

## Framework for Suspension/Expulsion Legislation

Amendment to SB 236 proposed by Black Child Development-PDX and the Children's Institute. Please contact Dana Hepper, [dana@childinst.org](mailto:dana@childinst.org), 971-506-3262 for more information.

### Purpose:

- Ban suspension and expulsion of children Birth-5 in early childhood settings in Oregon by 07/01/2026
- Empower early learning professionals to maintain enrollment of all children in their programs
- Raise awareness of children's rights to continuous inclusion in their learning communities

### Proposed Amendment to SB 236

*Italics in indicate this language aligns with Governor's proposed suspension/expulsion legislation (HB 2166-1)*

Strike Section 1 and Section 2. Integrate bill language into Gov's proposed suspension/expulsion legislation while adding additional detail.

### New Section 1:

- Early Learning Division shall create the Oregon Early Childhood Suspension and Expulsion Prevention Program
- (PURPOSE) *The program will serve to support young children's mental health and social and emotional development, and enhance the ability for children and families to benefit from early care and education programs by supporting the capacity of teachers, programs, and families to promote children's social-emotional well-being and growth. The services that this program provides will incorporate racial equity, trauma-informed principles and practices, and strengths-based, multi-tiered systems of support. Services will be available to any early care and education program, but programs with a child or children at risk of imminent suspension and expulsion will be prioritized for services. The program provides resources for:*
  - *creating a warm line for ECE teachers and providers to request coaching and technical assistance;*
  - *building capacity in communities to deliver coaching and technical assistance that supports children's social emotional development, positive racial identity development, anti-bias practice, and best practices for inclusion ~~inclusive practice~~ in ECE programs;*
  - *enhancing community-based supports for families with a history of trauma, involvement in multiple systems, or need connection to other intervention services, when there is a determined need;*
  - *requiring ECE providers to access coaching and technical assistance to support stability of placements; and*
  - *reducing disparities in suspension and expulsion in ECE settings based on race, ethnicity, ability, or other protected class*

### New Section 2:

- The Division shall work in partnership with parents and providers and community organizations who have experience with suspension/expulsion in early care and education programs and who identify as part of communities who have experienced disparate suspension and expulsion.

- (DEFINITIONS) For the purposes of implementing this program, the Early Learning Council shall adopt rule defining “suspension” and “expulsion” that apply, at a minimum, to certified child care facilities, registered child care facilities, and preschool recorded programs. These definitions must include:
  - For suspension:
    - A child being temporarily removed from classroom and/or peers to another part of the building in response to behavior.
    - A child being sent home for part of the day in response to behavior.
    - A child not being allowed to return to their school/program for one or more days in response to behavior.
  - For expulsion:
    - A parent being repeatedly asked to pick up their child early and/or encouraged to take their child out of a program in response to behavior resulting in the child leaving the program.
    - A child being permanently removed from a program in response to behavior.
- (PROFESSIONAL DEVELOPMENT) *The Early Learning Division shall design, implement, and operate a statewide program to prevent suspension and expulsion of young children from early care and education programs and (notwithstanding Section 3) reduce disparities in suspension and expulsion in ECE settings based on race, ethnicity, ability, or other protected class. The Division may contract with or enter into a grant agreement with CCR&Rs or other third party organizations to complete this work.*
- *In order to develop and implement the Early Childhood Suspension and Expulsion Prevention Program, the Early Learning Council shall adopt rules pertaining to:*
  - *Standards and guidelines for program administration and a delivery of technical assistance services that are culturally responsive, and that ensure technical assistance is implemented with a focus on anti-bias and inclusive practices. Technical assistance should:*
    - increase providers’ awareness and ability to address bias and disparate treatment based on race/ethnicity, diagnosed disability/delay, and gender;
    - Increase providers’ skill in supporting developmentally and culturally appropriate expectations and practices;
    - Include program coordinators, administrators, and directors in training and coaching;
    - Provide access to specialists in a timely and effective manner; and
    - Be a part of a comprehensive system that addresses behavior and mental health.
  - *Knowledge, skills, and competencies for technical assistance specialists and mental health consultants participating in the program that centers racial equity, science of child development, trauma-informed and social-emotional learning principles, and*

*anti-bias education practices.*, Technical assistance specialists and mental health consultants should:

- Be trained and skilled to work in culturally specific programs and can communicate across cultural perspectives and norms;
  - Be racially, ethnically, linguistically, regionally, and gender diverse to represent the communities they serve; and
  - Be developed from within the community and include compensated roles for community members with experience with culturally relevant practices who may not yet hold professional credentials.
- (DATA COLLECTION) The Early Learning Division shall develop *data collection or evaluation to assess the impacts of the program, including eliminating disparities in exclusionary practices based on race, ethnicity, ability, or other protected classes.*
    - Data collection and reporting shall be designed to achieve these goals:
      - To better understand current suspension/expulsion practice in Oregon, and disparities by race/ethnicity, gender, and identified disability/delay; and
      - Support early childhood program continuous improvement.
    - Data collection shall include, at a minimum:
      - Instances of suspension and expulsion counted by day,
        - Counted as a half day if the student is out of school for half, or less than half, of the scheduled day; and
        - As a full day if the student is out of school for more than half of the scheduled school day.
      - Any Injuries to children or staff that result in seeking medical treatment.
      - Demographics of children experiencing suspension/expulsion by age, race, gender, and disability and any disparities.
      - Instances of suspension/expulsion by region and program type.
      - Stated reasons for suspension/expulsion.
      - Data on suspension and expulsion coming from providers and parents.
    - The Early Learning Division shall report back to the legislature on their data collection and reporting approach to achieve these goals by December 31, 2021.

#### Add Section 3:

- (BAN) Beginning July 1, 2026, certified child care facilities, registered child care facilities, and preschool recorded programs will not be permitted to suspend or expel children from their programs.
- Rarely, a team that includes, at a minimum, the child's parent/caregiver, child care or preschool provider, and technical assistance provider may determine that a child care or preschool program is unable to meet a child's needs. When such determination is made, the team may identify a transition to another program, service or classroom deemed more appropriate for the child if done in collaboration with the family and the receiving classroom, program or service. Transitions using this approach are not considered suspensions or expulsions under the purpose of this law.