensed care providers willing to take on a child with special concerns in our area. We were forced to place them in an unlicensed home. They were only there for only a month. Again, our child was spanked for having an accident.

The fourth and very last provider we secured in that 6-month period had complained about him being hyperactive and so we took him back to the doctor --who prescribed him some medication. After they were told he was on medication --without providing even 24-hour notice --we were told they would no longer watch him. Evidentially, a child with enough concerns to warrant a prescription was beyond their acceptance.

At that point, I resigned my employment and stayed home with our boys until our eldest began Kindergarten that fall. Even though we tried to be positive, I'm sure the stress of the situation showed. My son woke me up one night to tell me that if I were "thinking of selling him" that maybe his grandparents would like to have a boy because they don't have kids anymore.

We told him that he may have lost preschool, daycare and therapy but we loved him very much and he was not going lose us.

He is a first grader this year. Our situation has improved, we understand his condition better, and the employment challenges for us have lessened. But as spring approaches -- and the school year begins to wrap up, I know we will find ourselves wondering what we will do for care in the summer and if it will impact our employment.



**Testimony for SB 2298**

Beth Nodland, District 32,  
905 N. Anderson St.  
Bismarck, ND 58501  
(701) 223-6306

Chairman Weisz and Committee Members, thank you for this opportunity to speak in support of **SB 2298**.

In 2009, my husband and I started a small business here in North Dakota, we provide archaeological consulting services to industries developing all kinds of energy and infrastructure projects in ND. This little company is doing well, both in the oil field and in other parts of the state; however, in order to grow this company, we need to find child care for our son, at least part time, so that we can build this company. There are a lot of parents, especially moms, in North Dakota who have to work, and a lot of them are working multiple jobs, with no benefits. Statistics say more ND moms work than in most other states. Child care is hard to find in North Dakota for everybody. I'm the president and CEO of this company; I have to have time to make it work, so we have to use child care. The reason I'm here today is to make sure you understand how *even more difficult* it is to find child care if your child has a special need.

Our son, Lochlan Morrison, is 2 years and 11 months old. He is an active and healthy boy who has a diagnosis of Down syndrome. He has been participating with the BECEP Early Intervention program, and goes to five therapy sessions per week at the hospital. Up until last month, Lochlan has had one positive childcare experience and two negative experiences that I'd like to share with you to help you understand what parents face trying to find and keep child care. It's also important to know that we send Lochlan to daycare half days, because we also think it is crucial that he learn to play with kids in the community.

My son's first experience was at a brand new facility managed by a woman with a background in special education. She was comfortable enough with kids with special needs that she was willing to train and guide her staff who didn't have any experience. Lochlan was the only kid there with a disability. For almost a year it was fabulous. She and her staff participated in Lochlan's Early Intervention program and Individual Family Service Plan, they welcomed Early Intervention consultants into the facility and put their coaching to use. They used the toys and tools and information that specialists brought. This helped Lochlan immensely in the areas where he was delayed, such as in starting to learn how to feed himself, how to stay focused, how to play with other kids, and so forth. Three of the facility's staff members volunteered to go to baby signing classes, on their own time, so that they could better communicate with Lochlan. It worked so well because, first, the facility was willing to open their doors to Lochlan, second, the facility welcomed the coaching of trained specialists, and third, because the staff were stable and consistent, and had extra tools and information at their disposal.

After a year, unfortunately, the owner made some business decisions that profoundly changed the setting. The center suddenly merged with another, and the number of kids doubled within a week period. The more mature, experienced, and probably more expensive staff (at wages only slightly higher than minimum wage,) were replaced with what was for the most part, transient, part-time high school and college kids. Curriculum and structure disappeared. There was constant shuffling of room assignment, and finally my son's primary play room was assigned to a third stall of the garage, the RV stall. We found ourselves introducing our son nearly every morning to new, part-time staff. I had to explain to one young woman, after she'd been caring for him all morning, that he was in fact a boy, not a girl. All the special accommodations, tools, and coaching went out the window. Finally, we learned that he wasn't eating anything, because none of the new staff knew he wasn't able to feed himself yet, we pulled him out.

Next he was enrolled at a preschool facility that had never enrolled a child with special needs and had no training. They were not particularly welcoming of outside consultants; it went against their pedagogical foundations. Lochlan was "fired" after six mornings, they called us a half hour before school and said don't bother coming. The reasons they gave for firing this little 2½ year old were: 1) he liked to put things in his mouth, 2) when he moved through the room, he liked to dump things out, 3) he would try to get the attention of other little kids, and 4) they were unable to communicate with him. The first three are goofy, he's 2 ½!, we're not any more concerned about those things than if she accused him of being a "twiddler, a dreamer, and a silly heart." The one that bothers us most is the one about him not communicating. Which I think was a failure on the part of the adults to take a few extra steps needed to accommodate a developmental delay. I think that had they had resources, perhaps people and training, and willingness, they could have easily learned how to understand and communicate with him.

Lochlan actively uses about 55 signs. He gestures, points, makes faces, says "no" emphatically, and "stop," and he smiles big and claps in agreement. He signs please, and more, and eat and book and kitty and horse. He signs "come here, please," and "play with balls," and says "oh, no," and signs I'm hungry and my diaper is wet, and I'm sleepy. We provided the facility with a picture dictionary of his most used signs, and a list of web sites that will translate signs. In addition to the resources we brought, after the first day, we paid a private aide to accompany him 100% of the time to help make it work. They didn't want our aide in the room. I just wonder, what would have happened if he'd have been a child who was deaf or nonverbal, a child with autism, or any other child who couldn't sign, well - they wouldn't have had a chance. What this facility didn't write, but what they complained about most in person, was that he wasn't potty trained. Staff said several times to us: "technically we don't change diapers." To which we would reply, "Technically, because you enroll several kids in diapers and pull ups, you do." But they didn't want to. He was fired.

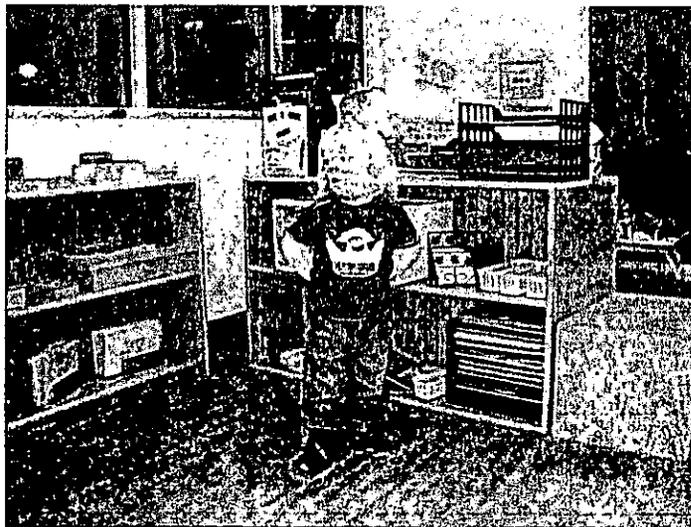
This potty training thing is an important issue for kids with disabilities. Most typical preschools in the community require kids to be potty trained at 3 years old -- like in our community, the YMCA or the Montessori programs. In reality, most kids with special needs take longer to become potty trained. This precludes kids with special needs from a lot of typical community preschools. Our goal as a nation has been to help these kids succeed in typical community settings so they are ready to succeed in typical neighborhood schools, and then typical community jobs. Yet something so simple as potty training is keeping kids out of neighborhood childcare and preschools. Could this grant program provide funding

that would allow facilities to hire staff and maintain changing stations so that kids with disabilities who are delayed in potty training could attend typical preschool? I believe so.

Last month, after a wait of a couple months, Lochlan started at new child care facility, at Super Kids, where they have warmly welcomed him. They have a couple other kids with disabilities and have indicated they are open to having specialists come in to help make the program fit Lochlan's needs. Over the last month, they have welcomed an Early Intervention occupational therapist, a physical therapist, a speech therapist, and our program coordinator. Hopefully, the staff will accept their coaching and then, starting in April, we will introduce a totally different set of specialists who will start meeting with their staff, as my son transitions out of EI, into the preschool age program. Then the School District will send an entirely new set for the summer months -- new special education coordinator, new OT, PT, and speech consultant, and then again a new set in the fall, or back to the old set. **The most important part of this is:** all of this will need coordination at the childcare center, too, and will require more staff time to schedule the meetings, more staff time to meet, to learn, to implement, and to report. All of the School District personnel will be looking for measurable results; they will be asking the child care administrators and teachers and aides for data and information. This will place a substantial extra burden on the child care facility. Not to mention that it will still take extra time to communicate with and teach my child. Extra time to put on his coat, extra time in the potty, extra time at meals, extra time to understand him. And all because they were kind hearted enough to accept a child with a special need.

At this point, we, his parents are paying for his child care services. We're asking you through this bill to provide a grant program to help bridge the gap with extra support to the child care facility to make sure they are equipped to accept our kids, to keep them willing to train their staff, and willing to allocate time to learning strategies, and to juggling our needs for special accommodations. This bill will help them find resources to make the experiences successful, and maybe even to help them become willing to accommodate our kids who are not potty trained. I urge you to support SB 2298.

I will be glad to answer any questions. Thank you Chairman Weisz and Committee Members.



#7

Public Testimony on SB 2298

House Services Committee

3-14-11

Members of the Human Services Committee:

My name is Melanie Hendrickson and I live in Grand Forks ND. I am providing testimony as a parent who is partly responsible for bringing forth and pushing for this bill before you today. My son is 7 and has a variety of special needs who has attended daycare from the age of 2 until the age of 5. He was characterized as fun but a "Handful" and they often wondered how I did it. I worked at the same daycare as he went to and was often called out of my room to deal with my son because they didn't know how to deal with him. My son was diagnosed at that time as Pervasive Development Disorder-not otherwise specified as well as Attention Deficit Hyper Disorder.

It is imperative that you consider replacing all the money that was taken initially from the first time the bill was introduced. You see once you consider exactly how many daycares there are alone in one town say: in Grand Forks and they hire only two para professionals at only 8.50/hr and you multiply that by 5 days well you'll get 136 at 8 hrs a day that would equal exactly 680 per week and if you multiply that for 4 weeks that would equal 2720 and well if you multiply that by 12 that would equal 32,640. And I'm sure if you multiplied that for the 14 daycares we have in Grand forks alone That would equal 456,960. So I question. What is the rest of the Daycares in North Dakota supposed to do?

And well if you read the bill it also states that we would like to help our daycares to provide them with trainings and the other things our children need in order for our kids to get the proper care they need. So again I ask, Ladies and gentlemen, What are our daycares supposed to do?

It is bad enough, that as inflation goes up our daycares will have to charge us parents extra for our special needs children, because they need that little extra care than the other children as I was assured could happen if we do not get the right amount that is needed. It is up to you fair and Loving people to restore what our children need. Just think of the possibilities that could be reached if our children are taught at ages 2 or 3 rather than at 4 and 5? How much further would they be before they reached preschool or elementary?

Thank you for your time.

Melanie Hendrickson

8A-3325 10<sup>th</sup> Street South

Grand Forks, ND 58201

[Melhen34@hotmail.com](mailto:Melhen34@hotmail.com)

701792-9811



P.O. Box 2081  
Bismarck, ND 58502-2081  
701.222.1854  
veronica.zietz@thearcofbismarck.org  
www.thearcofbismarck.org

#8

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**Testimony of Support Senate Bill 2298  
House Human Services Committee  
March 14, 2011**

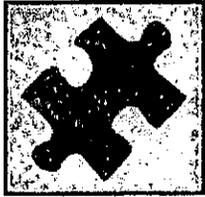
Good morning Chairman Weisz and members of Human Services Committee. My name is Veronica Zietz (#99); I am the Executive Director at The Arc of Bismarck and I'm here today representing both The Arc of Bismarck and The Arc of Cass County. The Arc is an organization that provides education and advocacy to people with disabilities to foster empowerment and full inclusion in the community.

The Arc supports Senate Bill 2398, because it would establish a grant program focused on providing inclusive childhood services to kids with disabilities. This grant will allocate funds to programs that have more preferable staff ratios for the care of children with disabilities as well as necessary adaptations that would ensure services to children with disabilities are appropriately provided. This bill would be a wonderful opportunity for childhood service providers; all while encouraging the development of much needed services for kids with disabilities.

Parents frequently face challenges when trying to find services for their children with disabilities whether that is daycare, afterschool programs or others. Though federal law requires childhood service providers to make reasonable accommodations for children with disabilities, all too often children with disabilities are denied access to programs. Reasons for this typically include a lack of training on the part of the provider; a concern that taking a child with a disability may increase the demands on staff; a belief that the provider will be held responsible for medical issues and a perception that having a child with a disability under their care will drive other customers from their programs. According to the Americans with Disabilities Act, kids are supposed to be evaluated on their individual needs, however this is not always the case and some providers look to a list of excuses so they don't have to take on children with disabilities.

The Arc believes this bill could help remedy the many problems parents have when trying to find appropriate care for their children with disabilities. This bill would encourage childhood service providers to enhance the quality and quantity of programs available to kids with disabilities. By passing this bill the state of North Dakota would be ensuring that providers are able to meet federal standards outlined in the ADA by allocating the necessary resources.

I urge the committee to support Senate Bill 2298. Thank you for your time and attention.



# nd autism connection

Helping Families Connect the Pieces

Mr. Chairman and members of the Committee, my name is Sherris Richards and I am the Director of the ND Autism Connection. I stand before you this committee today in full support of S.B. 2298.

Autism is on the rise today affecting 1 in 91 children. It is growing faster than childhood diabetes and cancer. With this being said, effective education and training for child care centers would be an advantage for children and families living with autism.

I am a parent with a child living with autism that is 9 years old. In years past it has been a challenge to have my child in any type of child care because the staff did not have the training or education to work effectively with my child.

Being in this position to work with families living with autism, I see the same type of frustration and concern that there is not a place to take their child while they work.

I ask that you will move forward in passing this bill as it will not only help families today, but will provide opportunities for the future.

I thank you for your time and would be glad to answer any questions.

Thank you 

#10

SB 2298: An appropriation to establish a grant program for licensed early childhood services providers who care for children with special needs

To: Rep. Weisz and members of the house human services committee

My name is JoAnn Brager and I am the Vice President of Public Policy for the North Dakota Association for the Education of Young Children. NDAEYC represents approximately 400 members who work with or on behalf of children ages birth to eight years of age. NDAEYC's mission is "To serve and act on behalf of the needs, rights and education of all young children."

NDAEYC strongly supports a grant opportunity for early care and education providers to either increase the adult-to-child ratio to provide quality care to children with disabilities and to be able to modify the setting for young children with disabilities or developmental delays. Young children with disabilities often times needs additional assistance in order to be in settings with their peers. This is an excellent opportunity for the children in the early care and education setting both with out and with identified disabilities.

Collaboration of resources that currently work with young children with disabilities includes programs such as Early Intervention (8 regions), preschool special needs programs and Head Start programs. Currently, there is no funding to support the inclusion of children with special needs in child care, but this bill would provide that support. Additionally, the bill could foster collaboration between child care and the agencies that provide services for children with special needs. For example, a Head Start staff in Hebron has her M.Ed. degree in Education with an emphasis in Early Childhood Special Education. The Hebron and Glen Ullin Public Schools contract part of her time to work with children in the Hebron Head Start classroom. The funding provided in SB 2298 would be an opportunity to extend that service to child care providers in those two communities.

Thank you for your time today and I am happy to answer any questions you may have.

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House Human Services Committee  
Sixty-Second Legislative Assembly of North Dakota  
Senate Bill No. 2298  
March 14, 2011

Good morning, Chairman Weisz and Members of the House Human Services Committee, my name is Craig Sinclair. I am a lawyer for the Protection & Advocacy Project. The Protection & Advocacy Project (P&A) is an independent state agency that acts to protect people with disabilities from abuse, neglect, and exploitation, and advocates for the disability-related rights of people with disabilities. I am offering testimony in support of Senate Bill 2298 as submitted to you today.

As a disability rights organization, P&A receives requests from families seeking information on available specialized childcare options for their children with disabilities. SB 2298 will help to provide highly specialized and sorely needed early childcare for children with disabilities or developmental delays.

SB 2298 would allow the Department of Human Services to address a number of early childcare needs for children with disabilities by providing specialized training to providers and raising staff:child supervision ratios. Childcare providers would individually tailor and coordinate childcare plans, incorporating recommendations from outside medical professionals. The improved system would better serve all children in the childcare setting.

The North Dakota Protection & Advocacy Project supports Senate Bill 2298 and encourages you to make a "do pass" recommendation to the full

Senate. Thank you. I would be happy to answer any questions that you may have for me.

SB 7298

### Child Care Funding

	2009-2010			2010-2011			Total		
	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total
Federal Funds	\$ 933,110	\$ 933,110	\$ 1,866,220	\$ 431,843	\$ 431,843	\$ 863,686	\$ 501,267	\$ 501,267	\$ 1,002,534
TANF Funds*	\$ 420,578	\$ 430,581	\$ 851,159	\$ 192,364	\$ 196,365	\$ 388,729	\$ 228,214	\$ 234,215	\$ 462,429
<b>Total</b>	<b>\$ 1,353,688</b>	<b>\$ 1,363,691</b>	<b>\$ 2,717,379</b>	<b>\$ 624,207</b>	<b>\$ 628,208</b>	<b>\$ 1,252,415</b>	<b>\$ 729,481</b>	<b>\$ 735,482</b>	<b>\$ 1,464,963</b>

	Lutheran Social Services			24 Month			Lakes & Prairies			24 Month		
	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total
2009 HB 1418 activity for 18 months			\$ 3,644,000			\$ 1,769,412			\$ 1,874,588			

**Breakdown of TANF Funds\***

	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total	2009-2010	2010-2011	Total
Infant-toddler care	\$ 125,000	\$ 125,000	\$ 250,000	\$ 75,000	\$ 75,000	\$ 150,000	\$ 50,000	\$ 50,000	\$ 100,000
Business support	\$ 295,578	\$ 305,581	\$ 601,159	\$ 117,364	\$ 121,365	\$ 238,729	\$ 178,214	\$ 184,215	\$ 362,429
	\$ 420,578	\$ 430,581	\$ 851,159	\$ 192,364	\$ 196,365	\$ 388,729	\$ 228,214	\$ 234,215	\$ 462,429

**Proposed 2009 HB 1418 Activity**

	2011-2012	2012-2013	TOTAL
Training Delivery	\$ 815,100	\$ 815,100	\$ 1,630,200
Growing Futures Registry	\$ 93,500	\$ 93,500	\$ 187,000
Small business recruit/retain	\$ 804,045	\$ 804,045	\$ 1,608,090
Large business recruit/retain	\$ 788,700	\$ 788,700	\$ 1,577,400
<b>TOTAL</b>	<b>\$ 2,501,345</b>	<b>\$ 2,501,345</b>	<b>\$ 5,002,690</b>

**Proposed Inclusive Child Care Budget**

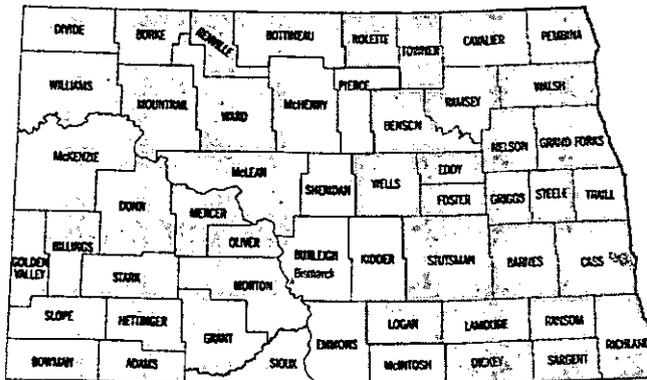
	2011-2012	2012-2013	TOTAL
Consultation	\$ 150,000	\$ 150,000	\$ 300,000
Grants	\$ 25,000	\$ 25,000	\$ 50,000
<b>TOTAL</b>	<b>\$ 175,000</b>	<b>\$ 175,000</b>	<b>\$ 350,000</b>

**TOTAL Child Care Support**

	2011-2012	2012-2013	TOTAL
Federal	\$ 933,110	\$ 933,110	\$ 1,866,220
TANF	\$ 420,578	\$ 430,581	\$ 851,159
2009 HB 1418	\$ 2,501,345	\$ 2,501,345	\$ 5,002,690
Inclusive Child Care	\$ 175,000	\$ 175,000	\$ 350,000
	\$ 4,030,033	\$ 4,040,036	\$ 8,070,069

**Western ND Contact**

Linda Reinicke  
 888-223-1510  
 701-530-2501  
[lreinicke@lssnd.org](mailto:lreinicke@lssnd.org)



**Eastern ND Contact**

Linda Lembke  
 800-452-3646 X7025  
 218-299-7025  
[lindal@lakesandprairies.n](mailto:lindal@lakesandprairies.n)

#

4-13-2011

## SB 2298

# 1

### Intent of the Legislation

Senate Bill 2298 establishes support services for child care providers caring for children with special needs. Money funds:

1. Special need experts to provide on-site training and consultation to providers caring for children with special needs. Services directed at the provider (not the child) and available to providers requesting assistance when caring for children with special needs (identified or unidentified)
2. Grants to help providers accommodate their programs to enable them to better care for children with special needs (e.g. portable wheel chair ramps)

### History

Senate Human Services recommended "do pass" with \$750,000 fiscal note

Senate Appropriations recommended "do pass" with \$150,000 fiscal note

House Human Services recommended "do pass" with \$50,000 fiscal note

House Appropriations recommended "do pass" with \$0 fiscal note

### Background and Need

- Approximately 6,000 children in child care with special needs. In ND, 1,400 licensed child care programs caring for 30,000 children of which approximately 20% have some kind of special need
- Children spend a significant time in child care (to 45 hours a week). The care children receive must follow that prescribed by physicians and therapists
- Providers must have support when caring for children with special needs in the form of one-on-one technical assistance that will be specific to the child and the child's special need

### Funding

- \$300,000 for two staff people
- Recommend providers requesting Commerce grants be given priority if caring for children with special needs

April 15, 2011

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the semicolon insert "to provide for a legislative management study;"

Page 3, after line 22, insert:

**"SECTION 2. LEGISLATIVE MANAGEMENT STUDY - EARLY CHILDHOOD SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and the funding sources for early childhood services recipients and providers. The study must include a review of the various agencies involved in providing grants and other funding for early childhood services recipients and providers. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Page 3, line 29, replace "\$100,000" with "~~\$300,000~~ 150,000"

Page 3, line 30, replace "50,000" with "~~300,000~~ 150,000"

Page 3, line 31, replace "\$150,000" with "~~\$600,000~~ 300,000"

Renumber accordingly

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2298

That the House recede from its amendments as printed on page 1217 of the Senate Journal and pages 1397 and 1398 of the House Journal and that Reengrossed Senate Bill No. 2298 be amended as follows:

Page 1, line 4, after the first semicolon insert "to provide a statement of legislative intent; to provide for a legislative management study; and"

Page 1, line 4, remove "; and to provide an"

Page 1, line 5, remove "appropriation"

Page 1, line 10, replace "shall" with "may"

Page 1, line 10, after "establish" insert "in collaboration with the department of commerce"

Page 1, line 18, replace "shall" with "may"

Page 2, line 17, replace "shall" with "may"

Page 3, replace lines 23 through 31 with:

**"SECTION 2. LEGISLATIVE INTENT - GRANT FUNDING.** It is the intent of the legislative assembly that the funding source for grants provided under section 1 of this Act come from that portion of the grant line item of the department of commerce appropriation attributable to the department of commerce's grants for the early childhood facilities program. The total amount of grants awarded under section 1 of this Act which are funded by the department of commerce grant line item may not exceed fifty percent of the funds available under the department of commerce's grants for the early childhood facilities program, and the grant under section 1 of this Act must comply with the maximum grant amount and matching fund requirements of the department of commerce's grants for the early childhood facilities program.

**SECTION 3. LEGISLATIVE MANAGEMENT STUDY - CHILDREN SERVICES FUNDING.** During the 2011-12 interim, the legislative management shall consider studying the delivery of early childhood services and programs aimed at providing services to children, such as head start, temporary assistance to needy families, the early childhood comprehensive system program, and department of public instruction-approved preschools and the funding sources for the recipients and providers of these services. The study must include a review of the various agencies involved in providing grants and other funding for the recipients and providers of these services. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-third legislative assembly."

Renumber accordingly