A working framework for research-informed legislation prohibiting preschool expulsion and suspension

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Introductions

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Overview

Case Study

Pre-K Expulsion: Why does it matter?

Findings from our policy scan

Recommendations

Note: These findings are pre-publication; please do not disseminate without author permission
Case study

Image credit: NBC News
Why it Happens
Preschool expulsion is an adult decision.

### Teachers
- Interpretation of the child’s behavior
  - Implicit bias
- Teacher Feelings
  - Stress
  - Hopelessness/Frustration
- Teacher Behaviors
  - Lack of Training
  - Lack of partnership with parent

### School
- No policy
- No funding for supports

### ECE Systems
- Large, unintegrated system
- Often under-resourced
- Fewer research-informed alternatives
- Less data collection

(Clark & Zygmunt, 2014; Garro, Giordano, Gubi, & Shortway, 2019; Gilliam, Maupin, & Reyes, 2016; Gilliam & Reyes, 2018; Meek & Gilliam, 2016; Hemmeter, Santos & Ostrosky, 2008; Martin, Bosk, & Bailey, 2018; Zinsser, Zulauf, Das, & Silver, 2017)
Across all types of settings, the average school day sees roughly **250 instances** of a preschooler being suspended or expelled. (National Survey of Children's Health, 2016)

The rate of expulsion from state-funded pre-K programs is **3x higher** than that for K-12 programs. (Gilliam, 2005)

Suspension and expulsion from early education disproportionately affects **young boys of color**. (Meek & Gilliam, 2016; Office of Civil Rights, 2016)
Why it Matters

Disrupting the Preschool To Prison Pipeline

| Lack of school policies | Stressed, overwhelmed teachers with implicit biases | Expulsion (“not a good fit”) | Deprived of learning opportunities | More likely to be arrested or suspended or expelled again | More likely to experience school failure, disengagement, dropout | Incarceration |

The Policy Response

● What states have proposed or passed legislation related to preschool suspension & expulsion?

● What are common components of this legislation?
  ○ Is there overlap?
  ○ Is the current legislation aligned with research evidence?
  ○ What’s the potential impact?
Finding Bills: Systematic Search

National Conference of State Legislatures Early Care and Education Bill Tracking Database

Fall 2018

Searched for relevant terms (e.g. “pre-k” “expulsion” etc.)

Inclusion criteria:

- Mention limiting or prohibiting exclusionary discipline
  - In- or out-of-school suspension and expulsion
- Explicitly mention preschool populations / pre-K / ECE
- Either bill new to state or revision from previous attempt
Analyzing bills

Iterative creation of **Codes** and **Themes**:

**Codes** identify basic attributes, and add up to **Themes**, which give the “big picture” explanation of what is in bills.

Themes were then categorized according to our **policy analysis framework**, which had six domains:

- **Motivating Rationale and Assessment** (why do legislators care about this?)
- **Population** (which students does the bill apply to?)
- **Alternatives and Practices** (what should schools do instead of exclude?)
- **Personnel Development** (how are teachers and school staff being prepared?)
- **Accountability** (how are schools reporting their progress?)
- **Financing** (how is this all getting paid for?)
12 states considered exclusionary discipline bills

9 Passed

2 Pending (at time of study)

1 Failed
## What was in the bills?

<table>
<thead>
<tr>
<th>Motivating Rationale</th>
<th>Personnel Development</th>
<th>Financing Accountability</th>
<th>Alternatives and Practices</th>
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</thead>
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<tr>
<td>Long term benefits of positive ECE</td>
<td>Children and child development</td>
<td><strong>Financing</strong></td>
<td>Hearings and Transition plans when exclusion is being considered</td>
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<tr>
<td>Consequences of expulsion</td>
<td>Disparities and culturally responsive practices</td>
<td>Little new funding for school programs (exception: Colorado)</td>
<td>Parent involvement in planning for child (some parenting support programs)</td>
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<tr>
<td>Disparities and Disproportionalities</td>
<td>Classroom management strategies</td>
<td>Some funding for mandated reporting mechanisms</td>
<td>Implementation of practices to be taken before exclusion</td>
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<td>Gaps in data, policy, and knowledge</td>
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<td><strong>Accountability</strong></td>
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<td></td>
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<td>Implementation timelines Reporting of standards, count of students being served and excluded</td>
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Alternatives & Practices

Alternatives and Practices by Number of Bills

- Refer to community resources: 7
- Behavioral interventions: 5
- Positive Behavior Interventions and Support (PBIS): 4
- Address school climate: 4
- Universal socio-emotional supports: 3
- Infant and Early Childhood Mental Health Consultation: 2
Recommendations for Developing Comprehensive Preschool Suspension and Expulsion Legislation

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<th>Scope</th>
<th>Alternatives and Practices</th>
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Scope

Finding: None of the legislation in this study universally protected young children in that state from exclusionary discipline; Very few applied to children younger than preschool (other ECE settings such as daycares)

*Recommendation: Broaden the scope of children protected under state ECE expulsion legislation.*
Alternatives & Practices

Finding: Few bills mentioned specific, evidence-based alternatives to suspension or expulsion, with most stating more general alternatives.

Recommendation: Identify developmentally-appropriate, evidence-based practices that can reduce or eliminate high rates of suspension and expulsion and racial/ethnic and gender disparities within those rates.
Finances

Finding: The level and specificity of funding mentioned within the bills reviewed varied widely.

**Recommendation:** Incorporate mandates related to funding and enforcement

Providing funds for specific aspects of legislation may help to reduce barriers, particularly for legislation aimed at changing school policies (Budd, Schwarz, Yount, & Haire-Joshu, 2012)
Equity

Finding: Racial disparities in suspension and expulsion were often cited in bills, yet few provided suggestions for reducing disparities in rates of these practices.

Recommendation: Mandate disaggregated data collection and explicit state-level plans for addressing disparities.
Accountability

Finding: The degree to which states mandated accountability and data collection within their bills varied widely, which likely will have consequences for the degree to which programs implement the legislation as well as the extent to which it will be possible to track the success of the legislation.

Recommendation: Include accountability measures to evaluate adherence to and outcomes associated with passed legislation.

Recommendation: Include stakeholders when crafting and evaluating legislation.
Research

Connecticut -
Total # of out of school suspension (OSS) in pre-k through 2nd grade:
- 3,216 prior to legislation (2014-3015)
- 791 in 2017-2018

(CT Department of Education, 2019)

Illinois - After implementation:
- 32% of ECE administrators reported misinformation about the law
- about half of administrators reported having suspended a child and about a third reported having expelled a child

(Zinsser et al., 2019)

Recommendation: Support research on the outcomes associated with statewide implementation of preschool suspension/expulsion legislation
Conclusions & Resources

Addressing suspension and expulsion in early care and education settings is **important** - but must be done in a comprehensive way that ensures that all children are protected and that schools have the resources to address risk factors for suspension and expulsion.

**Resources:**
- Preventing Suspension and Expulsion in Early Childhood Settings [https://preventexpulsion.org](https://preventexpulsion.org)
- The Center for Excellence for Infant and Early Childhood Mental Health Consultation [https://www.iecmhc.org](https://www.iecmhc.org)
- Preventing Expulsion from Preschool and Child Care [https://www.zerotothree.org](https://www.zerotothree.org)
- Positive Behavioral Interventions and Supports [https://www.pbis.org](https://www.pbis.org)
Thank you & Q/A

Download slides from today’s presentation

IRP’s next webinar on February 19th: The Role of Fathers in Children’s Health


References


