



**Commonwealth of Pennsylvania**  
**EARLY INTERVENTION INTERAGENCY COORDINATING COUNCIL**

April 4, 2016

The Honorable Governor Tom Wolf  
508 Main Capitol Building  
Harrisburg, PA 17120

The Honorable Pedro A. Rivera  
Secretary of Education  
Pennsylvania Department of Education  
333 Market Street  
Harrisburg, PA 17126

The Honorable Ted Dallas  
Secretary of Human Services  
Department of Human Services  
P.O. Box 2675  
Harrisburg, PA 17105

Michelle Figlar  
Deputy Secretary  
Office of Child Development and Early  
Learning  
333 Market Street  
Harrisburg, PA 17126

The Honorable Dr. Karen Murphy  
Secretary of Health  
Department of Health  
Health & Welfare Building, 7th & Forster  
Streets  
Harrisburg, Pennsylvania 17120

**Resolution of the State Interagency Coordination Council:**

**Ban Exclusionary Discipline in Early Learning Programs**

The Pennsylvania State Interagency Coordinating Council (SICC) for Early Intervention is appointed by the Governor to assist the Departments of Health, Education and Human Services to ensure that a comprehensive delivery system of integrated early intervention programs and services is available in Pennsylvania to all eligible infants, toddlers and young children and their families. Infants, toddlers and preschoolers with, or at risk of having, developmental delays and their families are included in the population served by Pennsylvania's comprehensive early intervention system.

In carrying out this mission, the Council reviews policies and procedures that impact the lives of young children with disabilities and their families. During its public meeting held on Thursday February 4, 2016, the SICC heard from the Education Law Center and American Civil Liberties Union about the negative educational outcomes and discriminatory impact of suspensions, expulsions, and other exclusionary discipline imposed on children in the early childhood settings. Following their presentation, the Council had a discussion and concluded that:

- Exclusionary discipline of children in early education settings, including suspension, expulsion and other disciplinary action, has short and long term negative educational and life outcomes for young children.

- In the short term, the consequences include the denial of early learning at critical developmental stages, the development of negative teacher and peer relationships, and delays in the proper identification and provision of Early Intervention and other services to children with disabilities or children with social or behavioral health needs.
- In the long term, young children excluded from early educational programs are more likely to be disciplined in the higher grades, more likely to be incarcerated later in life, more likely to become truant, more likely to drop out of school, more likely to develop substance abuse issues, and less likely to graduate from high school.
- Certain groups of young children are disproportionately likely to be suspended or expelled from early childhood programs *for the same or similar behaviors*. Black children represent 18% of preschool enrollment, but make up almost half (48%) of children suspended more than once. Boys make up half of preschoolers, but receive more than three out of four out-of-school suspensions.<sup>1</sup>
- Early childhood programs are using exclusionary practices as leverage to address issues regarding parent engagement. This is not an evidence-based best practice for increasing parental involvement, nor has it been shown to be an effective strategy. In fact, excluding and dismissing young children from early learning settings places an undue burden on parents and families that depend on this resource to enable them to work and/or pursue their own education.
- Early learning professionals lack the interagency supports, funding and professional development they need to respond to the behavior of young children in ways that are developmentally appropriate, culturally competent, gender responsive and trauma informed.

Given the serious short and long term consequences exclusionary discipline has on our youngest learners, particularly children of color and those who are receiving or are eligible to receive early intervention services, and the lack of interagency resources and professional development within early learning programs, the SICC hereby resolves the following:

(1) The Council urges the Office of Child Development and Early Learning (OCDEL) to **generate an overarching statewide policy across all OCDEL early learning programs that bans the use of exclusionary discipline**, including suspensions and expulsions, in early childhood settings for children birth through five. Notwithstanding the fact that young elementary school age children are beyond the scope of OCDEL, the Council also supports legislative and Department of Education efforts to extend the ban on exclusionary discipline to include all public school programs for children in kindergarten through third grade.

(2) The Council urges OCDEL to **generate a policy and practice to collect, report and monitor accurate data on exclusionary practices** in all OCDEL early learning programs. Such

---

<sup>1</sup> “Policy Statement on Expulsion and Suspensions Policies in Early Childhood Settings.” U.S. Department of Health and U.S. Human Services and Department of Education (December 2014). Available at <https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>

policies should require that the data be disaggregated and cross tabulated by race, gender, disability, and status as an English Language Learner.

(3) The Council further urges OCDEL to **generate a policy that develops and enforces practices that provide interagency supports and appropriate professional development for early childhood educators** and providers. These policies and practices should promote developmentally appropriate, culturally competent, gender responsive, trauma informed responses to early childhood behaviors.

(4) The Council further recommends that OCDEL **integrate these policies and practices across OCDEL's other programs and initiatives**, including the existing supports and professional development provided by OCDEL through Early Intervention Technical Assistance and the PA Key/Regional Keys programs. Such policies and practices will ensure that young children are not excluded from learning environments and that professionals are properly trained and supported.

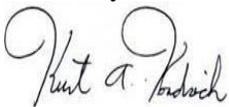
The Council also urges OCDEL to seek guidance from states and districts that have already successfully adopted and implemented policies restricting the use of exclusionary discipline in preschool, kindergarten and in some cases, through elementary school. See [Connecticut, Public Act No. 15-96](#); [District of Columbia, Act 21-50](#); [Oregon, S.B. 553](#); see also [Minneapolis, pre-school through 1<sup>st</sup> grade](#); [Seattle, K-5](#); [Chicago, pre-k through 2<sup>nd</sup>](#); [Baltimore, pre-k and kindergarten](#); and [Houston, pre-k through 2<sup>nd</sup> grade](#). Several other state legislatures are currently considering similar legislation. See [Georgia, H.B. 135](#); [New York, A. 8396](#). There are also resources and lessons from our federal partners at the [U.S. Department of Health and Human Services and the U.S. Department of Education](#).

As Pennsylvania strives to move towards universal preschool for all children and to support positive developmental and educational outcomes for our youngest learners in inclusive, high-quality early learning environments it is critical that we halt the use of discriminatory and harmful exclusionary discipline practices.

Thus, the Council further recommends that State legislators **explore obtaining a Governor's Executive Order or legislation that would further prohibit the use of exclusionary discipline in OCDEL early childhood learning programs and extend that prohibition to elementary schools through grade three**

Thank you for your time and consideration. We look forward to continuing to collaborate with you on these efforts to ensure that our all of Pennsylvania's early learners have access to a quality early education.

Sincerely,



Kurt Kondrich, Chair  
State Interagency Coordinating Council

State Interagency Coordinating Council  
Resolution to Ban Early Childhood Exclusionary Discipline  
April 4, 2016

CC: Chairman Florindo J. Fabrizio  
Joint State Government Commission  
General Assembly of the Commonwealth of Pennsylvania  
108 Finance Building  
Harrisburg, PA 17120