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CENTERING BLACK FAMILIES: EQUITABLE DISCIPLINE THROUGH IMPROVED DATA POLICIES IN CHILD CARE

CLASP
The Center for Law and Social Policy

Tiffany Ferrette, Alycia Hardy &
Alyssa Fortner
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EXECUTIVE SUMMARY

In their earliest years, all children deserve a safe and caring environment, positive interactions with peers and adults, and educational practices and providers that encourage their healthy development. Families who access child care and early learning programs come from diverse backgrounds and communities and bring to bear a wide range of lived experiences. Child care providers may encounter behavioral challenges as young children grow into their personalities; develop fine motor, emotional, and cognitive skills; explore their worlds; and navigate relationships with peers and providers.

Yet managing the behavior and interactions of young children does not happen in a vacuum. Specific groups face unique burdens of racism, discrimination, and unequal treatment, including children from Black, Indigenous, and other communities of color; children in immigrant families; children in families with low incomes; and children with disabilities.

The disproportionate impact of discipline is well documented in the K-12 space and in pre-K, although both are likely underreported. However, it is difficult to get a full picture of discipline for the youngest children (birth to age three) due to a lack of reliable quantitative and qualitative data. Because child care is a privatized system—services are delivered through individual providers—policies, regulations, and data collection vary significantly by state. This fractured landscape has led to a lack of policies aimed at eradicating harsh discipline practices in early care settings and addressing the inequitable impact these practices have on Black families and their very young children.

In this analysis, we focus specifically on disparities in discipline experienced by Black children and families within child care and early learning settings in the earliest years of life. Our society has disproportionately used punishment and harsh discipline—including suspension, expulsion, or pushing families out—to address behavior among Black children when compared to their peers. This phenomenon, which has at its historical precedent the violence Black children and their parents experienced during slavery and the Jim Crow era, reflects the current practice of policing of Black families and communities.

The good news is that state and federal child care agencies are well-equipped to collect data on punishment and discipline and drive policy change. Federally funded programs such as the Child Care and Development Block Grant (CCDBG) and Head Start can be catalysts for leveraging data to reduce and eliminate inequitable and exclusionary discipline. In doing so, administrators can improve health and safety and bolster child care program quality and access—all of which improve overall child and family wellbeing.

To be clear, using data on discipline to inform policy is not just a matter of collecting more data. Data collection efforts must center those most harmed by such practices and acknowledge historical inequities and racial bias in survey practices and data collection systems. Without changing the status quo on how we collect data and evidence, policies will perpetuate cycles of inequity and harm in the early childhood field. Federal and state policymakers must commit to funding equitable community engagement strategies at every step of the data collection and policy development processes to ensure that solutions address the disparities and systemic inequities in discipline in early education settings.

In summary, we find that:

- **The lack of data on harsh punishment in child care and early learning settings limits our understanding of the effectiveness of disciplinary policies and standards—including outright bans on expulsion or suspension—meant to mitigate harm.** Without data, policymakers lack a clear understanding of the scope and nature of harsh disciplinary practices occurring in child care programs.
- **Policymakers must invest in sources of quantitative and qualitative data on discipline and behavioral management of children ages birth to three.** These data must be disaggregated by race to understand the disproportionate impacts on Black children and families.
- **Federal and state programs such as Head Start and CCDBG are well positioned to begin collecting these data through existing systems.** Collecting data on discipline and punishment in early care settings is the first step to understanding the impact of current practices on young Black children and their families, a prerequisite to establishing policies to mitigate harm and eliminate inequities.
- **Simply collecting more data is an insufficient solution.** State agencies must be intentional and systematic in their efforts to dismantle systemic racism within the data collection process, which often excludes or devalues the unique experiences of Black children and families. And the solutions go far beyond the data collection itself to utilizing the data for meaningful changes in policies and practices.
- **Equitable data practices including community engagement with families and intentional power shifts are key steps to mitigating and eradicating harsh and inequitable discipline in child care.** These efforts will not only promote the health and wellbeing of Black children and families and quality experiences in child care but also contribute to positive social interactions and the improvement of child care and early education programs as a whole.

POLICY RECOMMENDATIONS

We conclude our analysis by offering specific recommendations for federal and state agencies and policymakers. None of these recommendations can be adopted without significant and sustained investment in child care systems and specific investments to address harsh and inequitable discipline. This funding can empower federal and state agencies to link harsh and inequitable discipline to access and quality for infants and toddlers. We urge federal and state policymakers to:

- **Provide increased direct funding to states** with the explicit purpose of supporting the identification and elimination of harsh and disproportionate disciplinary practices and the use of behavioral management in response to perceived challenging behaviors.
- **Pass state legislation** to severely limit or prohibit suspension, expulsion, and removal for all children in state-funded and/or state-licensed programs; support an implementation plan; develop systems of accountability; and provide necessary family, provider, and community supports such as training, professional development, mediation, and child and family related services.
- **Directly connect** continuous quality improvement and health and safety to reducing and prohibiting suspension, expulsion, and/or other disciplinary practices.

- **Transform data collection and analysis** to incorporate equitable data practices that center community engagement, trust building, and intentional power shifts, progressing beyond disaggregating data by race and ethnicity and adding important qualitative context on how to address disparities.
- **Use administrative processes** like statewide needs assessments to conduct outreach and surveys of Black families and communities about their experiences of early childhood programs and systems.
- **Ramp up data collection and analysis**, including the collection of qualitative data, to learn more about expulsion, suspension, and other forms of discipline at the state and federal levels. Use those findings to inform training, professional development, health and safety standards, and strengthen systems of accountability at the federal and state levels.
- **Create an office similar to the Office of Civil Rights** in the U.S. Department of Education that is devoted to protecting the civil rights of very young children, ages zero to three.
- **Create state-wide task forces** to identify and mitigate harsh discipline practices in partnership with lead agencies in the state and/or engage in individual advocacy to uplift the issues.

Simply put, the lack of available data and inclusionary data practices regarding disciplinary practices in child care and early education settings for the youngest children needs significant improvements to ensure we are making necessary policy and practice changes to reverse the harsh and disproportionate discipline of Black children. **Policymakers should commit to a bold vision and plan of action to ensure Black children and families are liberated from policies that harshly punish and strip them of the child care experience** so they can continue to have access to quality child care and supports for their healthy growth and development.



INTRODUCTION

All children deserve a safe and caring environment, healthy practices, and positive interactions with peers and adults in their earliest years. Depending on family needs, early child care takes place in various settings including formal care and education programs, in the home with relatives or other caregivers, or in other spaces. Working families in particular need child care and early education to pursue job and educational opportunities. Other families may opt to use child care programs for the learning, development, and socialization experiences they offer children.

Families accessing child care and early learning programs across the country come from diverse backgrounds, speak many languages, and live in communities representing vast experiences. Within these programs, providers expect some behavioral challenges, particularly among young children who are growing into their personalities; developing fine motor, emotional, and cognitive skills; exploring their world; and navigating relationships with peers and providers. Some young children may have experienced trauma or other challenging realities. Against this backdrop, providers are tasked with delivering quality care and managing interactions between children.

Managing child interactions and being attuned to each child's specific needs does not happen in a vacuum. Children from Black, immigrant, and Indigenous communities; children from families with low incomes; and children with disabilities all face historical and present challenges including racism and discrimination. Specifically, our society has used punishment to address behavior at a disproportionately higher rate among Black children as compared to their peers, becoming a well-known phenomenon across states and programs. In 2014, then-U.S. Secretary of Education Arne Duncan stated that "racial discrimination in school discipline is so common that in some cases, pre-K students as young as three- and four-year-olds are getting suspended."¹ This relationship is a microcosm for our larger society, which polices Black communities in an unproven attempt to "thwart crime," perpetuates a mass incarceration crisis, and employs disproportionately high discipline among Black children in K-12 schooling and other systems.



While the disproportionate impact of discipline is well documented in the K-12 space—although likely underreported—it is difficult to get a full picture of discipline for the youngest children (birth to age three) due to a lack of reliable quantitative and qualitative data. This is mostly caused by our privatized child care system—a direct result of undervaluing child care work and decades of limited public investment—which creates a fractured landscape of child care policies across and within states. When combined with the history of racism and anti-Blackness, this has led to a lack of public policies to identify and eradicate harsh discipline practices and address the inequitable impacts for young Black children and their families. State and federal agencies are currently well equipped to begin collecting these data and using the findings to shape policy that better addresses inequitable and harsh discipline and exclusionary practices. In doing so, administrators can improve health and safety and bolster the quality of and access to programs, all of which improve overall child and family wellbeing. However, to truly achieve equitable and meaningful policies, agencies must intentionally account for the longstanding historical inequities, systemic racism, and anti-Blackness that is inextricably linked to how we use data to inform policies.

“IT IS DIFFICULT TO GET A FULL PICTURE OF DISCIPLINE FOR THE YOUNGEST CHILDREN (BIRTH TO AGE THREE) DUE TO A LACK OF RELIABLE QUANTITATIVE AND QUALITATIVE DATA.”

This brief will outline the history of inequitable disciplinary practices in child care and early education—and in the context of American society more generally. In addition, the brief will examine how equitable data practices can uncover important, program-level information that tells the story of current realities and can center racial equity in data planning and collection. Finally, this brief will explore current child care systems such as the federal Child Care and Development Block Grant (CCDBG) and Head Start, which are microcosms of the larger privatized system. Equitable data practices are a key first step when examining all these issues and strengthening early care and education experiences.

“TO TRULY ACHIEVE EQUITABLE AND MEANINGFUL POLICIES, AGENCIES MUST INTENTIONALLY ACCOUNT FOR THE LONGSTANDING HISTORICAL INEQUITIES, SYSTEMIC RACISM, AND ANTI-BLACKNESS.”



A HISTORICAL GROUNDING DATING TO SLAVERY

The history of U.S. child care outside of one's own family can be traced to the forced labor of enslaved Black women in the 18th and 19th centuries. During this time, the institution of slavery's violent subjugation created a complex relationship for Black women between care, motherhood, and forced labor. For enslaved women, according to the Omohundro Institute of Early American History and Culture, "motherhood was a double-edged sword—women knew their babies held pecuniary value to slaveholders and that they might be forcibly separated from their offspring at any time."² This relationship was further complicated because Black women were often left to rear white infants and children even when their own children were taken from their care.³ The modern child care and early education system is built on this history and seeps into the overall experience of Black children and families. Black children were harshly punished in the slavery system for any behavior that was deemed uncondusive to production and treated as adults even in childhood. Black children experienced adultification, not having the benefit of being seen and treated as children. They were also subjected to violence themselves for undesirable behavior.⁴

Harsh punishment for Black children carried from slavery into other facets of American society as Black Americans were subjected to punitive outcomes including convict leasing,⁵ mass incarceration, and disproportionate punishments in school and care systems. Children were not exempt from violence and extreme punishment, and this legacy is manifested through interactions with police at young ages⁶ and outcomes in early care settings such as suspension, expulsion, and "pushout" from programs intended to support children and their families. Black children are harmed by tropes that they are somehow more adult, rougher, or more "unruly"⁷ than other children. Such tropes also taint the experience of Black children in care settings.

This early history of care and the underlying racial dynamics in American society that affect caregiving—with harsh realities related to behavior for Black Americans—continued throughout our history. Caregiving became undervalued work that was closely associated with Black women and later with other women of color. This close association serves as silent justification for the low wages and lack of adequate benefits for providers, underinvestment at the federal level to support programs, and strict requirements made of families seeking child care assistance. Since the integration of schools—slowly implemented following the *Brown vs. Board of Education of Topeka, Kansas* decision—child care spaces have also opened to children and families from various backgrounds and experiences.

During World War II, millions of women began working *en masse* outside of the home to fill needs across industries that lost millions of men who were deployed. This only increased throughout the 20th century, so the need for a child care system to support working families became even more apparent. However, care was still deemed women's work, and the racist legacy of Black women shouldering that responsibility spurred little policy change until the end of the 20th century with the creation of CCDBG in 1990.

One of CCDBG's key features is promoting quality in delivering care to children enrolled in programs. States have developed their own quality rating and improvement systems to organize quality initiatives into one system and to assess quality by collecting information about the programs in their states. These rating systems assess aspects of a child care program to measure progress and quality.

States are constantly assessing the best way to use their limited resources in delivering the best possible program. The policies that administrators must consider address:

- quality,
- families' access to child care assistance,
- workforce recruitment and retention,
- compensation,
- investments in the overall system, and
- rules and regulations.

Administrators should address high discipline rates that remove children from a care and learning environment. The first step is understanding the realities of Black children and families in child care systems. While a family or individual child may not internalize the effects of exclusionary discipline, those effects can lead to issues around self-perception, lack of trust in systems and structures that provide support and care, and future engagements with child care systems. Administrators must use equitable data practices to address issues that may arise and strengthen experiences. Simply put, a child care program that harshly disciplines—by suspending, expelling, or pushing out—Black children at disproportionate rates cannot be a quality program. And equitable data practices are a step toward understanding the extent of this reality and using data to inform more equitable and anti-racist practices.

“...A CHILD CARE PROGRAM THAT HARSHLY DISCIPLINES—BY SUSPENDING, EXPELLING, OR PUSHING OUT—BLACK CHILDREN AT DISPROPORTIONATE RATES CANNOT BE A QUALITY PROGRAM.”



DEFINING EQUITABLE DATA PRACTICES

Equitable qualitative and quantitative data practices center and elevate the voices, experiences, and needs of those who are most directly impacted or potentially harmed by a particular policy(ies). These practices recognize that while data processes are powerful tools used by researchers and policymakers, they were created within the same systems, institutions, and structures that have been shaped by the historical and present impacts of racism and white dominant culture. Therefore, all components of the data processing cycle—planning, outreach, collection, analysis, interpretation, contextualization, and dissemination—collectively and individually reflect and uphold broader inequities that center race. Instead, data processes must consider, account for, and contextualize the historical and present impacts of systemic racism and individual biases (both intentional and unintentional) by directly engaging with the communities most directly and presently impacted by this history. By employing equitable data practices that center equitable community engagement frameworks, policymakers can have a lasting impact on how states support the range of child care and early education needs across communities—and specifically within Black and other communities of color.

To learn more about equitable data practices, check out the brief⁸ *Shaping Equitable Early Childhood Policy: Incorporating Inclusive Community Engagement Frameworks into Expanded Data Strategies* by Alycia Hardy and Alyssa Fortner from CLASP.

LEVERAGING EXISTING SYSTEMS: USING DATA TO INFORM DISCIPLINE POLICY

Policymakers are increasingly using data more centrally to inform and shape state and federal child care and early education policies. The information gathered through various data processing cycles shapes policies that:

- set standards for children’s health, safety, growth, and development;
- establish definitions of and metrics for quality;
- determine the types of services available to support standards and improve quality;
- govern how funding and resources are allocated to implement policies; and
- monitor compliance.

However, when shaping child care policy, decisionmakers too often disconnect their policymaking from data that explore various issues, including:

- the frequency and scope of disciplinary practices including expulsion, exclusion, isolation, pushout, and more;
- the disproportionate use of these practices on young Black children; and

- the economic, social-emotional, and other impacts on Black families.

This inherent disconnect between discipline, data, and policy for children birth to age three limits the effectiveness of policies or standards meant to mitigate harm because the scope of the practices leading to those harms is not clear. For example, language used to describe responses or practices to manage perceived behaviors in very young children may not be seen as discipline. Moreover, the related practices in early learning environments can look very different than those identified in students from pre-K to 12th grade.

Data on disciplinary practices for children birth to age three is virtually nonexistent, due in part to the lack of a centralized, coordinated system for children that young.⁹ Instead, analysts must extrapolate data collected through the U.S. Department of Education's Office of Civil Rights (OCR) on the pre-K-12 system and apply it to children birth to age three to inform policy and set standards.

U.S. DEPARTMENT OF EDUCATION OFFICE OF CIVIL RIGHTS: TRACKING RACIAL DISPARITIES IN DISCIPLINE IN THE PRE-K-12 SYSTEM

The U.S. Department of Education OCR houses the Civil Rights Data Collection, which “gathers and publishes key information about student access to educational opportunities and school climate from nearly every public school (pre-K to 12th grade) in all 50 states, D.C., and Puerto Rico.”¹⁰ Data from the 2011-12 school year published in 2014 showed that Black children represented 18 percent of the total preschool population yet 48 percent of children receiving more than one out-of-school suspension.¹¹ More recently, data from the 2017-18 school year showed that of the 1.5 million enrolled pre-K students, 2,822 received one or more suspensions. When these data were disaggregated by race, Black students received one or more suspensions at rates 2.5 times greater than their share of the total pre-K population. This means that while Black pre-K students represented 18 percent of the population they accounted for 43 percent (nearly half) of all out-of-school suspensions.¹² Similarly, Black pre-K students, who represent 18 percent of the total population, accounted for 38 percent of all expulsions. When analyzing the data by race and gender, Black girls were the only group of pre-K girls to show a disparity in receiving suspensions.¹³

The broad historical and present harms caused by systemic **anti-Black racism**, which have specific and disproportionate effects on pre-K-12 Black children, point to similar inequities for young Black children in child care. However, it is critical to understand the nuances for children birth to age three. This includes the disproportionate impacts on Black children and families based on what is known more broadly about how people may perceive the behavior and interactions of Black children and families. The first step to understanding and eliminating harsh discipline practices and the inequitable impacts on Black children and families is linking discipline and other forms of behavioral management to quality, health and safety, licensing, and resource allocation—and including it in existing federal and

state data systems.

Currently, federal and state agencies directly connected to child care programs are well positioned to begin gathering qualitative and quantitative data through existing systems. The collection of these data is the next step to understanding the specific impact of current practices on young Black children and their families, which is a major prerequisite in establishing policies to mitigate harm and eliminate inequities. These data are also crucial to creating accountability at the federal and state level.

Though many people have made the case to publicly fund child care, the current privatized system allows each program to operate independently within the boundaries of each state's licensing and regulation requirements.¹⁴ This lack of a public child care system creates a barrier to a comprehensive centralized source of publicly collected data. Federal programs implemented at the state and local levels—such as CCDBG and Head Start—offer the most comprehensive and centralized publicly collected data sources on child care. Admittedly, due to limited federal investments to support increased access in states, these programs only represent a fraction of children and families who need care.¹⁵ However, the programs currently collect and use data as a tool to monitor compliance, allocate funding, measure quality, and assess needs. All these data could help identify the current prevalence of harmful practices for children birth to age three and help shape policies, direct funding, and resources that address the disproportionate impacts of discipline on Black children and their families.

CCDBG

As the primary federal funding source to states to support child care access for families with low incomes and improve the quality of all child care, CCDBG is one of the most centralized sources of publicly collected state-level data on early care and education. At the federal level, the Office of Child Care—an agency in the U.S. Department of Health and Human Services (HHS)—collects and compiles information and data about the Child Care Development Fund (CCDF) that is used to implement CCDBG. This information, which is submitted by grantees in all 50 states, D.C., Puerto Rico, U.S. territories, and Tribes/Tribal organizations, is aggregated or compiled through each state or territory lead agency's aggregate and case-level reports.¹⁶ These compilations, in turn, create three main sources of data that describe 1) program statistics, 2) allocations on how money was provided to each funding source, and 3) expenditures on how much was spent from which source.¹⁷ In addition to Congressional reporting purposes these data are used to help address “national child care needs, [determine] performance measures, and [provide] technical assistance to improve the quality of child care for low-income families.”^{18 19}

In 2014, Congress reauthorized the CCDBG Act and included three major goals with the updated law:

- to protect children's health and safety through improved, consistent standards and monitoring;
- to increase supports for providers to improve the quality of child care; and
- to strengthen the ease of access for families by supporting stable and continuous care.²⁰

To help reinforce the requirements and provide clarity on program implementation, HHS issued additional guidance in 2016.²¹ As it relates to discipline, behavioral management, social-emotional development, and suspensions and expulsions, this guidance required lead agencies to:

- Provide consumer education information about the prevention of suspension, expulsion, and denial of services due to behavior of children birth to age five in child care and other early childhood programs receiving CCDF funds.²²
- Post on a website consumer-friendly and accessible information about social-emotional behavioral health, positive behavioral interventions, and expulsion to support parents in making fully informed decisions about provider selection.²³
- Develop a framework for training, professional development, and postsecondary education for caregivers that includes age-appropriate behavior management strategies that promote positive social-emotional development and reduce challenging behaviors, including those associated with suspension and expulsion of children under age five.²⁴

The 2016 updated rule acknowledged that “...data also demonstrated a greater prevalence of suspension and expulsion of children of color and boys.”²⁵ In addition, the rule noted that while data within early childhood settings is limited and is mostly linked to state funded pre-K programs, those trends “...warranted immediate attention from the early childhood and education fields to prevent suspension and expulsion.”²⁶

“...DATA ALSO DEMONSTRATED A GREATER PREVALENCE OF SUSPENSION AND EXPULSION OF CHILDREN OF COLOR AND BOYS.”

ACF in 2016 also released an information memorandum (IM) about the agency’s policy statement on expulsion and suspension.²⁷ The IM strongly encouraged lead agencies to adopt the state-level guidance and recommendations for early childhood programs, including child care. The full policy statement’s guidance included a recommendation for states to “set goals for improvement and analyze data to assess progress” on expulsion and suspension, with examples of useful data to track progress and goals for reducing those practices.²⁸ However, ACF made no subsequent linkage between the 2014 reauthorization language and how lead agencies could incorporate data into existing processes or how to use those data to shape resources that support goals. To fully support the 2014 reauthorization, implementation of the 2016 rule, and the subsequent IM—specifically for children birth to age three—states can expand data use within three key lead agency-level CCDF administrative processes in the following ways:

- **The development of state and territory CCDF plans.** ACF requires each state and territory receiving CCDF funds to submit a state/territory CCDF Plan that, “serves as the Lead Agency’s application for CCDF funds by providing a description of how the program will be administered in accordance with CCDF law and regulations to provide high-quality child care

services to eligible families.”^{29 30} ACF’s *Guidance for Completing the Plan, CCDF Plan Preprint for States and Territories* requires states and territories to describe measurable indicators of progress and data use.³¹ The federal agency uses this information to determine how each state or territory has met those measures across several categories.³² Included in those categories is *Support for Continuous Quality Improvement*, which requires lead agencies to set aside a portion of funds to invest in improving the supply and quality of child care programs and, specifically, services for infants and toddlers.³³ Programs cannot be considered quality if suspension, expulsion, and denial of services for children birth to age three are occurring at high rates and/or if those rates are disproportionately harming Black children. And programs cannot be continuously improved if these practices are not clearly identified, documented, and measured through qualitative and quantitative data. In addition, administrators cannot deploy the appropriate resources specific to young children without the appropriate information.

- **Conducting statewide needs assessments to support quality improvement.**³⁴ Statewide needs assessments that incorporate discipline practices and social-emotional behavioral health can further strengthen the investments and related activities that support quality for infants and toddlers through continuous improvement. Lead agencies have considerable flexibility in designing needs assessments to align them with the activities and services provided to improve quality.³⁵ With this flexibility, and with the aim of improving quality, lead agencies can design these assessments to include collecting qualitative and quantitative information from families and providers that produce a clearer picture of how discipline practices intersect with social-emotional behavioral health. In addition, these assessments can quantify the frequency of these practices, enumerate the disproportionate impacts on Black families, and identify opportunities to invest in the necessary and appropriate resources to mitigate harms to young children.
- **Monitoring compliance with health and safety and regulation/licensing standards.**³⁶ States receiving funds are required to establish these standards and create systems to demonstrate compliance. This allows states to connect the harms of harsh and inequitable discipline to children’s health and safety. States can also include discipline and social-emotional behavioral health as a required health and safety area. This would entail lead agencies establishing relevant monitoring and enforcement procedures—through data collection—to ensure compliance. However, before establishing rules for compliance, agencies must collect data to better understand how providers implement discipline and behavioral management practices and how, if at all, those practices are linked to emotional and behavioral health and overall safety. In fact, this data collection should be a prerequisite to establishing any monitoring and compliance standards. This will support the creation of training and professional development that links discipline with health and safety in a way that accurately reflects providers’ experiences before these standards are included as a requirement for those seeking licensing or licensing renewals.

Although ACF cannot require states to create policies that limit or prohibit suspension and expulsion, the agency can use the opportunities noted above to connect data and policy. This linkage can establish systems of accountability for lead agency efforts to improve child care quality—of which discipline and social-emotional behavioral health are critical components. Despite serving only one in six federally eligible children, CCDBG has the potential for broader impact through these data processes, the impacted policies, and the resulting resources.³⁷ Lead agencies can use CCDF funds to support and improve the quality of child care services across the state—even among programs not serving CCDBG-supported families—through quality improvement activities.³⁸ Agencies can use these quality funds across 10 activities such as improving the supply and quality of child care for infants and toddlers, facilitating compliance with health and safety requirements, and training and professional development. This creates opportunities to impact discipline policies and practices for young children beyond those served in CCDBG by connecting discipline to health and safety, professional development opportunities, and the specific needs of young children.



HEAD START

Head Start is structured as a federal-to-local program that sets rigorous baseline standards—including around data—for all locally implemented programs while maintaining a level of flexibility that allows each program to meet specific community needs. Under the umbrella of Head Start programs is Early Head Start, which serves infants and toddlers under age three as well as pregnant women. The federal-to-local model allows for a greater level of program standardization across the country than in CCDBG. This standardization is apparent in how data planning, collection, analysis, and use are implemented across all programs at the local level, with the flexibility to implement additional data processes so programs can best meet the needs of the community. However, notably missing from Head Start's existing data processes is data related to discipline practices, behavioral management, or challenging behaviors.

As noted, Head Start has a complete ban on suspension and expulsion, which requires a shift in disciplinary practices language. While the ban is intended to eliminate the use of these practices, it does not eliminate other forms of discipline. The ban also does not exclude the inequitable use of other discipline practices on Black children or the collateral impacts of such practices on Black families. For example, when Head Start programs repeatedly complain to parents about perceived challenging behaviors or ask them to pick their children up early, parents may voluntarily remove their children, leaving families without care and disrupting access. Exclusion is an example of another disciplinary practice that could be applied inequitably, despite the ban on suspension and expulsion. For example, a child with perceived challenging behaviors could be repeatedly excluded from activities or group settings. In addition to enforcing the current ban, the Office of Head Start (OHS) must start collecting data to better understand how all disciplinary practices are applied and identify any disproportionate use of these policies.

Another valuable source is data collected by OHS through the Program Information Report (PIR), which is used to ensure compliance by each program with the Head Start Program Standards. According to OHS, “the primary purpose of the PIR is to make data available about local Head Start programs to a broad audience including the public, researchers, policymakers, Congress, local and state early childhood entities, Head Start staff, and many others.”³⁹

“FEDERAL AND STATE PROGRAMS SUCH AS HEAD START AND CCDBG ARE WELL POSITIONED TO BEGIN COLLECTING DATA ON DISCIPLINE THROUGH EXISTING SYSTEMS.”

Head Start, in many ways, sets a high standard for how data are used equitably to inform and strengthen the program through the “four R” approach (responsible, respectful, relevant, and relationship based) that guides decision-making.⁴⁰ The Head Start program is well equipped to use the four R approach to incorporate how, how often, and how equitably disciplinary and other related practices are implemented at the program level, all of which can provide comprehensive supports to address inequities. One key opportunity to collect these data within the PIR and help inform decision-

making is by gathering qualitative data and disaggregating quantitative data on children's transition and turnover in Early Head Start programs by race/ethnicity. Currently, Head Start programs, including Early Head Start, are required to collect quantitative data about the number of infants who left the program at any time but did not re-enroll.⁴¹ However, these data are not disaggregated by race and ethnicity, which could illuminate any disparities. In addition, programs are not required to collect any qualitative data to provide additional context around why families left the program, which could illuminate any inequities in the application of disciplinary practices.

OTHER VALUABLE DATA COLLECTION EFFORTS

To supplement these data, federal and state governments partner with non-governmental research organizations to support child care research, policy development, and implementation to improve programs. One example is the ACF Office of Planning, Research & Evaluation (OPRE), which conducts a number of partnerships, including:

- The Child Care and Early Education Policy and Research Project in collaboration with Child Trends.⁴²
- Active collaborations between CCDF lead agencies and state/national research organizations through Child Care Policy Research Partnership grants that support immediate and relevant research related to local and national child care policies and practices.⁴³
- The African American Child and Family Research Center, through a partnership with the Morehouse School of Medicine, to advance research, build capacity, and communicate research across the diverse populations of African American children and families.⁴⁴

Often, these partnerships between state agencies and research organizations are managed by the government agency and use the data process for a particular research goal. Because they are managed with specific goals in mind, these partnerships can be reflective of pre-existing ideas, beliefs, and assumptions held by government agencies with little room for innovation. In addition, the data collected are not always comprehensive. However, to reach the goals of these partnerships, data processes have become more complex to better reflect the nuance in the range of child and family experiences and needs in policy solutions. States have used these partnerships to incorporate integrated data systems across agencies and develop mapping data and tools to better identify resource gaps based on community location. While these research goals can be related to a range of child care issues, including discipline, agencies and research organizations use data in three key ways:

- Providing descriptive statistics such as data detailing access, quality, supply, outcomes, etc.
- Estimating impacts of interventions on long- and short-term outcomes for children and families.
- Comparing how access to interventions/resources varies across racial, ethnic, socio-economic backgrounds, etc., and/or how access to those interventions results in varied outcomes across groups.



CENTERING EQUITY IN DATA PRACTICES AND POLICYMAKING

In considering the above opportunities to connect discipline, data, and policy—and to understand and support equitable discipline policies and practices—state and federal agencies must also consider the long-standing impacts of systemic racism on the data process. It is not enough to simply start collecting more data in early care and education programs. Rather, developing policies that use data to address harsh discipline—and its disproportionate impact on Black children and families—must center those most harmed. In addition, policies must acknowledge and prioritize historical inequities in data systems. If not, policies will continue to contribute to cycles of inequity and harm in the early childhood field.

Historically, those who create and implement policies—as well as the people who collect and analyze data to inform them—are often disconnected from those who are most directly impacted by these policies.⁴⁵ This disconnect is at the foundation of a range of inequities that plague the child care and early education field. It has led to intentional and unintentional systemic barriers in laws, policies, practices, and funding structures that have excluded and devalued Black, Indigenous, and other people of color and is especially pronounced for Black families when it comes to the issue of discipline. This has been perpetuated because policymakers have done so little to directly address and undo these harms through the provision of resources and the creation of direct and specific policies. And this is reflected in the fact that we know policymakers have made little effort to implement specific solutions through targeted policies and resources to fully understand and mitigate harm.

Since the data processing cycle has been shaped by the historical and present impacts of systemic racism and anti-Blackness, it must be rebuilt to address the needs of those most affected.⁴⁶ When planning and developing data-collection strategies, state and federal agencies should not implement strategies that simply extract data without community input. Instead, agencies, administrators, and researchers should seek community input and expertise earlier in and throughout the process to inform what data need to be collected, what questions should be asked, what qualitative context is

needed, and how to make the data accessible and most useful. Failing to do so maintains the disconnect and mistrust between communities and decisionmakers. As a result of this current disconnect, the context used to explain data frequently excludes the experiences of Black communities. Instead, people who are disconnected from the unique and varied experiences of Black communities and how those collective experiences are impacted by systemic racism often use a context that reinforces bias and perpetuates harm.

HOW ANTI-BLACKNESS SHOWS UP THROUGH SYSTEMIC RACISM

Systemic racism in the child care and early education field manifests in many ways. One is through **deficit framing** and the idea that the behavior of Black children is due to individual circumstances rather than systemic and individual biases that create greater undue scrutiny of Black children over other children or that, for example, Black children are inherently more likely to misbehave.⁴⁷

Another is through **deficit language**. This language, which is often used when contextualizing data and findings, critiques Black children and families' collective group outcomes instead of focusing critiques and analyses on the systemic barriers that lead to lower outcomes.⁴⁸ Additionally, without equitable community input that centers Black children and families, the language used to describe harsh and inequitable discipline practices may not encompass the many ways that children can be disciplined such as withholding food, isolation, missing out on play time, etc. This reinforces inequitable power structures by using data to critique individual outcomes rather than systemic inequities and limits the scope of the problem. Instead of empowering Black families with information that interrogates these systems and institutions, as well as those managing them, data are weaponized against them.

Weaponizing data happens when poor contextualization (deficit framing) and deficit thinking result in blanketed resources and supports that do not address the specific community needs and circumstances, which creates further harm. When these blanketed resources fail to achieve the desired results in Black communities, the resulting data reaffirm deficit thinking and reinforce biases that further marginalize the unique experiences and needs of Black students and their families in early education programs.⁴⁹ To help avoid this, state policymakers, lead agencies, and researchers must develop data strategies that intentionally ensure that the people managing and using data—as well as those using the resulting data to inform policy—are reflective of those who are overrepresented in receiving discipline.

SHIFTING POWER THROUGH EQUITABLE COMMUNITY ENGAGEMENT

To support discipline policies and practices that center equity, federal agencies must provide resources to state and local administrators, so they have the means and expertise to deliberately employ equitable community engagement strategies. Broadly, these strategies acknowledge and address how the data processing cycle has been shaped by systemic racism. Specifically, the strategies address how the needs, preferences, and experiences of Black and other communities of color—particularly those with low incomes—are often missing in how data are collected, analyzed, and

contextualized. And this happens despite these communities having the lived experience necessary to inform and improve these policies. By shifting power and building inclusive engagement strategies, data progresses from simply being extractive to being meaningful in helping tailor resources and solutions to address specific community needs.

“BY SHIFTING POWER AND BUILDING INCLUSIVE ENGAGEMENT STRATEGIES, DATA PROGRESSES FROM SIMPLY BEING EXTRACTIVE TO BEING MEANINGFUL (...)”

In addressing the pervasive harsh and inequitable discipline of Black children in early childhood education spaces, those who are directly impacted and whom administrators ought to engage should include the children, their families, and classroom/program staff. In addition, administrators should engage those tasked with providing supportive resources such as training, professional development, or family services. This intentional engagement would provide qualitative data on what is happening in classrooms and other settings. In addition, it would inform how to tailor the quantitative and administrative data to better capture disparities in punitive practices and outcomes.

However, before this intentional engagement can truly be meaningful or effective, policymakers, administrators, and researchers must understand that data should never be used to invalidate or verify individual or collective experiences. Instead, they should use this engagement to interrogate and strengthen systems because data are only as informative as the people from whom the information is collected and the perspective of those analyzing and contextualizing it. For example, the disproportionate discipline of Black children in educational spaces is often framed as the primary consequence of undesirable or challenging individual behaviors. As a result, programs invest in resources like counseling, mental health supports, developmental assessments, and coaching to address these individual perceived behaviors. While such services can sometimes be necessary, they do not address the underlying disparities and systemic inequities.

“SHIFTING THE CURRENT POWER STRUCTURES, WHICH LEAN TOWARD WHITE-DOMINANT CULTURAL NORMS AND EXPERIENCES, IN EXPANDED DATA STRATEGIES IS A CRITICAL AND LONG-OVERDUE STEP.”

Policymakers—and those responsible for developing the research and data they rely on—too often use data to interrogate individual outcomes. Instead, those outcomes should be connected to the failure of the early education system, and other broader yet connected systems, to combat how the perceived behaviors of Black children and families can be interpreted within a context of white supremacy culture and systemic anti-Black racism. The focus on individual outcomes instead of collective systems and biases perpetuates a lack of accountability for systemic change. This focus also disregards the importance of involving directly impacted Black communities in developing data strategies and informing the resulting policies by providing much-needed context and nuance. Shifting the current power structures, which lean toward white-dominant cultural norms and

experiences, in expanded data strategies is a critical and long-overdue step. These shifts offer an opportunity for systems and agencies within the early childhood education field to address failures and be accountable for eliminating the harms caused by harsh and inequitable discipline practices on our nation's youngest—and disproportionately Black—children.

Policymakers must create pathways for administrators to implement equitable community engagement strategies. This will help to ensure that improved data processes and strategies center racial equity by addressing the disparities and systemic inequities in discipline in early education settings. While the specific strategies are dependent on the needs and preferences of the impacted community, the shared foundational characteristics include:⁵⁰

- Intentional, consistent trust building or rebuilding;
- Relevant methods tailored to incorporate language, culture, communication styles, community history, and other factors that shape engagement;
- Direct compensation for the time and expertise of those being engaged as well as other mutual community benefits; and
- Redistributed power dynamics that allow directly impacted people to lead and contribute throughout the data process in a meaningful and consistent way.

These characteristics support shifting power to those most directly impacted by harmful discipline practices—rather than those currently in power who are often disconnected from those impacts and the broader systemic inequities upholding them. This shift of power also helps build or rebuild the trust that has eroded due to the long-standing disconnect between those with the power to inform and create policies and those deeply impacted by them.⁵¹ And, by adequately compensating community members involved in this work, it helps demonstrate that their time and expertise are valued.⁵²

Federal, state, and local policymakers, program administrators, and researchers must center the importance of clear communication, transparency, acknowledgment of harm, respect, accountability, and consistency in the engagement of these communities—all of which are vital to establishing trust and shifting power in reshaping data processes and practices. In addition, Black people cannot simply be among those tasked with shaping policies or providing community feedback. Rather, decisionmakers must also be intentional in shifting the power in who determines research goals; manages, collects, and analyzes data; and applies context.

Implementing these foundational steps is vital to improving data. Including first-hand experiences will add crucial context beyond the current focus on simply knowing how many children are subjected to harsh discipline practices in early education, with no intention of identifying and addressing disparities among Black children. These changes also create space to think more closely about what this new approach means for:

- children's development,
- parents' and children's self-perception,
- relationship building,

- mental health,
- quality of care, and
- parents' ability to access care.

All this is critical since access to care impacts family job stability, economic security, mental health and wellbeing, and other social determinants of health.

Overall, to begin truly addressing the prevalence and effects of harsh discipline practices on Black children, policymakers must see discipline as a key indicator of quality, access, and health and safety in early childhood settings. In making this a reality, recommendations must include—at a minimum—increased data collection; licensing/regulations and professional development; health and safety standards; and consumer education. Federal agencies, as well as state and local administrators, must also make intentional power shifts—including equitable community engagement strategies—to center directly impacted communities, which is critical to creating meaningful change and accountability. Meaningful change comes not only from collecting more information but also by expanding who is involved and holds the power in collecting information and using it to develop policy solutions. These are the first steps in developing systems of accountability and working to undo the ongoing and long-lasting harms experienced by young Black children and families.

“EQUITABLE DATA PRACTICES INCLUDING COMMUNITY ENGAGEMENT WITH FAMILIES AND INTENTIONAL POWER SHIFTS ARE KEY STEPS TO MITIGATING AND ERADICATING HARSH AND INEQUITABLE DISCIPLINE IN CHILD CARE.”



CURRENT DISCIPLINARY PRACTICES IN CHILD CARE

Across the country, varying perspectives, laws, and practices shape the use of harsh, exclusionary practices in child care and early education. In fact, 19 states have laws that still permit corporal punishment beginning in preschool.⁵³ As of 2012, more than 160,000 children from preschool through 12th grade were subject to physical punishment in schools in those 19 states.⁵⁴

At one end of the spectrum of practices and policies across states is corporal punishment. At the other are legislation and other efforts to ban all harsh punishment including suspension, expulsion, and pushout. One program that bans harsh punishment is Head Start, which was created as part of President Lyndon Johnson's 1964 War on Poverty. This program bans practices such as corporal punishment, isolation, withholding food, harsh and abusive language, and other conduct.⁵⁵ However, due to the sometimes patchwork system of care across a community or in a state, a Head Start program may not be available to eligible families. While programs define quality differently, a program that does not explicitly ban harsh discipline in its model may not inherently be a poor-quality program. However, we seek to understand how to strengthen program models with the necessary supports so all children and families feel welcome and providers feel empowered in a variety of behavioral situations.

Over time, many states and communities have re-examined the role of suspending or expelling a child, and by extension their family, from a program through policy, legislation, funding, research, studies, and in practice.

WHERE STATES ARE

States' approaches have included engaging in high-level thinking and planning; allocating funds; conducting surveys; and enacting legislation that bans suspensions and expulsions in child care and early education. To provide deeper insight into how states are dealing with this issue, we selected four that are committed to working at the intersection of data collection and analysis and discipline practices.

CALIFORNIA

California has been addressing suspension and expulsion in child care and early learning programs for a number of years. Beginning with a research phase in 2017, the ***Assembly Blue Ribbon Commission on Early Childhood Education (BRC)*** led by California Assembly member Anthony Rendon and supported by advocates and community members aimed to "strategically plan improvements to the underfunded and 'struggling' early learning system."⁵⁶ The commission's final report recommended:

- 1) ensuring implicit bias based on race and ethnicity or "any other factor" is recognized as quality standards. This is under the quality improvement recommendation;
- 2) ending "disproportional discipline practices. Racial stereotyping [along with] explicit and implicit bias negatively impact children's participation in early childhood programs and result in

disproportionality in discipline including physically removing them from the classroom.”⁵⁷ A subsequent recommendation marries both recommendations of addressing implicit racial bias and ending disproportional discipline practices by calling for evidence-based, anti-bias training for “all people connected to ECE from policymakers to those providing services and to all ECE providers.”⁵⁸

California is committed to using data and evidence-based practices to improve the quality of the child care experience for children and families, particularly among Black and other children of color. In 2020, Governor Gavin Newsom’s office built on the BRC by publishing a Master Plan for Early Learning and Care. This plan attempts to “use data to advance equity” specifically and “use population-based data to validate child-focused data that affects outcomes, such as access to early learning and care, inclusion, and suspension rates.”⁵⁹ The plan explicitly includes the state’s diverse children and families by guarding against “expelling or disenrolling a child due to behavior” and recommending greater accountability, training in bias prevention, mental health, and positive behavioral supports.

The conversations in California recognize that exclusionary and harsh discipline practices epitomizing a variety of concerns—racial equity, quality, workforce, and data issues—can bar families from access to child care. Significant conversation at the state level is often one of the keys to improving policy, practice, and legislation.

The other states we highlight—Colorado, Illinois, and Oregon—have also either allocated resources or made policy changes to address discipline practices, which, in turn, support families in accessing care and providers in delivering care.

COLORADO

In 2016, the U.S. Departments of Education and Health and Human Services jointly announced an investment of \$1 million in the Pyramid Equity project to establish a national model that addresses implicit bias and uneven implementation of discipline, including expulsions and suspensions in early learning programs.⁶⁰ This project stemmed from a My Brother’s Keeper initiative on “getting a healthy start and entering school ready to learn.” The University of Colorado Denver was one of the entities to support the project’s implementation with Preschool Development Grant⁶¹ activity funds. Although this initiative defined early learning programs as preschool, advocates sought to align it closely with the National Association for the Education of Young Children (NAEYC), which supports broad early care and education programs including child care in the earliest years (birth to age three).⁶²

Prior to Colorado’s involvement at the federal level, the state had conversations spanning back at least a decade on understanding discipline issues. In 2006, the state legislature directed funds to conduct a study of disciplinary practices⁶³ and in May 2019 enacted HB 19-1194 to limit suspensions and expulsions in the early years. The law considered much of the existing research on suspension and expulsion at the time, including the 2016 policy statement from the U.S. Departments of Education and Health and Human Services, as well as NAEYC research and Head Start resources.

Though preschool through 2nd grade is the focus of the Office of Early Childhood at the Colorado Department of Human Services, it offers requirements for child care licensing on suspensions and

expulsions. Requirements include having clear behavior policies explaining:

- “how the program will respond to and find solutions to challenging behaviors”;
- the importance of programs accessing “internal behavior supports or reach[ing] out to an early childhood mental health consultant before a behavior escalates to the point of suspension and expulsion”; and
- how programs following a school or district-wide discipline policy should align that policy with child care licensing rules and regulations.⁶⁴

Colorado subsequently circulated a flyer for families on suspensions and expulsions that encourages choosing a licensed, quality child care program with resources to support providers.⁶⁵ The flyer also provides information on why suspensions and expulsions are harmful. This is an example of engaging equitably with communities by sharing information on the law in an accessible and usable way.

ILLINOIS

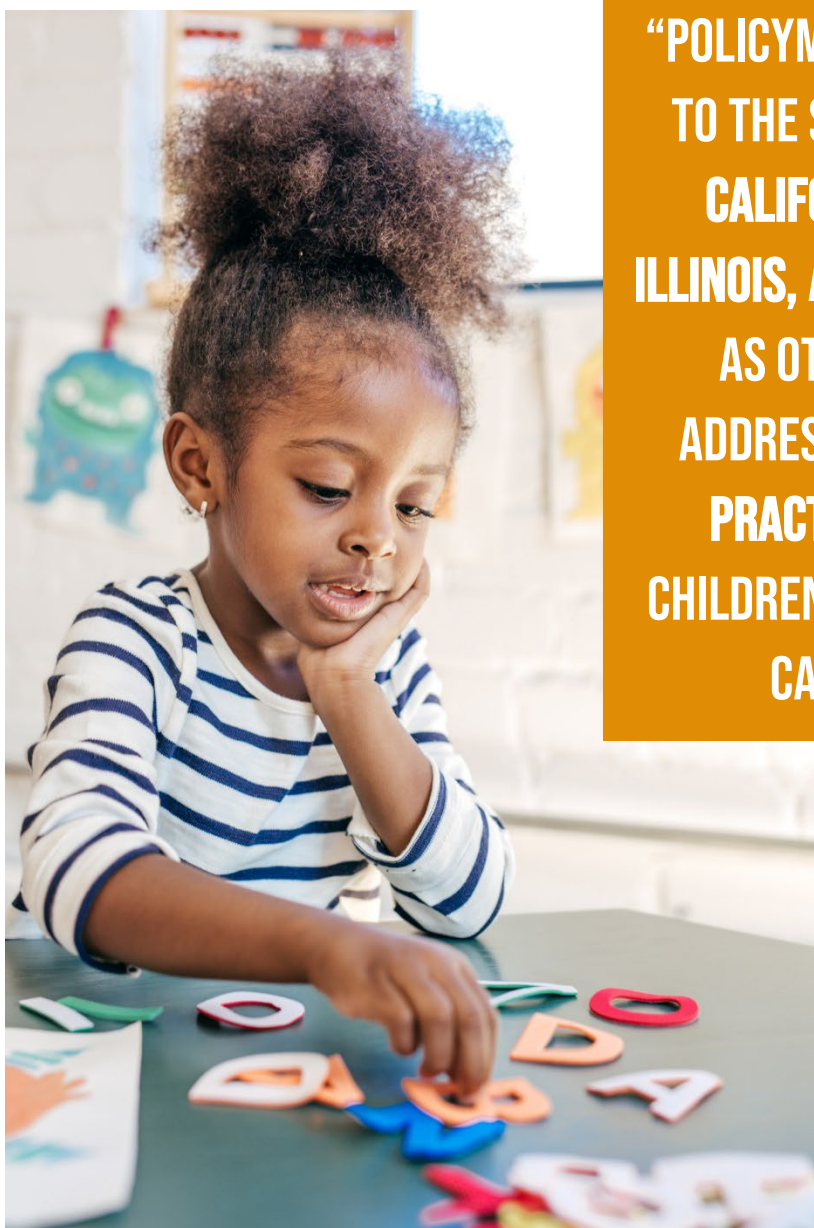
Similar to Colorado’s trajectory, Illinois passed legislation (HB 2663) in 2017 that prohibited the expulsion of children in programs that receive state Board of Education grants in preschool programs. Like in Colorado, the Illinois law focuses on preschool programs, which is a form of child care but is later in the early childhood continuum. The law amends the Child Care Act of 1969 to require the Department of Children and Family Services—in consultation with the Governor’s Office of Early Childhood Development and the state Board of Education—to adopt rules to prohibit expulsion in licensed day (child) care centers, day (child) care homes, and group day (child) care homes.⁶⁶ In short, state-funded or state-licensed early childhood programs cannot remove children from their learning or care settings without “prior documentation, intervention, and planned transitions.”⁶⁷ In alignment with this prohibition on suspending and expelling young children without proper supports, the law recognizes the importance of access to infant and early childhood mental health consultants who can assist families and help quell high suspension and expulsion rates. However, Illinois also acknowledges that insufficient data collection in the nation and state “hinders the ability to gauge the prevalence of expulsion or suspension from a range of early learning programs prior to formal school entry.”⁶⁸ The intersection of data and improving disciplinary practices shows up in the state’s efforts to limit removing children from a care setting, which, of course, also removes families from programs.

OREGON

While Colorado and Illinois were able to achieve legislation that limits suspension, expulsion, and pushout of children and families, Oregon passed a total ban on these practices in July 2021. The key features of Oregon’s law are that it declares discipline in early learning an emergency and it directs the state’s Early Learning Division to “conduct a study on use of suspension and expulsion in early childhood care and education programs and on efforts to reduce and prevent use of suspension and expulsion.”⁶⁹ The law requires the Early Learning Division to report the study’s results to the legislature by December 31, 2024. The division will also report on implementation of the expulsion ban, which takes effect on July 1, 2026. Oregon’s law is distinctive for its total ban on expelling any child and a

proposed implementation process, in addition to a surveying component.

These state examples, and the best practices that stem from the work proposed and legislation passed, are addressing the pushout that many families experience in child care programs. However, policymakers should consider further recommendations at the federal and state levels. The experiences of families and current thinking on improving access to child care by reducing and ultimately eliminating harsh disciplinary practices is not new but is still burgeoning as a national movement. Policymakers should look to the strategies used in California, Colorado, Illinois, and Oregon, as well as other efforts, to address the inequitable practice of removing children and families from care settings.



“POLICYMAKERS SHOULD LOOK TO THE STRATEGIES USED IN CALIFORNIA, COLORADO, ILLINOIS, AND OREGON, AS WELL AS OTHER EFFORTS, TO ADDRESS THE INEQUITABLE PRACTICE OF REMOVING CHILDREN AND FAMILIES FROM CARE SETTINGS.”

RECOMMENDATIONS

FEDERAL LEVEL

- Make bold investments in a child care and early education system that supports and trains providers to care for children—and meet the needs of families—without the use of harsh discipline practices and supports.
- Provide increased direct funding to states with the explicit purpose of identifying and eliminating harsh and disproportionate disciplinary practices and, instead, encourage the use of behavioral management in response to perceived challenging behaviors.
- Directly connect continuous quality improvement and health and safety to reducing and prohibiting suspension, expulsion, and/or other disciplinary practices—especially those for infants and toddlers. This allows states to use funds to conduct statewide needs assessments on the impacts of these practices. Federal funding should support administrators using those assessments to intentionally engage communities that are disproportionately harmed, such as Black and other communities of color, along with families who have children with disabilities, boys, and those with intersecting characteristics.
- Create an HHS office with a similar capacity and purpose as the U.S. Department of Education’s Office of Civil Rights to support safe, quality, and equitable early care and education for young children by upholding young children’s civil rights and centering their wellbeing.
- Establish more frequent research partnerships with non-governmental organizations—like those with Child Trends (see examples above)—that solely focus on understanding the harms of discipline on young children, the inequitable application of that discipline on young Black children, and the specific impacts on access, quality, and wellbeing for Black families.
- Set professional development and training guidelines or recommendations for early care and education providers that promote the use of fair, equitable responses to misbehaviors rather than blanket reactions that disproportionately harm Black children. These recommendations should identify intentional and unintentional biases and connect them to broader systemic inequities.

STATE LEVEL

States should use foundational information at the federal level to make policy and programmatic changes. All states, regardless of how far along they are in implementing policy, can begin by:

- Conducting statewide needs assessments and surveys to understand the pervasiveness of directly removing or indirectly pushing out children—and families—from care settings. States can subsequently use the findings to implement policies that eliminate the problematic policies and practices.

- Incorporating equitable community engagement strategies to expand current data by capturing the frequency of suspensions, expulsions, pushouts, isolation, and other disciplinary practices. Lead agencies should not simply provide guidance on policies to prevent suspension and expulsion. Rather, they should take the next step by disaggregating data by race and intersecting it with other characteristics to show how some groups may be impacted more than others by disciplinary practices. These data should also be supplemented with qualitative information to better understand the broader impacts on families caused by interrupted access to care.
- Allocating state resources to learning more about suspension, expulsion, pushout, and other disproportionately used forms of discipline and behavioral management practices.
- Passing legislation to severely limit or prohibit suspension, expulsion, and removal for all children in state-funded and/or state-licensed programs; support an implementation plan; develop systems of accountability; and provide necessary family, provider, and community supports such as training, professional development, mediation, and child and family related services.
- Aligning supports for programs and providers with the qualitative and quantitative data collected through equitable community engagement strategies, which ensure resources are reflective of community needs and experiences.
- Creating outreach materials for families on the harms of suspension and expulsion, where the state stands on these practices, and other useful information.
- Creating statewide task forces to identify and mitigate harsh discipline practices in partnership with lead agencies in the state and/or engaging in individual advocacy to uplift the issues.
- Intentionally shifting power in who manages data processes and leads efforts to shape all policy, particularly when Black and other communities of color are disproportionately affected.



TOWARD A BETTER SYSTEM

Data collection and analysis provide the rationale for addressing the issue, illuminating how harmful it can be for children and families, and ensuring the workforce has sufficient supports and resources. Lead agencies can also use data to track specific disciplinary practices across programs. However, data processes are just tools that can also be impacted by systemic racism—particularly in how those processes are often disconnected from Black and other communities directly impacted by systemic racism and the resulting inequities. Even when data do center equitable community engagement strategies, administrators must operationalize that information to assess the changes needed to create a more equitable system. As a part of that system, agencies must engage with the community to understand their needs and experiences. In addition, states need to provide providers and other staff with necessary resources on anti-bias/racism training, access to mental health supports, training on behavior management and interventions, increased compensation and benefits that value the profession, and more. Federal and state agencies are well equipped with existing processes to begin collecting, analyzing, and using data to shape policies. However, this will require consistent, adequate federal funding for states to expand current data processes and develop systems of accountability to measure improvement.

“SIMPLY COLLECTING MORE DATA IS AN INSUFFICIENT SOLUTION. STATE AGENCIES MUST BE INTENTIONAL AND SYSTEMATIC IN THEIR EFFORTS TO DISMANTLE SYSTEMIC RACISM WITHIN THE DATA COLLECTION PROCESS.”

As we grapple with the treatment and safety of Black people in society, the early years when children are in care should be the critical period where they can indulge in positive social interactions, learning, play, and joy. Ensuring Black children and families are retained in programs, liberated from policies that harshly punish and strip them of the child care experience, and afforded the supports for growth and development can catapult a thriving life and fulfill the promise of quality care.

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APPENDIX: DEFINITIONS AND TERMS

- **Adultification**: a form of racial prejudice where children of minority groups, typically Black children, are treated by adults as being more mature than they are. (Georgetown Law Center on Poverty and Inequality)
- **Anti-Black Racism**: a two-part formation that both strips Blackness of value (dehumanizes) and systemically marginalizes Black people.⁷⁰ This form of racism is rooted in the unique and brutal history of the colonization, enslavement, and dehumanization of African people in the Americas. The marginalization diminishes the history, experiences, needs, values, and preferences of Black people—visibly (or perceived to be) of African descent—in America through the denial of this unique history and the broader rich history of Black African people.⁷¹ It positions Blackness as inherently problematic. Rather, what should be seen as problematic are the beliefs, attitudes, practices, and behaviors of individuals and institutions that systematically minimize or devalue the full participation of Black people.⁷²
- **Corporal punishment**: involves the physical application of some form of pain after undesirable behavior. Corporal punishment “ranges from slapping the hand of child...to identifiable child abuse, such as beatings, scalding, and burns.”⁷³
- **Data processing cycle**: consists of the individual steps and stages used to collect raw data and turn it into practical information from which inferences can be drawn and observations can be made. Some of these stages include data generation, planning, acquisition/collection, cleaning, coding, storing, management, analysis, visualization, interpretation, contextualization, and dissemination.
- **Deficit language**: can be defined as the use of words and phrases that identify or associate individual groups as lacking specific qualities or skills that result in lower outcomes in health, academic success, economic security, etc. instead of focusing on systemic failures such as a lack of access to programs, supports, and resources.
- **Discipline (noun)**: punishment meant to correct behavior.
- **Expulsion**: the most severe disciplinary action that an educational institution can take in response to student behavior; typically defined as the complete and permanent removal of a child from an entire educational system.⁷⁴
- **Lead agency**: designated by the chief executive of a state (often, the governor), or by the appropriate tribal leader or applicant. This may be one agency (which may be an appropriate collaborative agency) or a joint interagency office.⁷⁵
- **Pushout**: the act of dismissing a child from a program, often done citing behavioral and/or social issues; repeatedly asking a child/family to leave a program on a day-by-day or periodic basis resulting in the withdrawal of a child from a program.

- **Suspension:** defined as being “in-school” or “out-of-school”; involves barring the student from attending any educational services at the school (out-of-school), whereas in-school suspension typically results in the student being educated in a special place at the school that is away from the other students.⁷⁶
- **White supremacy/white dominant culture:** is defined here as “a historically based, institutionally perpetuated system of exploitation and oppression of continents, nations, and peoples of color by white peoples and nations of the European continent. This is done with the purpose of maintaining and defending a system of wealth, power, and privilege.”⁷⁷

ENDNOTES

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