



Together — Children Grow

Quality Child Care for
Children with Special Needs

A Resource for Parents and
Child Care Providers

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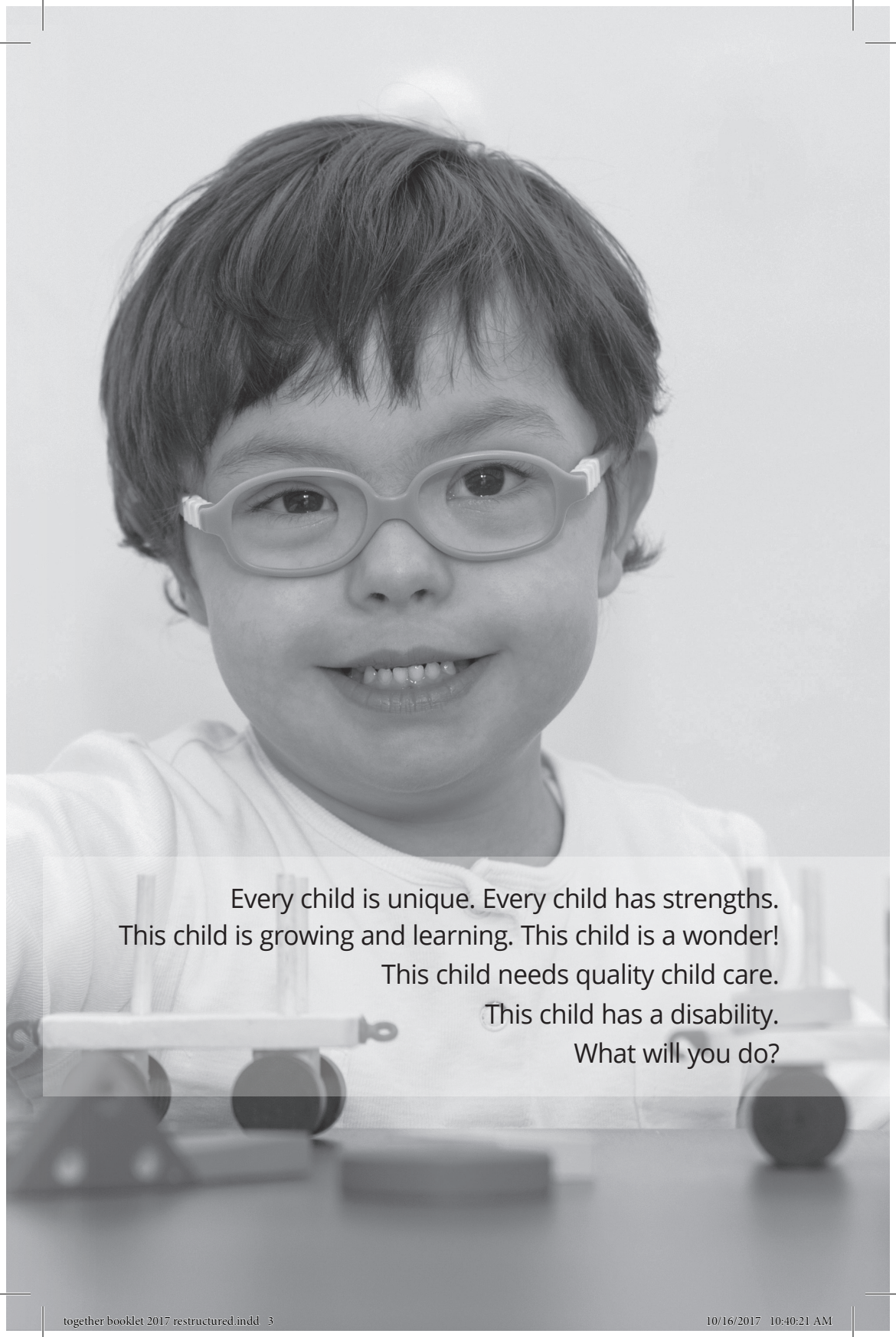
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Every child is unique. Every child has strengths.
This child is growing and learning. This child is a wonder!

This child needs quality child care.

This child has a disability.

What will you do?

Parents Have Concerns

- Will a child care provider want to care for my child?
- Could anyone ever care for my child like me?
- Will other children play and talk with my child?
- Will a child care provider know how to care for my child?
- Will a child care provider contact me if he or she needs more information or help?
- Will a provider be willing to give my child extra time if he or she needs it?
- Will a child care provider know what to do in an emergency?
- What can I do to help make the child care arrangements work well for everyone?



Getting Started

Understanding the Americans with Disabilities Act (ADA)

Under the Americans with Disabilities Act (ADA), family child care homes and child care centers are considered public accommodations and may not exclude or discriminate against parents or children solely on the basis of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency such as a church, parochial school, temple, mosque, etc.

- Child care providers are very skilled and have lots of experience caring for children with a variety of needs. Most child care providers are able to care for a child with special needs. They may just need a little help from the child's family and/or other resources.
- Not all child care providers are aware of their legal responsibilities under the ADA. Parents may need to teach providers their responsibilities and help them understand that working with a child who has a disability can be a positive and rewarding experience.
- Providers cannot deny enrollment to a child with special needs by claiming their staff does not have enough training to care for a child with a disability. It is their responsibility to find the training they need in order to make reasonable accommodations for the child. Parents can help, however, by sharing information about available resources.

(See pages 30-32, Resources)

Suggestions

Talking with providers

Talking with a child care provider for the first time can be intimidating or difficult. You may feel uncomfortable or defensive. Even though your child's disability is secondary to who your child is, child care providers do not know your child yet. They will need to hear about your child's special needs and challenges.

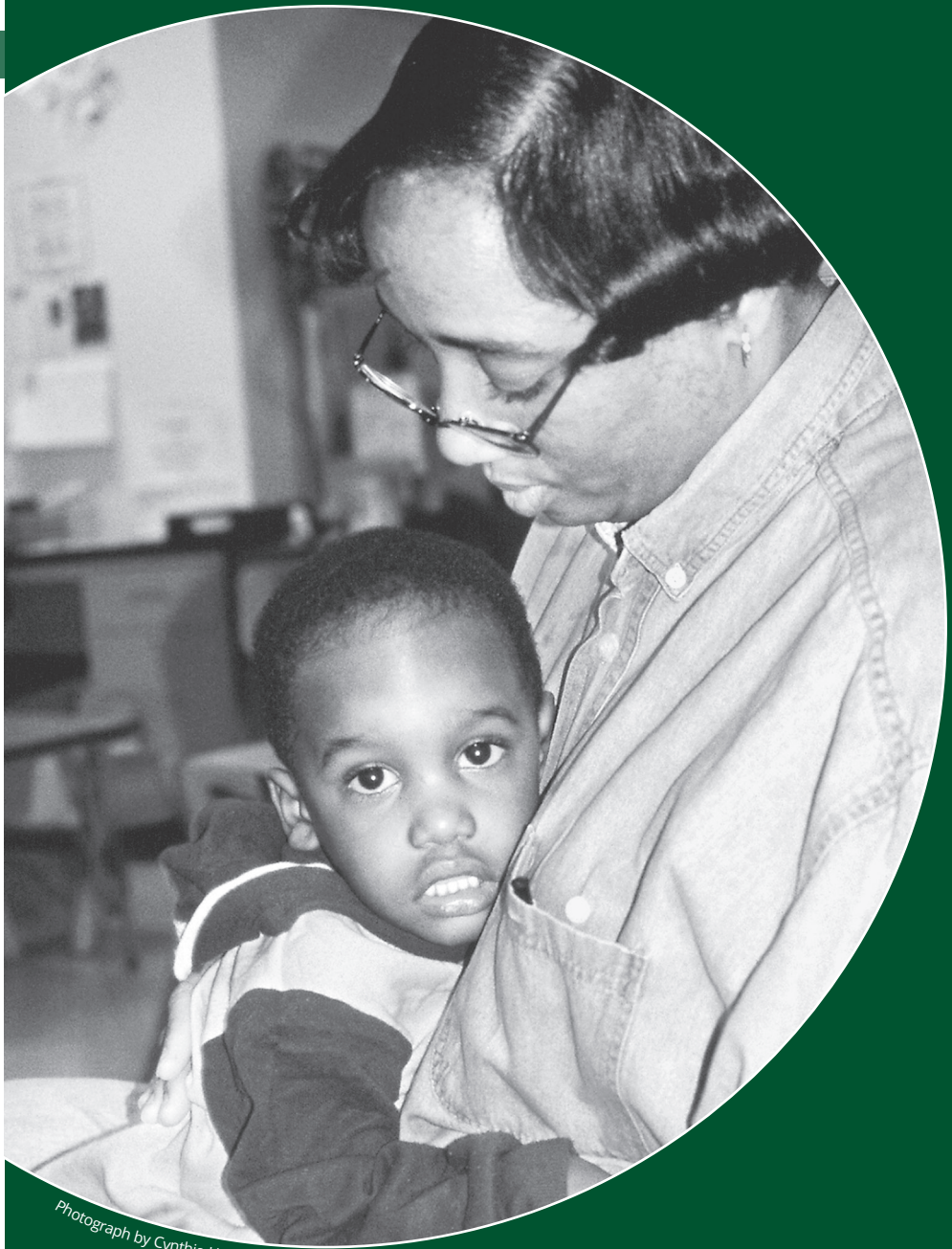
Parents should always start by asking the same general questions about the child care program that any parent would ask. Parents are not required to share information about their child's disability until after they feel confident that the program would be a good one for the child.

General questions include:

- When is the program open?
- Is there currently an opening?
- What experience or training has the provider had?
- How many children are in the group?
- Are meals served?
- How often are the children read to?
- How is discipline handled?
- What is a typical day like?

When the time comes to talk about your child's special needs, be prepared to share important information with the provider. How does my child's disability affect his or her ability to play, follow a routine, get needs met, and play with others? What are my child's most enjoyable characteristics?

(See pages 30-32, Resources)



Photograph by Cynthia H. Mellendorf

"Our provider was hesitant at first. But after she met our son, she realized that she could handle his care just fine."

Parent



Positive Beginnings

What you can do

During the first days and weeks that a child with special needs is in child care, parents and providers can do much to help get things off to a good start. Above all, it is important for parents and child care providers to think of their relationship as a partnership. Children benefit when adults form cooperative and supportive relationships around their needs.

- Give the provider clear instructions for any special techniques or equipment needed for use with the child. Put the instructions in writing and demonstrate. Explore how to build these into the class routine.
- Plan your schedule so that you can spend a little extra time on site with the child during the first days of care to help him or her get used to the new surroundings and to help providers get to know the child.
- Learn the rules and policies of the child care facility.
- Share information about techniques that work at home.
- Share information about community resources and support.
- Keep a positive attitude. Offer support, and help the provider as much as possible.
- Find out what help and support may be available to you or the provider through programs such as Birth to 3, local schools, Head Start and other agencies.
- Remember to ask the provider, "What questions do you have?"
- Work to solve small problems before they become big ones,
- Find time to speak with the provider daily about the child's ongoing progress. Schedule meetings to discuss any more involved issues, and
- Stay positive, offer to help, and maintain a sense of humor.
- Communicate openly and honestly,



"Most parents don't realize
how many excellent resources
are available to them at no cost."

Early intervention specialist

Finding Resources

For children from birth to 3

The Individuals with Disabilities Education Act (IDEA 2004) assures supports and services to eligible children with disabilities and delays. Each county in Wisconsin has a Birth to 3 Program that provides early intervention services to infants and toddlers with developmental delays or disabilities. All providers involved with families develop an Individualized Family Service Plan (IFSP) as a blueprint for services. The IFSP includes goals that reflect family and team priorities and outlines the services, resources, and supports available. The IFSP also identifies what services will be provided, where and by whom. For example, some services are provided in the child's home while others may occur in child care centers. Parents may find out more about services available in their area for children from birth to age 3 by contacting Wisconsin First Step.

For children ages 3 through 21

Each public school district is required under the federal law, IDEA 2004, to provide special education and related services to children with disabilities ages 3 through 21. Parents and school specialists work together to develop a plan, called an Individualized Education Program (IEP), for the child with disabilities. An IEP contains important information about the child's specific disability, optimal methods for teaching and how staff can collaborate to support the child. The IEP also includes goals for the child and expectations of staff members. The IEP defines services in the least restrictive environment that can include child care settings.

Parents may find out more about services available in their area for children ages 3 to 21 by contacting their local school district or Wisconsin First Step. Parents have rights and procedural safeguards within each system mentioned above. (See pages 30-32, Resources)

When parents and child care providers share information, all parties gain — especially the child.

Sharing Resources

Parents are the most important people in their children's lives and know them better than anyone else in the world. Child care providers are skilled at caring for children too. Quality child care providers continue to seek out additional training or experiences annually. When parents and providers come together as experts sharing their support, time and resources, everyone wins.

In many cases there are additional resources available to support and strengthen the parent-provider team. For example, special educators, therapists, and other specialists from county Birth to 3 Programs, or school districts can visit child care programs, arrange staff development opportunities and provide on site technical support. Parents and providers succeed when:

- they agree to be supportive and collaborate.
- they are willing to put in extra time at the beginning of their relationship.
- they share their expertise and knowledge, and keep their focus on the needs of the child.

Sometimes child care providers are among the first to suspect a disability — even before a parent. When this happens, child care providers can provide critical information about disabilities and share information about the importance of early intervention. Child care providers must be careful when sharing sensitive information like this with parents.

Financial Support

Families who have a child with a disability or other special need that also receive support under the Wisconsin Shares Child Care Subsidy program should be aware that they may be eligible to receive additional financial support when seeking care for their child. The Wisconsin Shares Special Needs Inclusion Rate form can be requested by a parent who is seeking a higher subsidy amount to assist a provider in caring for and meeting the needs of their child with a disability.

Parents wanting more information about this program should contact their county or tribal child care coordinator. All decisions concerning a higher subsidy amount are handled on a case-by-case basis. As part of the process, the child care provider is required to document the reason for and how the higher amount will be used to support the needs of the child.

It is important to remember that most children with a special need can be readily integrated into an existing child care program without additional financial support. Providers should search out and take advantage of the technical assistance and/or training available around best practices for including children with special needs. Providers can contact their local Child Care Resource and Referral agency for more information concerning resources and trainings available in their area.

To find out more about Wisconsin Shares, including information about your local or tribal child care coordinator, visit: <https://dcf.wisconsin.gov/wishares>

Legal Responsibilities

While the law makes it illegal in most situations for a child care provider to refuse care on the basis of the child's disability, not all providers are aware of their legal responsibilities. They may tell a parent, "No" due to lack of information. Parents can sometimes overcome this obstacle by trying some of the following strategies.

- Focus on partnership and possibilities – not barriers.
- Assure the provider that he or she has all of the skills necessary to care for the child, if that is the case.
- Offer to spend extra time on site with the child to help the provider become comfortable with his or her special care needs.
- Offer to link the provider with resources such as Head Start, Birth to 3, and local schools and agencies. (See pages 30-32, Resources)
- Offer to help the provider find a way to communicate on a regular basis with family members or others in close support of the child (for example, a communication notebook).
- If the provider has not already met with the child in person, try to arrange for him or her to do so.

When rights are violated

Child care providers and parents both have rights and responsibilities under the Americans with Disabilities Act (ADA). If a parent or provider has questions about rights, contact:

- Disability Rights Wisconsin, 1-800-928-8778
- U.S. Department of Justice, ADA Information Line
1-800-514-0301 (voice), 1-800-514-0383 (TDD)

"Together — Children Grow"

Including all children in child care encourages us all to celebrate their individual differences in a way that has far-reaching benefits for all children, families and caregivers involved.

When we focus on the positive and on the belief that "Together — Children Grow," we build a better world for our children.

Inclusion helps all children:

- make new friends and learn to play with others,
- learn to cope with obstacles,
- see beyond another's disability,
- improve language and communication skills,
- learn to solve the problems in creative ways,
- develop patience and self-confidence,
- learn to be more accepting of others,
- learn to work together and help one another, and
- feel proud of their achievements and happy about the achievements of others.

"Children are our future. If they grow up in a world of inclusion, society will be rewarded down the line. Children enriched by lessons of inclusion will become adults able to look beyond someone else's disability to value that person for his or her abilities. We all have differences, but diversity is to be valued."

-The Arc



Providers Have Concerns

Every provider has strengths. Every provider is learning. Providers worry.

- Do I have the skills to care for a child with special needs?
- Will I be able to meet the child's needs and the expectations of the family?
- Will other children play and talk with the child?
- If caring for a child with special needs requires more time, or more money, where will I find the additional resources?
- Will I need special training or information to care for a child with special needs? If so, whom will I call?
- Will I know what to do if the child needs immediate care or medical help?
- What can I do to help make the child care arrangements work well for everyone?



Getting Started

Understanding the Americans with Disabilities Act (ADA)

Under the Americans with Disabilities Act (ADA), family child care homes and child care centers are considered public accommodations and may not exclude or discriminate against parents or children solely on the basis of a disability. The only exception to this rule is when the facility is under the direct management of a religious agency such as a church, parochial school, temple, mosque, etc.

When a parent asks if a child care program accepts children with disabilities, the provider must in most cases answer, "Yes."

- Many parents of children with disabilities have struggled to find good child care. They may have been frustrated or rejected. Therefore, if they seem hesitant to share information, providers can help by listening and trying to understand.
- Child care providers should never ask specific questions about a child's special needs until after he or she has agreed that the program accepts children with disabilities. Asking too many questions before accepting a child could be a violation of the ADA or be interpreted as screening out children with special needs.
- Each child is a unique human being with gifts, talents and needs. Some children have special health needs or other disabilities. Children's disabilities are as unique as the children who have them.
- Even if you have had an unsuccessful experience caring for a child with special needs in the past, it is likely that having family involvement and support will make your next experience a successful one.



Photograph by Cynthia H. Mellendorf

"She can really do just about everything the other children can do. She just needs a little more help."

Family child care provider

Suggestions

Talking with families

It is important to be sensitive when talking to the parent of a child with a disability. The parent of a child who has special needs, just like any parent, is looking for the best possible care for his or her child. Parents need to hear general information about the child care program first in order to decide whether or not it would be a good fit for the child.

After indicating that the program is open to children with special needs, and answering general questions from the parent, a provider may then ask some questions about the child's disability. Providers need some information about the disability in order to provide the best care possible for the child.

Questions might include:

- What strengths does your child have?
- How does your child communicate?
- What will your child enjoy doing with the other children in the group?
- Does your child need help with self-care activities like feeding, dressing or use of the bathroom?
- If upset, what comforts and calms your child?
- How closely do I need to watch your child beyond usual supervision?
- How might I need to adapt our daily activities in order for your child to participate?
- What type of behaviors can I expect?
- What resources or community networks are you currently involved with that may be able to provide me with information or support related to your child's disability?

Positive Beginnings

What you can do

During the first days and weeks that a child with special needs is in child care, providers can do much to help get things off to a good start. Above all, it is important for providers to think of their relationship with parents as a partnership. A child with special needs, like any child, will benefit most when adults form cooperative and supportive relationships around his or her needs.

- Ask the family and specialist for clear, written information about special techniques or equipment required for the child's care. Become familiar with the information.
- Welcome family members and invite them to spend time at the facility while the child gets used to his or her new surroundings and while you become familiar with his special needs.
- Ask parents what method of comforting and motivation works best for the child.
- Get special directions in writing.
- Know how to reach the parent during the day if questions come up.
- Budget time to speak or meet with any specialists that the child may already be working with (e.g. staff from Birth to 3, school district, Head Start).
- Make all facility rules and policies clear.
- Make the child feel welcome from the first day. Introduce him or her to classmates. Have special equipment and accommodations prepared and explain them to classmates.
- Find time to speak with parents daily about the child's ongoing progress and schedule meetings to discuss any more involved issues.
- Remember that all parents like to hear good things about their children.
- Schedule meetings to discuss any more involved issues.
- Stay positive and maintain a sense of humor.
- Offer to help.
- Communicate openly and honestly.





"We really appreciate it when parents share what they know about available resources. In turn, we do our own research and let parents know what we find."

Director, group child care center

Finding Resources

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Child care providers are not required to attend IEP meetings nor follow the IEP goals. When parents and providers collaborate with others to support the child, however, everyone benefits — especially the child. Parents may, for example, invite their child care provider to review the IEP, attend IEP meetings, and make suggestions for integrating goals and activities.

When parents and child care providers share information, all parties gain — especially the child.

Sharing Resources

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It is important to remember that most children with a special need can be readily integrated into an existing child care program without additional financial support. Providers should search out and take advantage of the technical assistance and/or training available around best practices for including children with special needs. Providers can contact their local Child Care Resource and Referral agency for more information concerning resources and trainings available in their area.

To find out more about Wisconsin Shares, including information about your local or tribal child care coordinator, visit: <https://dcf.wisconsin.gov/wishares>

Legal Responsibilities

While the law makes it illegal in most situations for a child care provider to refuse care on the basis of the child's disability, not all providers are aware of their legal responsibilities, which can result in rights being violated.

When rights are violated

Child care providers and parents both have rights and responsibilities under the Americans with Disabilities Act (ADA). If a parent or provider has questions about rights, contact:

- Disability Rights Wisconsin, 1-800-928-8778
- U.S. Department of Justice, ADA Information Line
1-800-514-0301 (voice), 1-800-514-0383 (TDD)

Americans with Disabilities Act (ADA)*

Frequently asked questions

This section contains some brief questions and answers that will help you to understand the ADA and how it affects you.

The ADA requires child care programs to accept a child if doing so is “readily achievable” and does not require “fundamental alterations to the existent program.” What does this mean?

Basically, these terms mean that making changes to the program, policies, curriculum or staffing patterns, etc., can be done relatively easily, without significant difficulty or expense. This is determined based on the nature and cost of the action needed and in light of the resources available to the individual child care provider(s).

What if a child care center’s insurance company says it will raise the rates if children with disabilities are enrolled? Do centers still have to admit these children?

Yes. Higher insurance rates are not a valid reason for excluding children with disabilities from a program. The extra cost should be treated as an overhead expense and be divided equally among all paying customers.

How is it decided if a child with a disability belongs in a certain child care program?

Providers cannot assume that a child’s disabilities are too severe for the child to be integrated successfully into the center’s child care program. The center must make an individual assessment about whether it can meet the particular needs of the child without fundamentally altering the program. In making this assessment, the child care provider must not react based on preconceptions or stereotypes about what children with disabilities can or cannot do or how much assistance they may require. Instead, they should talk to parents and others familiar with the child.

If the center has a full waiting list, does it have to accept a child with disabilities ahead of others?

No. ADA does not require that providers accept children with disabilities out of turn.

Can child care providers charge the parents of children who have disabilities more to provide their care?

No. ADA prohibits centers from imposing charges on individuals with disabilities to cover the costs of measures necessary to ensure non-discriminatory treatment (such as removing barriers or providing qualified interpreters). Such costs should be passed on to all participants like any other overhead cost.



If the center specializes in “group care,” can it reject a child because he or she needs individualized attention?

No. Most children will need individualized attention occasionally. If a child who needs one-on-one attention due to a disability can be integrated without fundamentally altering a child care program, the child cannot be excluded solely because he or she needs one-on-one care. It is important to assess whether the child truly needs constant individual attention in this environment. For example, a few children require an individual assistant in a school or academic setting due to their learning needs, but in a child care setting, where activities are more socially oriented, they might only need special attention at specific times of the day.

If an older child has delayed speech or a developmental disability, can centers place the child in an infant or toddler room?

Generally, no. Under most circumstances children with disabilities must be placed in their age-appropriate classroom. Discussion between parents and staff is always important to consider individual needs and circumstances.

Must centers admit children with cognitive disability and include them in all center activities?

Yes. The center must take reasonable steps to integrate children into every activity provided to others. If other children are included in group singing or playground expeditions, children with disabilities should be included as well. Segregating children with disabilities is not acceptable under ADA.

Can centers exclude children with HIV or AIDS from the child care program to protect the other children or the employees?

No. According to the vast weight of scientific authority, HIV/AIDS cannot be easily transmitted during the types of incidental contact that take place in the child care setting. Children with HIV or AIDS can generally be safely integrated into all activities. Caregivers should take universal precautions — such as wearing latex gloves — whenever they come into contact with any child’s blood or bodily fluids.



If a center's policy states that it does not accept children over age 3 who need diapering, can it refuse to accept children older than 3 who need diapering because they have a disability?

No. Centers that provide personal assistance services such as diapering or toileting assistance for young children must reasonably modify their policies and provide diapering services for older children who need it due to a disability.

What about children whose presence is dangerous? Must they be accepted too?

No. Children who pose a direct threat — substantial risk of serious harm to the health or safety of themselves or to others — do not have to be admitted into a program. The determination that a child poses a direct threat may not be based on generalizations or stereotypes about the effects of a particular disability: it must be based on an individual assessment that considers the particular activity and the actual abilities of the individual.



If the center has a policy that it will not give medication to any child, can it refuse to give medication to a child with a disability?

No. In some circumstances it may be necessary to give a child with a disability medication in order to make a program accessible to that child. While state laws may differ, generally speaking, as long as reasonable care is used when following the doctor's and parents' or guardians' written instructions about administering medication, centers should not be held liable for any resulting problems.

If a center has a "no pets" policy, do they have to allow a child with a disability to bring a service animal such as a seeing eye dog?

Yes. A service animal is not a pet. The ADA requires that "no pets" policies be modified to allow the use of service animals by a person with a disability. Centers do not have to abandon their "no pets" policy altogether but simply make an exception to the rule for service animals.

What about children who hit or bite?

The first thing a provider must do is try to work with the family to see if there are reasonable ways of correcting the child's negative behavior. If reasonable efforts have been made and documented and the child continues to bite or hit other children or staff, he or she may be expelled from the program even if he or she has a disability. The ADA does not require providers to take action that would pose a direct threat or substantial risk of harm to anyone else. Centers should not, however make assumptions about how a child with a particular disability might behave. Each situation must be considered individually.

Are there any special requirements for transporting children with disabilities?

Yes. Under the ADA, child care centers must apply all of the same regulations to transportation as they do to their center programs. Barriers to equal access to transportation must be removed. It is not mandatory for centers to retrofit existing vehicles with hydraulic or other lifts. Any new vehicles added to the transportation service, however, must adhere to regulations issued by the Department of Transportation. Children with disabilities should be accommodated and included in field trips and other areas where transportation is provided.

* Condensed from The Americans with Disabilities Act, Questions and Answers, a publication of the Equal Employment Opportunity Commission and the U.S. Department of Justice, Civil Rights Division.

Resources

The following resources contain valuable information about a wide range of disabilities and services from both local and national organizations and agencies.

Public Health

Wisconsin First Step Information and Referral Hotline

1-800-642-STEP (7837)

www.mch-hotlines.org/mch-hotlines/wisconsin-first-step/

The best place to start for information about services for young children with special needs including the Wisconsin Department of Health and Family Services, Birth to 3 Program, public schools, therapists and Centers For Children With Special Health Care Needs.

State of Wisconsin

Wisconsin Department of Health Services - Birth to 3 Program

(608) 266-8276 dhfs.wisconsin.gov/bdds/birthto3

Provides early intervention services in the form of physical, occupational, educational or speech therapy for children from birth to 3 years of age.

Wisconsin Department of Public Instruction - Early Childhood Special Education Program

(608) 266-3390 or 800-441-4563 dpi.wi.gov/sped

Government agency that oversees the quality and funding of public schools, including services for children with special needs.

Wisconsin Department of Children and Families - Child Care, Licensing and Subsidy Programs

dcf.wisconsin.gov

ADA Rights and Responsibilities

U.S. Department of Justice

1-800-514-0301 (voice) or 1-800-514-0383 (TTY)

www.justice.gov/crt/disability-rights-section

Individuals with Disabilities Education Act (IDEA)

U.S. Department of Education

<https://sites.ed.gov/idea/>

Advocacy

Disability Rights Wisconsin

1-800-928-8778 www.disabilityrightswi.org

The Arc - Wisconsin

(608) 422-4250 <https://arcwi.org/>

The Arc is a statewide membership organization serving people with developmental disabilities and their families.

Additional Resources

Early Childhood Inclusion

<https://dcf.wisconsin.gov/youngstar/eci>

A website dedicated to providing inclusion-focused information, resources and training to Wisconsin's child care providers and parents with children with disabilities.

Wisconsin Early Childhood Collaborating Partners

www.collaboratingpartners.com

This website provides a wide range of information, resources, and links related to early childhood education and care in Wisconsin.

Supporting Families Together Association

608-443-2490 or 888-713-KIDS (5437)

<https://supportingfamielstogether.org/>

This statewide association assists child care programs in linking to resources and other programs available for children with or without disabilities.

The Registry

(608) 222-1123 <https://www.the-registry.org/Home.aspx>

Information on the Inclusion Credential

<https://www.the-registry.org/Credentials/Inclusion.asp>

Wisconsin Alliance for Infant Mental Health

608-442-0360 www.wiamh.org

Promoting social and emotional well-being for all infants and children in Wisconsin.

United Cerebral Palsy

800-872-5827 <http://ucp.org/>

UCP of Greater Dane County (608) 273-4434 <http://www.ucpdane.org>

UCP of West Central Wisconsin (715) 832-1782 <http://upcwcw.org>

Serving people of all ages and with all developmental disabilities. An excellent resource for a wide range of disability-related information.

Wisconsin Child Care Information Center (CCIC)

1-800-362-7353 <https://dcf.wisconsin.gov/ccic>

Free lending library for child care professionals. Videos, books and other disability-related resources can be mailed to child care providers and instructors.

Wisconsin Projects

Wisconsin Model Early Learning Standards (WMELS)

<http://www.collaboratingpartners.com/wmels-documents.php>

The Wisconsin Model Early Learning Standards provide a common language and guidance for families, professionals, and policymakers around early childhood education and care.

Wisconsin Core Competencies

<http://www.collaboratingpartners.com/professional-guidance-wi-core-competencies.php>

The Wisconsin Core Competencies are expectations for what the workforce should know (content) and be able to do (skills) in a respectful & competent manner (attitudes) in their roles working with and/or on behalf of children and their families. The Core Competencies are organized under 12 Content Areas

Comprehensive and Aligned System for Early Childhood Screening and Assessment: Wisconsin's Blueprint

<http://www.collaboratingpartners.com/child-find-screening-screening.php>

Provides information and resources to build a strong system of screening and assessment, ensuring children are provided what they need from professionals across disciplines.

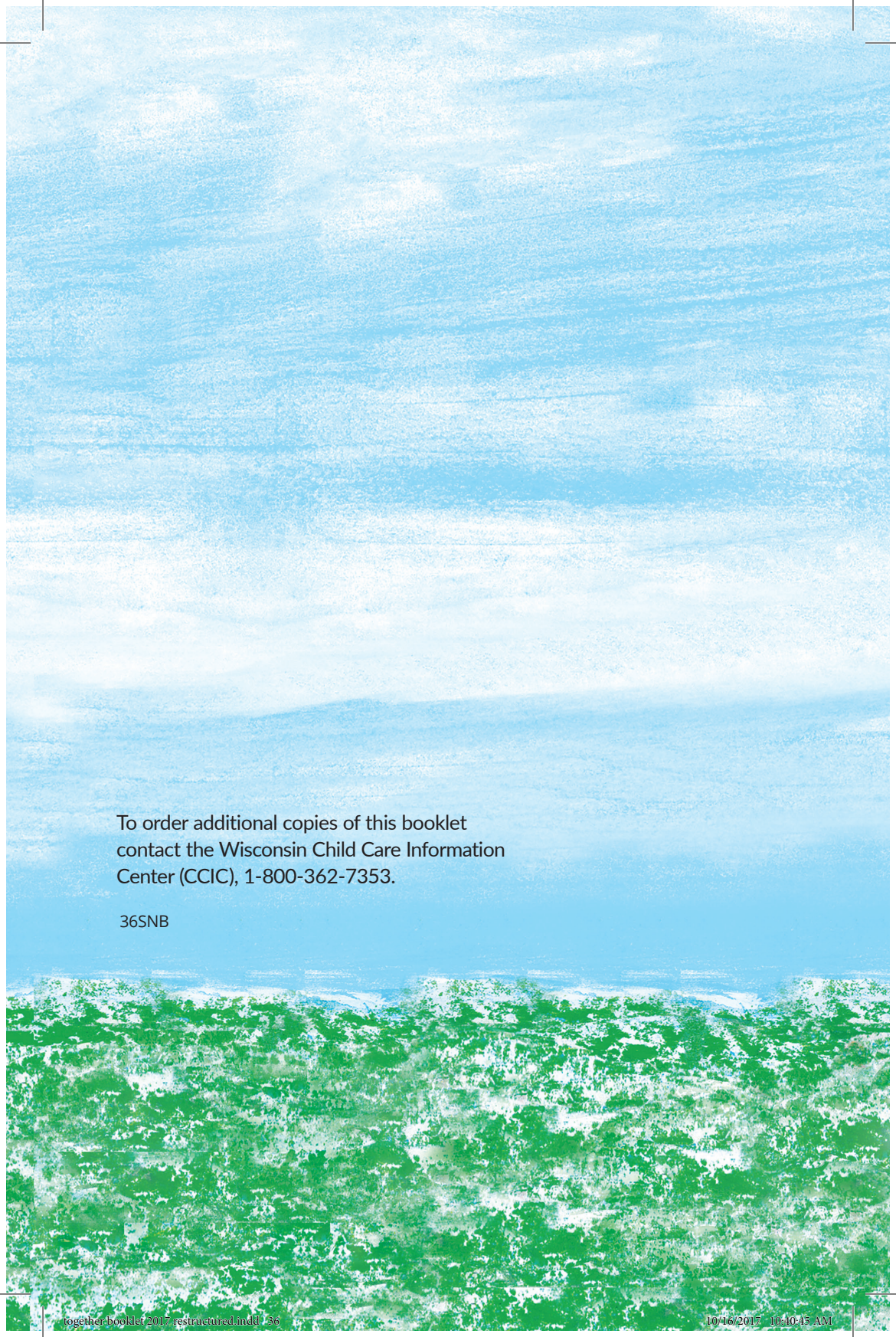


414-562-2650

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