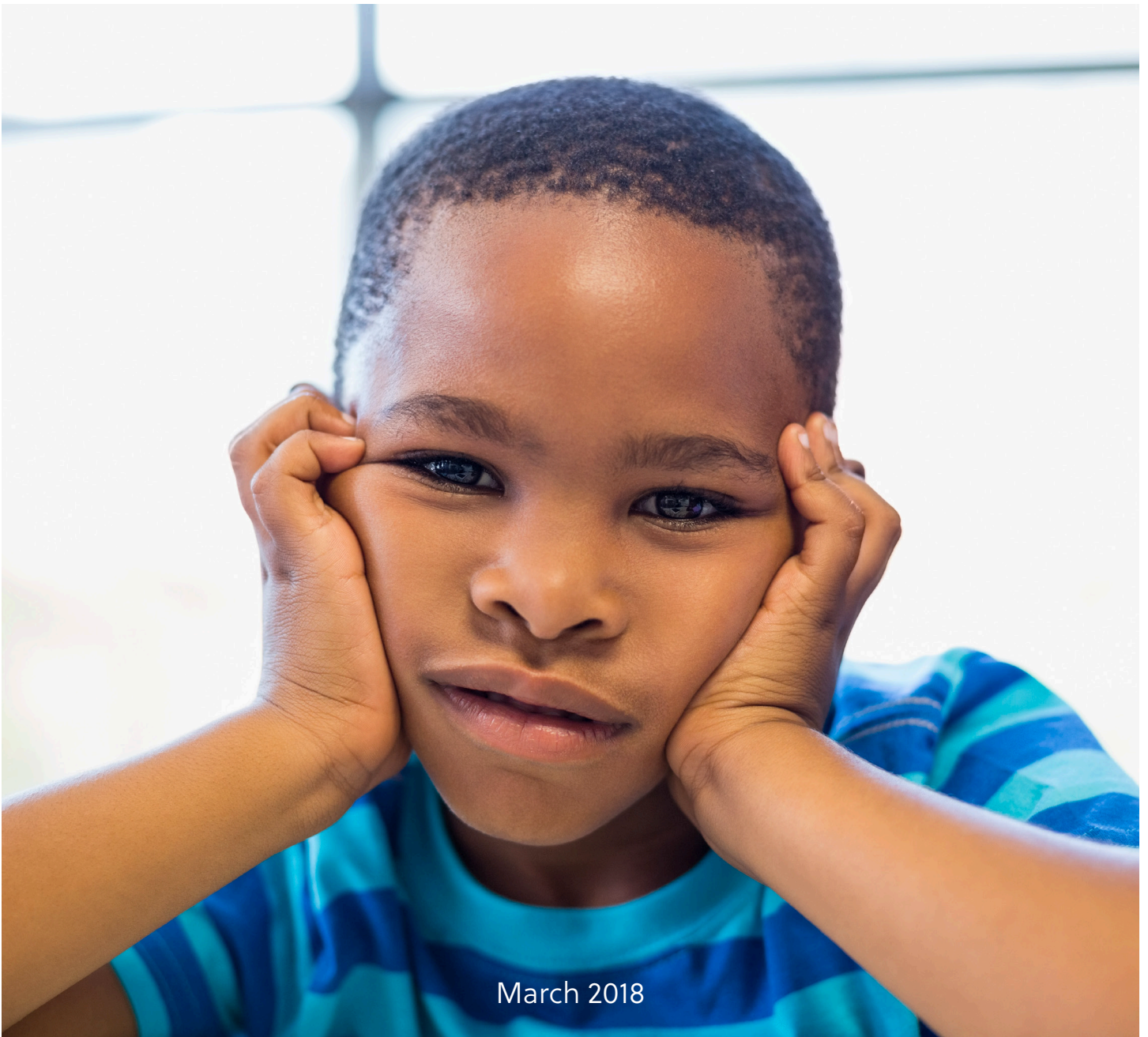


# KEEPING KIDS IN CLASS

PRE-K THROUGH 2ND GRADE SUSPENSIONS  
IN TEXAS AND A BETTER WAY FORWARD



March 2018

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## About Texans Care for Children

We drive policy change to improve the lives of Texas children today for a stronger Texas tomorrow.

We envision a Texas in which all children grow up to be healthy, safe, successful, and on a path to fulfill their promise.

We are a statewide, non-profit, non-partisan, multi-issue children's policy organization. We develop policy solutions, produce research, and engage Texas community leaders to educate policymakers,

the media, and the public about what works to improve the well-being of Texas children and families.

Funded by a variety of foundations and individual donations, our work covers child protective services, juvenile justice, mental well-being, health, early childhood, and the ways that each of those policy areas work together to shape children's lives and the future of Texas.



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# Introduction

For children, the experiences during the first few years of life and school serve as the foundation for the rest of their lives. Their brains are rapidly developing in these early years, and an effective, supportive learning environment is critical to helping them get a solid start in school and life.

For teachers, supporting and nurturing young children is a passion, but appropriate training, tools, and support are critical for managing the challenges and frustrations they can face in their jobs.

For Texans, the way we treat the youngest children in our schools and communities not only shapes the future of our state but also says something about our values.

Unfortunately, for too many young Texas students, their prime learning time is disrupted by ineffective school discipline policies that permit children — even ones as young as four years old — to be suspended from their classrooms.

Fortunately, in 2017 the Texas Legislature passed House Bill 674. The new law, which went into effect on September 1, 2017, prohibits out-of-school suspensions for public school students from pre-k through second grade except for very narrow circumstances, such as a student bringing a gun to school. HB 674 still permits in-school suspensions and placement in Disciplinary Alternative Education Programs (DAEP) for these grades. It also outlines alternative strategies that districts may implement to reduce challenging behaviors and support students' needs. Similar bans on early grade suspensions policies were approved in 2016 and 2017 by school boards in Austin, Dallas, El Paso, and Houston Independent School Districts (ISDs).

**While the new law is a major step forward, school districts, the Texas Education Agency (TEA), and state policymakers have significant work to do to implement the legislation, reduce in-school suspensions, and ensure effective practices are in place in our schools.**



Remaining steps include:

- Ensuring that out-of-school suspensions in pre-k through second grade are replaced by effective, positive strategies to address behavior and support students and teachers;
- Reducing reliance on the pre-k through second grade discipline measures not covered by HB 674, including in-school suspensions and DAEP, and ensuring these practices are not expanded to replace out-of-school suspensions;
- Rooting out the disproportionate use of in-school suspensions and other harmful discipline practices among certain students in early grades;
- Addressing expulsions, suspensions, and other counterproductive discipline practices in the grades not covered by HB 674; and
- Addressing expulsions and suspensions, as well as

alternative strategies, in child care programs outside of the public school system.

This report covers both in-school suspensions (ISS) and out-of-school suspensions (OSS) among Texas students from pre-k through second grade. Because expulsions are so rare in pre-k through second grade in Texas (there were only three in 2015-2016), this report does not focus on them. The report does include limited data on DAEP, which includes all expulsions for students under age 10 in Texas as well as other placements in DAEP that are functionally similar to expulsions. In large measure, this report's descriptions of the reasons for suspensions, concerns about suspensions, and alternatives to suspensions would also apply to DAEP placements and other punitive discipline measures in early grades. Unless otherwise noted, the data presented in this report are for traditional school districts as well as charter districts.



# Executive Summary

**In 2017, the Legislature passed House Bill 674, prohibiting out-of-school suspensions for public school students from pre-k through second grade unless a student brings a gun to school, commits a violent offense, or is involved with drugs or alcohol.** HB 674, which went into effect on September 1, 2017, still permits in-school suspensions and placement in Disciplinary Alternative Education Programs (DAEP) for these grades. It also outlines alternative strategies that districts may implement to reduce challenging behaviors and support students' needs.

**The new law is a major step forward, but school districts and state policymakers still have significant work to do.** They must implement the legislation, ensure effective strategies are implemented in our schools, and address the ongoing use of in-school suspensions in early grades and other ineffective discipline practices that are still permitted.

**Suspensions harm pre-k through second grade students in three primary ways.** They give students a first impression of school as a negative place where they don't belong just as young students are forming impressions about school and how they fit into it. When schools suspend young students, they are missing an opportunity to identify and address the causes of challenging behavior. And suspensions deny valuable classroom learning time to young students. In addition to the harm they do to individual students, early childhood suspensions are a sign that a district, campus, and/or classroom is not implementing positive behavioral strategies and creating supportive school climates.

**There are several, sometimes overlapping reasons why schools suspend young students.** Students may engage in challenging but age-appropriate behavior. They may engage in challenging behavior stemming from family and life challenges such as hunger or homelessness; mental, behavioral, or developmental disorders; or trauma and toxic stress. Or classroom settings and practices, such as difficult schedules or sitting too long, may trigger challenging behavior.

Some teachers and administrators react more harshly to student behavior compared to other educators because of high stress levels or a lack of positive behavior strategies. Some educators react more harshly to similar behavior from different students due to implicit bias, the unconscious attitudes or beliefs that all people have about others.

**State policies in several areas may contribute to early suspensions.** State cuts to Early Childhood Intervention (ECI) for children under age three with disabilities and delays, low access to quality child care, too-large pre-k class sizes, inadequate support for mental health and behavior strategies in schools, and the state's previous cap on special education enrollment may lead to more challenging behavior in early grades and a lack of tools for effectively addressing behavior.

**State data from 2015-2016 show a high number of early childhood suspensions in Texas, including in-school suspensions, which are still permitted under state law.** During the 2015-2016 school year, districts meted out over 101,248 suspensions to students in pre-k through second grade: 64,773 in-school suspensions and 36,475 out-of-school suspensions. Texas schools issued 2,147 in-school suspensions and 2,544 out-of-school suspensions to pre-k students.

**Schools disproportionately suspend pre-k through second grade students who are Black, male, in special education, or in foster care.** In the 2015-2016 school year, compared to White students, Black students in these early grades in Texas were almost five times more likely to receive out-of-school suspension and more than twice as likely to receive in-school suspension. Hispanic students were even less likely than White students in these grades to be suspended. Boys were more than four times more likely to be suspended — either in-school or out-of-school — than girls. Students in special education were two times more likely to receive in-school and out-of-school suspensions than the overall pre-k through 2nd grade student population. Schools also disproportionately suspended students in foster care, with their rates of in-school suspension

exceeding the rate for students in special education, boys, or any racial/ethnic categories. Shockingly, there were over 21 suspensions per 100 students in foster care in kindergarten through 2nd grade. Students in foster care were nearly three times more likely to receive out-of-school and in-school suspension than the overall pre-k through 2nd grade student population.

**State data indicate that certain school districts — most notably Jasper and Killeen ISDs — have particularly high suspension rates for pre-k students.**

A total of 44 districts in the state had a rate of 10 or more suspensions per 100 pre-k students in 2015-2016. Jasper ISD had the highest overall pre-k suspension rate in the state (65 suspensions per 100 pre-k students) and the highest rate of in-school suspension in the state (58 per 100 students). Out of a pre-k enrollment of just 122 students, Jasper ISD issued a stunning 71 in-school suspensions to 23 students and 9 out-of-school suspensions to 5 students. In Killeen ISD, the number of pre-k suspensions exceeds all other school districts. Killeen ISD's 1,460 total pre-k suspensions in 2015-2016 account for 31 percent of the 4,691 pre-k suspensions statewide, yet the district is only 1.6 percent of the total statewide pre-k enrollment. Killeen ISD combines one of the highest pre-k suspension rates in the state (43 per 100 students) with one of the largest pre-k enrollments in the state (3,423 students in 2015-2016). The district suspended non-military-connected pre-k students twice as often as it suspended military-connected pre-k students. The district issued an astonishing 632 suspensions to its 917 non-military pre-k students in 2015-2016.

**There are more effective strategies for districts and schools to address student behavior, but unfortunately, many school boards, administrators, principals, and teachers may not be aware of or well-trained on these strategies.**

Schools can help students learn to manage their emotions and navigate conflicts using models such as Social Emotional Learning (SEL). Positive Behavioral Intervention and Supports (PBIS) is an evidence-based framework to bring about proactive systems change within a school using a three-tiered model with "universal supports" for all students, "targeted" supports for students at risk of behavioral and other non-academic challenges, and "individualized" wraparound interventions for students with intensive

needs. Other effective approaches include Restorative Discipline; educator access to coaches, early childhood mental health consultants, and behavior specialists; maximizing the use of school counselors; referral to outside services; on-site school mental health services; and training and technical assistance offered by Educational Service Centers. Additionally, districts and schools should assess and systematically address disparities in school discipline.

**Before the Legislature passed HB 674 in 2017, Austin, Dallas, El Paso, and Houston ISDs passed similar early grade suspension bans and spent years implementing more effective strategies.**

Houston ISD and El Paso ISD implemented their bans during the 2016-2017 school year, one school year ahead of HB 674. Their use of positive behavior strategies reduced their rates of early grade in-school and out-of-school suspensions. The Austin ISD and Dallas ISD bans were to be implemented the same school year as HB 674. These four districts can serve as models to other districts as they look to reduce suspensions and implement innovative ways to support their students.

**Suspensions and expulsions are also concerning in child care.**

Texas does not collect data on the subject, but studies conducted in other states suggest private child care providers expel pre-k students at even higher rates than public school or Head Start programs. Existing efforts to reduce removals include recommendations provided by federal agencies, the collaboration of mental health professionals with parents and early care providers through the Infant and Early Childhood Mental Health Consultation (IECMHC) model, the new Texas Department of Family and Protective Services (DFPS) requirement for child care centers to establish a policy on suspensions and expulsions, and positive steps to address young children's needs in certain Texas communities through the Texas LAUNCH Project.

**There are further steps that should be taken to address early childhood suspensions in Texas.**

The Texas Legislature, the Texas Education Agency (TEA), and school districts should work together to track and reduce in-school suspensions, analyze and eliminate the disproportionate use of suspensions for certain groups of students, and expand the use of positive behavior strategies in Texas schools, among other actions.



# Why Early Childhood Suspensions Are Troubling

## An ineffective — and often counterproductive — way to change behavior

Studies have shown that students removed from their classrooms are more likely to have poor grades, engage in further misbehavior, and drop out of school than classmates who were not removed from their classrooms.<sup>1</sup>

These negative results are even more concerning when suspensions — and the harm they do — fall disproportionately on certain students, a pattern that is discussed in the following pages of this report.

There are three primary ways that suspensions can harm young students:

### 1. Giving students a first impression of school as a negative place where they don't belong

Young children start school with a natural excitement and curiosity that is critical to academic and social success, but their spirit can be crushed quickly. Just as students are starting their academic careers and developing their understanding of how they fit into school, suspensions can send children as young as four years old the message that school is a negative force in their lives and that they are troublemakers who are unwelcome in school.

These practices may create or exacerbate students' anxiety, alienation, and lack of confidence that they can succeed in school.<sup>2</sup> In fact, as children internalize the message that they are “bad” kids, it should come as no surprise that early childhood suspensions are associated with continued challenging behavior and future suspensions.<sup>3</sup>

### 2. Missing an opportunity to identify and address the causes of challenging behavior

When teachers and administrators rely on suspensions, they are missing the opportunity to identify and address the underlying causes of challenging behavior and effectively teach the student how to manage their emotions and resolve conflicts appropriately. Removing a student from the classroom may give the teacher a brief reprieve, but it does not help a child learn alternative, positive behavior. Missing this opportunity in pre-k and kindergarten is particularly unfortunate since one of the key purposes of these grades is to give young students — many of whom have never attended school before — the social and emotional tools they will need to succeed in school.

### 3. Denying students learning time in the classroom

Suspensions reduce the amount of learning time for students, putting their academic progress at risk.<sup>4</sup> As Fort Worth ISD School Board President Tobi Jackson stated in a news article about the disproportionate use of suspensions on Black girls, “Anytime a student misses school, due to suspension, they are not learning and progressing.”<sup>5</sup> Students who are suspended often have academic challenges and can ill afford to miss valuable instruction time.

Research also suggests there may be a detrimental effect on all students within schools that rely heavily on exclusionary discipline practices. Schools with high suspension and expulsion rates tend to have lower rates of school-wide academic achievement.<sup>6,7</sup> When schools do not implement school-wide positive supports, teachers and administrators find themselves spending more time addressing disciplinary matters and less time teaching. The correlation between high suspensions and lower school-wide academic achievement runs counter to the argument that removing students will improve the learning environment for other students.

# A signal that positive behavioral strategies have not been implemented

Reliance on early childhood suspensions is a signal that a district, campus and/or classroom needs additional support. The following pages highlight examples of

key strategies and supports that improve the school climate and help students manage their emotions, navigate conflicts, and improve their behavior. In the absence of these strategies and supports, students will continue to behave in challenging ways and fall short of their potential. Teachers will continue to struggle, affecting their morale and stress levels. And school personnel will continue to rely on overly punitive and counterproductive measures, including suspensions still permissible under law.

## Explanation of Key Punitive Disciplinary Actions for Early Grades in Texas Schools

**In-school suspension and out-of-school suspension:** Of the punitive discipline options outlined in this section, suspensions are by far the most common for students in pre-k through second grade. A school principal is authorized to issue an in-school suspension or out-of-school suspension based on a student's actions and the direction provided by the school district's student code of conduct. An out-of-school suspension may not exceed three school days. As the terms imply, a student given an in-school suspension is removed from the classroom and temporarily placed in another section of the school with a member of the school's staff, while a student given out-of-school suspension is directed to stay home for the length of the suspension. As explained in this report, in 2017 the Texas Legislature banned the use of out-of-school suspensions for students in pre-k through second grade unless the student engages in conduct that is punishable as an offense in the penal code, is involved in alcohol or drug activity, or brings a weapon to school.

**Expulsion:** All students under 10 years old who are expelled must receive an education in a Disciplinary Alternative Education Program (DAEP). Under state law, a student under 10 years old who brings a gun to school is automatically expelled (i.e. permanently

removed from the campus) and placed in a DAEP. The student is expelled for at least one year (unless the superintendent chooses a shorter time for the student) and is placed in a DAEP. Bringing a gun to school is the only reason a student under six years of age would be sent to a DAEP.

**Disciplinary Alternative Education Program (DAEP):** A DAEP is an educational setting on or off campus for a student who has been removed from the classroom due to behavior. A student in a DAEP must receive academic and behavioral instruction, but the school district has the discretion to determine how to provide it. According to state law, if a student age six through nine engages in conduct that is punishable as an offense in the penal code, is involved in alcohol or drug activity, or brings a firearm to school, the student shall be removed to a DAEP. Other than a gun offense, the length of stay is determined by the district superintendent as outlined in the district's code of conduct. These mandatory DAEP placements are outnumbered by discretionary placements, in which a school administrator chooses to place a student in a DAEP. Under state law, a student under age six may not be placed in a DAEP unless the student brings a gun to school, in which case the student must be placed in a DAEP.

# Why Young Students Are Suspended

In some ways, early childhood suspensions reflect the fact that effectively managing and educating a classroom of four-year-olds or seven-year-olds, day in and day out, is no easy task. There is no doubt that sometimes young students “act out.” Even the most effective, compassionate, and supported teachers and administrators are bound to have days when they are at their wits’ end.

Yet, suspending students in pre-k and the early grades is avoidable. If a school administrator is considering suspending a five-year-old, it is sign that the student needs help, the teacher needs help, and/or the school environment may need to implement more developmentally appropriate practices.

The research on early childhood suspensions and anecdotal evidence from teachers and families suggest there are a variety reasons, outlined below, for why young students behave in challenging ways and why well-meaning educators may react ineffectively.

## Challenging but age-appropriate behavior

As younger students learn to navigate the world, testing boundaries and struggling to manage emotions are age-appropriate behaviors. It is developmentally appropriate for young children to understand what emotions are by “trying them out.” Even in cases where children create conflict or are aggressive, it may be because they have not yet learned better ways to express their frustration. Research shows 10 to 15 percent of typically-developing preschoolers have ongoing, mild to moderate levels of behavior problems.<sup>8</sup> Children will typically outgrow these behaviors as their brains develop and they learn to regulate their emotions and behaviors.

## Challenging behavior stemming from family and life challenges

Behaviors stemming from hunger, developmental disorders, trauma, and similar causes can be addressed effectively but cannot be “disciplined away.” Nonetheless, too often administrators use suspensions to respond to behavior rooted in these underlying needs.

### Unmet basic needs

It is difficult for young students to stay focused and engaged when they are tired, hungry, or do not feel well. Indeed, studies show that children whose families have difficulty meeting basic food needs, who have trouble sleeping, or who experience homelessness are at risk for behavioral and academic challenges.<sup>9</sup> Unfortunately, a significant number of Texas children face one or more of these challenges that can interfere with their learning:

- More than one in four children in Texas lives in a household that has difficulty meeting basic food needs, putting them at risk for behavioral, emotional, and academic problems.<sup>10</sup>
- Studies show that 37 percent of children from kindergarten through 4th grade suffer from at least one sleep problem.<sup>11</sup>
- In Texas, 23 percent of children are living in poverty.<sup>12</sup>
- There were 115,676 homeless students (pre-k to 12th grade) in Texas during the 2015-2016 school year; a 12 percent increase since the 2012-2013 school year.<sup>13</sup>

## Mental, behavioral, or developmental disorders

In the U.S., one out of every seven children between the ages of two and eight is diagnosed with a mental, behavioral, or developmental disorder.<sup>14</sup> Due to their young age, some students may not have a formal diagnosis although the behaviors are present. Left untreated, these disorders can lead to challenging behaviors. Without appropriate early interventions, problem behaviors can persist and worsen, increasing the odds of early childhood suspension.

Early childhood speech impairment, for example, is associated with a range of social, emotional, and behavioral problems.<sup>15</sup> Children may have difficulty understanding what is expected of them or communicating with their teachers and peers, leading to frustration on all sides.

## Trauma and toxic stress

Adverse childhood experiences (ACEs) can literally alter the child's brain, especially if there are multiple traumatic experiences and/or the child does not have a strong support system. When children experience

prolonged or high levels of stress, sometimes referred to as toxic stress, the hormone cortisol physiologically disrupts brain development, affecting the way a child learns, reacts, and behaves.

Children who have experienced trauma may have difficulty identifying, expressing, and managing emotions and can behave in ways that seem oppositional and extreme.<sup>16</sup> Moreover, children with trauma and conflict in their lives are sometimes particularly sensitive to overly punitive behavior and harsh approaches because they can trigger the kinds of stress they feel at home.

The devastation caused by Hurricane Harvey, and the instability that families have faced in its aftermath, is a high profile example of childhood trauma. Other causes of childhood trauma include the death of a parent or other loved one; witnessing violence; and abuse or neglect. In fact, prior to the storm, 728,000 children across Texas were estimated to have multiple traumatic experiences that place their physical, social, emotional, and educational development at risk.<sup>17</sup> In 2016, more than 14,000 children between the ages of four and eight were in the custody of the Texas Department of Family and Protective Services following findings of abuse and neglect.<sup>18</sup>

**“While effective teachers plan lessons and structure their classrooms with an awareness of the ultimate goals they want children to achieve, they also recognize that children at different developmental levels have different capabilities, and expectations need to be adjusted accordingly. Prekindergarten children mature over time in parallel areas such as length of attention span, expressive vocabulary, behavioral self-control, problem-solving skills, fine-motor coordination, and working memory skills. These diverse aspects of development impact — directly and indirectly — children’s ability to understand particular concepts and carry out specific activities successfully.”<sup>19</sup>**

**Texas Prekindergarten Guidelines, 2015**

# Challenging behavior stemming from classroom settings and practices

Teachers want to support their students and nurture positive behavior, but they may not have the support or training to create the appropriate classroom setting or implement effective practices. They may lack training and experience with the age group they are teaching or with effective classroom strategies that can be developed and fine-tuned with the help of administrators, coaches, mentors, or additional professional development.

As a result, challenging student behaviors can be triggered by a student's classroom surroundings or schedule, missing recess, sitting for too long, a shortage of materials coveted by students, or spending too much time on a particular activity or in transition. In fact, students who are not engaged by a lesson or struggle to follow along may misbehave just to get out of it. The behavior then becomes reinforced when the teacher removes the student after acting out. Additionally, children are more likely to engage in challenging behavior if there is an absence of positive behavior modeling by the teachers and staff, opportunities for young students to practice and master positive behaviors, and other proactive efforts to help students gain skills that lead to appropriate behaviors.

## Teachers and administrators' different responses to appropriate or inappropriate behavior

### Educators reacting more harshly than other educators

Research has shown that teachers with higher levels of stress view student behaviors more harshly<sup>20</sup> and are more likely to expel their students than teachers with low stress levels.<sup>21</sup> These harsher reactions can occur regardless of how well-intentioned a teacher is. Teaching 20 or more young students can be physically and emotionally taxing even on a good day, and finding the time and energy to devote extra time to a child who is melting down is no easy task.

Additionally, teachers and administrators in one school or district may react more harshly — and ineffectively — than peers in another school or district if they have a personal belief in harsher discipline, they do not have adequate training in positive behavior techniques, a positive behavior system has not been implemented or implemented with fidelity, and/or school districts leaders have not offered clear guidance on early grade suspensions.

### Educators reacting more harshly to similar behavior from different students

Implicit bias — the unconscious attitudes or beliefs that all people have about others — can lead well-meaning teachers and administrators to respond differently to different students engaging in similar behavior.

Recent research led by Dr. Walter S. Gilliam of the Yale Child Study Center found that in a controlled study in which young Black and White children were actors and behaving appropriately, both Black and White early educators were more likely to focus on boys, particularly boys who are Black, as potentially misbehaving.<sup>22</sup> One explanation for racial disparities in early childhood suspension, according to Dr. Gilliam, is that teachers find bad behavior exactly where they most expect it.<sup>23</sup>

Additionally, teachers' and school administrators' interpretations and reactions to children's behavior can be influenced by cultural differences. For example, a student's lack of eye contact may stem from her cultural background and not from a lack of respect.<sup>24</sup>

Recent research led by Dr. Walter S. Gilliam of the Yale Child Study Center found that in a controlled study in which young Black and White children were actors and behaving appropriately, both Black and White early educators were more likely to focus on boys, particularly boys who are Black, as potentially misbehaving.

# State Policies That May Contribute to Early Childhood Suspensions

There are a variety of state and local policy decisions that may also help explain why educators in the early grades have struggled with challenging behaviors by such young students. In some cases, budget cuts and policy decisions have reduced family access to high quality early childhood programs and, in other cases, the state's efforts to support young students with mental health and special needs have fallen far short.

## Early Childhood Intervention and Medicaid rates for therapies for children with disabilities

Students with disabilities and developmental delays are more likely to have behavioral and other challenges in early grades if they and their families do not have early access to effective occupational, speech, physical, and other therapies as well as interventions that teach families how to support their child's development. The state's Early Childhood Intervention (ECI) program provides these coordinated therapies to children under age three with disabilities and delays.

Reductions in state appropriations to ECI since 2011 have placed a significant financial strain on community organizations that contract with the state to provide ECI services. Additionally, in 2015, the Legislature reduced Medicaid reimbursement rates for therapies for children with disabilities, undermining vital therapy services provided by ECI as well as private home health agencies that serve children of all ages with disabilities.

As documented in our recent reports on ECI, the number of Texas children receiving ECI services has declined significantly since 2011, with a disproportionate impact on communities of color, particularly Black families.<sup>25</sup> Six contractors withdrew from the state ECI program in 2016 and 2017, leaving 44 contractors in place.

Given that ECI programs are proven to reduce enrollment in school-based special education, cuts and eligibility reductions to ECI very likely have left young students with un-addressed or under-addressed disabilities and delays that contribute to behavioral challenges in the early grades.

## Access to quality child care

In partnership with parents, child care centers serving children ages zero to five are key to helping children develop the strong emotional and social skills that are necessary for school and life success, such as managing emotions, paying attention, following directions, sharing, and developing empathy.

Yet, for the more than one million Texas children served by licensed child care providers, there is little assurance that these providers are able to achieve the positive outcomes associated with high quality early learning. State requirements for child care class sizes and child-teacher ratios, for example, are woefully inadequate when compared to national best practices, which means caregivers are often unable to provide individual attention to the babies and toddlers in their care and opportunities to promote children's social-emotional development are missed.<sup>A</sup>

For many families, the quality child care programs that do exist in the state are unaffordable and/or not in their neighborhoods. A recent analysis of the availability of quality child care in Texas found that three out of four low-income Texas families live in a "child care desert," meaning there is low access to quality child care.<sup>26</sup> The result is that significant numbers of Texas children, often those who would benefit the most from high quality child care programs, are left out.

Additionally, as discussed in the following pages, expulsions and suspensions in child care also present a challenge.

A According to Minimum Standards for Child-Care Centers from DFPS, the maximum class size for two or more caregivers for a class of 3 year olds is 30, for a class of 4 year olds is 35. The National Association for the Education of Young Children (NAEYC) recommends a maximum class size of 18 and 20 respectively.

## Pre-k funding, class size, and teacher-child ratio

For pre-k, just as in every learning environment, quality matters. The research is clear that investments in high quality pre-k produce the biggest gains for pre-k students in terms of reducing the achievement gap and ensuring young students have a solid start to school. Studies also show that manageable classroom sizes and the ratio of pre-k students to teacher set the stage for the type of engaged and nurturing teaching that is a hallmark of effective pre-k. Teachers who have more time for individualized instruction and engagement are better able to manage behavior challenges and develop students' social and emotional skills.

In Texas, state support for investments in pre-k quality has wavered. In 2015, the Legislature approved a Governor-supported appropriation of \$118 million per school year for districts to improve pre-k quality. In 2017, state leaders voted to completely eliminate that funding. Furthermore, in contrast to nationally established best practices, the state places no limits on pre-k class sizes or student-teacher ratios. In 2016, a report commissioned by TEA on pre-k quality recommended the state implement a class size maximum of 22 and allow no more than 11 students per pre-k teacher.<sup>27</sup> The state has yet to act on those recommendations.

## Support for school district efforts to address student mental health and behavior

School districts receive little support or guidance from the state for the positive strategies outlined in the following pages of this report. These behavior strategies overlap with many effective mental health strategies aimed at establishing a positive school climate and providing more targeted support to students who need it.

However, as detailed in our November 2017 report, "Student Mental Health After The Storm: Hurricane Harvey Raises the Stakes for Supporting Healthy Minds in Texas Schools," the state's role in supporting student mental health has largely consisted of providing a website with recommended best practices, requiring a minimal amount of training for school personnel, providing limited grant funds for those seeking more

training, and taking a few other limited steps. The introduction of several student mental health bills in the 2017 legislative session, as well as the creation of the state's Hurricane Harvey Task Force on School Mental Health Supports in October 2017, may signal greater interest among state leaders in supporting school districts' efforts to address student mental health.

## Special education identification and enrollment

Special education services are critical for addressing disabilities and other needs that can contribute to challenging behavior in the early grades. Students who have difficulty communicating or are frustrated by a lack of appropriate accommodations may act out. According to the U.S. Department of Education's Office of Civil Rights, data on school discipline suggest that many children with disabilities may not be receiving appropriate behavioral supports in their Individual Education Plans.<sup>28</sup>

In Texas, advocates and a Houston Chronicle investigation revealed in 2016 that TEA had set a "benchmark" that effectively served as an arbitrary 8.5 percent cap on special education enrollment at the district level.<sup>29</sup> In January 2018, the U.S. Department of Education's Office of Special Education Programs (OSEP) review found that Texas violated federal law by effectively capping the statewide percentage of students who could receive special education services and incentivizing some school districts to deny services to eligible students. The federal decision cited data showing that the state's overall special education identification rate had fallen from 11.6 percent in 2004 to 8.6 percent in 2016.<sup>30</sup> TEA's corrective action plan will try to address the needs of previously denied students who should receive compensatory services as well as identification of students qualifying for special education services going forward.

This denial or delay of services for disabilities, emotional disturbance, and other challenges may have contributed to students struggling academically and behaviorally. As our data analysis indicates, children in special education were one group of students with a disproportionate share of early grade suspensions in 2015-2016. Although the Legislature eliminated the special education cap in 2017, the state has work to do to comply with the recent federal review, including improving special education identification, enrollment, and services at the district and campus level.

# Analysis of Early Childhood Suspensions in Texas

For this report, Texans Care for Children staff examined Texas Education Agency statewide data on suspensions in pre-k through second grade during the 2015-2016 school year. School districts are required to report data on all in-school and out-of-school suspension actions to TEA.

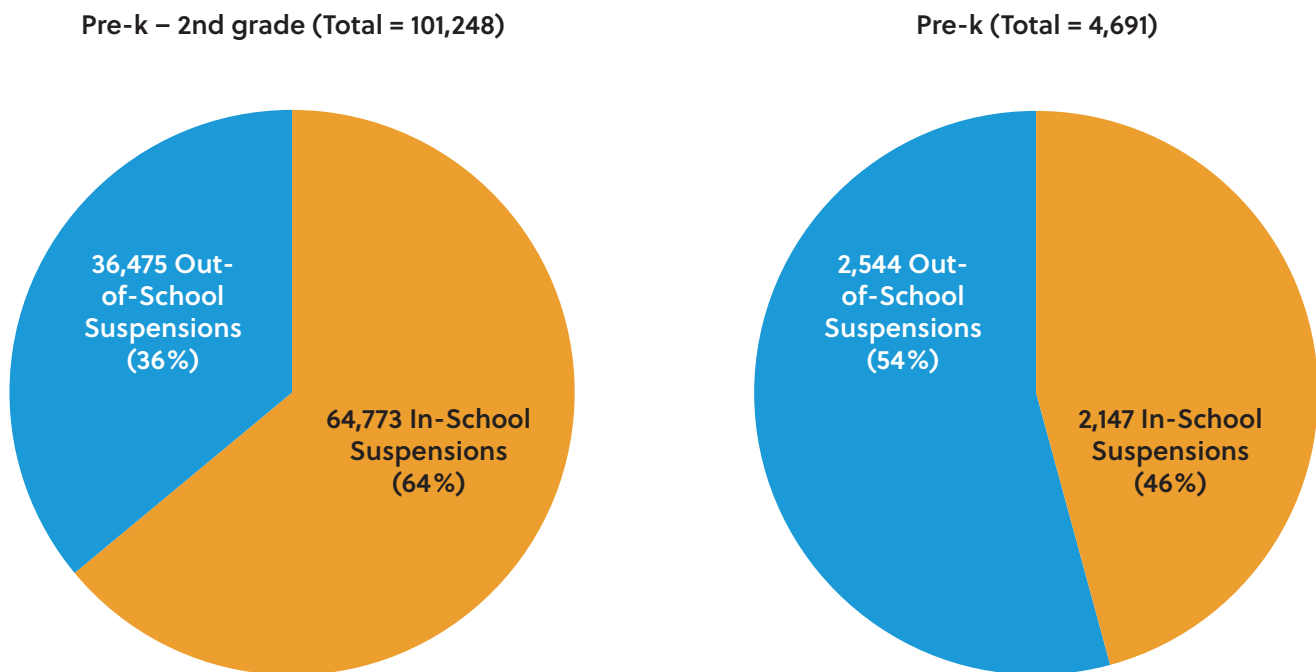
This section starts with an analysis of statewide trends and concludes with an analysis of pre-k suspension data

at the individual school district level. Pre-k suspensions are particularly concerning given these four- and five-year-old children are truly just beginning their school careers.<sup>B</sup>

The data point to a number of concerning findings, which are outlined below.

<sup>B</sup> Suspension rates are rounded off to the nearest whole number in this analysis except where greater precision is required.

**Fig 1. More In-School Suspensions than Out-of-School Suspensions, Except in Pre-k, 2015-2016**



Source: Texas Education Agency. Public information Request of Public Education Information Management System (PEIMS). State Level Pre-k – 2nd grade A1704051 PIR# 29446 received 4/19/17. State Level Pre-k A1701056 PIR# 28795 received 1/30/17.



# High number of suspensions in early grades

## School districts across Texas have resorted to suspending young students — especially through in-school suspensions — at alarming rates.

During the 2015-2016 school year, districts meted out over 101,248 suspensions to students in pre-k through second grade: 64,773 in-school suspensions and 36,475 out-of-school suspensions.<sup>31</sup> These data equate to 4.5 in-school suspensions and 2.6 out-of-school suspensions per 100 students in pre-k through 2nd grade.

The total number of 2015-2016 suspensions in pre-k through 2nd grade was slightly lower than the 112,404 that occurred during the 2013-2014 school year.<sup>32</sup> As explained below, in recent years some of the state's largest school districts have implemented strategies to reduce early childhood suspensions, which may help explain the reduction.

The data reveal that in-school suspensions have been much more common than out-of-school suspensions in the early grades. Given that HB 674 only restricted out-of-school suspensions, district use of in-school suspension will likely continue and perhaps even increase in the future, putting young learners at sustained risk of removal from their classrooms.

It is important to note that in these early grades, 100 percent of suspensions are discretionary and 82 percent of DAEP placements during the 2015-2016 school year were discretionary. In other words, administrators had the flexibility to respond to student behavior with other strategies but chose instead to issue suspensions or place a student in DAEP.

## The number of suspensions in pre-k is lower than in other early grades but raises particular concerns.

During the 2015-2016 school year, Texas schools meted out 2,147 in-school suspensions and 2,544 out-of school

suspensions to pre-k students. Enrollment in the Texas pre-k program in 2015-2016 was just over 221,000 children.

According to the district data reported to TEA, pre-k suspensions were confined to 346 school districts, or 33 percent of the 1,054 school districts operating pre-k programs in Texas. Looking just at those 346 school districts that reported pre-k suspensions, the data translates into 2.78 suspensions per 100 pre-k students in those districts. Comparing those suspensions to the state's entire pre-k enrollment yields a rate closer to two suspensions for every 100 pre-k students.<sup>C</sup>

As noted earlier, these are the youngest students in our schools, in most cases four years old. For many Texas four year olds, pre-k is the first time they have been exposed to learning in a structured classroom setting. Additionally, with few exceptions, they are eligible for pre-k because they are English language learners, low-income, homeless, a child of a member of the military, or have been in the conservatorship of Child Protective Services (CPS). Texas pre-k is intended to help disadvantaged children be ready to succeed in kindergarten and beyond. Instead, for thousands of the state's youngest children, pre-k is giving them a negative first experience with school and limiting their academic and behavioral learning opportunities.

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<sup>C</sup> TEA data for 2015-2016 indicate there were 0.97 in-school pre-k suspensions and 1.15 out-of-school pre-k suspensions per 100 students.

# Students at disproportionate risk of being suspended in early grades

**Black students in Texas pre-k through second grade were almost five times more likely to receive out-of-school suspensions compared to White students.**

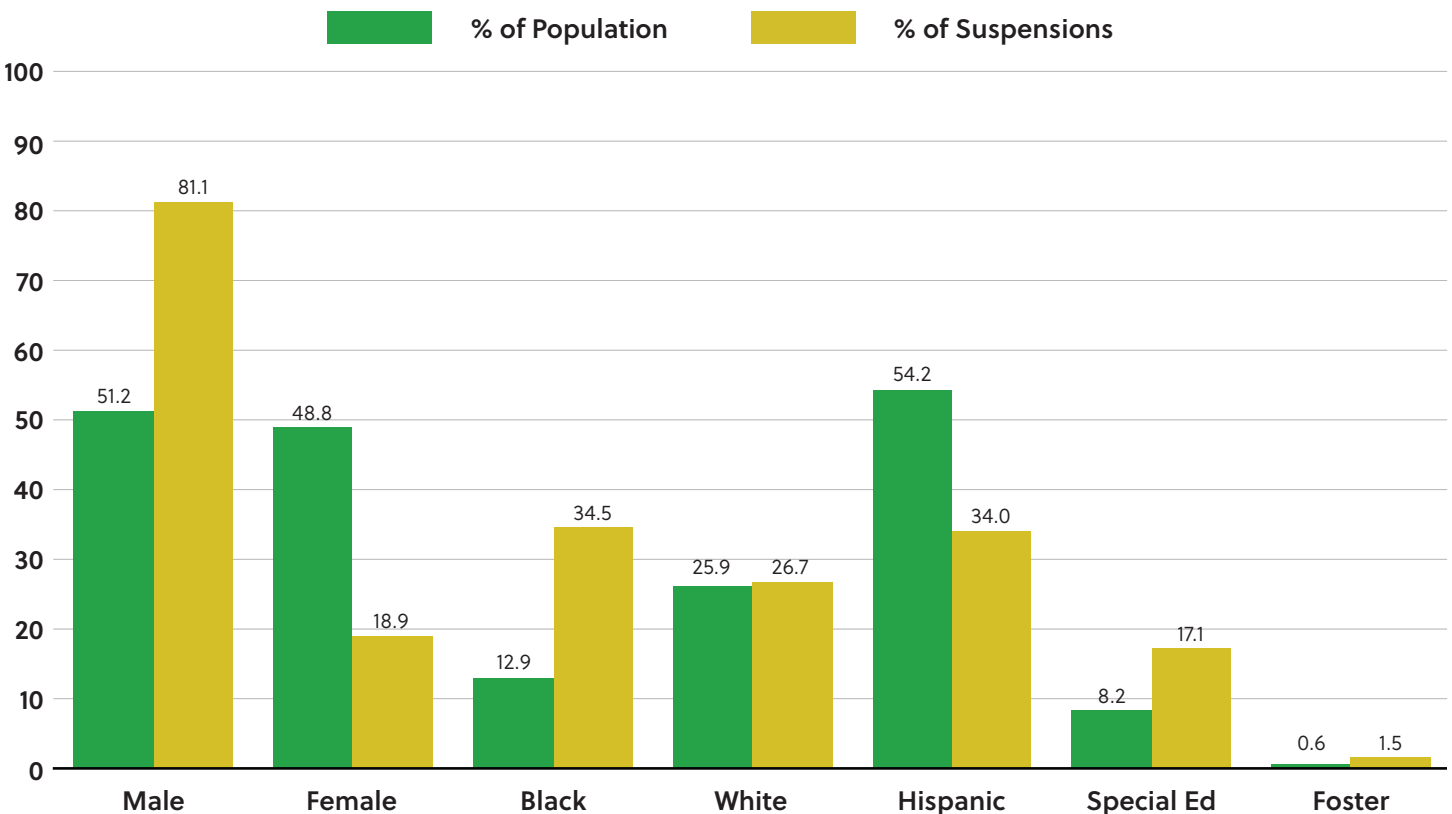
Studies of pre-k and early grade suspension across the country have found suspensions fall disproportionately on Black students. Texas data reflect that same

disproportionate impact. The disparity for in-school suspensions was also significant though not as severe as out-of-school suspensions. In the 2015-2016 school year, compared to White students, Black students were almost five times more likely to receive out-of-school suspension and more than twice as likely to receive in-school suspension.<sup>D</sup> Hispanic students were even less likely than White students in these grades to receive in-school or out-of-school suspension. Black students made up about 13 percent of the pre-k through 2nd grade population in 2015-2016 but accounted for 30 percent of students receiving in-school suspensions and 42 percent of students receiving out-of-school suspensions that year.<sup>33</sup>

As noted earlier, the implicit biases of educators and administrators appear to contribute to this pattern. Recent research conducted by Dr. Walter Gilliam of

<sup>D</sup> The in-school suspension rate for Black students in 2015-2016 was 11.52 per 100 students as compared to 5.44 per 100 for White students. The out-of-school suspension rate for Black students was 8.64 per 100 students as compared to 1.83 per 100 for White students.

**Fig 2. Schools Disproportionately Suspend Pre-k through 2nd Grade Students Who Are Black, Male, in Special Education, or in Foster Care, 2015-2016**



Calculated based on number of students suspended, not the number of suspensions.

Sources: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). State Level A1704051 PIR# 29446 received 4/19/17. State Level Demographic A1707093 received 8/3/17. State Level Foster A1705075 PIR# 29750 received 5/26/17 and A1706031 PIR# 29817 received 6/14/17.

Yale University and others found that early childhood teachers were more likely to identify Black children as misbehaving, even in the case of child actors behaving appropriately in controlled research studies.<sup>34</sup> The over-identification of challenging behaviors by Black children could result in teachers being more likely to suspend Black children than students from other racial backgrounds. Unless districts and educators work to understand and address implicit bias in the classroom, young Black students will continue to be removed from their classrooms at higher rates through the use of in-school-suspension or placement in a DAEP, which HB 674 did not limit.

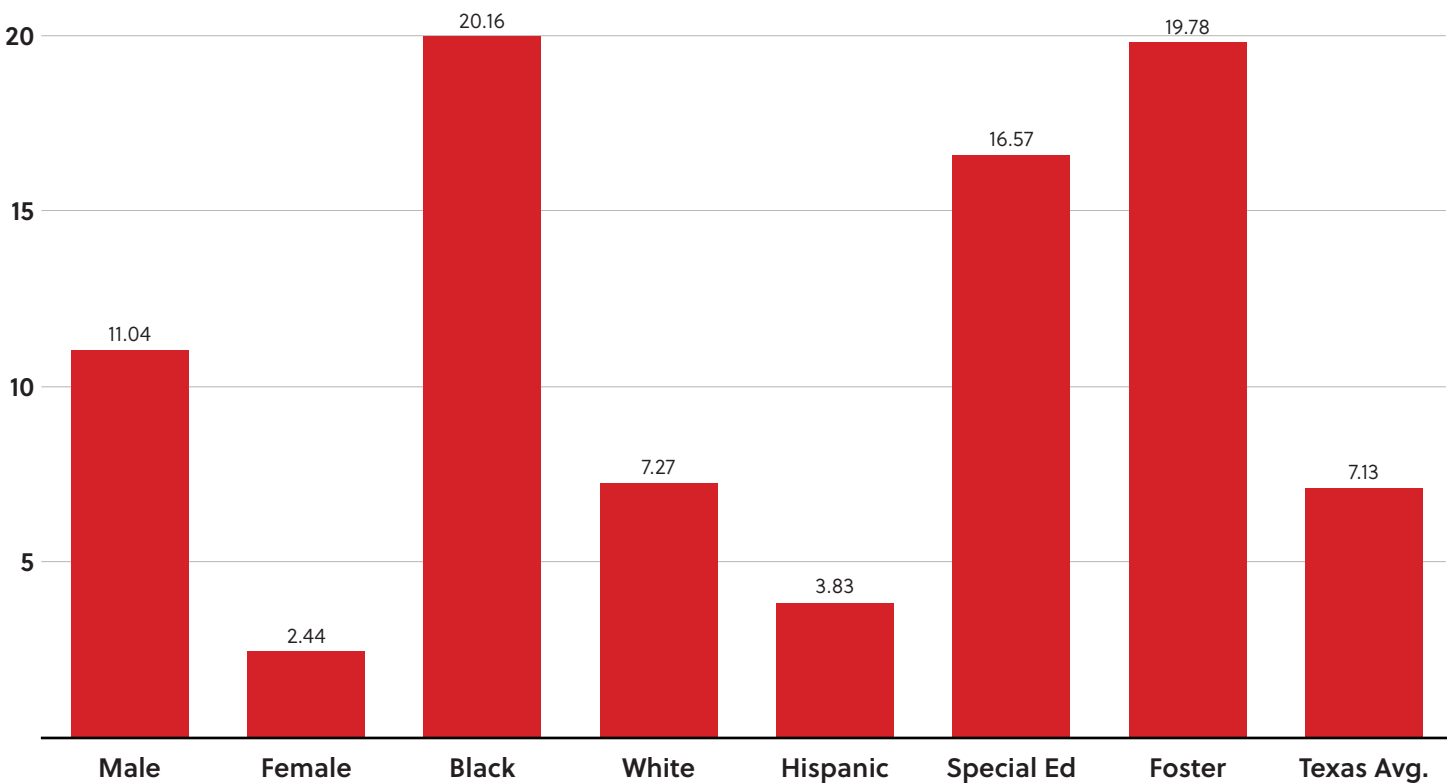
**Boys were more than four times more likely to be suspended — either in-school or out-of-school — than girls.**

<sup>E</sup> In the 2015-2016 school year, schools meted out in-school suspensions to boys at a rate of 7.08 per 100 students compared to 1.61 for girls and gave OSS to boys at a rate of 4.05 per 100 students compared to .84 for girls.

Although boys represented 51 percent of the pre-k through 2nd grade student population in Texas in 2015-2016, they were four times more likely to be suspended than girls.<sup>E</sup> Boys accounted for more than 80 percent of young students receiving in-school suspensions and 82 percent of students receiving out-of-school suspensions that year.<sup>35</sup>

Research shows that gender biases can affect teachers' expectations, how they perceive students' behaviors, and how often and severely they react to those behaviors. The disproportionate effect of suspension policies on Black boys in Texas reflects what researchers in other states have also found.<sup>36</sup> It is critical to explore how racial and gender disparities in early childhood suspensions may contribute to the achievement gap.

**Fig 3. Rate of Suspensions Per 100 Pre-k through 2nd Grade Students Show Disproportionate Punishment, 2015-2016**



*Includes both in-school and out-of-school suspensions. Calculated based on the number of suspensions, not the number of students suspended.*

Sources: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). State Level A1704051 PIR# 29446 received 4/19/17. State Level Demographic A1707093 received 8/3/17. State Level Foster A1705075 PIR# 29750 received 5/26/17 and A1706031 PIR# 29817 received 6/14/17.

## Students in special education were two times more likely to receive in-school and out-of-school suspensions than the overall pre-k through 2nd grade student population.

Although students in special education represent only eight percent of pre-k through second grade enrollment in Texas, they represented 15 percent of students receiving in-school suspensions and 20 percent of students receiving out-of-school suspensions for that age group in 2015-2016.<sup>F</sup>

The suspension rates were even higher among certain students in special education. For example, compared to the overall kindergarten to second grade population, students in those grades and eligible for special education due to Emotional Disturbance were eight times more likely to receive an in-school suspension. Even more alarming, they were seventeen times more likely to receive an out-of-school suspension. Additionally, those classified with an Other Health Impairment (OHI) — which is the category for students with ADHD along with asthma, diabetes, epilepsy, Tourette's Syndrome, and other medical diagnoses — were two times more likely to receive in-school suspension and three times more likely to receive out-of-school suspension.<sup>37</sup>

State and federal laws place some restrictions on suspensions of students in special education, particularly if a student is suspended for a total of 10 or more days during a single school year. Despite these protections, Texas students who are identified with disabilities are still disproportionately receiving both in-school and out-of-school suspensions.<sup>38</sup> In addition, the data capture only students whose disabilities have been identified, excluding those students with disabilities who have gone unidentified and lack protections and specialized behavioral supports.

## Students in foster care also disproportionately received suspensions, with their rates of in-school suspension exceeding the rate for students in special education, boys, or any racial/ethnic categories.

Shockingly, there were over 26 suspensions per 100 students in foster care in kindergarten to 2nd grade (the rate in pre-k was somewhat lower). Students in foster care were nearly three times more likely to receive out-of-school and in-school suspension than the overall pre-k through 2nd grade student population.<sup>G</sup> Children in foster care make up 0.6 percent of students in pre-k through 2nd grade but accounted for 1.5 percent of students receiving in-school and out-of-school suspensions.<sup>39</sup>

Some level of acting out can be expected from very young students who have experienced abuse or neglect, the trauma of being separated from their families, and the instability that can occur in foster care. However, the data suggest that, in some cases, schools are responding to predictable, even understandable behavior in a way that further punishes some of the students most in need of a supportive, stable, and positive experience in school.

## Many students are in multiple categories with disproportionate suspension rates.

While the suspension rates are disproportionately high for Black students, boys, students in foster care, and students in special education, it is important to bear in mind that many students are in two, three, or even four of these categories. The disproportionate effect of suspension policies on certain categories of students is a sign that school districts have important work to do to address these disparities and ensure all children get the support they need to stay in their classrooms and engaged in their learning.

## The same demographic groups are disproportionately placed in DAEPs.

Kindergarten through second grade students who are Black, male, in foster care, and/or in special education are also disproportionately placed in Disciplinary Alternative Education Programs (DAEPs), according to TEA data. (There were no pre-k students placed in DAEP in 2015-2016.)

There were 998 Texas kindergarten through second grade students sent to DAEP in 2015-2016. Because

F In the 2015-2016 school year, pre-k through 2nd grade students in special education were given in-school suspension at a rate of 9.57 per 100 as compared to 4.56 per 100 for the overall pre-k through second grade student population in Texas. Their rate of out-of-school suspension was 7.00 per 100 as compared to all students at 2.57 per 100.

G Children in pre-k through second grade in foster care received in-school suspension at a rate of 12.70 per 100 students as compared to a rate in those grades of 4.56 for all students, 7.08 for male students, 9.57 for students in Special Education, and 11.52 for Black students. They received out-of-school suspension at a rate of 7.07 per 100 as compared to 2.57 for all students in those grades in 2015-2016.

some students were sent more than once, there were a total of 1,210 DAEP removals. DAEP placements are not technically considered expulsions but are functionally similar.

The vast majority of the DAEP placements — 993 of the 1,210 — were discretionary, meaning that school personnel had the option of keeping the student in the classroom to continue learning and address the behavior.

## School districts with the highest rates of pre-k suspensions

Of the 1,054 Texas school districts (ISDs and Charter districts) offering half or full-day pre-k programs, 346 reported pre-k suspensions for 2015-2016. The following analysis is based on the 136 districts that reported at least five pre-k suspensions that year. A total of 44 districts in the state have a rate of 10 or more suspensions per 100 pre-k students.<sup>40</sup>

### Smaller school districts and several East Texas districts, led by Jasper ISD, suspended pre-k students at far higher rates than other districts.

In districts serving more than 100 pre-k students, the highest pre-k suspension rates in the state in 2015-2016 were in Jasper, Killeen, Pearsall, Livingston, Quinlan, Fredericksburg, Whitehouse, Ft. Sam Houston, Ferris, La Porte, and Lake Travis ISD. Pearsall ISD, for example, issued 30 suspensions to 13 different students out of a mere 114 pre-k students, resulting in a rate of 26 suspensions per 100 pre-k students. With the exception of the large Killeen ISD, each of those districts had a pre-k enrollment between 106 and 212 students.

Jasper ISD has the highest overall pre-k suspension rate in the state (65 per 100 students) and the highest rate of in-school suspension in the state (58 per 100 students). Its rate of out-of-school suspension (7 per 100 students) is about twice the state average. Out of a pre-k enrollment of just 122 students, data indicate that Jasper ISD issued a stunning 71 in-school suspensions to 23 students and nine out-of-school suspensions to 5 students in 2015-2016. According to the district's website, only one Jasper ISD campus — Few Primary School — serves pre-k students. Jasper ISD did not respond to a written request to discuss its pre-k suspension data and practices.

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**The smallest districts in the state — those serving fewer than 100 pre-k students and often fewer than 50 — account for seven of the top ten districts in terms of high pre-k suspension rates.**

In districts serving 100 or fewer pre-k students, those with the highest rates of pre-k suspensions per 100 students were Cross Roads, Kennard, Quitman, Covington, East Bernard, New Waverly, Bridge City, Woodville, Columbus, Sommersville, and Mount Enterprise ISDs. With the exception of Bridge City and Columbus ISDs, each of those districts has fewer than 50 pre-k students, and several have fewer than 25.

The proportion of pre-k students suspended in these districts is extraordinarily high. Cross Roads ISD meted out five suspensions to a pre-k population of 10 students in 2015-2016, for example, while Kennard ISD reported seven suspensions for their pre-k population of 19 young students.

**Most of the very large school districts in the states had low suspension rates, but several large districts had suspension rates well above the average.**

Among the 21 districts with at least 1,500 pre-k students in 2015-2016, eight districts had very low rates of less than one suspension per 100 pre-k students: Houston, Austin, Arlington, Northside, El Paso, Pasadena, and Spring Branch ISD and the KIPP charter district. Another eight districts had rates higher than one suspension per 100 pre-k students but below the state average: Dallas, San Antonio, Aldine, Brownsville, Cypress-Fairbanks, Garland, Ysleta, and Amarillo ISDs. While Killeen had the highest number of overall pre-k suspensions at 1,460, Fort Worth ISD and Dallas ISD followed at a distance with 145 and 133 pre-k suspensions, respectively.

Fig 4. Districts with Highest Pre-k Suspension Rates, ISS + OSS Combined, 2015-2016

District	Pre-k Suspensions	Pre-k Students Suspended	Pre-k Enrollment	Rate/100
JASPER ISD	80	28	122	66
CROSS ROADS ISD	5	NA*	10	50
KILLEEN ISD	1,460	495	3,423	43
KENNARD ISD	7	NA*	19	37
QUITMAN ISD	11	8	33	33
COVINGTON ISD	7	NA*	21	33
EAST BERNARD ISD	6	NA*	18	33
NEW WAVERLY ISD	16	9	50	32
PEARSALL ISD	30	13	114	26
BRIDGE CITY ISD	22	7	84	26
WOODVILLE ISD	9	NA*	37	24
LIVINGSTON ISD	38	17	166	23
COLUMBUS ISD	17	NA*	77	22
QUINLAN ISD	37	18	174	21
MOUNT ENTERPRISE ISD	5	NA*	24	21
SOMERVILLE ISD	5	NA*	24	21
GANADO ISD	6	NA*	29	21
FREDERICKSBURG ISD	25	6	121	21
RAINS ISD	11	6	58	19
WHITEHOUSE ISD	19	NA*	106	18
HAWLEY ISD	7	5	42	17
FT SAM HOUSTON ISD	23	17	140	16
FERRIS ISD	26	7	161	16
CHISUM ISD	8	NA*	51	16
TOM BEAN ISD	5	NA*	33	15

\* Represents masked data from TEA for districts reporting fewer than 5 students suspended.

Source: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). District Level Pre-k A1701056 PIR# 28795 received 1/30/17.

A review of other large districts in the state — the 60 districts serving at least 300 pre-k students and reporting the use of suspensions — shows that several had pre-k suspension rates higher than the state average. Those with the highest rates were Killeen, Nacogdoches, Longview, Victoria, Waco, Galveston, New Caney, Corpus Christi, La Joya, Lufkin, Texarkana, Dickinson, Lubbock, and Tyler ISD.

## The number of pre-k suspensions at Killeen ISD far exceeds all other school districts.

Killeen ISD's 1,460 total pre-k suspensions in 2015-2016 account for 31 percent of the 4,691 pre-k suspensions statewide. Killeen ISD combines one of the highest pre-k suspension rates in the state (43 per 100) with one of the largest pre-k enrollments in the state (3,423 students in 2015-2016).

Among the 60 districts serving at least 300 pre-k students and reporting the use of suspensions, the district with the rate closest to matching Killeen is Nacogdoches ISD with 11 suspensions per 100 pre-k students. Killeen ISD handed out ten times the number of pre-k suspensions as Fort Worth ISD, the district with the second highest number of pre-k suspensions in the state, although Fort Worth ISD's enrollment is about 75 percent larger than Killeen ISD's.

Killeen ISD relied heavily on both types of suspensions. The district issued 580 out-of-school suspensions to 176 pre-k children, for a rate of 17 out-of-school suspensions per 100 pre-k students compared to the state average of 1.15 per 100 pre-k students. Killeen ISD also issued 880 in-school suspensions to 319 pre-k students, with a rate of 26 in-school suspensions per 100 students compared to the state average of 0.97 per 100 pre-k students.

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Killeen ISD's student population is noteworthy for the high number of students from military families, who accounted for 73 percent of the district's pre-k students in 2015-2016. Military-connected children may struggle in school due to frequent moves, parental stress and mental health challenges, and other factors. Research has found that young children with parents who have been deployed experience more emotional and behavioral problems as compared to their counterparts who have not experienced parental deployment.<sup>41</sup>

However, the district's high number of military-connected children does not appear to explain its heavy reliance on suspensions. In fact, the district suspended non-military-connected students twice as often as it suspended military-connected students. The district issued an astonishing 632 suspensions to its 917 non-military pre-k students. Statewide, setting aside the data from Killeen, there is also a lower rate of suspensions in pre-k among military-connected students compared to other students in those grades.

Further inquiry is needed to assess why Killeen ISD reports such a high pre-k suspension rate. Texans Care for Children submitted a written request to the district to discuss its pre-k suspension data and practices. The response from Killeen only contained confirmation that the data are correct.

## Some districts particularly relied on the use of out-of-school suspension.

The list of districts with the highest out-of-school suspension rates — Bridge City, Woodville, Fredericksburg, Killeen, and Hawley ISDs — is largely similar to the list of districts with high overall suspension rates. However, some districts had high rates of out-of-school suspensions paired with low in-school suspension rates, meaning their approach is concerning but they might not appear on the list of districts with the highest overall rates.

Among districts with more than 50 pre-k students in 2015-2016, districts with the highest rates of out-of-school suspensions but low in-school suspension rates are Bridge City, Fredericksburg, Newton, and Trinity ISDs, and Texas College Preparatory Academies. Bridge City, for example, issued 22 out-of-school suspensions to seven pre-k students out of the 84 students in the grade. If we narrow this category down to the biggest districts — those with more than 500 pre-k students — the districts with higher out-of-school suspension rates are Victoria, New Caney, Corpus Christi, Lufkin, Lubbock, Midland, and Fort Worth ISDs.

Because out-of-school suspensions are largely prohibited now that HB 674 has taken effect, it will be important to monitor these and other districts to determine if they replace their out-of-school suspensions with positive, more effective approaches or merely increase their use of in-school suspension and DAEP.

### **Some districts particularly relied on the use of in-school suspension, which is still allowed under HB 674.**

Because in-school suspension is still permitted for pre-k and other early grades under HB 674, it will be important to monitor these districts to determine if they proactively implement positive strategies to support students and reduce their high rates of in-school suspensions in early grades.

Those districts highlighted above with the worst overall suspension rates also tend to have the worst in-school suspension rates. However, certain districts with very high in-school suspension rates do not appear on the list of districts with the highest overall suspension rates because they have relatively low out-of-school suspension rates.

Among districts with more than 50 pre-k students in 2015-2016, the districts with the highest rates of in-school suspensions but low out-of-school suspension rates are New Waverly, Pearsall, Livingston, Quinlan, and Ferris ISDs. Among the state's largest districts — those with more than 500 pre-k students — three had an in-school suspension rate greater than 2.00 (compared to the statewide average of 0.97) and a low out-of-school suspension rate: La Joya, Tyler, and Cypress-Fairbanks ISDs. In other words, these districts rely more heavily on in-school suspensions rather than out-of-school suspension.





Fig 5. Districts with Highest Pre-k In-School Suspension Rates, 2015-2016

District	Pre-k Suspensions	Pre-k Students Suspended	Pre-k Enrollment	Rate/100
JASPER ISD	71	23	122	58
CROSS ROADS ISD	5	NA*	10	50
KENNARD ISD	7	NA*	19	37
QUITMAN ISD	11	8	33	33
COVINGTON ISD	7	NA*	21	33
EAST BERNARD ISD	6	NA*	18	33
NEW WAVERLY ISD	16	9	50	32
PEARSALL ISD	30	13	114	26
KILLEEN ISD	880	319	3423	26
LIVINGSTON ISD	38	17	166	23
QUINLAN ISD	37	18	174	21
MOUNT ENTERPRISE ISD	5	NA*	24	21
SOMERVILLE ISD	5	NA*	24	21
GANADO ISD	6	NA*	29	21
RAINS ISD	11	6	58	19
FERRIS ISD	26	7	161	16
CHISUM ISD	8	NA*	51	16
TOM BEAN ISD	5	NA*	33	15
LA PORTE ISD	32	8	212	15
NORTH HOPKINS ISD	5	NA*	34	15
COLUMBUS ISD	11	NA*	77	14
ANAHUAC ISD	6	NA*	43	14
PRINCETON ISD	26	10	193	13
HUGHES SPRINGS ISD	9	7	74	12
CALDWELL ISD	8	NA*	72	11

\* Represents masked data from TEA for districts reporting fewer than 5 students suspended.

Source: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). District Level Pre-k A1701056 PIR# 28795 received 1/30/17.

Fig 6. Districts with Highest Pre-k Out-of-School Suspension Rates, 2015-2016

District	Pre-k Suspensions	Pre-k Students Suspended	Pre-k Enrollment	Rate/100
BRIDGE CITY ISD	22	7	84	26
WOODVILLE ISD	9	NA*	37	24
FREDERICKSBURG ISD	25	6	121	21
KILLEEN ISD	580	176	3,423	17
HAWLEY ISD	7	5	42	17
NEWTON ISD	10	9	68	15
TRINITY ISD	7	NA*	60	12
WHITEHOUSE ISD	11	NA*	106	10
GONZALES ISD	16	NA*	155	10
LAKE TRAVIS ISD	13	5	130	10
MALAKOFF ISD	5	NA*	50	10
BISHOP CISD	5	NA*	51	10
EAST CHAMBERS ISD	7	NA*	78	9
TAFT ISD	5	NA*	56	9
WEST OSO ISD	5	NA*	61	8
COLUMBUS ISD	6	NA*	77	8
JASPER ISD	9	5	122	7
NACOGDOCHES ISD	25	11	344	7
VICTORIA ISD	40	20	596	7
LOCKHART ISD	16	NA*	243	7
FT SAM HOUSTON ISD	9	7	140	6
NEW CANEY ISD	30	7	522	6
GILMER ISD	5	NA*	88	6
KILGORE ISD	11	7	201	5
LONGVIEW ISD	28	11	536	5

\* Represents masked data from TEA for districts reporting fewer than 5 students suspended.

Source: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). District Level Pre-k A1701056 PIR# 28795 received 1/30/17.

# Effective Strategies for Districts and Campuses

There is no one strategy to ensure all children receive the unique supports they need to be successful learners. The most effective approaches include those that create healthy and safe school environments, support and guide educators, and provide targeted help to the children who need it. Implementing new strategies and fine-tuning existing efforts takes time, and change is never easy. However, the data illustrate that if more Texas schools effectively implement proven approaches such as those highlighted below, the benefits will accrue to children, families, schools, communities, and the state. Unfortunately, many school boards, administrators, principals, and teachers may not be aware of or well-trained on the benefits of positive behavioral strategies and their impact on student outcomes.

## Helping students learn to manage their emotions and navigate conflicts

Parents play the lead role in helping children develop coping and self-regulation skills, but they need schools to be a strong partner in this effort. There are numerous research-backed tools and practices that educators can use to help students develop this “executive function” and reduce challenging behavior. Helping students learn to resolve conflicts in healthy ways, regulate their behavior, and stay focused affects not only how well students perform in schools but also how well they transition to adulthood and work.

State policymakers have acknowledged the role that schools must play in helping children develop skills needed to get along with others and behave appropriately in school. The Texas Essential Knowledge and Skills (TEKS) for Health Education, for example, includes personal and interpersonal skills that

elementary students are expected to demonstrate, such as being respectful to others, building healthy relationships, and expressing themselves in appropriate ways. The Texas Prekindergarten Guidelines also highlight social emotional learning, as well as the need to set up classrooms and plan the schedule to support the developmental needs of young children, among other ways to make students feel safe and supported.<sup>42</sup>

Schools that address students’ social emotional competencies have seen decreases in problem behaviors and increases in positive social behaviors.<sup>43</sup> Providing students with opportunities to develop their self-regulation skills, initiative, attention, and persistence has been linked to stronger language, reading, and math skills in their later school years, too.<sup>44,45</sup>

Social Emotional Learning (SEL) is a well-known approach to helping students develop those skills. SEL is an evidence-based process by which students develop the skills necessary to identify and regulate their emotions, set and work toward goals, feel empathy for others, create positive relationships, and learn how to make responsible decisions.

A 2011 meta-analysis of SEL initiatives showed an 11 percent gain in academic achievement for students in SEL programs compared to other students.<sup>46</sup> Research also shows that SEL has a considerable return on investment, producing \$11 in benefits for every \$1 invested.<sup>47</sup>

The Collaborative for Academic, Social, Emotional Learning (CASEL) partners with districts across the country, including Austin and El Paso ISDs, to systematically implement SEL as part of the daily educational process. CASEL will also work with Dallas ISD, a Wallace SEL Initiative District, to offer SEL to 40,000 students in after-school care.<sup>48</sup>

## School-wide positive behavioral interventions and supports

Academic achievement increases and problem behavior declines when classrooms and school environments are predictable, transition smoothly, and are physically set up in ways that are conducive to learning. Positive behavior management strategies applied in classrooms and throughout campuses have been shown to prevent challenging behaviors in the vast majority of students and even help students who may need some additional interventions.

Positive Behavioral Intervention and Supports (PBIS) is an evidence-based framework to bring about this kind of proactive systems change within a school using a three-tiered model with "universal supports" for all students, "targeted" supports for students at risk of behavioral and other non-academic challenges, and intensive, highly individualized "indicated" interventions for students with intensive needs. PBIS acknowledges positive student and staff behavior and uses data to drive decision-making on strategies to improve outcomes for both individual students and school-wide. The early childhood version of PBIS is known as the Pyramid Model or Program-Wide PBIS (PW-PBIS). It supports social emotional competence in children from birth to age five.

Studies have shown reductions in discipline problems and improvements in academic outcomes following the use of school-wide PBIS in elementary schools.<sup>49</sup> Children in at-risk and high-risk categories were significantly less likely to receive discipline referrals in schools using PBIS than similar students in schools not using PBIS.<sup>50</sup>

The state's Region 4 Education Service Center (ESC) spearheads the initiative on behavior and PBIS through the Texas Behavior Support Network. As of 2014-2015, more than 500 campuses in Texas reported to Region 4 that they were using school-wide PBIS.<sup>51</sup> This number is likely to be a significant undercount of the number of campuses using PBIS since not all schools use ESC resources to implement this popular proactive behavioral support.

## Restorative Discipline

Restorative Discipline is an evidence-based, whole-school approach that emphasizes relationship building and amends-making to resolve student conflicts, address bullying, and improve student behavior. Under Restorative Discipline, students engage in a process to understand the harm caused by their behavior, learn how to repair relationships, develop empathy, and be accountable. School systems and classrooms that have implemented the approach report a decrease in disruptive behavior and suspensions as well as improved school attendance.<sup>52</sup>

In 2015, TEA partnered with the Institute for Restorative Justice and Restorative Dialogue at The University of Texas at Austin School of Social Work to participate in a statewide roll-out of Restorative Discipline Practices. The partnership thus far has provided training to school districts and to ten of the twenty ESCs in Texas.<sup>53</sup>

## Educator access to coaches, early childhood mental health consultants, and behavior specialists

Offering educators access to consultants with deep knowledge of child development and behavior has been shown to positively affect children's behavior, teachers' skills, teacher retention, and program quality.<sup>54</sup>

There is growing interest in this proven model of collaboration between educators in school and child care settings and experts in children's mental health and behavior. Known as early childhood mental health consultation, the model aims to improve the ability of staff, families, programs, and early childhood systems to prevent, identify, treat, and reduce the impact of mental health problems among young children and their families.

Many Texas school districts have Behavior Specialists on staff who can provide teachers with assistance in addressing challenging student behaviors.<sup>55</sup> Smaller districts often do not have access to a staff with this specific title, but might use support from a Licensed Specialist in School Psychology (LSSP) or outside

contractors for these services. TEA does not track the number of Behavior Specialists working in schools. However, during the 2016-2017 school year, 1,849 LSSPs/psychologists were employed by districts.<sup>56</sup>

Connecticut offers these effective services to all of the state's early childhood providers, including both public school pre-k and private child care providers. The model provides both classroom-specific consultation (focusing on improving teacher-child interactions and overall program quality) and child-specific consultation (focusing on improving behavioral and social-emotional strategies, parent engagement, and referrals to community services as appropriate).<sup>57</sup> Over three randomized control studies, the researchers found that in early childhood classrooms where teachers received early childhood consultation services, children were rated as significantly lower on measures of hyperactivity, restlessness, externalizing behaviors, and problem behaviors when compared to children in classrooms where teachers did not receive the service.<sup>58</sup>

## School counselors

School counselors in Texas are required to consult with teachers to help them increase the effectiveness of student education and promote student success, but high student-to-counselor ratios and the administrative tasks assigned to them often prevent school counselors from being available to assist teachers and students.<sup>59</sup> School districts in Texas with 500 or more students enrolled in elementary school grades are required to employ a school counselor, maintaining a 1:500 counselor to student ratio. Districts with fewer than 500 elementary students can employ a part-time school counselor or share a counselor with one or more other districts.

## Training and technical assistance offered by Educational Service Centers

Each of the state's 20 ESCs has a designated person on staff whom educators can contact with questions about training and technical assistance on the use of positive behavior interventions and supports across all grade levels. However, with approximately 1,200 school districts, more than 8,900 schools, more than 352,000

teachers, and over 5.3 million students in Texas,<sup>60</sup> ESCs do not have the capacity to offer teachers a significant level of training or consultation, especially for individual cases.

## Assess and systematically address disparities in school discipline

Along with providing students and teachers with the support needed to succeed, school districts and campuses should address disparities in school discipline. It is important for schools to collect, analyze, and meaningfully use data on suspensions and other disciplinary practices to identify where targeted supports, training, and practice changes are needed. Other tools may be valuable to assist administrators and teachers in identifying and addressing implicit bias.

Training on implicit biases can help raise teachers' awareness of personal biases and their consequences. The training provides teachers the opportunity to challenge and change their own thinking and behavior patterns.<sup>61</sup> This important work can ensure more educators are reflective about their teaching strategies and the messages, both intentional and unintentional, they send to their students at this vulnerable time in their development.



# Progress in Four Texas School Districts

Before the Legislature passed HB 674 in 2017, four Texas school districts had adopted similar policies to restrict early grade suspensions. Houston and El Paso ISD implemented their bans for the 2016-2017 school year. The Dallas and Austin school districts approved policies that would have gone into effect for the 2017-2018 school year if the state policy had not been enacted.

Perhaps more significantly, these four districts spent years implementing more effective strategies, including some of those discussed above, prior to adopting their restrictions on early grade suspensions. Across these four districts, the reported rate of out-of-school suspensions has dropped over the last ten years, falling nearly 70 percent in Houston ISD, 30 percent in El Paso ISD, and 52 percent in Austin ISD over that 10 year period.<sup>H</sup> The decline in Dallas ISD was less than four percent over that decade.<sup>I</sup>

More details on each district's experience and strategies are below.

## El Paso ISD

In May 2016, the El Paso school board banned suspensions and DAEP placements up to 2nd grade. These policies went into effect during the 2016-2017 school year.

The district has a number of new strategies in place. It implemented PBIS on all 94 campuses starting in 2015. El Paso ISD joined the Collaborative for Academic, Social, and Emotional Learning (CASEL) in July 2016 as a partner district implementing SEL in seven pilot schools during the 2016-2017 school year with a goal of implementation in all schools by 2020. District educators, special education professionals, and counselors will be trained in Mental Health First Aid through a partnership between the district and Emergence Health Network.<sup>62</sup>

As a result of its efforts, El Paso ISD has seen a decrease in suspensions in the early grades. From 2013-2014 to the 2015-2016 school year, out-of-school suspensions for pre-k through 2nd grade declined 45 percent and in-school suspensions for kindergarten through 2nd grade fell 59 percent.<sup>63</sup> El Paso ISD's pre-k suspension rate in 2015-2016 was .74 suspensions per 100 students, less than half the statewide rate. El Paso ISD reported 18 pre-k suspensions in 2015-2016 out of a pre-k enrollment of more than 2,400 students.

## Dallas ISD

In February 2017, the Dallas ISD school board adopted a policy banning out-of-school suspensions for lower level behaviors for grades pre-k through 2nd grade, which was scheduled to go into effect during the 2017-2018 school year.

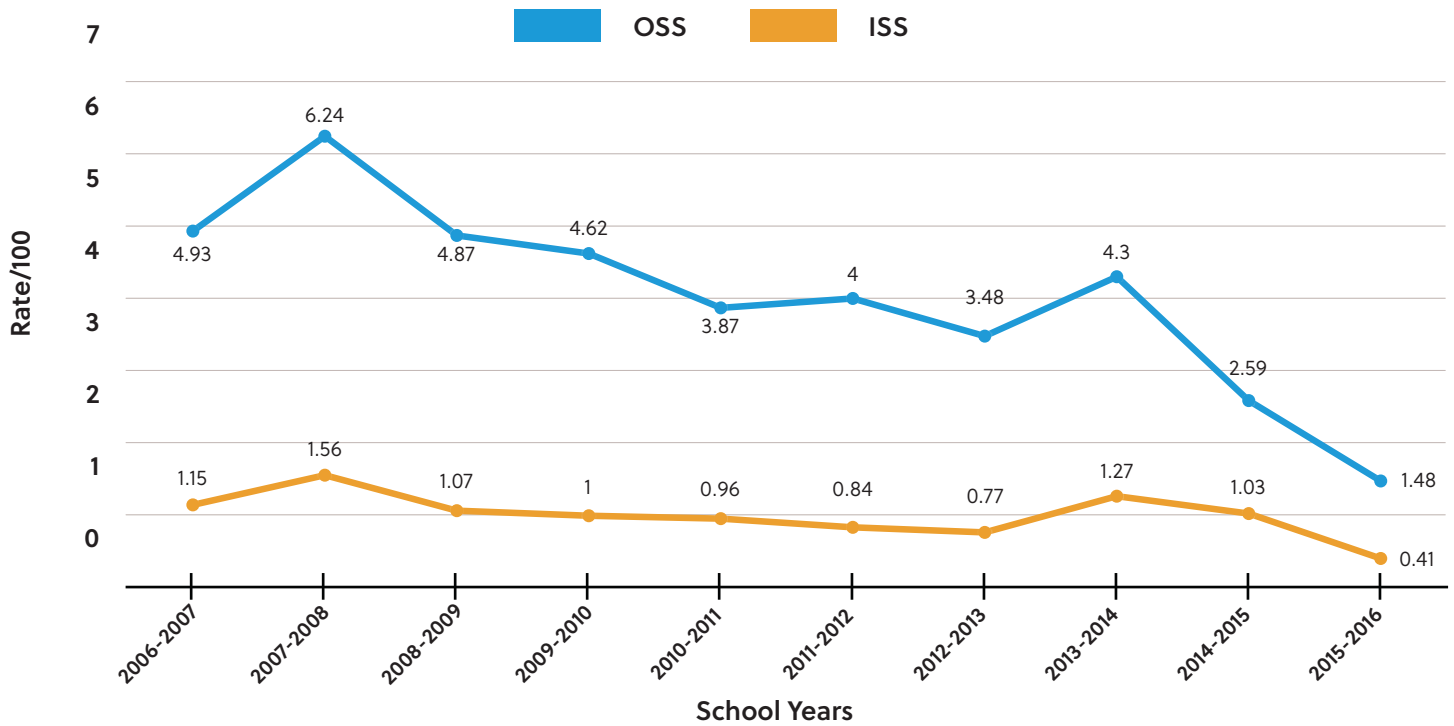
The district has increased training for educators on the impact of trauma and toxic stress on students and classroom management. For the 30 elementary schools with the most disciplinary offenses, the district implemented either Restorative Discipline, PBIS, or an SEL framework to support students. For seven elementary campuses, it used grant funding from The Wallace Foundation to support the implementation of SEL during school and in after-school programs. The district is working with CASEL's Partnerships for Social and Emotional Learning Initiative to bring SEL to an additional 50 campuses.<sup>64</sup>

Dallas ISD's pre-k suspension rate in 2015-2016 was 1.32 suspensions per 100 pre-k students, higher than the rates of Houston, El Paso, and Austin school districts but still lower than the state average. Dallas ISD reported 133 pre-k suspensions in 2015-2016 out of a pre-k enrollment of more than 10,000 students.

H The rate fell from 4.93 to 1.48 per 100 students in Houston ISD, 3.04 to 2.11 in El Paso ISD, and 2.42 to 1.17 in Austin ISD

I The reported out-of-school suspension rate in Dallas ISD fell from 3.89 to 3.75 per 100 students

**Fig 7. Reduction in Out-of-School (OSS) and In-School (ISS) Suspensions for Pre-k through 2nd Grade Students in Houston ISD**



Source: Texas Education Agency. Public information request of Public Education Information Management System (PEIMS). Houston ISD data from A1707092 received 8/15/17.

## Houston ISD

In February 2016, the Houston ISD school board banned out-of-school suspensions for grades pre-k through 2nd grade and limited suspensions in third through fifth grade to a last resort. The ban went into effect in the 2016-2017 school year. In coming school years, the district plans to extend the ban through all elementary grade levels.<sup>65</sup>

Houston ISD has rolled out a broad plan to implement strategies that are more effective than suspensions and expulsions. The district updated its Code of Conduct to reflect a new emphasis on keeping students in school and implementing practices that support, rather than exclude, students. The district implemented the Safe & Civil Schools program for all grades during the 2013-2014 school year to address classroom management and school climate. It implemented Positive Behavioral Interventions and Supports (PBIS) in 70 schools, with plans to expand to an additional 70 schools during the 2017-2018 school year. The district also created an Office of Social and Emotional Learning with SEL curriculum

incorporated into daily classroom learning. The district also added psychologists to help students experiencing grief, trauma, or other crises.

Houston ISD plans to create an equity team focused on reducing disparities in school discipline, which will be supported by an advisory group that includes parents. The district has offered training on addressing implicit bias with school personnel and district leaders.

Overall, out-of-school suspensions have declined in Houston ISD over the last 10 years. As a result of its recent efforts, it has seen a particularly sharp decrease in suspensions, both in-school and out-of-school, since the 2013-2014 school year. From that year to 2015-2016, Houston ISD saw a 66 percent reduction in out-of-school suspensions and 68 percent reduction in in-school suspensions for students in pre-k through 2nd grade.<sup>66</sup> Houston ISD's pre-k suspension rate in 2015-2016 was among the lowest of districts reporting pre-k suspensions at .28 suspensions per 100 pre-k students. Houston ISD reported 41 pre-k suspensions in 2015-2016 out of a pre-k enrollment of more than 14,800 students.

# Austin ISD

In February 2017, the Austin ISD school board adopted a policy banning out-of-school suspensions and expulsions for students in pre-k through 2nd grade in all cases in which the state does not mandate suspensions or expulsion, such as bringing a gun to school.

Long before the vote, the district began investing in and implementing a range of tools and behavioral supports for educators and students. Starting in the 2011-2012 school year, the district began a process of rolling out SEL to each high school and all of its feeder elementary and middle schools, implementing the program in the last school's feeder pattern in the 2015-2016 school year. Each vertical team has a SEL Specialist assigned to support the implementation of SEL, offer professional development, and support the development of individual campus plans for SEL sustainability.<sup>67</sup>

In 2015, Austin ISD also began training in Trust Based Relational Intervention (TBRI), a trauma-informed

intervention. The training helps those who work with children understand how trauma affects their students' development and learning and ways to create a safe and supportive classroom. TBRI is required training for all pre-k teachers in the district. Additionally, 22 campuses and 5 district support departments have received the training. Now, in response to the suspensions ban, all teachers, administrators, and counselors who work with pre-k through 2nd grade students will be trained in TBRI. AISD is seeking to sustain the effort through a Train the Trainers coaching program.<sup>68</sup>

Over a 10-year period from the 2006-2007 school year through 2015-2016, Austin ISD had a lower rate of out-of-school suspensions in early grades than Houston, Dallas and El Paso ISDs.<sup>1</sup> Austin ISD's pre-k suspension rate in 2015-2016 was extremely low at .37 suspensions per 100 students. Austin ISD reported 18 pre-k suspensions in 2015-2016 out of a pre-k enrollment of more than 4,800 students.<sup>69</sup>

<sup>1</sup> The average rate of out-of-school suspensions during that time for Houston, Dallas, El Paso, and Austin districts was 4.04, 3.77, 2.99 and 1.40 per 100 pre-k through 2nd grade students, respectively.





# Suspensions and Expulsions in Child Care Settings

Suspensions and expulsions are not just an issue for public schools. They are a real concern in child care settings as well. These practices can occur when children repeatedly act out or when their unique needs require more attention than a busy educator can provide. What is particularly troubling about suspensions of children under five is that this age range is exactly the time when many developmental challenges begin to emerge and should be addressed in an effective manner.

Expulsion in the child care field is often referred to as “dis-enrollment.” In some cases, child care providers seek to remove children through “soft expulsions.” In these cases, child care staff strongly encourage parents to find a more suitable placement for children but do not affirmatively remove the child. In response, parents often voluntarily remove their children out of concern that they are not wanted or adequately supported there.

Studies conducted in other states suggest private child care providers expel prekindergarten students at even higher rates than public school or Head Start programs.<sup>70</sup> The 2016 National Survey of Children’s Health asked U.S. parents of children age three to five whether “they were ever asked to keep their children home from any child care or preschool because of their behavior.” Just over two percent of respondent parents said yes. The rate for Black parents was twice as high as the rate for White parents.<sup>71</sup>

Texas does not collect data on suspensions and expulsions in child care, but a survey conducted by the Texas Association for the Education of Young Children (TAEYC) in 2015 suggests that removals of children for behavioral reasons do occur. More than 75 percent of child care center respondents indicated they would likely reduce the number of children they dis-enroll because of behavior concerns if they had access to behavior consultants and training in strategies such as managing challenging behaviors, facilitating children’s social emotional development, and working with families to help manage behaviors. Several respondents also identified the benefits of having lower staff-to-child ratios in addressing behavior challenges.<sup>72</sup>

## Federal guidance on early childhood expulsions and suspensions

In response to the growing concern about early childhood suspension and expulsion, there have been intentional efforts to boost professional development opportunities for child care educators to reduce reliance on removals. Rules for the federal Child Care and Development Fund (CCDF), published in September 2016, require states to provide information to families, the general public, and, where applicable, providers. The required information addresses “policies regarding the social-emotional and behavioral health of young children, which may include policies on expulsion of preschool-aged children in early childhood programs receiving CCDF assistance.” The Office of Child Care Information Memorandum on Suspension and Expulsion also allows states to target CCDF quality enhancement funds to professional development on social emotional development, behavior management, and “reducing expulsions of preschool aged children.”<sup>73</sup>

In 2014, the Department of Health and Human Services and the Department of Education issued a national joint policy statement and recommendations with the intent to limit or eliminate the use of suspensions and expulsions across all early care settings. In 2016, the Administration for Children and Families (ACF) Office of Child Care furthered the effort with a policy statement and recommendations to increase awareness of exclusionary practices in early childhood education settings. ACF offered guidance on the creation of discipline policy that highlights the use of preventative interventions and addresses the negative effects of implicit bias. They also provided a list of free resources that are useful at the state level. The guidance stressed the creation of procedures, policies, and professional development opportunities that promote the social, emotional, and behavioral health of children and reduce the use of exclusionary discipline practices.

Head Start has been an early leader in restricting expulsion and suspension of young children. In 2016, the federal Office of Head Start issued a new policy stating that Head Start programs must prohibit or severely limit the use of suspensions due to a child's behavior. Moreover, any suspensions may only be temporary in nature and used 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." Before a Head Start program metes out a temporary suspension, a program must first "engage with a mental health consultant, 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."<sup>74</sup> In Texas, just over 64,000 three- and four-year-old children were enrolled in Head Start in 2015.<sup>75</sup>

## Infant and Early Childhood Mental Health Consultation

In 2015, the Substance Abuse and Mental Health Services Administration (SAMHSA) established a Center of Excellence (CoE) for Infant and Early Childhood Mental Health Consultation (IECMHC), a recommended practice in addressing challenging behavior in young children. Under the IECMHC model, mental health professionals collaborate with parents and early care providers to promote the mental health of young children and to address behavior that puts them at risk of being suspended or expelled. They offer support to early childhood teachers to increase their teaching competency in effectively addressing students' challenging behavior. They work with early childhood programs to develop policies to reduce the use of exclusionary practices. Additionally, they coordinate with local resources that are available to help with children's mental health issues. The CoE has created an IECMHC Toolbox with an expansive amount of implementation resources available to states, tribes, and communities.

States using IECMHC have seen a decrease in the need for expulsion. In 2002, Connecticut created the Early Childhood Consultation Partnership (ECCP), which provides for early childhood mental health consultants to work upon request with all early education and child care centers regardless of whether they are publicly or privately funded. Ninety-seven percent of children who received early childhood mental health consultation and were at risk of being expelled remained in their

child care program after consultation. Similarly, a four-year mental health consultation project in Maryland resulted in 94 percent of children who were at risk of expulsion remaining in their program.

## Texas policies

While the state does not collect data on suspensions and expulsions in licensed child care, there are some promising steps underway in Texas to help address the issue.

As part of the 2017 review of minimum child care standards conducted by the Texas Department of Family and Protective Services (DFPS), the agency instituted a new requirement for child care centers to include a policy on suspensions and expulsions as part of their written operational policies. The rule neither states what the policy should include nor prohibits child care centers from suspending or dis-enrolling students. However, the agency offers child care centers guidance, technical assistance, and resources for developing policies that encourage communication with parents, prevention practices, and use of outside resources to address behavioral concerns rather than relying on suspension or expulsion.

The Texas Department of State Health Services serves as the lead agency administering the Texas LAUNCH Project. Funded by the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration (SAMHSA) Division, this grant funded effort focuses on building capacity within the state to better address the physical, social, emotional, cognitive, and behavioral health and development of young children aged birth to eight years. Partnering with Aliviane, Inc. in El Paso and the Texas Institute for Excellence in Mental Health (TIEMH) at the University of Texas at Austin, the project is currently working with three communities — San Antonio, Fort Worth, and the Ysleta del Sur Pueblo community in El Paso on four key strategies to increase developmental screening and assessment in child-serving settings; provide family strengthening and parent skills training; support the implementation of early childhood mental health consultation; and increase the competency of the early childhood workforce in understanding child development, trauma-informed practices, and evidence-based practices for young children. Texas LAUNCH aims to serve 1,000 children and families over four years. Lessons learned from this effort can benefit other communities seeking to improve early childhood development and program supports.

# The Infant and Early Childhood Mental Health Project in Austin

In the absence of significant statewide efforts to address child care suspensions and expulsions, community leaders in the Austin area developed the Infant and Early Childhood Mental Health Project to promote the positive social and emotional health of children in child care centers, reduce expulsions, and address the needs of children experiencing trauma or developmental delays. After the Austin Child Guidance Center (ACGC) launched the effort, the United Way for Greater Austin joined the project in 2008, investing \$100,000 annually since then. Initially, there were three local organizations that provided supports to educators and children at each participating child care center: ACGC to provide clinical support to children, YWCA to facilitate support groups for educators, and Raising Austin to offer educators professional development. After reflection and evaluation, the model has been updated and streamlined. Now, each of the 12 participating child care centers and Head Start centers identifies one on-site “case manager” who targets the center’s needs and reaches out to the Austin Child Guidance Center for mental health consultation services and/or the YWCA for free counseling for staff and families. The

12 centers must participate in the local Success by 6 project, serve low-income families, and either have a high quality rating through Texas Rising Star or be NAEYC-accredited.

The range of supports currently offered to these 12 centers includes:

- Classroom observations and follow-up coaching of teaching staff
- Classroom modeling of positive interactions, emotionally responsive interactions, positive guidance and re-direction, and problem-solving skills
- Professional development
- Director coaching
- Counseling services for educators and families for up to ten one-hour sessions

The Infant and Early Childhood Mental Health Project in Austin is off to a good start, with the collaborative partners looking forward to following the outcomes of students and expanding and adjusting the model over time.



# Recommendations

The 2017 Texas ban on out-of-school suspensions in pre-k through 2nd grade was an important step. It sent a strong message that removing our youngest students from class is not conducive to early childhood development or improving student outcomes. However, the ban alone is not sufficient to make sure young students remain in their classrooms and develop the skills they need to be successful in school and life. In fact, district use of suspensions for this young student population is a sign that our approach to educating these young learners needs improvement.

Schools need more effective strategies and supports for students in the early grades. And strengthening child care for infants and toddlers is an effective way to address emerging developmental and behavioral challenges early. School boards, administrators, teachers, child care leaders, community agencies providing health and mental health services, TEA, other state agencies, parents, and the Texas Legislature all have critical roles to play to ensure that young students are getting the supports they need to stay in class and succeed in school.

## Texas Education Agency Recommendations

1. Provide districts with guidance in building a continuum of strategies to prevent and effectively address challenging behaviors through developmentally appropriate teaching strategies, targeted supports for students in need, coaching for teachers, and referral of students to community-based services. TEA can utilize regional education service centers, institutes of higher education, and other community resources to provide educators with training and technical assistance on:
  - a. Evidenced-based practices such as Social Emotional Learning (SEL), school-wide Positive Behavioral Interventions and Supports (PBIS), and Restorative Discipline.
  - b. Recognizing and responding appropriately to underlying factors of challenging student behaviors, such as developmental issues, learning differences, disabilities, and complex trauma.
  - c. Understanding the role of implicit bias on student discipline and strategies to mitigate its influence.
2. Ensure school districts do not replace out-of-school suspensions with in-school suspensions or DAEP placements. Monitor districts' rates of in-school suspensions in pre-k through 2nd grade and any continuing disproportionate impact on students of color, children in foster care and special education, and male students. For districts that rely heavily on in-school suspension, provide targeted training and technical assistance on alternative behavior management practices; the role of implicit bias and ways to mitigate its effects; and on the rights of students served under IDEA and addressing the unique needs of students with disabilities.
3. Ensure districts are appropriately identifying young students eligible for special education services and providing them the services, supports, and protections to which they are entitled through effective monitoring efforts.
4. Report school climate data, including suspensions and expulsions, on annual state and district report cards by grade level.
5. Ensure a smooth transition for students moving from Early Childhood Intervention (ECI) programs for babies and toddlers to needed school-based special education services.
6. Include local child care centers in professional development opportunities offered to district staff, where possible.

# Texas Legislature Recommendations

1. Track school districts' use of in-school suspensions and placements in DAEP and ensure the ban on out-of-school suspensions in pre-k through 2nd grade does not result in increased use of in-school suspensions or DAEP placements.
2. Direct TEA to identify and provide technical assistance to school districts with high rates of suspensions, disproportionate use of suspensions and other ineffective disciplinary practices on certain groups of students, and/or increasing number of in-school suspensions following implementation of HB 674.
3. Direct TEA to provide additional support and guidance on effective practices for reducing suspensions, supporting student mental health, improving school climate, and implementing positive behavior strategies.
4. In partnership with communities, support a network of community-based early childhood mental health consultants and/or behavior specialists to provide public school and child care educators with training and coaching on positive approaches to challenging student behaviors and restorative discipline practices.
5. Ensure districts are appropriately identifying young students eligible for special education services and providing them the services, supports, and protections to which they are entitled.
6. Strengthen the state's pre-k and child care policies to support quality improvements, including establishing a limit on pre-k class sizes, so that more children can receive the individual attention they need to be ready for school.
7. Strengthen the state's Early Childhood Intervention (ECI) program to ensure all children under age three with disabilities and developmental delays receive the therapies and supports they need to fulfill their potential.
8. Support and expand efforts like Texas LAUNCH and other local initiatives focused on early childhood mental health to more areas of the state.
9. Establish a mechanism to collect data on child care suspensions and expulsions.

# District Policy Recommendations

1. Eliminate the disproportionate use of suspensions for students who are Black, male, in foster care, or in special education.
2. Reduce the use of in-school suspensions for pre-k through second grade.
3. Review the district's discipline policies and practices, including but not limited to the use of suspensions, for all elementary grades in order to replace ineffective punitive measures with more effective strategies and to identify and eliminate the disproportionate use of discipline practices on particular groups of students.
4. Provide young students with developmentally appropriate and enriching learning environments that help all children build coping and self-regulation skills and provide targeted interventions to students who need additional support.
5. Provide teachers with access to early childhood mental health consultants and/or behavior specialists for training, coaching, and support.
6. Leverage existing community resources, services, and organizations to address the students' mental health needs and other needs that interfere with learning.
7. Access available training and technical assistance resources to promote positive behavior management and address implicit bias and use other resources including the Texas Positive Behavior Support Network, Restorative Discipline Practices, and TEA's Equity Toolkit.
8. Invest in school counselors and ensure they have adequate time and resources to counsel students and consult with teachers.
9. Collect, analyze, and meaningfully use data on suspension and other disciplinary practices to identify where targeted supports, training, and practice changes are needed at the campus and classroom level.

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