

AB 2806 (Rubio) – Suspension and Expulsion in Early Learning

Bill Summary

AB 2806 prohibits suspension and expulsion in state preschool and childcare programs. This bill would also strengthen early childhood mental health consultation (ECMHC) as a means of providing adequate supports to teachers, children, and families to promote positive mental health, buffer the effects of toxic stress and trauma, and bring out the most optimal development and learning of each child.

Existing Law

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

Background

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

California spends billions of dollars a year to subsidize early learning and childcare programs every year. Expulsions and suspensions should not be an option for children in subsidized early learning settings. It is disconcerting that California allows state-funded programs to exclude and discriminate against preschool-aged children. Suspension and expulsion under the guise of intervention should be eradicated, and instead teachers should receive proper supports to create positive learning environments.

There is ambiguity and lack of clarity around laws and regulations on expulsion within the early learning settings.

Clarity in this area would allow California preschools and early learning providers to collect, report and analyze data to better assist them in identifying problems with overly harsh discipline, promote equity, increase quality learning environments, and increase accountability.

Details of the Bill

AB 2806 defines expulsion and suspension in preschool and childcare settings serving children 0-5 that contract with the state, eliminates exclusionary practices, and provides that expulsion and suspension will only be used as a last resort in extraordinary circumstances where there are serious and validated safety concern.

AB 2806 requires the state to collect and report data on exclusionary practices and strengthens due process for families who are impacted by suspension and expulsion.

AB 2806 strengthens and clarifies the early childhood mental health consultation services provided for children in age 0-5 in state preschool and general childcare programs. By supporting educators and eliminating exclusionary policies that disproportionately harm young learners of color, AB 2806 benefits the entire community by acting against implicit and explicit factors causing students to miss time from the early learning and care setting.

AB 2806 builds equitable learning environments for all students and eliminates exclusionary practices that contribute to inequitable student outcomes.

Support

Kidango (co-sponsor)

Black Men for Educational Equity (co-sponsor)

Superintendent of Public Instruction Tony Thurmond (co-sponsor)

Santa Clara County Office of Education (co-sponsor)

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