

## Early Childhood Student Suspension/Expulsion Guidance

The goal of the early childhood program is to provide each child with a high-quality experience from preschool through grade two and individualized supports as needed for school success. Young children entering preschool and early childhood programs come from widely divergent backgrounds and typically display a range of social and emotional behavior on the developmental continuum. There is a possibility that some young children will exhibit challenging behavior, which, if unaddressed, can negatively impact the classroom environment. Challenging behaviors exhibited by young children must be addressed in the context of a comprehensive approach to behavior support that is designed to teach, nurture, and encourage positive social behaviors.

Regarding the suspension or expulsion of young students, it is essential to remind all superintendents, supervisors, principals, and directors of the following under [Public Law, 2016, Chapter 45; 18A:37-2c](#):

“1. a. Notwithstanding the provisions of N.J.S.18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act,” P.L.1995, c.127 (C.18A:37-7 et seq.)”

b. Notwithstanding the provisions of N.J.S. 18A:37-2 or any other provision of law to the contrary, a student who is enrolled in grades kindergarten through two in a school district or charter school shall not receive an out-of-school suspension, except when the suspension is based on conduct that is of a violent or sexual nature that endangers others.

c. Notwithstanding the provisions of N.J.S. 18A:37-2 or any other provision of law to the contrary, a student who is enrolled in preschool in a district or charter school shall not be suspended, and shall not be expelled from school, except as provided pursuant to the “Zero Tolerance for Guns Act,” P.L. 1995, c.127 (c.18a:37-7 et seq.).

This also applies to “partial suspension” or situations in which children are removed from their

classroom and daily program or sent home early due to challenging or inappropriate behavior. Our goal for early childhood programs is to prepare young children to be successful in school and suspending and/or expelling young students interrupts their learning and serves as a hindrance to accomplishing that goal. More importantly, suspending or expelling young children is not an age-appropriate method for addressing behavioral problems. Additionally, there are no beneficial short-term or long-term outcomes for a child when he/she cannot be in class and school to receive the needed support services due to out of class or school disciplinary measures.

All school districts are also required under Public Law, 2016, Chapter 45; 18A:37-2b

“...to implement an early detection and prevention program that identifies students in preschool through grade two who are experiencing behavioral or disciplinary problems; and provides behavioral supports for these students, which may include, but need not be limited to, remediation of problem behaviors, positive reinforcements, supportive interventions, and referral services. An early detection and prevention program may be incorporated into the intervention and referral services required to be established in each school pursuant to State Board of Education regulations.”

Schools should seek to involve families, administrators, teachers, and other auxiliary staff to provide support to children and prepare them for successful preschool and early childhood experiences. Schools should utilize New Jersey’s Social and Emotional Learning Competencies and Sub-Competencies, which are guidelines for integrating social-emotional learning across all grades, content areas and learning domains. They focus on areas of social-emotional learning, including self-awareness, self-management, social awareness, responsible decision-making, and relationship building. These competencies can help children develop the necessary knowledge, attitudes, and skills for managing emotions, self-regulation, constructive goal setting, positive relationship building and responsible decision making. A variety of resources to assist schools and families to help students develop social and emotional competence, can be found on the Department's [Social and Emotional Learning](#) webpage. These resources include: Social Emotional Learning Resources in New Jersey, Information and Resources, Lesson Plans and Activities, Character Education Programs, Parent Toolkit, Parent Fact Sheet, Parent resources

for Social and Emotional Development and for the Center on the Social and Emotional Foundations for Early Learning.

School districts, Head Start agencies, and private providers are encouraged to utilize the [Pyramid Model](#) to support the social and emotional development of young children. The Pyramid Model is a comprehensive, positive behavioral intervention approach that can assist educators to establish a supportive learning environment, provide targeted social-emotional skills and support children that exhibit challenging behavior.

At the preschool level to proactively address these behaviors and provide appropriate supports, the Division of Early Childhood Education and Family Engagement has funded in the former Abbott districts, one preschool intervention and referral team (PIRT) for every 750 preschool students. The primary role of the PIRT in the former Abbott districts, is to increase inclusion of children in general education preschool classrooms and decrease referrals for special education; however, the PIRT also serves as an essential resource to preschool classroom staff in providing strategies to modify children's behaviors that block successful participation in a general education preschool classroom. Members of the PIRT will also plan and implement professional development and coordinate with district special services department and child study teams to ensure seamless preschool programming.

In school districts with fewer than 750 enrolled preschool children, in districts other than the former Abbott districts, and for kindergarten through grade two, these services may be provided by the school district's existing Intervention and Referral Services team (I&RS), or may be fulfilled by contracting with a county or regional educational services commission for PIRT and/or I&RS where the county or regional educational services commission is approved by the State Board of Education to do so. In cases where problem behaviors cannot be adequately addressed through the implementation of behavior support plans, the Preschool Intervention and Referral Team (PIRT) and/or the Intervention & Referral Support team (I&RS) can refer children directly to the school district Child Study Team as set forth in N.J.A.C. 6a:14.

Early childhood encompasses birth through second grade and to ensure the success of all children, appropriate services, targeted supports, and research-based best practices must be

utilized. As students' transition from preschool to kindergarten and up to second grade, the goal is to provide each child with a high-quality early childhood experience and the necessary resources and individualized supports to meet their developmental, academic, and holistic needs. Young children in this age span (from approximately 5-8 years of age) come from diverse backgrounds and experiences and are typically at various levels and stages of social emotional development. Some children may have limited social skills, difficulty in appropriate expression of emotions and poor self-regulation. If unaddressed this can result in challenging behavior within the early childhood classroom. Schools should actively engage families, administrators, teachers, and school specialists using a comprehensive and collaborative approach and provide the necessary resources to support children in kindergarten through second grade. Students in kindergarten through second grade who demonstrate poor impulse control, limited problem-solving skills and challenging behavior should be brought before the I&RS committee to develop a behavior support plan with individualized strategies to address the inappropriate behavior. For those cases where problem behaviors continue to exist or escalate, after the implementation of behavior support plans with individual goals, the school I&RS team should make referrals to the district Child Study Team as set forth in N.J.A.C. 6a:14.

There are several resources available to support school districts in implementing a high-quality program from preschool through grade two. Preschool staff should adapt their teaching practices to enable all children to meet the [Preschool Teaching and Learning Standards](#). The [Preschool Program Implementation Guidelines](#), which are a resource designed to support teachers and administrators, offers guidance for conducting performance-based assessments, and provides individualized supports and recommendations for developing family connections. The [Kindergarten Guidelines](#) are designed to provide guidance and resources for educators to effectively implement the components of a high-quality kindergarten program. These research-based guidelines based on best practice are informed by the National Association for the Education of Young Children (NAEYC)'s position statements. Additionally, the Guidelines clarify appropriate kindergarten structures, practices, and environments.

The [First through Third Grade Implementation Guidelines](#) are a resource for primary teachers to empower them to teach in developmentally appropriate ways, and to support school districts in implementing a continuous, comprehensive early childhood program. These guidelines offer guidance and recommendations for providing individualized supports and targeted resources to meet the needs of all students.