

SB 236 A -A7, -A8 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 6/8, 6/16

WHAT THE MEASURE DOES:

Requires Early Learning Division to report to legislature by September 15, 2024 on efforts to reduce suspension and expulsion in early learning and care settings. Prohibits early learning and care providers who receive state funding from suspending or expelling any child beginning July 1, 2026. Allows Early Learning System Director or designee to waive prohibition. Requires rulemaking that provides for waivers and a dispute resolution process that considers the best placement for the child. Declares emergency, effective July 1, 2021.

ISSUES DISCUSSED:

- Experiences of parents and children excluded from child care and preschool settings
- Suspension and expulsion support program proposed in House Bill 2166 (2021)
- Suspension and expulsion regulations in other states

EFFECT OF AMENDMENT:

-A7 Replaces Section 3 of the measure and inserts a new Section 5. Enacts ban on suspension or expulsion of any child in any program that either receives state public funding from the Early Learning Division, is certified under ORS 329A.280, or is registered under ORS 329A.330. Requires the Early Learning Division to submit a report on the proposed implementation of the ban by July 1, 2022. Requires report to include description of investigatory and enforcement processes as well as recommendations for legislation.

-A8 Replaces Section 3 of the measure and inserts a new Section 5. Enacts ban on suspension or expulsion of any child in any program that either receives state public funding from the Early Learning Division, is certified under ORS 329A.280, or is registered under ORS 329A.330. Establishes exception for programs that are owned, supported, controlled, or managed by a religion or a religious organization or for programs that have a curriculum directed toward the propagation of a particular religion. Requires the Early Learning Division to submit a report on the proposed implementation of the ban by July 1, 2022. Requires report to include description of investigatory and enforcement processes as well as recommendations for legislation.

BACKGROUND:

In 2016, the U.S. Department of Health and Human Service's Administration for Children and Families issued a policy statement on expulsion and suspension policies in early childhood settings. That statement recommended that states establish policies applicable in both publicly and privately funded settings to promote mental and behavioral health and eliminate or limit the use of exclusionary discipline in early childhood settings. The National Association for the Education of Young Children estimates that over 8,000 children are suspended or expelled from early learning settings annually in the United States. Senate Bill 236 A requires the Early Learning Division to study the use of suspension and expulsion in early learning settings and prohibits recipients of state funding from suspending or expelling any child. The measure establishes waiver and dispute resolution processes and requires the Early Learning Council to promulgate related rules.