



Oregon

Kate Brown, Governor

Early Learning Division



House Education Committee 11/16/21

RE: HB 2166 - Early Childhood Suspension and Expulsion Prevention Program

In HB 2166, the Legislature established the Early Childhood Suspension and Expulsion Prevention Program, with the goal to reduce the use, and disparities of use of suspension and expulsion in early care and education (ECE) settings.

The bill requires the development of technical assistance providers and infant and early childhood mental health (IECMH) Consultants to work closely with ECE programs. This means there will be an opportunity for child care providers to have a place to contact if they are struggling to support a child that may be having developmental or behavior concerns. This program will give the child care provider some coaching to reduce their stress, build their skills and support to ensure that the child is successful in the classroom. This is a prevention program ultimately focused on reducing exclusionary practices for children ages 6 weeks old to five years of age.

There will be a need for cross sector engagement with requirements in the bill for coordinating with the Oregon Health Authority. We will be engaging local community based organizations, parents (and especially those with children with identified special needs), child care providers of color, Oregon Department of Human Services, Early Intervention/Early Childhood Special Education and other system partners.

Resources from HB 2166 (\$600,000) were provided from the bill to create three positions including a specialist to oversee the prevention program, a grants specialist and a data/evaluation team member at the ELD. The remaining funds (~\$5.2M) are for regional services and operating the prevention program, which the legislature will consider releasing to ELD in the 2022 Legislative Session, when ELD provides a report on our progress in developing the program.

ELD has been working with the BUILD Initiative, the National Center for Children in Poverty, and Children's Institute through technical assistance funded through the Alliance for Early Success to understand the drivers that increase the likelihood of expulsion. The prevention program will be designed to address these drivers:

1. Structure of programs (long day, ratios, setup)
2. Professional knowledge of child development (and access to professional development, culture, language and how we understand this)
3. Racial inequities in discipline practices and implicit bias
4. Lack of trauma informed and resiliency-based approaches, including supporting social/emotional needs and trauma that children experience.

Oregon's data on suspension and expulsion displays the effects on children of color and children with special needs. We have Oregon data showing that these children are asked to leave care at much higher rates than white children and at the same time we also have early educators asking for help to support children and keep children in care.

The implications of the data require the development of services explicitly centering Black, Indigenous and People of Color (BIPOC) and children experiencing disabilities. ELD's work began in 2020 and activities have been moving forward. ELD contracted with Portland State University to lead two projects, one to survey and understand the needs and experiences of parents and the second is a partner engagement process through resources leveraged within our federal preschool development grant. This opportunity allows ELD to develop a recommended model for infant and early childhood mental health consultation that centers race, culture and language in the design from the start. PSU is compiling data through local and national interviews. Significant partner engagement throughout Oregon is informing the components that will ultimately become a part of the model. This model is also the foundation for the work we are doing to build the Early Childhood Suspension and Expulsion Prevention Program.

Focus group sessions were conducted in September 2021. These sessions were conducted engaging early educators of color, adding perspective from an additional 30 people. These interviews were designed to understand the child care provider's experience having received consultation services and what components were most or least beneficial.

Interviews were conducted throughout the state covering 16 counties and 63% of the interviews were with people of color. Thirty interviews were of ECE programs leaders, mental health consultants, behavior specialists and mental health program leaders.

National Programs that provide infant and early childhood mental health consultation were interviewed primarily focusing on how statewide systems were structured related to policy level decisions, reflective practice structures, centralized vs regional components, blended funding strategies and BIPOC workforce development pathways.

Engagement across the state and nationally has been robust. The interviews centered on people and programs of color around the state. Many community based organizations, consultants and providers of color were a part of this process, including connections with our tribal early education partners. There are sessions scheduled in November and December to loop back to people that engaged along the way to introduce the draft model recommendations before finalization by PSU at the end of December.

The next key timeline milestones are these:

- November 2021 – draft of the IECMH Consultation model will be presented back to partners and ECE providers to help PSU finalize the report to submit to ELD. Simultaneously, we will be sunsetting the steering committee and beginning to develop

the implementation activities to support the next phase of the work, engaging partners and parents in the development.

- February 2022 – a report is due to the legislature on our progress in developing the Prevention Program, which will incorporate PSU’s recommendations and additional work to date. This will be the opportunity for the legislature to give ELD access to the funding to fully develop and fund the prevention program services.
- March 2022 – we will build processes to select local partners to operate IECMH Consultation services. March will also be engagement of a rulemaking advisory committee to inform the recommended rules for the prevention program.
- May 2022 – any rules for the Prevention program will be presented to the Early Learning Council for promulgation.
- July 2022 – a report is due to the legislature describing our recommendations for how to address contested case hearings and disputes that are submitted once a ban on suspension and expulsion goes into effect. Any recommended legislation will also be described in the report to prepare for the eventual ban in 2026. Then, the prevention program and regional mental health consultation service organizations will be selected beginning as early as July 2022.
- September – December 2022 – Contracts will take some time, but once in place services will begin in regions around the state.