



**Guidance**

**for**

**Preventing Suspension and Expulsion in**

**Early Care and Education Programs**

Division of Early Childhood Development

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## **Guidance for Preventing Suspension and Expulsion in Early Care and Education Programs**

The purpose of this document is to provide guidance in preventing suspension and expulsion practices in all child care settings and to support families and child care programs.

### **Introduction**

The beginning years of a child's life are critical for building the early foundations of learning, health and wellness that are needed for success in school and in life. Children must have their basic needs met, feel safe, and feel valued in order to develop and learn. Children's early years set the course for the relationships and successes they will experience for the rest of their lives, making it crucial that their earliest experiences truly foster – and never harm – their development. As such, suspension and expulsion practices, two stressful and negative experiences children and their families may encounter in child care and education settings should ultimately be eliminated.

During the 2017 Maryland Legislative Session, the Maryland General Assembly passed a bill to ban suspension of young learners, Senate Bill 651/House Bill 425 (Bill). This Bill bans the suspension and expulsion of pre-kindergarten through second grade students, except where the student would create an imminent risk of serious harm as determined by an administrator in consultation with a mental health professional. Instead of suspension or expulsion the Bill recommends providing: (1) positive behavior interventions and supports; (2) a behavior intervention plan; (3) a referral to a student support team; (4) a referral to an individualized education program; and (5) a referral for appropriate community-based services. The Bill also required that the Maryland State Department of Education (MSDE) adopt regulations by May 1, 2018, to implement the bill's provisions.

During the same time period the Maryland State Department of Education (Division of Early Childhood Development and Division of Special Education and Early Intervention Services), along with educators, child care professionals, advocates and community members throughout the state drafted a similar policy to prevent suspension and expulsion in all early care and education programs. MSDE and their partners are firmly committed to creating quality child care and education systems where: 1) teaching and learning take place in safe, supportive, and respectful environments, 2) children have the opportunity to succeed and reach their full potential, and 3) children, families and staff are valued and engaged.

A useful resource for developing program discipline policies and practices can be found in the U.S. Department of Education's *Guiding Principles: A Resource Guide for Improving School Climate and Discipline* <https://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf>.

These Principles include the following:

- Create positive climates and focus on prevention;
- Develop clear, appropriate, and consistent expectations to address challenging child behaviors; and
- Ensure fairness, equity, and continuous improvement.

Approaches based on these principles result in positive supportive environments where children can succeed. In contrast, the use of suspension or expulsion as disciplinary actions has a number of adverse outcomes for the individual child as well as for the learning environment.

### **Defining Suspension and Expulsion**

**Suspension** is a limitation in services, and may include any one or a combination of the following:

- Reduction in the amount of time a child may attend (hours or days);
- Requirement that the child not attend for a particular period of time;
- Restriction on the child's attendance in the program unless accompanied by a parent, family member or other adult identified by the family;
- Requirement that the child attend the program in a location other than their typical group or setting; or
- Any other conditions placed on the child's ability to attend and participate in activities with their peers.

**Expulsion** is the termination of a child's enrollment from the program as a disciplinary practice.

### **Families**

Engaging families is a key part of high-quality early care and education. Families are their child's first teachers and primary supporters of the healthy social, emotional, cognitive, and physical development of their children. The *Maryland Guidelines for a State Code of Discipline*, [http://archives.marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student\\_services\\_alt/docs/MDGuidelinesforStateCodeDiscipline\\_08072014.pdf](http://archives.marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student_services_alt/docs/MDGuidelinesforStateCodeDiscipline_08072014.pdf), describes what families can do to be engaged partners and actively participate in their child's program.

Parents/guardians should:

- Contribute to a positive, supportive, safe, and welcoming environment that is conducive to teaching and learning by being respectful and courteous to other children, families, and all education staff;
- Talk with their child about appropriate conduct at their child care and education program;

- Read and be familiar with the policies and practices of their child care and education program;
- Maintain on-going contact with staff and make every effort to ensure that their child attends regularly;
- Access services or support, if needed, including but not limited to the Maryland Infants and Toddlers Program, Preschool Special Education, Early Childhood Mental Health Consultation, or other services provided in the community;
- Share any concerns or complaints with program administration in a timely manner.

### **Child Care and Education Programs**

High-quality child care and education settings provide the positive experiences that nurture learning and development. The U.S. Department of Health and Human Services' and the U. S. Department of Education's *Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings*, <https://www.zerotothree.org/resources/131-policy-statement-on-expulsion-and-suspension-policies-in-early-childhood-settings>, recommends that programs:

- Develop and clearly communicate prevention and discipline practices which focus on preventing behavioral challenges by supporting children in learning appropriate social skills and emotional responses;
- Adopt practices which promote forming positive relationships with children and their families;
- Base expectations for children on each child's developmental level and establish simple rules;
- Create an environment which encourages positive behavior, provides a predictable daily routine and uses encouragement and descriptive praises with all children.

The *Maryland Guidelines for State Code of Discipline* provides additional examples of how programs can support children and families, and create successful environments.

Programs should:

- Create and promote a positive, safe and welcoming program environment that is conducive to teaching and learning;
- Be respect and courteous to children, parents/guardians and all other program staff;
- Be knowledgeable, about discipline policies, regulations, and rules, and inform the community about such policies as well as resources available to support students;
- Strive to recognize and eliminate disproportionality in discipline, and administer discipline rules fairly, consistently, and equitably, regardless of race, ethnicity, culture, gender, color, national origin, ancestry, religion, age, disability, sexual orientation, and/or gender identity;

- Make every reasonable effort to communicate with and respond to parents/guardians in a timely manner and in a way that is accessible and easily understood;
- Build a feeling of community, parents feel they are part of the child care community as they are kept aware of events and other important program information;
- Work to develop relationships, when programs share information and strategies, everyone feels connected to the learning community.

In situations where more support is needed to promote social emotional learning and prevent challenging behavior, programs should:

- Provide opportunities to meet with families to discuss strategies and an action plan;
- Offer families resources for referrals of children for evaluation by trained professionals;
- Pursue options for supportive services to the program, including available consultation services, educator services and educator training;
- Develop a plan for behavioral intervention in the program based on evaluation and consultation and in collaboration with behavioral interventions at home;
- Assess the health of the child and the adequacy of the curriculum in meeting the developmental and educational needs of the child;
- Determine, in conjunction with family and specialized service providers, if there is a setting better suited to meet the child's needs and working to transition the child to the new program with no lapse in care.

## **Childcare Work Force**

High-quality child care and education settings provide the positive experiences that nurture learning and development. One critical factor to achieve this is a competent workforce that is trained, supported, and prepared to help all children excel. The U.S. Department of Health and Human Services' and the U. S. Department of Education's, *Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings*, <https://www.zerotothree.org/resources/131-policy-statement-on-expulsion-and-suspension-policies-in-early-childhood-settings>, recommends programs should strive to build their workforce's capacity in:

- Promoting children's social-emotional and behavioral health and appropriately addressing challenging behavior;
- Forming strong, supportive, nurturing relationships with children;
- Conducting ongoing developmental monitoring, universal developmental and behavioral screenings at recommended ages, and follow-up, as needed;
- Collaborating with community-based service providers, including the child's medical home provider, and connecting children, families, and staff to additional services and supports as needed;

- Forming strong relationships with parents and families with many opportunities to meet and communicate;
- Understanding family engagement strategies and how implementation of these practices work to reduce disciplinary actions;
- Having a strong understanding of culture and diversity;
- Employing self-reflective strategies and cultural awareness training to prevent and correct all implicit and explicit biases, including racial/national origin/ethnic, sex, or disability biases; and
- Eliminating all discriminatory discipline practices.

A well-trained workforce helps a program create effective systems of prevention and intervention, individualize services for children and families, while working to build strong partnerships with families. Teachers, child care staff and administrators should be knowledgeable about resources and services for children and their families. On-site program supports for children and their families will increase the likelihood of success for children.

## **Resources**

### **National Resources**

**Caring for Our Children** - National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, Third Edition.

[http://cfoc.nrckids.org/WebFiles/CFOC3\\_updated\\_final.pdf](http://cfoc.nrckids.org/WebFiles/CFOC3_updated_final.pdf)

**Center for Parent Information and Resources** - Provided in English and Spanish:

<http://www.parentcenterhub.org/topics/orgbehavior/>

**Facilitating Individualized Interventions to Address Challenging Behavior** - Tool Kit

[https://www.ecmhc.org/facilitating\\_toolkit.html](https://www.ecmhc.org/facilitating_toolkit.html)

**Head Start Information Memorandum** - Expulsion and Suspension Policy

<https://eclkc.ohs.acf.hhs.gov/policy/im/acf-im-hs-16-01>

**Infant and Early Childhood Mental Health Consultation (IECMHC) Toolbox** - Free interactive planning tools, guides, videos, and other resources to support IECMHC efforts in states, tribes and communities. <https://www.samhsa.gov/iecmhc/toolbox>

**Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings** - In addition to the U.S. Department of Health and Human Services' and U.S. Department of Education's policy statement, this document includes four appendix of resources for Early Childhood Mental Health Consultation, Positive Behavior Intervention and Support, Resources for Parents and Families and Resources for programs, schools and staff.

<https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>.

**Pyramid Model Consortium** - Resource to promote the high fidelity use of the Pyramid Model for Supporting Social Emotional Competence in Infants and Young Children.

[www.pyramidmodel.org](http://www.pyramidmodel.org),

**Social Emotional Preschool Curriculum Consumer Report** -

<https://eclkc.ohs.acf.hhs.gov/hslc/tta-system/teaching/docs/curriculum-report-se.pdf>

**Technical assistance Center on Social Emotional Intervention** - The Backpack Connection Series was created to provide a way for teachers and families to work together to develop social emotional skills. <http://challengingbehavior.fmhi.usf.edu/do/resources/backpack.html>

**Vermont Early Childhood Suspension-Expulsion Resources** - An Annotated Collection of Free Materials. <http://fpg.unc.edu/node/8780>

## **Maryland Resources**

**Abilities Network** - Organization dedicated to assisting individuals of all abilities and their families in achieving their personal goals and in reaching their maximum potential.

<http://abilitiesnetwork.org/>

**B-HIPP** - Supports the efforts of primary care providers (PCPs) to assess and manage the mental health needs of their patients from infancy through the transition to young adulthood through four main components:

- Phone Consultation
- Continuing Education
- Resource and Referral Networking
- Social Work Co-location

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

**Child Find** - Provides free developmental screenings for children from three years of age until kindergarten. who may be in need of special education and related services, are identified, located, and evaluated.

<https://mmcp.health.maryland.gov/epsdt/healthykids/Section%208/MSDE-Local-Child-Find-Programs.pdf>

**Developmental Screening** - A brief questionnaire completed by a parent or caregiver to quickly identify a child's progress through foundational early childhood developmental milestones. A child's development can be measured by how a child learns, speaks, moves, behaves and relates. Skills such as smiling, waving, and talking are developmental milestones.

Developmental screening is important because it can help identify a child in need of additional resources or services. Providers or pediatricians can link parents to these resources and services, many of which are free. Children that receive these services and resources at earlier ages are often able to make better gains in their development as opposed to waiting until later ages.

<http://earlychildhood.marylandpublicschools.org/child-care-providers/office-child-care/developmental-screening>

**Early Childhood Mental Health Project in Maryland** - The Early Childhood Mental Health (ECMH) Consultation Project improves the ability of staff, programs and families to prevent, identify, treat and reduce the impact of social, emotional and other mental health problems among children birth through 5 years of

age. <http://earlychildhood.marylandpublicschools.org/early-childhood-mental-health>

**Family Engagement Modules** - This is an online professional development module based on the Family Engagement Coalition’s Early Childhood Engagement Framework: Maryland’s Vision for Engaging Families with Young Children. This self-paced online module provides information on how to move from family involvement to family engagement.

[http://theinstitute.umaryland.edu/onlineTraining/programCategory.cfm?ottype\\_id=38](http://theinstitute.umaryland.edu/onlineTraining/programCategory.cfm?ottype_id=38)

**Family Engagement Toolkit** - This is a resource for early care and education programs to improve and increase their family engagement practices. This toolkit gives specific strategies, activities and resources for family engagement.

<http://earlychildhood.marylandpublicschools.org/family-engagement-toolkit>

**Judy Centers** - Judith P. Hoyer Early Child Care and Family Education Centers, known as “Judy Centers,” offer a wide range of services to children age birth through Kindergarten and their low-income families. The goal of Judy Centers is school readiness.

<http://earlychildhood.marylandpublicschools.org/families/judy-centers>

**Making Access Happen** - Working in collaboration, the Johns Hopkins University School of Education and the Maryland State Department of Education offer The Making Access Happen program. This program is designed to increase the participation of three- to five-year-old children with disabilities in public and private community-based early learning and development programs through the delivery of job embedded professional development. At the heart of the Making Access Happen program is developing practitioners’ skills in universal design for learning (UDL) as well as collaborative practices to close the achievement gap for all children.

<http://olms.cte.jhu.edu/olms2/makingaccesshappen>

**Maryland Family Network** - Maryland Family Network (MFN) advocates for high quality child care and administers Maryland’s network of Family Support Centers. MFN also offers Locate Child Care, Public Policy Advocacy, and Training for Child Care Professionals. MFN is also the administrator of the Maryland Child Care Resource Network (MCCRN). The MCCRN is made up of twelve regional Child Care Resource Centers who provide services designed to improve the quality, availability, and affordability of child care throughout Maryland.

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



**Maryland Guidelines for a State Code of Discipline** - The purpose of these guidelines is to provide a framework for Maryland local school systems to use in establishing local codes of conduct and in developing new discipline-related policies. The Code includes expectations for the entire school community.

[http://archives.marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student\\_services\\_alt/docs/MDGuidelinesforStateCodeDiscipline\\_08072014.pdf](http://archives.marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student_services_alt/docs/MDGuidelinesforStateCodeDiscipline_08072014.pdf)

**Maryland Infant and Toddlers Program** - The Maryland Infants and Toddlers Program services are offered throughout the State and are designed to enhance a child's potential for growth and development before he or she reaches school age. Services may include: audiology, physical therapy, occupational therapy, transportation, speech-language pathology, family training, special instruction, assistive technology, health services and home visits.

[http://archives.marylandpublicschools.org/msde/divisions/earlyinterv/infant\\_toddlers/about/message.htm](http://archives.marylandpublicschools.org/msde/divisions/earlyinterv/infant_toddlers/about/message.htm)

**Maryland Learning Links** - Maryland Learning Links is a resource for educators and families related to special education in Maryland. Links can be found here to Early Intervention and Pre-school Special Education.

<https://marylandlearninglinks.org/birth-to-kindergarten/early-intervention/>

**Mind Resilience, Nurture Your Well-Being** - Discover the core concepts of mind resilience to facilitate a strength-based approach to good mental health. [www.mindresilience.org](http://www.mindresilience.org)

**The Parents Place of Maryland** - The mission of The Parents Place of Maryland is to empower families as advocates and partners in improving the education and health outcomes for children with disabilities and special health care needs.

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

**Social and Emotional Foundations for Early Learning (SEFEL)** - SEFEL is a framework for teaching social and emotional skills to children. Maryland has implemented SEFEL in a variety of different child care settings to great success. The framework is currently being adapted for elementary school settings. In addition, experts in Maryland are currently training parents, home visitors, child welfare workers, and first responders in the SEFEL model.

<https://theinstitute.umaryland.edu/SEFEL/>

**Supporting Every Young Learner: Maryland's Guide to Early Childhood Pedagogy** - This is the latest tool produced by the Maryland State Department of Education's (MSDE) Division of Early Childhood Development to inform and engage early educators on evidence based practices of teaching and learning. The Maryland Early Learning Standards Birth to 8 Years, a companion guide for the pedagogical and programmatic decisions of early childhood programs and providers, is also available in this comprehensive resource guide.

[http://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/pedagogyguide-learningstandards\\_042015\\_1.pdf](http://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/pedagogyguide-learningstandards_042015_1.pdf)