

## **Chapter 5**

### **Enrolling Children with Disabilities**

#### **Policies for Services to Children with Disabilities**

Child Care Services (CCS) policies and procedures for serving children with disabilities are intended to:

- Create supportive environments for children and their families
- Provide support to the Provider on Agreement (POA)
- Serve children with disabilities from birth to 19 years old

#### **The ADA and the POA**

The Americans with Disabilities Act (ADA), as amended, went into effect in 1992 and requires public accommodations, including child care centers, licensed child care homes, and registered child care homes, to ensure access for all individuals regardless of disabilities. All child care providers, must comply with this law by accepting children with disabilities into their facility, and by making it possible for parents with disabilities to access child care facilities.

If a POA refuses to provide care to children with disabilities, they must be prepared to justify their enrollment decisions if challenged. A POA must document in writing any efforts to provide for a child's needs and show why they were not successful or readily achievable.

#### **Placing Children with Disabilities**

Parents of children with disabilities have the same right to parent choice as other parents. If parents request specialized care, they will be given a list of POA's who offer specialized care.

Parents may choose to place children according to location or convenience, even if the POA chosen does not have experience caring for children with disabilities.

In both cases CCS staff work closely with POA's who care for children with disabilities.

#### **Confidentiality**

All information the POA has about children with disabilities is confidential. Information about children with disabilities can not be given to anyone, either in writing or verbally, without written permission from the parent. Caregivers working directly with children with disabilities must learn all they can about the children, including the confidential information. Caregivers must not share confidential information with:

- Caregiver staff who do not work with the children with disabilities
- Another POA
- Other parents or visitors

## **Inclusion Assistance Rates**

Every child with disabilities must have an Inclusion Plan that is developed with input from the parents, POA, Child Development Specialist (CDS), and any professionals involved with care of the children.

Additional reimbursement is available when extra adult assistance is needed for the child with a disability. To receive additional assistance, the POA must have a CVWDB approved professional complete a *Form 2419, Assessment Information for Child Care Services* that recommends additional adult assistance. The CDS will help the POA with this process. The additional reimbursement rate is set at 190% of the Provider's reimbursement rate for the age group.

The inclusion assistance rate may be used:

- To help pay for extra staff
- For additional wages to a current staff member who has special skills necessary to help the child with a disability

Inclusion assistance may not be used to pay for counseling, therapy, or medical services. These services may be provided through cooperating agencies and are not considered additional adult assistance needed to include the child in the facility's program.

## **Resources**

Based on the assessment of need by a specialist, CCS will help provide adaptive equipment that may be required for the POA to adequately care for a child with disabilities. The equipment will not be the property of the POA. Adaptive equipment is used by the child with disabilities and will follow the child if there is a change in providers. The equipment will be returned to CCS when the child's care is terminated.

Most communities have resources available to parents of children with disabilities, and most of the resources will be available to the POA. CCS will assist providers in locating local resources, which may include:

- Local Offices of State agencies
- Local Offices of Federal agencies
- Local, state, and national associations for persons with disabilities
- Parent support groups and organizations
- Educational services
- Community Services

## **RULES THAT APPLY**

The following rules apply to information in Chapter 5:

§809.2 (6)–Definitions: Children With Disabilities

§809.41 – A Child’s General Eligibility for Child Care Services

§809.51 – Child Care for Children with Disabilities

## **Remember**

These things must be done when children with disabilities are enrolled:

- Develop and follow a child's inclusion plan.
- Contact the CCS/CDS if a child's disability status changes. For example, when a child no longer attends a special education class.
- Use inclusion assistance funds as intended.
- Maintain confidentiality about children's conditions.
- Contact the CCS if there are problems with placement.