Suspension and Expulsion in the Early Years

Thursday, July 12, 2018
2:00 p.m. ET/1:00 p.m. CT/Noon MT/11:00 a.m. PT
About NCSL

- National bi-partisan membership organization
  - 7,383 legislators and all legislative staff
  - Offices in Denver and Washington, D.C.
- NCSL is committed to the success of all legislators and staff. Our mission is to:
  - Improve the quality and effectiveness of state legislatures.
  - Promote policy innovation and communication among state legislatures.
  - Ensure state legislatures a strong, cohesive voice in the federal system.
Access webinar resources
Agenda

- Overview of research related to early childhood expulsions and suspensions
- Highlights of potential role of state policy and supports
- Legislative response/reflection
  - Illinois
  - Ohio
- Q & A
• NCSL has hosted the Early Learning Fellows program since 2011
• Competitive application process
• For NCSL members that are experienced or emerging leaders on early childhood and early learning issues
• Geared toward those chairing or serving on human services, education or appropriation committees who want to expand their knowledge and learn from other legislators and experts across the country
• Learn more about the program by visiting: www.ncsl.org/fellows7
Presenter

Carey McCann

- Assistant Director of State Services, BUILD Initiative
- Previously worked at the Ounce of Prevention Fund
- Started her career with six years in child welfare in Rochester, New York.
Legislative Respondents

Senator Omar Aquino

Legislative Service:
2016 - Present
Committees:
Vice Chair, Telecommunications & Info Technology.
Member
Appropriations I.
Appropriations II.
Committee of the Whole.
Education.
Human Services.
Labor.
Licensed Activities and Pensions.
2018 NCSL Early Learning Fellow

Senator Peggy Lehner

Legislative Service:
2011 – Present
Committees:
Chair, Joint Education Oversight Committee.
Vice Chair, Finance.
Member
Education.
Local Government, Public Safety, and Veterans Affairs.
Rules and Reference.
Transportation, Commerce, and Workforce.
Correctional Institution Inspection.
Legislative Service Commission.
2016 NCSL Early Learning Fellow

Senator Gayle L. Manning

Legislative Service:
2011 – Present
Committees:
Chair, Joint Education Oversight Committee.
Vice Chair, Finance.
Member
Education.
Local Government, Public Safety, and Veterans Affairs.
Rules and Reference.
Transportation, Commerce, and Workforce.
Correctional Institution Inspection.
Legislative Service Commission.
2016 NCSL Early Learning Fellow
Expulsion and Suspension in Early Childhood Settings: A National Overview

Carey McCann, BUILD Initiative
NCSL Early Learning Fellows
Webinar | July 12, 2018
Getting on the same page...

- Brief review of the research
- 3 dimensions of expulsion practices
- Role of state policy
We don’t call it expulsion...

- Please pick your child up early today
- Don’t bring her in tomorrow
- Why don’t you have him join us for half days for the next few weeks
- Our program just isn’t right for your child
- We can’t provide the services that your child needs
Program Leader’s Guide to Supporting All Children’s Success

• Remove from activities that include other children
• Remove in the short-term or limit the time a child attends the program
• Dismiss a child permanently
• Encourage families to voluntarily terminate services, “soft expulsion”

Caring for Our Children: National Health and Safety Performance Standards

• Terminating enrollment because of challenging behavior or health condition
• Reductions in the amount of time in attendance at the setting
• Other services are limited on the basis of challenging behaviors, e.g. denying outdoor time, withholding food, and using food as a reward or punishment
Research tells us...
Why Focus on Expulsion and Suspension?

• Suspension and expulsion are stressful and negative experiences that can impact child outcomes.

• Expulsion or suspension early in a child’s education predicts later expulsion or suspension in school.

• Young students who are expelled or suspended are as much as **10 times** more likely to:
  - Drop out of high school
  - Fail a grade
  - Be incarcerated
How Often?

10.4% of Pre-K teachers expelled 1 or more in past year

Three Strikes

Strike #1: Older Boys
- Boys 3½ times more likely than girls
- 4-year-olds 50% more likely than 3’s

Strike #2: Black Children
- Expelled at 2x the rate of White children; 5x the rate of Asian children
- Make up 18% of enrollment, but 48% of children suspended more than once

Strike #3: Setting
- High teacher-child ratios
- High teacher stress
- Long school day
- Too little or too restrictive structure
- No consistent availability of a mental health consultant
- Private and faith-based child care
Infant Toddler

A study in Chicago found that 42% of birth to three child care programs expelled at least one child in the previous year because of behavior.

A study of Philadelphia found that 26% of child care programs had expelled at least one child in the past year and that toddlers were just as likely as preschoolers to be asked to leave the child care setting.
Three Dimensions of Expulsion to Consider
1. Lack of Knowledge of Child Development

- Social-emotional development occurs in context of family, community and cultural expectations.

- Challenging behavior is a part of typical child development and offers “touch points.”

- Cross-cultural differences in children’s expression and interpretation of emotions, e.g. anger, shame, exuberance of positive emotions.

- Expulsion and suspension can pathologize child behavior and increase disparities.
Address Knowledge & Practice

• NSECE study found only 20% of providers reported receiving training on facilitating social-emotional growth in the past year

• Workforce needs knowledge and skills to
  ▪ Understand how children’s emotional responses may reflect cultural expectations and learning
  ▪ Communicate classroom expectations in a child’s first language
  ▪ Support social-emotional learning
  ▪ Examine their own teaching and discipline practices
  ▪ Distinguish concerning behaviors from developmentally appropriate behaviors
2. Understanding Racial Disparities in Expulsion Rates

- At kindergarten entry, Black and White parents equally rated their children’s persistence, approaches to learning, and social interactions, but teachers rated Black students as having a distinct disadvantage relative to White students.
- Disproportionate levels of discipline by race.
- Mixed impact when background information on familial stressors is made available.
Implicit Bias as One Explanation

Growing evidence indicates...

• Black boys are perceived as less innocent, less human and more deserving of punishment

• Threat commonly associated with Black men may be generalized to Black boys as young as 5

• Underprepared early learning teachers are more likely to use punitive and rejecting disciplinary techniques
Countering Disparities

- Institute organization-wide processes and practice to support individuals placing cognitive effort over intuition, e.g.
  - Explicit procedures when a challenging behavior happens, e.g. discipline practices
  - Engage in ECMH consultation
  - Provide reflective supervision
  - Offer professional development and coaching
3. Trauma Behavior Connection

- Approximately 10 to 14 percent of children from birth to age 5 experience emotional, relational, or behavioral disturbance.

- Children experiencing trauma arrive at school less ready to learn.

- Exposure to violence can diminish concentration, memory, organizational, and language abilities.

- Quality of early learning settings is *even more* important.
Reflections

• “Expulsion is not a child behavior; it is an adult decision” Walter Gilliam

• Eliminating expulsion is the goal, not necessarily the policy

• It is not a single-factor problem - requires a multi-pronged approach and supports
Why does it feel complex?

• Subjectivity in what behavior is considered challenging
• Many types of exclusionary practices
• Program characteristics may provoke or contribute to children’s behaviors
• Increased understanding of why racial disparities exist
• Lack of supports for the workforce
Role of State Policy
COMPONENTS OF A STATE STRATEGY

**Goal**
- Governance
- State Goals and Road Map
- Data

**Policy**
- State Policy & Protocols on Expulsion
- Policies related to Program Characteristics
- Child Care Assistance
- Work Conditions

**Supports**
- Hotline/Triage
- Training & Coaching
- IECMH Consultation
- QRIS
- Alignment of TA Providers

**Services**
- Developmental Screening & Referral
- Early Intervention & Special Education
- Health, Mental Health, and Family Support

Cross-cutting: Family Partnerships and Racial & Gender Equity
Possible Role of Legislation

• Are program components or state financing for preschool and child care in statute?

• What data could be collected across state agencies re: prevalence, what is happening in programs, and how are the supports working?

• What are available supports re: professional development and mental health consultation?

• Are there clear expectations or requirements around protocols and procedures?
State Example: Arkansas

• Cross-system and sector planning group
• Hotline/Triage
• Tiers of BehaviorHelp
  ▪ Technical Assistance & ECMH Consultation
  ▪ More than 600 children referred over 2 years
  ▪ Across the age range, majority 4- & 5-year-olds
  ▪ 82% male
  ▪ 37% have experienced significant trauma
  ▪ Expulsion avoided in more than 90% of cases
• Core 6 Trainings
• Evaluation
Arkansas: Financing

• Triage specialists pulled from within various units within DHS

• Shifted resources to expand ECMHC to several new sites

• All other services funded by redeploying existing staff and resources

• TA and ECMHC funded through CCDF and state pre-k quality improvement dollars
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Cross-cutting: Family Partnerships and Racial & Gender Equity
Building a Comprehensive State Policy Strategy to Prevent Expulsion from Early Learning Settings

Closing Reflection
Preventing Expulsion ...

• Build the capacity of and supports for the workforce
• Bring a expulsion prevention lens to current efforts
• Determine what will be the new focus
• Involve all helpers
• Pick a starting point and build momentum
For more information

Carey McCann, Assistant Director of State Services, cmccann@buildinitiative.org

www.buildinitiative.org
HB2663 Enrolled

AN ACT concerning children.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Findings and purposes.

(a) The General Assembly finds all of the following:

(1) Research suggests that school expulsion and suspension practices are associated with negative educational, health, and developmental outcomes for children.

(2) Recent studies have shown that the expulsion of children in early care and educational settings is occurring at alarmingly high rates, particularly among certain racial and gender groups. A nationwide study on preschool expulsion found that preschoolers were expelled at more than 3 times the rate of kindergarten through twelfth grade students.

(3) Recent data from the U.S. Department of Education indicate that there are significant disparities within...
Senator Omar Aquino
Illinois

2017 | HB2663
From May 17, 2018 | State Senator Peggy Lehner (R-Kettering), alongside joint-sponsor Senator Gayle Manning (R-North Ridgeville), today announced the unanimous Senate passage of legislation aimed at ensuring students with disciplinary concerns stay in school and on track to earn their diplomas.

Senate Bill 246, the Supporting Alternatives for Fair Education (SAFE) Act, is the product of months of collaboration between parents, teachers, administrators, the Ohio Department of Education and third-party research institutions.

As Passed by the Senate

132nd General Assembly
Regular Session
2017-2018

Sub. S. B. No. 246

Senators Lehner, Manning

Cosponsors: Senators Beagle, Wilson, Brown, Williams, Sykes, Thomas, Tavares, Eklund, Hottinger, O'Brien, Schiavoni

A BILL

To amend sections 3302.03, 3313.534, 3313.66, 3313.661, 3313.668, and 3319.46 and to enact section 3319.237 of the Revised Code to enact the "SAFE Act" to revise the procedures for emergency removal of a student, to prohibit certain suspensions and expulsions of students in grades pre-kindergarten through three, to require each public school to implement a positive behavior intervention and support framework in accordance with state standards, and to make an appropriation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3302.03, 3313.534, 3313.66, 3313.661, 3313.668, and 3319.46 be amended and section 3319.237 of the Revised Code be enacted to read as follows:

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Questions
STAY CONNECTED

• An archived version will be available shortly, please visit: www.ncsl.org/research/human-services/2018-early-care-and-education-webinar-series.aspx

• Mark your calendar for our August 16 webinar on Prekindergarten

• Connect with NCSL Staff:
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