

Assembly Bill 1361 (Rubio)

SUSPENSION AND EXPULSION IN EARLY LEARNING AND CARE AND EARLY CHILDHOOD MENTAL HEALTH CONSULTATION

SUMMARY

AB 1361 prohibits suspension and expulsion in state preschool and childcare programs. This bill would also strengthen early childhood mental health consultation (ECMHC) as a means of providing adequate supports to teachers, children, and families to promote positive mental health, buffer the effects of toxic stress and trauma, and bring out the most optimal development and learning of each child.

BACKGROUND

National data indicates that children are expelled, suspended, and counseled out of early learning and childcare programs at much higher rates than in K-12 education. African American/Black and Hispanic/Latino children and students of color, especially boys, are disproportionately impacted by this practice. This begins in Pre-K and persists throughout their educational journey. When children are excluded from early learning classrooms, they miss out on the opportunity to develop key social, emotional and academic skills.

Expulsions and suspensions should not be an option for children in early learning settings. It is disconcerting that preschool-aged children are treated in this manner. Suspension and expulsion under the guise of intervention should be eradicated, and instead teachers should receive proper supports such as early childhood mental health consultation to create positive learning environments.

There is ambiguity and lack of clarity around laws and regulations within the early learning settings. Clarity in this area would allow California preschools and early learning providers to collect, report and analyze data to better assist them in identifying problems with overly harsh discipline, promote equity, increase quality learning environments, and increase accountability.

EXISTING LAW

Current law requires state preschools programs to undertake a series of interventions and referrals before expelling a child. The law does not clearly define what suspension or expulsion is in preschool or early learning settings and does not limit suspensions.

THIS BILL

AB 1361 defines expulsion and suspension in preschool and childcare settings serving children 0-5 that contract with the state, eliminates exclusionary practices, and provides that expulsion and suspension will only be used as a last resort in extraordinary circumstances where there are serious and validated safety concern. AB 1361 requires the state to collect and report data on exclusionary practices and strengthens due process for families who are impacted by suspension and expulsion.

AB 1361 strengthens and clarifies the early childhood mental health consultation services provided for children in age 0-5 in the state preschool program and general childcare program. By supporting educators and eliminating exclusionary policies that disproportionately harm young learners of color, AB 1361 benefits the entire community by acting against implicit and explicit factors causing students to miss time from the early learning and care setting.

AB 1361 builds equitable learning environments for all students and eliminate exclusionary practices that contribute to the preschool to prison pipeline and seriously harm student outcomes.

Support

Kidango (co-sponsor)
Black Men for Educational Equity (co-sponsor)
Santa Clara County Office of Education (co-sponsor)
National Center for Urban School Transformation
CA Association of African American School Administrators
Association of California School Administrators
Anti-Recidivism Coalition
Mission Strategy Group
Global Urban Nomads
Early Edge California
Tandem Partners in Early Learning
GRACE in Education Foundation
San Diego Unified School District
CA Department of Education
Black Minds Matter
Compton Unified School District
CA Association of Black School Educators
Dora Dome Law Center
Black Minds Matter
117 Individual Citizens via Change.org that support AB 1361 as of 31 Mar 2021

For More Information

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