



Rhode Island CCAP Expulsion and Suspension in Early Childhood Classrooms Guidance Document

The purpose of this policy statement is to support families, early learning programs and the state in preventing and significantly limiting expulsion and suspension practices in early learning programs. This policy statement is informed by guidance from the U.S. Department of Health and Human Services and the U.S. Department of Education.

Recent research demonstrates that suspension and expulsion practices are associated with negative life outcomes.^{1,2,3} These practices are stressful on children and their families, and often predicts suspension and expulsion in later life. Additionally, data consistently demonstrates racial disparities related to expulsion and suspension. Recent data from the U.S. Department of Education's Office of Civil Rights indicates that African-American boys make up 45% of all suspensions. These findings are further reinforced by research on teachers' implicit biases.⁴

These trends have led the state to revise its existing suspension and expulsion policies with the goal of preventing, limiting and eventually eliminating suspension and expulsion practices. The Child Care Development Block Grant (CCDBG Act of 2014) includes provisions relevant to reducing expulsions and suspension and promoting children's social-emotional and behavioral health. The Rhode Island Department of Human Services (DHS) Office of Child Care is required, as a result, to provide information about age-appropriate social-emotional health practices, parent and provider information and to establish policies to prevent the suspension, expulsion or denial of services due to behavior in children. Additionally, the Head Start Program Performance Standards (2016) prohibit programs from expelling or un-enrolling a child because of a child's behavior (45 CFR §1302.17). As a result, DHS funds professional development and technical assistance, early childhood mental health consultation and works closely with the Rhode Island Department of Education and Executive Office of Health and Human Services on these issues and supports.

¹ Gilliam, W. S. (2005). Prekindergarteners left behind: Expulsion rates in state prekindergarten systems. New York, NY: Foundation for Child Development.

² U.S. Department of Education Office for Civil Rights (2014). Data Snapshot: Early Childhood Education.

³ Gilliam, W.S., & Shahar, G. (2006). Preschool and child care expulsion and suspension: Rates and predictors in one state. *Infants & Young Children*, 19, 228–245.

Rhode Islands policy is informed by the [ACF-IM-HS-16-01 Expulsion and Suspension Policy Statement](#), [CCDF-ACF-IM-2016-03](#), and the joint [U.S. Department of Health and Human Services and U.S. Department of Education Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings ODAS, ECD-ACF-PS-2016-01](#). The policy can be found below.

Limitations on suspension.

- (1) A program must prohibit or severely limit the use of suspension due to a child's behavior. Such suspensions may only be temporary in nature.
- (2) A temporary suspension must be used only as a last resort in extraordinary circumstances where there is a serious safety threat that cannot be reduced or eliminated by the provision of reasonable modifications.
- (3) Before a program determines whether a temporary suspension is necessary, a program must engage with training and technical assistance staff, mental health consultants, special education, and collaborate with the parents, and utilize appropriate community resources – such as behavior coaches, psychologists, other appropriate specialists, or other resources – as needed, to determine no other reasonable option is appropriate.
- (4) If a temporary suspension is deemed necessary, a program must help the child return to full participation in all program activities as quickly as possible while ensuring child safety by:
 - (i) Continuing to engage with the parents and designated support team, and continuing to utilize appropriate community resources;
 - (ii) Developing a written plan to document the action and supports needed;
 - (iii) Providing services that may include in-classroom support and home visits; and,
 - (iv) Determining whether a referral to a local agency responsible for implementing IDEA is appropriate.

Prohibition on expulsion

- (1) A program cannot expel or unenroll a child from a CCAP funded program because of a child's behavior.
- (2) When a child exhibits persistent and serious challenging behaviors, a program must explore all possible steps and document all steps taken to address such problems and facilitate the child's safe participation in the program. Such steps must include, at a minimum, engaging the training and technical assistance team, a mental health consultant, considering the appropriateness of providing appropriate services and supports under section 504 of the Rehabilitation Act to ensure that the child who satisfies the definition of disability in 29 U.S.C. §705(9)(b) of the Rehabilitation Act is not

excluded from the program on the basis of disability, and consulting with the parents and the child's teacher, and:

(i) If the child has an individualized family service plan (IFSP) or individualized education program (IEP), the program must consult with the agency responsible for the IFSP or IEP to ensure the child receives the needed support services; or,

(ii) If the child does not have an IFSP or IEP, the program must collaborate, with parental consent, with the local agency responsible for implementing IDEA to determine the child's eligibility for services.

(3) If, after a program has explored all possible steps and documented all steps a program, in consultation with the parents, the child's teacher, the agency responsible for implementing IDEA (if applicable), and the mental health consultant, determines that the child's continued enrollment presents a continued serious safety threat to the child or other enrolled children and determines the program is not the most appropriate placement for the child, the program must work with such entities to directly facilitate the transition of the child to a more appropriate placement.