



STATE OF HAWAII
Executive Office on Early Learning
2759 South King Street
HONOLULU, HAWAII 96826

June 29, 2020

TO: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

FROM: Lauren Moriguchi, Director
Executive Office on Early Learning

SUBJECT: Measure: H.B. No. 1346, H.D. 2, S.D. 1 – RELATING TO EARLY CHILDHOOD EDUCATION
Hearing Date: June 30, 2020
Time: 10:15 a.m.
Location: Auditorium

Bill Description: Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances. Effective 7/1/2050.

EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION: Support

Good morning. I am Lauren Moriguchi, Director of the Executive Office on Early Learning (EOEL). EOEL is in strong support of H.B. 1346, S.D. 1. We greatly appreciate the Committee scheduling this bill for hearing.

We'd like to clarify that the purpose of the proposal is to prohibit the expulsion, and establish limitations on the suspension, of children participating in the EOEL Public Prekindergarten Program.

HB1346 is a no-cost measure that may actually save the State on costs now and in the future. The measure promotes better outcomes through the right support for our keiki and their families, especially now with the stressors of COVID-19. Coupled with the necessary support for educators and schools (already built into the EOEL Public Pre-K Program), this measure will help ensure early learning does not end up hurting those it is intended to help most – our at-risk and disadvantaged children.

Suspension/expulsion policies such as this address racial and ethnic disparities, including for native Hawaiians. HB1346 proactively combats the negative and costly outcomes associated with suspensions and expulsions, particularly relevant at a time when budgets are stretched thin.

We are wholeheartedly requesting that this prohibition on expulsion, and limitation on suspension, be imposed on our own program.

Every year, as many as 8,710 three- and four-year-olds across the nation may be expelled from or pushed out of their state-funded preschool or prekindergarten classroom – these expulsions are happening at a rate more than three times that of their peers in kindergarten through grade 12. Data from the federal Department of Education Office for Civil Rights indicates a significant percentage of these children are also suspended more than once, leaving them with few supports and fewer options to ensure they are able to participate in the high-quality early learning they deserve.

Many more children are suspended, with severe racial disparities. It is important to note that “(g)irls who are Black, Native Hawaiian, or Pacific Islander represent 30 percent or more of all out-of-school suspensions even though they have a much smaller total population in preschool than girls in other racial or ethnic groups” (U.S. Department of Education Office for Civil Rights, 2014).

This is particularly troubling given such suspensions and expulsions occur during a critical period in a child’s development, when their brains are developing rapidly. The earliest years of a child’s life are critical to laying the foundation of learning and wellness needed for success in school and beyond. It is especially during these years that systems should ensure our youngest children have access to opportunities that will set them up to reach their highest potential. By suspending or expelling them, we instead set our youngest off in the wrong direction, before they even reach kindergarten. Also, the EOEL Public Pre-K Program specifically prioritizes our underserved and at-risk populations – those children who can benefit the most from early learning – and suspending or expelling them would not only leave them with no early learning opportunities but send them a completely wrong message that may affect them for a lifetime.

Well-established research indicates that school suspension and expulsion practices are associated with adverse educational and life outcomes. Suspension and expulsion early in a child’s life predicts suspension and expulsion later in school. Children who are suspended or expelled from school are as many as 10 times more likely to drop out of high school, experience academic failure, hold negative school attitudes, and face incarceration than their peers who were never suspended or expelled.

We note that other states have already introduced and enacted legislation to prohibit suspension/expulsion in the early years, and that the National Conference of State Legislatures supports states in the crafting of policies that prohibit suspension and expulsion. The federal Departments of Health and Human Services, and Education also issued a joint policy statement in 2014 to support states and localities in prohibiting suspension and expulsion, “with state and local recommendations to address expulsion and suspension in early learning settings ... affirm(ing) the Departments’ efforts to prevent and eventually eliminate expulsion and suspension in all early childhood settings and support young children’s social, emotional, and behavioral development.”

Though each case is different, suspensions and expulsions may be the result of the lack of or misguided policies, or insufficient training and support services for staff, especially in managing challenging behaviors, recognizing trauma, and promoting socioemotional development. There are strong associations between early learning program and teacher quality, and suspensions/expulsions, proven by research.

We recognize that in isolation, legislation is not enough to address the issue of suspension and expulsion. Especially because the Program targets our underserved and at-risk children, we work with the educators in the Program to prevent suspensions and expulsions by arming them with the competencies to work with children who do not come from optimal backgrounds. We provide them with professional learning support and work with school leadership on staffing so they are able to support preschoolers and families living in difficult circumstances. We have also been partnering with the University of Hawaii system to strengthen the pipeline of qualified early childhood educators. When vulnerable children encounter teachers who are unprepared to support their developmental needs, these children who can benefit the most from early learning are rejected at an even earlier age and their families are left without options.

Since the start of the EOEL Public Pre-K Program in fall 2014, there have been some cases in which a school wanted to consider exiting a child participating in the Program. EOEL worked with the teacher and principal to more appropriately address challenging behaviors and better support the children, which, as mentioned, is instrumental to avoiding suspension/expulsion ... and the children ended up staying.

A long-standing and continuing practice in Head Start is not to suspend or expel any child. Programs are required to partner with families, consult with specialists, help the child and family obtain additional services as appropriate, and take all possible steps to ensure the child's successful participation in the program.

We appreciate the Legislature's support of early learning for our keiki. Knowing the tremendous negative impacts of suspension and expulsion, it is especially important that the Legislature address these issues as we work to expand access to early learning.

The language in this bill was the result of discussions with the Department of the Attorney General.

Thank you very much for your consideration, and for the opportunity to testify on this bill. I am happy to answer any questions you may have.

*Act 178, SLH 2012, established the Executive Office on Early Learning (EOEL) to be responsible for developing the State's early childhood system to ensure a spectrum of high-quality development and learning opportunities for children throughout Hawai'i, from prenatal care until the time they enter kindergarten, with priority for underserved or at-risk children.
Our work involves collaboration across both government and non-government sectors.*

To: Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S. C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

From: Robert G. Peters, Chair
Early Learning Board

Subject: **Measure:** H.B. No. 1346 HD 2, SD 1– Relating to Early Childhood Education
Hearing Date: June 30, 2020
Time: 10:15 am
Location: Auditorium

Description: Prohibits the suspension or expulsion of children participating in the Executive Office on Early Learning’s Public Prekindergarten Program except under limited circumstances.

Early Learning Board Position: Support

I am Robert G. Peters, Chair of the Early Learning Board (ELB). Thank you for this opportunity to offer testimony on behalf of the ELB in support of H.B. No. 1346 HD 2, SD 1

Suspension/expulsion policies such as this address racial and ethnic disparities, including for native Hawaiians. HB1346 proactively combats the negative and costly outcomes associated with suspensions and expulsions, particularly relevant at a time when budgets are stretched thin.

This bill reflects national guidelines and best practices as well as regulations in other states which have enacted legislation to prohibit suspension/expulsion in the early years such as Illinois and Ohio. It is modeled after federal law governing the Head Start Program and aligns the Executive Office on Early Learning’s Public Education Prekindergarten program with the Department of Health and Human Services and Education Departments’ joint policy statement in 2014 “affirm(ing) the Departments efforts to prevent and eventually eliminate expulsion and suspension in all early childhood settings and support young children’s social, emotional and behavioral development.”

Educators are becoming more informed about, and attuned to the social emotional needs of children, recognizing their impact on learning. Children dealing with trauma or toxic home conditions are not ready to learn and often preoccupied, not able to focus on learning. It is not unusual for children who bring these problems to school to “act out.” In young children, especially, it is often difficult to determine if such behaviors are developmental in nature or issues of genuine concern. Expulsion and suspension are often responses to challenging behaviors of this type.

Research indicates that prekindergarten expulsion and suspension of children at this critical juncture in their growth and development are often repeated throughout a student’s school history and associated with negative educational and life outcomes. It also demonstrates that there are racial and gender disparities, with boys receiving a majority of out-of-school suspensions. Data from the Office for Civil Rights, U.S. Department of Education, in 2014

revealed that Black, Native Hawaiian, or Pacific Islander girls represented a higher percentage rate of out-of-school suspensions despite their smaller representation in the total girl population in preschool.

This bill's provisions for EOEL public Pre-Kindergarten programs seek to provide guidelines for school administrators to "short-circuit" expulsion/suspension practices with alternative processes to keep children in school and to support families searching to help children with challenging behaviors. The EOEL has made it a priority to prevent expulsion by providing professional learning support to educators in their Pre-K program, as well as work with school leadership, to recognize when challenging behaviors are truly serious and needing additional attention versus when they are within the natural developmental trajectory of all children. Suggested steps to keep children with challenging behaviors in school and resources to address individual needs has complemented the EOEL's efforts to work with UH in developing the competencies of future teachers needed to meet individual needs.

The ELB appreciates the Legislature's support of early learning for our keiki. Knowing the tremendous negative impacts of suspension and expulsion, it is especially important that the Legislature address these issues as we work to expand access to early learning. Thank you for this opportunity to offer testimony in support of this bill.



Parents And
Children Together
BUILDING THE RELATIONSHIPS THAT MATTER MOST

LATE

TO: Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Senate Committee on Ways and Means

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: June 30, 2020; 10:15 a.m., Auditorium

RE: TESTIMONY IN SUPPORT OF HB 1346 SD1– RELATING TO EARLY CHILDHOOD EDUCATION

We ask you to support HB 1346 SD1 which seeks to prohibit the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program, except under limited circumstances. We strongly support this bill which aligns with national best practice and allows for each young child to be supported through his/her earliest learning experiences and be given the opportunity to fulfill his/her highest potential.

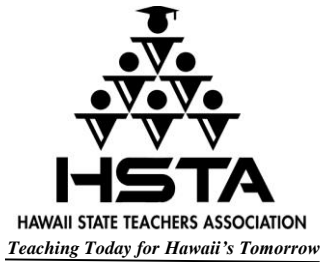
As a provider of Head Start and Early Head Start services, we believe in high-quality early childhood education opportunities for every child. We believe in each child's innate abilities and the critical importance of caring for all children and families, especially those who need the most support. Data shows that high-quality care and education during the earliest stages of a child's development provides a critical foundation for later educational and life success. Early learning programs play a key role in early detection and early intervention for students who display extreme and challenging behaviors and it is important that we work with families to address the underlying root causes of these behaviors and work with both students and families to explore and implement every reasonable modification to support the child.

Schools are places of learning where our youngest children along with their families should have every chance to succeed. High quality early learning programs, like Head Start and EOEL's public pre-K program, with strong training and professional development, have the capacity to train and support staff in dealing with challenging behaviors. They also provide the support for staff to proactively work with children and families to identify a child's needs, connect them with resources and employ effective strategies in the classroom that can best support each child. This bill is consistent with national best practice and the current Head Start mandates which our PACT programs currently adhere to. We believe that these practices are best for all high-quality early learning programs, including EOEL's public Pre-K program. We commend EOEL for

recognizing the importance of this measure and for committing to continued best practice. This bill provides an added measure to ensure that each child and their family has a chance to address issues early on with the help of highly-qualified early learning professionals and sets the foundation for future success.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 15,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 18 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, and poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of HB 1346 SD1**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.



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TESTIMONY BEFORE THE SENATE COMMITTEE ON WAYS & MEANS

RE: HB 1346, HD2, SD1 - RELATING TO EDUCATION

TUESDAY, JUNE 30, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Dela Cruz and Members of the Committees:

The Hawaii State Teachers Association **supports HB 1346, HD2, SD1**, relating to education.

This bill would prohibit the suspension and expulsion of children participating in the Executive Office on Early Learning Public Prekindergarten Program, except in limited circumstances.

According to the National Association for the Education of Young Children, every year, as many as 8,710 three- and four year-old children nationwide may be expelled from their state funded preschool or prekindergarten classroom. These suspensions and expulsions are occurring at a rate more than three times that of their peers in kindergarten through grade twelve, according to a joint statement drafted by the National Association for the Education of Young Children, with support from a host of other national organizations regarded as leaders in the field of early childhood education. They also have higher suspensions rates than their peers in kindergarten through twelfth-grade. These expulsions and suspensions have disproportionately impacted minority students nationwideⁱ.

The Hawaii State Teachers Association understands that the Early Learning Public Prekindergarten Program was implemented to help ensure that students, especially those at-risk, have the building blocks to thrive during their entire education career. We want to ensure these nationwide trends do not happen here in Hawaii, thus we support the Executive Office of Early Learning ensuring these practices are prohibited in our state. Our public PreKindergarten programs need more support for our keiki and their teachers, not more suspensions and expulsions.

The Hawaii State Teachers Association asks that your committee to **supports** this bill.

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https://www.naeyc.org/sites/default/files/globallyshared/downloads/PDFs/resources/topics/Standing%20Together.Joint%20Statement.FINAL__9_0

HB-1346-SD-1

Submitted on: 6/26/2020 1:57:39 PM

Testimony for WAM on 6/30/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Support	No

Comments:

As a long time early childhood educator, I fully support this bill. With all of the research that has been conducted regarding the suspension of children (as you have in the bill explanation and testimony from others), it is past time to guarantee that children are not expelled for the many reasons that have been used erroneously in the past. It is heartening to see this bill and it is my hope that this will help us make positive changes in our goal of place-based learning relevant to our children who live here. There are so many issues to review in the system of education as it exists at this moment. Let's keep moving forward on making decisions which are best for children not corporations and what is convenient for adults.

HB-1346-SD-1

Submitted on: 6/28/2020 7:17:11 PM

Testimony for WAM on 6/30/2020 10:15:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Shay Chan Hodges	Individual	Support	No

Comments:

Thank you for the opportunity to provide testimony in support of HB 1346 HB2 SD1, which would prohibit the suspension or expulsion of children participating in the Executive Office on Early Learning's Public Prekindergarten Program. Expulsion and suspensions disrupt the learning process and degrade a student's and their family's trust in the education system. National programs, like the federal Office of Head Start, have already abolished the practices. Similarly, several states prohibit the use of expulsion and suspension in their preschools. The mind is at a critical time of development in those early years, and children should be nurtured and supported. Additionally, there is evidence that Native Hawaiian and Pacific Islander youth are more likely to receive a suspension or expulsion. To ensure equity and access to education for all our youth, we ask that the committee pass HB 1346 HB2 SD1.

- In 2014, The Department of Health and Human Services issued a statement on expulsion and suspension policies in early childhood settings. The Department stated, "Early suspension, expulsion, and other exclusionary discipline practices contribute to setting many young children's educational trajectories in a negative direction from the beginning. This has long-term consequences for children, their families, and the schools they will later attend."
<https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>
- Nationally, certain groups of children are being disproportionately impacted, with Black and Hispanic children representing the majority of preschoolers suspended or expelled. Locally, Native Hawaiian and Pacific Islander youth are more likely to be impacted by these policies. <https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf>
- The federal Office of Head Start has already abolished expulsions and suspensions in their programs.
- Rather than punish a child for a behavior, the goal in the classroom should be to teach the child how to work through their emotions and regulate their behaviors.
- Expulsion or suspension is not an intervention in the learning process, rather a disruption and can lead to loss of trust in the classroom.

- Children thrive on safe, stable relationships. Teachers should have resources necessary to build these relationships with child and family, including trainings and community resources.