

EARLY CHILDHOOD EXPULSION LEGISLATION: FROM PASSAGE AND IMPLEMENTATION TO BEST PRACTICE

Maria Estlund, Policy Associate, Illinois Action for Children

AGENDA

- Background and statistics
- Possible Causes
- Legislation overview
- Statewide Plan
- Best Practices
- Resources

BACKGROUND

- My Brother's Keeper Initiative (Dec. 2014)
- HHS/DOE Policy Statement on ECE Suspension & Expulsion (Dec. 2014)
- HHS/DOE Joint Letter on ECE Suspension & Expulsion (Dec. 2014)
- CCDF IM on Social-Emotional & Behavioral Health (Sept 2015)
- Revised Head Start Performance Standards (Sept. 2016)
- Every Students Succeeds Act
- Child Care Development Block Grant (CCDBG) recommends states develop expulsion policies
 - Sparked conversations when Illinois was developing our State Plan

BACKGROUND

- Data from Walter Gilliam's 2005 study:
 - 4 year olds 50% more likely to be expelled than 3 year olds
 - Boys 3 ½ times more likely to be expelled than girls
 - African Americans 2 times more likely than Whites and 5 times the rate of Asian Americans (rates for Latinos was no different than Whites)
 - IL reported the 6th lowest expulsion rate, but still 3 times more likely to expel preschoolers than k-12

BACKGROUND

- Data from 2002 Unmet Needs study in Chicago:
 - High rate of expulsion within infant-toddler programs
 - 40% of child care programs asking a child to leave because of social-emotional and behavioral problems

BACKGROUND

- 2014 Data from the Department of Education:
 - Preschoolers expelled at more than 3 times the rate of K-12 students
 - African-American boys made up 18% of preschool enrollment, but 48% of preschoolers suspended more than once
 - While Hispanic and African-American boys combined represented 46% of all boys in preschool, they represented 66% of preschool boys suspended

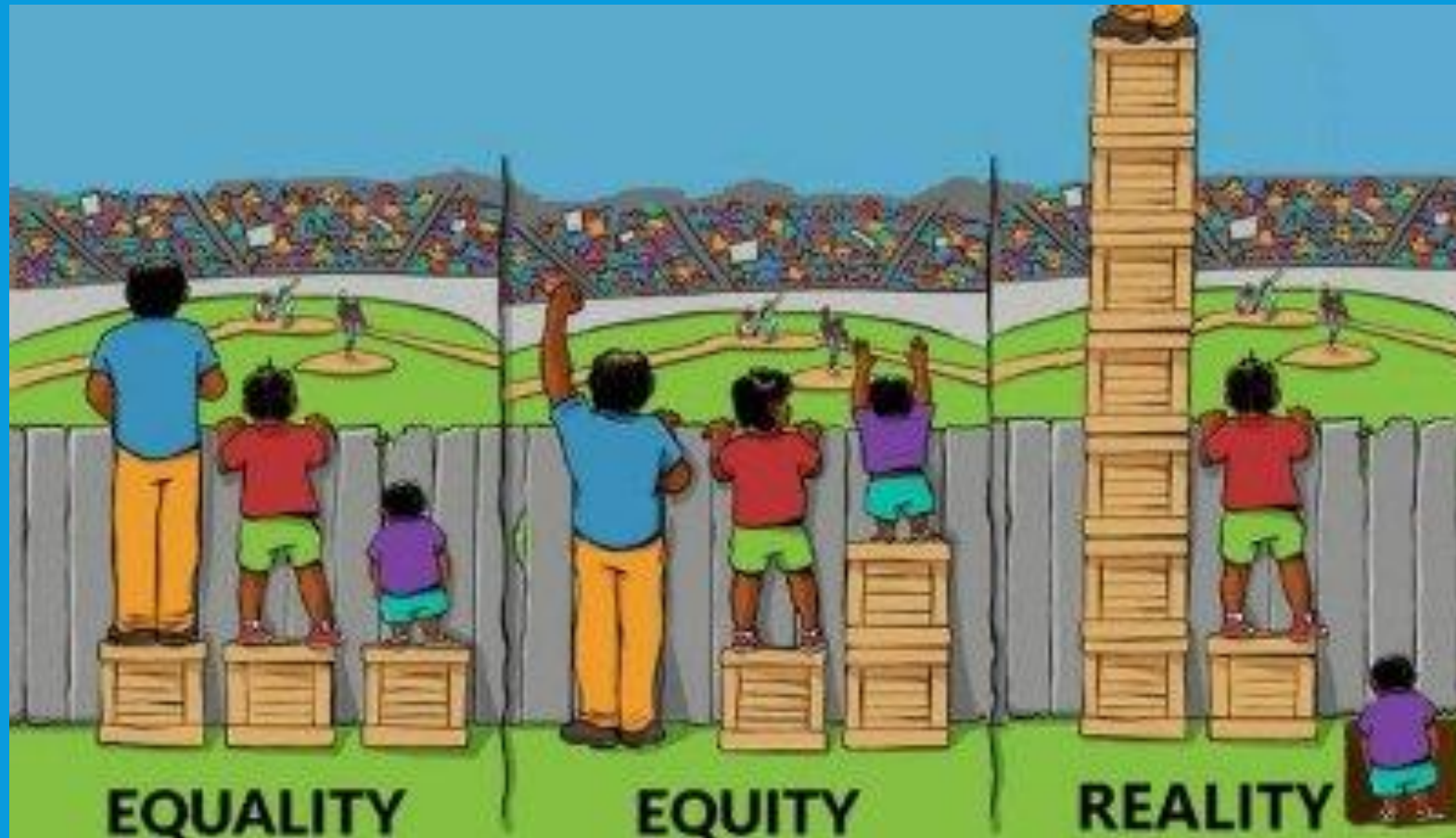
BACKGROUND

- 2013-14 Office of Civil Rights Data Collection:
 - Black preschool children 3.6 times as likely to receive one or more OSS as white preschool children
 - Boys represent 54% of preschool enrollment, but 78% of preschool children receiving one or more OSS
 - Children with disabilities and English learners are not disproportionately suspended in public **preschool**

WHY WE SHOULD ADDRESS IT

- Early learning is important and time out of the classroom is detrimental to child outcomes.
- There are higher rates in pre-school.
- Expulsion in preschool predicts expulsion and suspension in later grades.
- There is NO research or data that supports the effectiveness of expulsion.
- There are racial and gender disparities.

WHY WE SHOULD ADDRESS IT



POSSIBLE CAUSES

- ECE can be implemented differently:
 - Attendance and expulsion is an informal process compared to K-12
 - There are few formal definitions of suspension and expulsion that exist across settings
 - Certain program characteristics contribute to expulsion

POSSIBLE CAUSES

- Lack of support of workforce:
 - Need for training and professional development
 - Need for reflective supervision
 - Need for knowledge of and access to resources
 - Need for supportive practices and policies

POSSIBLE CAUSES

- Interpreting children's behavior is subjective:
 - Adult attitudes affect how children are perceived
 - Challenging behavior is a normal part of child development
 - Trauma can manifest as different things
 - Some children will require intervention and services

POSSIBLE CAUSES

- Implicit bias:
 - The attitudes or stereotypes that affect our understanding, actions, and decisions in an **unconscious** manner
 - Interacts with other factors, such as decision-making under pressure
 - Occurs in everyone
 - Children can “catch” social bias from adults
 - Need to be able to recognize and address them

POSSIBLE CAUSES

- Inefficient family engagement approaches:
 - Meaningful school-family interactions show particularly strong associations with school safety and student achievement
 - Children with higher expulsion rates are more likely to be experiencing complicated family situations
 - Teachers report feeling unprepared to effectively engage with families

POSSIBLE CAUSES

- Lack of resources:
 - What is the State's responsibility for addressing the problem?
 - For staff, children, and families
 - Need policies, but cannot be an unfunded mandate
 - Need for further advocacy and public awareness

LEGISLATION OVERVIEW: PA 100-105

- Precedents: CPS Code of Conduct, SB100, & sB2793
- Core advocates introduced legislation in 2016 as a “test balloon” to spark conversation
- Discussed with providers, state agencies, school districts, and other stakeholders throughout the state
 - Statewide and regional provider meetings, advisory councils, early childhood collaborations, one-on-one meetings
 - Conferences: Spring into Action, Illinois Children’s Mental Health Partnership, COFI Statewide Parent Meeting, Opening Minds Conference, and more

LEGISLATION OVERVIEW: PA 100-105

- Amended bill language based on provider feedback and state agency input
- HB 2663 passed the Illinois General Assembly with strong bipartisan support in May 2017
 - 64 co-sponsors between both chambers
- Signed into law by Governor Rauner on August 14, 2017 (Public Act 100-105)



Chief sponsors Senator Kimberly Lightford and Representative Juliana Stratton;
Chief Co-Sponsor Steve Andersson

PA 100-105: GOALS

- To ensure early childhood programs engage in best practices in their disciplinary actions by prohibiting expulsions of young children due to child behavior
- To connect providers to existing available resources and supports to address the various needs of children
- To track transitions due to child behavior, providing data to better understand the issue and identify the need for additional resources

PA 100-105: KEY COMPONENTS

- The following early childhood programs may not expel children age 0-5 due to child behavior:
 - School- and community-based early childhood programs receiving Early Childhood Block Grant funds from ISBE (Preschool for All, Prevention Initiative)
 - Licensed child care centers and homes serving children birth to five
 - Note: Head Start and Early Head Start programs already prohibit expulsions

PA 100-105: KEY COMPONENTS

- When a child exhibits consistently challenging behaviors, the ECE provider must document:
 - Initial observations of challenging behaviors
 - Communication with and participation of family
 - Intervention plan and strategies, including the use of or attempts to access available external resources
 - Instances where child is ultimately transitioned out of program

PA 100-105: KEY COMPONENTS

- **Planned transitions are not considered expulsions**
- If available resources have been exhausted and the provider determines that transitioning the child to another setting is best for child and/or peers, the provider should work with the family to identify and transition the child to a different setting
 - Referrals to other providers
 - Planning with parents, and new provider when applicable, to ensure continuity of services

PA 100-105: KEY COMPONENTS

- If the child poses an immediate threat to the safety of him/herself or other children:
 - Child may be temporarily removed from attendance in the group setting
 - Temporary removal of a child should trigger the intervention process
 - If provider determines that it is in the best interest to transition the child to a different setting, initiate the planned transition process

PA 100-105: KEY COMPONENTS

The intent of P.A. 100-105

IS:

- To make removal of a child for behavioral issues a last resort, after providers take documented steps to access available resources
- To make providers more aware of available resources and increase connections to supports
- For providers to help families plan transitions by offering families referrals to other settings and services

The intent of P.A. 100-105

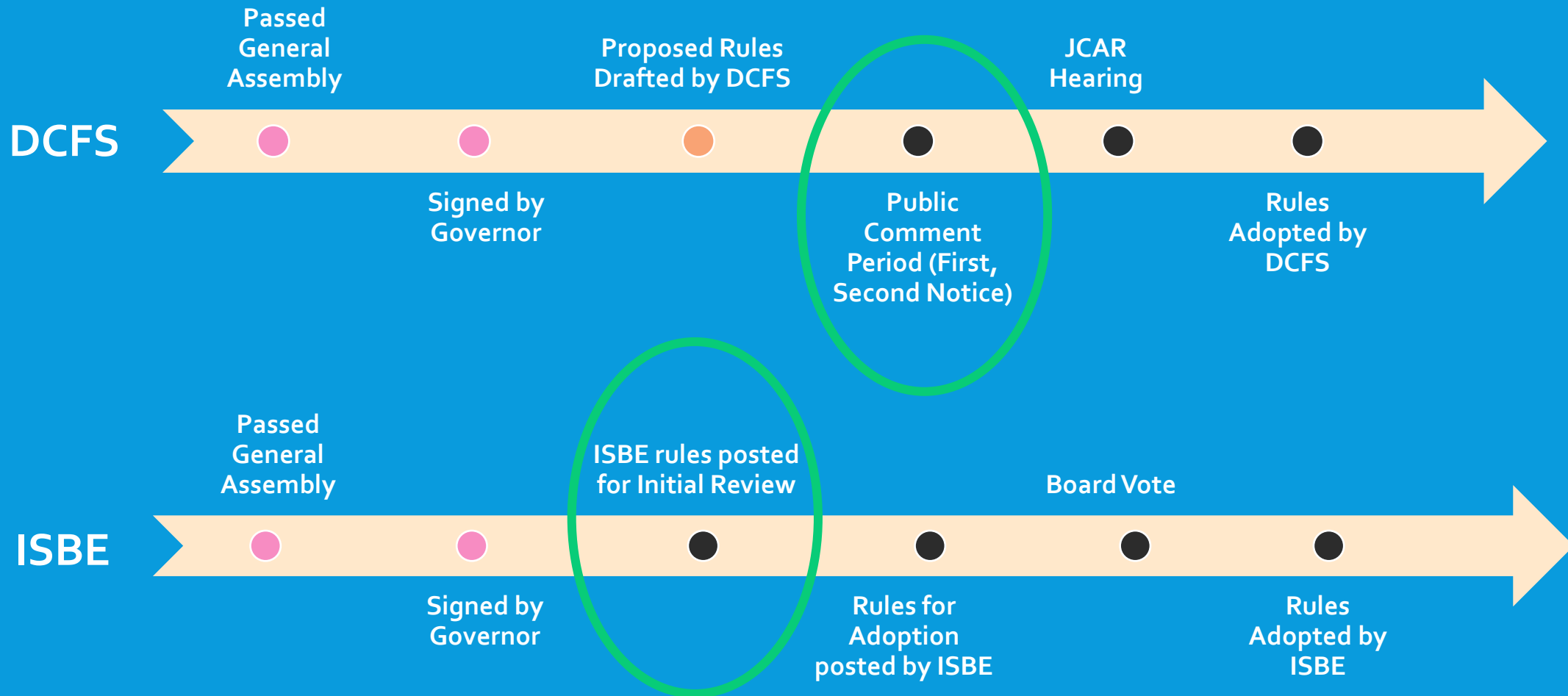
IS NOT:

- To make children stay in a setting no matter what
- To make all resources available everywhere or to make state agencies create additional resources
- To make providers find a new program for the child

STATEWIDE PLAN

- GOECD convenes the Inter Agency Team comprised of representatives of child-serving state agencies
- IAT is working to:
 - Coordinate rule-making and policy development between ISBE and DCFS-Licensing
 - Coordinate data collection in both agencies
 - Develop shared definitions and guidance for development of transition plans
 - Identify resources and vehicles for communication for agencies, programs, and parents

NEXT STEPS & STATEWIDE PLAN



STATEWIDE PLAN

- Legislation was first step of much broader, longer-term efforts to address expulsion and range of related issues
 - Increase funding and accessibility of critical professional supports; resources for providers and families
 - Identify opportunities to engage new partners
 - Monitor implementation for any unintended consequences or continued challenges that need to be corrected

BEST PRACTICES

- Improve overall quality of programs:
 - Qualified and appropriately compensated personnel
 - Small group sizes and high adult-child ratios
 - Language-rich environment, developmentally appropriate curriculum, safe physical setting
 - Warm, responsive adult-child interactions
 - Specifically address implicit bias and adopt a racial equity perspective

BEST PRACTICES

- Implement a tiered system of supports:
 - Universal, intervention, treatment
 - Initially more time-consuming, but have short- and long-term impacts
 - Specifically address implicit bias

IL PYRAMID MODEL PARTNERSHIP

Pyramid Model for Social Emotional Competency



Gov.pyramidmodel@illinois.gov

BEST PRACTICES

- Training, support, & professional development of staff:
 - Topics: promoting SE development, addressing challenging behaviors, trauma, cultural humility, reflective practice, knowledge of expulsion/suspension, recognizing and addressing implicit bias, family engagement, knowledge of resources and referrals
 - Needed for in-direct and supervisory staff as well
 - Both pre-service and on-going
 - Coaching and consultation
 - Supportive practices and policies

BEST PRACTICES

- Infant/Early Childhood Mental Health Consultation (I/ECMHC):
 - Teachers with access are half as likely to report expelling
 - Decreases in teacher-rated acting-out behavior problems
 - May be related to lower staff turnover, improved teacher effectiveness, and higher program quality

BEST PRACTICES: I/ECMHC

- I/ECMHCs:
 - Provide staff with professional development designed to meet the needs of the site
 - Provide reflective consultation
 - Observe children individually or in a group setting
 - Co-facilitate groups
 - Direct meetings with families
 - Respond to crises

BEST PRACTICES: I/ECMHC

- Illinois Mental Health Consultation Initiative:
 - Multi-year expansion initiative
 - To advance the goal of a universal, effective, and sustainable I/ECMHC model in Illinois
 - An expanded qualified workforce



BEST PRACTICES

- Family Engagement:
 - Parents are a child's first teacher
 - Truly partnering **with** a family
 - Should be included at all points of the decision-making process and play an active role
 - Activities: home visits, parent-teacher conferences, frequent communication, involving families in school transitions, involvement in decision-making and policy development, access to comprehensive services, parent education, leadership opportunities

BEST PRACTICES

- Developmental Screening:
 - Universal screening of all children
 - Can serve as important family engagement tool
 - Training and professional development needed for staff
 - Participation of providers in entire process

BEST PRACTICES

- Community resources/referrals:
 - Knowing and assessing family's needs
 - Knowing resources available and how to access them
 - Building relationships with community partners
 - Examples: mental health consultation, Early Intervention and Special Education, primary care, domestic violence, homeless shelters, substance abuse programs, public aid, child care assistance program, food pantries

BEST PRACTICES

- Establishing guidelines, definitions, and policies:
 - Develop preventive guidance and discipline practices
 - Be conscious of the type of language used
 - Use an equity lens
 - Ensure that they follow State and Federal statutes
 - Input from families and staff
 - Clearly communicate all policies

BEST PRACTICES

- Documentation:
 - Strengths-based
 - Observe behavior from beginning
 - Document behaviors, triggers, patterns, interventions, results
 - Document all communication with family

BEST PRACTICES

- Data Collection:
 - Collect current data and review it
 - Disaggregate it for disproportionalities
 - Consider any changes you need to make
 - Operationalize and be specific
 - Note the challenges specific to ECE expulsion
 - Examples: number of behavior incident reports, number of temporary removals, number of transitions, number of children leaving and reasons why, number and types of exclusionary practices, usage of mental health consultation, developmental screening, referrals

RESOURCES TO SUPPORT IMPLEMENTATION

Transforming School Discipline Collaborative

<http://www.transformschooldiscipline.org/>

IL State Board of Education

<https://www.isbe.net/Pages/Topics.aspx>

Town Square

<http://townsquareil.org>

Child Care Resource and Referral Agencies

<http://www.ilqualitycounts.org/component/sdasearch/?Itemid=142>

The IL Pyramid Model Partnership

<https://www2.illinois.gov/sites/OECD/Pages/Pyramid-Model.aspx>

Caregiver Connections

www.caregiverconnections.org

Illinois Association for Infant Mental Health

www.ilaimh.org

Illinois Children's Mental Health Partnership

www.icmhp.org

Illinois Childhood Trauma Coalition

<http://www.illinoischildhoodtrauma.org/>

Crossroads Antiracism Organizing and Training

<http://crossroadsantiracism.org>

ExceleRate Illinois, Child Screening guide and tools

<http://www.excelerateillinoisproviders.com/resources/resources-by-standard?id=50>

Early Childhood Center of Professional Development

<http://www.eclearningil.org/>

Illinois STARnet

www.starnet.org

Early Choices:

www.eclre.org

The Erikson Institute:

<http://www.erikson.edu/>

RESOURCES: REPORTS, ARTICLES, WEBSITES

- Administration of Children & Families/Health & Human Services:
 - *Resources Related to Reducing Suspension and Expulsion Practices in Early Childhood Settings*
 - *Building a Comprehensive State Policy Strategy to Prevent Expulsion from Early Learning Settings*
- Walter Gilliam:
 - *Implementing Policies to Reduce the Likelihood of Preschool Expulsion (2008)*
 - *Do Early Educators' Implicit Biases Regarding Sex and Race Relate to Behavior Expectations and Recommendations of Preschool Expulsions and Suspensions? (2016).*
- Center on Enhancing Early Learning Outcomes (CEELO):
 - *Early Childhood Suspension and Expulsion Bibliography*
- Division for Early Childhood of the Council for Exceptional Children (DEC):
 - *Position Statement on Challenging Behavior and Young Children*
- Pyramid Model Consortium:
 - *Expelling Expulsion: Using the Pyramid Model to Prevent Suspensions, Expulsions, and Disciplinary Inequities in Early Childhood Programs*

RESOURCES: REPORTS, ARTICLES, WEBSITES

- The Center for American Progress:
 - *Point of Entry: The Preschool to Prison Pipeline*
- The National Association for the Education of Young Children (NAEYC):
 - *Anti-Bias Education for Young Children and Ourselves*
- Office of Head Start:
 - *Supporting the School Readiness and Success of Young African American Boys Project: Reflections on a Culturally-Responsive, Strengths-Based Approach*
- The Kirwan Institute:
 - *Implicit Bias Strategies: Addressing Implicit Bias in Early Childhood Education*
- American Federation of Teachers:
 - *Understanding Implicit Bias: What Teachers Should Know*

RESOURCES: REPORTS, ARTICLES, WEBSITES

- US Department of Education:
 - *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*
- Child Trends:
 - *What Works for Reducing Problem Behaviors in Early Childhood: Lessons from Experimental Evaluations.*
- Administration of Children & Families/Health & Human Services:
 - *Compendium of Parenting Interventions.*
- The Infant, Preschool, Family Mental Health Initiative:
 - *Compendium of Screening Tools for Early Childhood Social-Emotional Development*

RESOURCES: REPORTS, ARTICLES, WEBSITES

- Administration of Children & Families, Office of Planning, Research, & Evaluation:
 - *Measure of Family and Provider/Teacher Relationship Quality (FPTRQ)*
- US Department of Education:
 - *I Have a Question...What Parents and Caregivers Can Ask and Do to Help Children Thrive at School: A Parent Checklist*
- National Black Child Development Institute:
 - *Parent Power Bootcamp Call to Action Toolkit*

RESOURCES: REPORTS, ARTICLES, WEBSITES

- SRI International: *Preventing Suspensions and Expulsions in Early Childhood Settings – A Program Leader’s Guide*
<http://preventexpulsion.org>
- Early Childhood Technical Assistance Center (ECTA): *Reducing Early Childhood Expulsion and Suspension*
<http://ectacenter.org/topics/expulsion/expulsion.asp>
- AAP: *Caring for Our Children, Standard 2.2.o.8: Preventing Expulsions, Suspensions, and Other Limitations in Services*
<http://cfoc.nrckids.org/StandardView/2.2.o.8>
- Zero to Three: *Preventing Expulsion from Preschool and Child Care*
<https://www.zerotothree.org/resources/series/preventing-expulsion-from-preschool-and-child-care>
- NAEYC: *Standing Together Against Suspension and Expulsion in Early Childhood*
<http://www.naeyc.org/suspension-expulsion>

RESOURCES: REPORTS, ARTICLES, WEBSITES

- American Civil Liberties Union
<http://www.endzerotolerance.org>
- Teaching Tolerance
<http://www.tolerance.org>
- Teaching for Change
<http://www.teachingforchange.org>
- National Equity Project
<http://nationalequityproject.org>
- Race Matters Institute
<http://www.racemattersinstitute.org>

RESOURCES: REPORTS, ARTICLES, WEBSITES

- The Center on the Social and Emotional Foundations for Early Learning (CSEFEL)
<http://csefel.vanderbilt.edu/>
- The Collaborative for Academic, Social, and Emotional Learning (CASEL)
<http://www.casel.org/>
<http://measuringsel.casel.org/>
- SAMHSA, The Center of Excellence for Infant and Early Childhood Mental Health Consultation
<http://www.samhsa.gov/iecmhc>

RESOURCES: REPORTS, ARTICLES, WEBSITES

- National Center on Pyramid Model Innovations (NCPMI)

<http://www.challengingbehavior.org>

- Pyramid Model Consortium

<http://pyramidmodel.org>

RESOURCES: REPORTS, ARTICLES, WEBSITES

- Birth to Five, Watch Me Thrive
<https://www.acf.hhs.gov/ecd/child-health-development/watch-me-thrive>
- Screening & Assessment in Early Childhood Settings
<http://agesandstages.com/wp-content/uploads/2017/09/Screening-and-assessment-in-early-childhood-1.pdf>

QUESTIONS?

CONTACT ME!

maria.estlund@actforchildren.org

www.actforchildren.org

