



Date: February 18, 2022  
To: Members of the Senate Committee on Education  
From: Dr. Morgan Crossman, Executive Director, Building Bright Futures  
Re: Suspension and Expulsion in Universal Prekindergarten Education (UPK)

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### **Executive Summary**

- Suspension and expulsion are critical issues and are an urgent priority for children under the age of five (and more broadly under the age of eight) and the early childhood educators supporting their social emotional development and early learning. Equity within Act 35 and S. 283 across public and private programs is important, but is still not capturing the true need to invest in strategies and approaches to prevent suspensions and expulsions. They also don't capture the urgent need for clear guidance and definitions that the field needs to implement these changes.
- Vermont early childhood stakeholders have elevated a range of urgent concerns: Stakeholders have identified (1) Urgent, preventative support needed for children and early childhood educators, and (2) Lack of clear communication, definitions, and guidance, as two of the top concerns related to suspension and expulsion. In addition, they consistently reference timing of child evaluation for additional supports, workforce challenges, child development and early childhood setting considerations, and lack of available quantitative data as challenges. Given the developmental needs of children 0-5, a singular approach and requirements for suspension and expulsion for children from 6 weeks to 18 years old is not appropriate. There is an immediate need for clear definitions of what constitutes a suspension or expulsion, consistent guidance, and clarity on the best practices, supports, and variances from the Agency of Education.
- Building Bright Futures' current work in this area: BBF is currently supporting AOE in the development of a data brief focused on suspension and expulsion for children under the age of eight, and consistently convenes public and private partners through the Vermont Early Childhood Action Plan (VECAP) Early Learning and Development (ELD) Committee. BBF is the entity positioned to convene early childhood stakeholders to discuss critical challenges, support identification of strategies and best practices, and to make recommendations that will improve outcomes for children and families, efficiency, effectiveness, and integration within Vermont's Early Childhood System.
- Existing recommendations: Repeated recommendations from Vermont's Early Childhood State Advisory Council, alongside the Early Childhood Mental Health Task Force, have called for significant investment in prevention and supportive approaches including Early Multi-Tiered System of Supports (EMTSS), Special Accommodations Grants (SAG), and Early Childhood and Family Mental Health (ECFMH) consultation, alongside embedding the Strengthening Families Protective Factors framework and universal developmental screening across early care and education settings.

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### **BUILDING BRIGHT FUTURES' ROLE IN VERMONT'S EARLY CHILDHOOD SYSTEM**

BBF is Vermont's early childhood public-private partnership charged under Title 33, Chapter 46 and the federal Head Start Act to serve as Vermont's Early Childhood State Advisory Council, the mechanism used to advise the Governor and legislature on the status of children in the prenatal period through age eight and their families. State statute charges BBF with maintaining and monitoring the vision and strategic plan for Vermont's Early Childhood System. BBF's mission is to improve the well-being of children and families in Vermont by using evidence to inform policy and bringing voices together across sectors and within regions to discuss critical challenges and problem-solve.



The Building Bright Futures State Advisory Council (SAC) does not directly support or oppose any specific proposal or bill. Instead, our role is to convene and elevate the voices of families and early childhood stakeholders; monitor the system by identifying and provide high-quality up-to-date data to inform policy and decision-making; and to advise the Governor and Legislature by making recommendations that move the early childhood system toward the 4 goals identified in Vermont’s Early Childhood Action Plan (VECAP). Discussions within the BBF Network, the SAC’s Policy Recommendations, and the data available shed significant light on some of the challenges facing the early childhood field related to suspension and expulsion.

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### **OVERVIEW OF SUSPENSION AND EXPULSION-RELATED CHALLENGES IN EARLY CHILDHOOD & CONCERNS FROM THE FIELD**

Concerns related to an increase in challenging behaviors associated with the pandemic, the passage of Act 35, and current public Universal Prekindergarten Education (UPK) monitoring practices (Accountability and Continuous Improvement Systems) have led to an elevation of concerns related to suspension and expulsion for children from 0-5.

**Stakeholders have identified (1) Urgent, preventative support needed for children and early childhood educators, and (2) Lack of clear communication, definitions, and guidance, as two of the top concerns related to suspension and expulsion.** In addition, they consistently reference timing of child evaluation for additional supports, workforce challenges, child development and early childhood setting considerations, and lack of available quantitative data as challenges.

Urgent preventative support is needed for children and early childhood educators: Supporting a child’s social-emotional development, prevention, and resilience-building efforts are seen by early childhood professionals as foundational and urgent components of addressing challenging classroom behaviors that may lead to suspension or expulsion. The COVID-19 pandemic has exacerbated this need to crisis levels. Further enumerated below, recommendations from the State Advisory Council (SAC) and Early Childhood Mental Health Task Force have called for investment and statewide implementation of the following: Early Multi-tiered System of Supports (Early MTSS), workforce professional development and practice-based coaching, increased staffing ratios, additional Early Childhood and Family Mental Health (ECFMH) Consultation, and other resources to support children and their caregivers. While discussed for years, these supports and strategic investments are now seen as urgent and critical needs to the field in order to support (and retain) early educators and to address the continuation of the mental health crisis facing young children and families.

#### ***Quote from the Field***

*Enough cannot be said around private programs needing support with some of these kids. Their behaviors are really tough and create safety issues for all kids and staff as well. - Michelle Trayah, Child and Adult Care Food Program Coordinator*

Lack of clear definitions: Vermont’s early childhood stakeholders have stated that **there is an immediate need for clear definitions of what constitutes a suspension or expulsion, consistent guidance, and clarity on the best practices, supports, and variances from the Agency of Education.** Lack of clarity and guidance has remained the most consistent concern related to suspension and expulsion. Since the enactment of Act 166, there has been progress in the implementation of a UPK monitoring system (Accountability and Continuous Improvement Systems) as well as a specific focus on addressing challenging behaviors in all publicly funded



UPK programs. However, stakeholders perceive inconsistencies in guidance, definitions, and understanding of required implementation.

“Soft suspensions” have emerged as an example of the challenges regarding definitions. Guidance from the AOE has been unclear, with a definition of two hours or more outside of the classroom being considered a soft suspension. While private UPK partners are compensated for 10 hours per week, the two hours are across all hours that a child is in a program. This discrepancy has led to concerns about early educators' ability to uphold best practices in their settings while also complying with the guidance. In addition, stakeholders have described the concern that young children may need opportunities to “reset” as they are learning how to regulate their emotions and behaviors and that these experiences can often happen outside of the classroom in a less stimulating environment.

***Quote from the Field***

*“Helping a child reset by teaching them coping skills in a quiet space, while protecting the other children in the classroom, is very developmentally appropriate, and actually considered to be differentiating instruction, such as high quality programs are expected to do. It happens all the time. To ask a program to categorize this as a suspension and fill out a report each time this teaching technique is utilized is not practical and is far removed from the daily operations of preschool programming. In grades K-8th grade, a child accessing a resource room is not considered a suspension, why the double standard for early education?” - Joanne Pillsbury, Early Education Coordinator*

In addition to the top two concerns outlined above, the field also elevated challenges associated with the timing of evaluation for additional supports, specifically that there may be a 45-60 day delay for evaluation which challenges their ability to meet the needs of children while awaiting evaluation. There are also significant workforce challenges with 1,200 fewer professionals working in regulated child care settings in 2020 compared to 2018 limiting educators' capacity to support the needs of children. Further, due to the range of programs operating in Vermont's mixed delivery system as well as the approaches to meeting the needs of young children within those settings, stakeholders suggested that a singular approach and requirements for suspension and expulsion for children from 6 weeks to 18 years old is not appropriate. Finally, stakeholders expressed concern around the lack of quantitative data on the number of suspensions and expulsions for children under the age of five, especially due to anecdotal and qualitative data through UPK monitoring, suggesting that the number of suspensions and expulsions is likely higher than what is formally reported in the quantitative data. Significant data limitations exist and need to be addressed.

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**BBF's ROLE IN DATA AND CONVENING STAKEHOLDERS ON ISSUES OF SUSPENSION AND EXPULSION**

Early Childhood Data Brief: As previously mentioned, there is limited data on suspension and expulsion for children under the age of five. BBF is supporting the Agency of Education in developing a data brief that includes an overview of what quantitative and qualitative data is available for children under the age of eight; limitations of the data, the process for reporting data, and implementation; and considerations for policy.

Early Learning and Development Committee: Suspension and expulsion has been elevated as an urgent priority across a range of BBF Network meetings, primarily within [the Early Learning and Development Committee \(ELD\)](#). ELD is devoted to strengthening the integration, accessibility and quality of early childhood services. The committee's work spans from quality and capacity of services from prenatal through age 8 with a focus on



alignment and best practices for children and families from child care through early elementary education. The committee is composed of public and private partners including early care and learning program directors, school administrators, philanthropy partners, advocacy and state agency partners representing the different levels of policy and systems integration. The ELD committee's work for the coming year includes serving as advisors for Vermont's Child Care and Early Childhood Education Systems Analysis (ECSA). Recent discussions have centered on suspension and expulsion and how to urgently support the needs of children under the age of five and early childhood educators.

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## **EXISTING RECOMMENDATIONS FROM VERMONT'S EARLY CHILDHOOD PARTNERS RELATED TO SUSPENSION AND EXPULSION, MENTAL HEALTH, AND THE SOCIAL, EMOTIONAL, AND BEHAVIORAL NEEDS OF CHILDREN**

The repeated recommendations identify best practices and important strategies to *prevent* suspensions and expulsions and support the needs of children and caregivers in early childhood settings.

### **Early Childhood State Advisory Council Recommendations (2021-2022)**

#### **Mental Health (Mental health crisis, Recommendation 1)**

The first SAC Recommendation in 2021-2022 is to respond to Vermont's mental health crisis. As previously described, a foundation of mental health and social emotional wellbeing for young children and their families is seen by partners as a key prevention strategy for suspension and expulsion. This year's recommendations from the SAC Network regarding mental health include:

- Expanding connection to mental health in primary care and education settings,
- Expanding funding for Early Childhood and Family Mental Health (ECFMH) consultation,
- Continuing the use of telehealth to improve access to care, and
- Expanding mobile response and stabilization services.

#### **Early Multi-Tiered System of Supports (Early MTSS; Chronic inequities, Recommendation 1)**

One of the clear best practices that is articulated through the Mental Health Task Force Report and Recommendations as well as through the State Advisory Council's Recommendations over multiple years is Early Multi-Tiered System of Supports (Early MTSS). Early MTSS is one of the most promising strategies to support all children, and to more effectively meet the needs of those children requiring higher levels of support. While training has become readily available, the key component for the successful implementation of Early MTSS is a trained coach regularly meeting with and providing feedback and resources for the teachers. Although Vermont has been investing in Early MTSS for 15 years, the investment has not been significant enough to cover this essential component, and therefore few programs have been able to implement Early MTSS to fidelity.

During this time of increased social emotional and behavioral health needs and challenges associated with suspension and expulsion in early childhood settings, the SAC's recommendations call for:

- Providing coaching through Early MTSS,
- Scaling Early MTSS statewide,
- Monitoring and evaluating these efforts to promote equitable access and outcomes of children,
- Utilizing Early MTSS to support and retain highly qualified early childhood professionals.



**Special Accommodations Grants (Chronic inequities, Recommendation 2)**

The SAC Network has continued to express support for continuing to fund key child development and behavioral support programs to meet the current and future needs of children, including **Special Accommodations Grants (SAGs)**; specialized child care; Help Me Grow; Early MTSS; Early Childhood and Family Mental Health (ECFMH) treatment, consultation, and education.

**Inequity within Act 35 (Well-resourced ECE system, Recommendation 2)**

Another SAC recommendation with specific implications for this proposal relates to expanding Act 35 to cover private UPK programs. This recommendation is important, but complex, and requires additional framing. Act 35, and now S.283 currently states that public and private prequalified UPK programs receiving public funding cannot suspend or expel children. Of note, there are also child care programs statewide that do not fall into this category, which means that how Vermont supports, regulates, and monitors these programs is not within the same framework. These pieces of legislation are important steps, but are still not capturing the true need to invest in strategies and approaches to prevent suspensions and expulsions. They also don't capture the urgent need for clear guidance and definitions that the field needs to implement these changes.

**Early Childhood Mental Health Task Force Recommendations (2019)**

**Recommendation 1: Build the capacity of parents and caregivers to promote children's health and well-being**

- Embed the **Strengthening Families Protective Factors** framework in all early care and learning programs to build family strengths, enhance child development and reduce the likelihood of child abuse and neglect.

**Recommendation 3: Invest in prevention and early detection to build resilient children who turn into resilient adults**

- Invest in **Vermont's Early Multi-Tiered System of Supports (Early MTSS)** framework
- Invest in flexible funding to support **Early Childhood and Family Mental Health (ECFMH)** consultation
- Increase the use of **universal developmental screening** to monitor children's developmental progression, identify challenges, and connect children to supports as early as possible through Help Me Grow's coordinated system.

Thank you for continuing to keep children and families at the center of our decision-making.

Sincerely,

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