



STATE OF HAWAII
Executive Office on Early Learning
2759 South King Street
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January 29, 2020

TO: Representative Justin H. Woodson, Chair
Representative Mark J. Hashem, Vice-Chair
Representative Sean Quinlan, Vice-Chair
House Committee on Lower & Higher Education

FROM: Lauren Moriguchi, Director
Executive Office on Early Learning

SUBJECT: **Measure:** H.B. No. 2258 – RELATING TO EARLY CHILDHOOD EDUCATION
Hearing Date: January 30, 2020
Time: 2:20 p.m.
Location: Room 309

Bill Description: Prohibits the expulsion and establishes limitations for suspension of children participating in the Executive Office on Early Learning Public Prekindergarten Program.

EXECUTIVE OFFICE ON EARLY LEARNING'S POSITION: Support with Amendments

Good afternoon. I am Lauren Moriguchi, Director of the Executive Office on Early Learning (EOEL). EOEL is in strong support of H.B. 2258.

We appreciate the Legislature's support of EOEL's work to increase access to high-quality early learning. EOEL is statutorily responsible for the development of the State's early childhood system that shall ensure a spectrum of high-quality development and learning opportunities for children throughout the state, from prenatal care until the time they enter kindergarten, with priority given to underserved or at-risk children.

Included in EOEL's responsibilities is administration of the EOEL Public Prekindergarten Program. **We are wholeheartedly requesting that this prohibition on suspension and expulsion be imposed on ourselves.**

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, 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 known as leaders in addressing early childhood education. 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 the data demonstrating 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 also 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.

Research has shown links between program and teacher quality, and suspensions/expulsions.

We acknowledge 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, we have had some cases in which a school wanted to consider exiting a child participating in the Program. EOEL provided support and guidance to help the teacher 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 at the school in the Program.

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 respectfully request that the committee consider moving this bill forward with the language in carryover measure H.B. No. 1346, H.D. 2, S.D. 1, as this was the result of discussions with the Department of the Attorney General.

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



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TESTIMONY BEFORE THE HOUSE COMMITTEE ON LOWER & HIGHER EDUCATION

RE: HB 2258 - RELATING TO EARLY CHILDHOOD EDUCATION

THURSDAY, JANUARY 30, 2020

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Woodson and Members of the Committee:

The Hawaii State Teachers Association supports HB 2258, relating to early childhood education.

This bill would prohibit the expulsion and establishes limitations for suspension of children participating in the Executive Office on Early Learning Public Prekindergarten Program.

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 of preschool children.

The Hawaii State Teachers Association asks that your committee to **supports** HB 2258.

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

HB-2258

Submitted on: 1/28/2020 10:43:38 PM

Testimony for LHE on 1/30/2020 2:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Boyne	Individual	Support	No

Comments:

As a teacher, I support HB2258. These issues must be addressed within the education system, not swept out the system's door.

To: Representative Justin H. Woodson, Chair
Representative Mark J. Hashem, Vice-Chair
Representative Sean Quinlan, Vice-Chair
House Committee on Lower & Higher Education



From: Robert G. Peters, Chair
Early Learning Board

Subject: **Measure:** H.B. No. 2258 – RELATING TO EARLY CHILDHOOD EDUCATION
Hearing Date: January 30, 2020
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Early Learning Board Position: Support with Amendment.

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 HB No. 1346 H.D. 2

Through Act 202, Session Laws of Hawaii 2017, ELB transitioned from an advisory to a governing board for the Executive Office on Early Learning (EOEL) and is charged with formulating statewide policy relating to early learning. We are composed of members from across the early childhood field, in both the public and private sectors.

ELB's mission is to support children's academic and lifelong well-being by directing and supporting the EOEL for an effective, coordinated, high-quality early learning system from prenatal to kindergarten entry. We support efforts that promote the development of this system for our keiki and families.

National guidelines and best practices have guided other states, such as Illinois and Ohio, which have enacted legislation to prohibit suspension/expulsion in the early years. Such legislation has been modeled after federal law governing the Head Start Program and if enacted in Hawaii will align 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.

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 Early Learning Board (ELB) respectfully requests that the committee consider moving this bill forward with the language in carryover measure H.B. No. 1346, H.D. 2, S.D. 1, as this was the result of discussions with the Department of the Attorney General.

Thank you for the opportunity to offer testimony on this bill.