



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
OFFICE OF CHILD CARE OPERATIONS

Policy Statement on Prevention of Suspension and Expulsion of Children Birth to Age Five from Early Childhood Programs

Background

Pursuant to the Child Care Development Fund (CCDF) Federal regulations at 45 C.F.R. 98.16, the State of New Jersey must set forth policies to prevent suspension, expulsion and denial of services due to behavior of children - birth to age five - in child care and other early childhood programs receiving federal funding. The New Jersey Head Start Performance Standards currently prohibit programs from expelling or un-enrolling children from Head Start because of a child's behavior. New Jersey state law also prohibits suspensions and expulsions, with certain limited exceptions, of students enrolled in preschool through grade two (N.J.S.A. 18A:37-2a). The State's goal is to prevent, severely limit and eventually eliminate suspension and expulsion in early childhood programs and settings.

Policy Statement

To align with the aforementioned regulations and practices, the New Jersey Department of Human Services, Division of Family Development (DHS/DFD) is requiring that any provider or program receiving public funds through the Child Care Subsidy Program establish a policy to prevent suspension, expulsion, and denial of services due to children's behavior.

Specifically, each child care provider receiving funds through the Child Care Subsidy Program shall do the following:

- Develop and clearly communicate preventive guidance and discipline practices.
 - The guidance should be written and comprehensive and should promote positive behaviors and relationships; articulate expected behaviors and relationships for infants, children and staff; and contain protocols on preventing and responding to challenging behaviors.
- Establish developmentally, social-emotional and behaviorally appropriate discipline and intervention procedures.
 - Discipline and intervention procedures should include consultation with families, mental health specialists, and school counselors.
- Provide training to teachers and staff in creating positive climates focusing on preventing expulsion and prevention.

- Create a culture of inclusion and establish protocols used to respond to challenging behaviors to focus on identifying the underlying causes to the challenging behaviors.
- Consider participating in the Grow NJ Kids, New Jersey’s Quality Rating and Improvement System (QRIS), to access specialized technical assistance in social-emotional development and inclusion, additional support and coaching to improve children’s social-emotional development, training on Keeping Babies and Children in Mind curriculum, and the Pyramid Model.
- Set goals, monitor and analyze data to assess progress and modify practices, as needed.
 - Data Metrics should be based on specific goals and should measure the following but not limited to:
 - Teachers’ access and use of preventive resources;
 - Children’s access and participation in behavioral evaluations; and,
 - Reduction in the number of suspension and expulsions one year post-policy implementation. (Programs also are encouraged to measure complete elimination of suspension and expulsions two years post-policy implementation.)
- Use all resources, including free federally funded resources to enhance staff training on prevention practices.
 - Through DHS/DFD quality initiatives, providers and programs can access professional development training and opportunities, focused on topics such as developmental screening training, identifying risk factors, and medical consultations.

This policy statement affirms and supports the State’s efforts to advance the elimination of suspension and expulsion in order to support the emotional, social, intellectual and behavioral development of all children in all early childhood settings. Access to high-quality early learning experiences and environments has a positive impact on children’s development and learning, whereas removing children from these experiences for disciplinary reasons does not improve short-term or long-term childhood development outcomes.

Challenging behaviors exhibited by children must be addressed in the context of a comprehensive approach to behavioral support that is designed to teach, nurture, and encourage positive social behaviors. Directors should seek to involve families, administrators, teachers and other auxiliary staff to support children and prepare them for successful preschool experiences.

Strategies for eliminating suspension and expulsions in child care settings are further outlined in the DHS/DFD “Suspension and Expulsion Elimination Best Practices” guidance document.