

Maryland Law Offers Lessons on Restricting Early Childhood Suspension and Expulsion

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Introduction

Recent years have seen a range of new state policies to reduce and prevent the use of suspension and expulsion in early childhood education (ECE) settings. Policymakers in some states—including [Arizona](#), [Colorado](#), [Texas](#), [Maryland](#), and [Oregon](#)—have worked to limit disciplinary removals in public ECE programs by [restricting suspension and expulsion in early grade levels and requiring or encouraging supportive alternatives](#). However, limited research has examined the implementation of these policies, inhibiting efforts by state officials and advocates to compare, contrast, and improve upon approaches to school discipline reform.

To fill this gap, Child Trends researchers studied the implementation of a 2017 [Maryland statute](#) that restricts suspension and expulsion in prekindergarten through second grade (PK-2) and mandates the use of non-punitive behavioral interventions. We conducted over 50 interviews with state and district officials, elementary school administrators, and PK teachers in Maryland from Spring 2021 to Fall 2022. This brief summarizes key findings and offers recommendations for policymakers across the United States to develop and implement policies that reduce suspension and expulsion in ECE settings.

Why early childhood suspension and expulsion matter

Research points to [alarming rates of suspension and expulsion in early childhood education \(ECE\) settings](#). These exclusionary practices have long-term harmful consequences for young children, such as reduced time spent learning and building skills, [decreased opportunities for early identification and treatment of developmental and behavioral health needs](#), and [increased likelihood of suspension and expulsion in later grades](#). Students of color, and particularly Black boys, are disproportionately impacted by exclusionary practices. For example, [it is estimated that 48 percent of Black male children in the United States have been suspended at least once, compared to 21 percent of White male children](#). [These disparities emerge as early as preschool](#).

Key Findings

- **Finding #1: Maryland school staff need additional resources to effectively address challenging behaviors and meet the needs of diverse learners, despite districts' efforts to promote supportive and preventative discipline approaches.**

According to many interviewees, Maryland's law accelerated existing momentum toward supportive discipline. For example, school staff reported increased access to trainings on evidence-based approaches that emphasize positive interactions and preventing misbehavior (e.g., Conscious Discipline). Many districts also increased the number of mental and behavioral health staff available to schools after the policy took effect. These resources have been invaluable in helping school staff reduce their reliance on exclusionary discipline, but critical gaps remain. In particular, school staff requested more training and coaching to help teachers effectively implement inclusive classrooms for children with special needs and more support staff to assist when behavioral challenges arise despite the use of preventative approaches.

► **Finding #2: School staff had varying knowledge about and interpretations of the PK-2 suspension policy and its implications for school discipline.**

School administrators had differing understandings of what constitutes suspension under the law. Some understood that removing a student from the classroom or asking a parent to pick up their child early is akin to suspension and that these informal practices should no longer be used. Others did not report receiving this information and seemed to believe that these are permissible ways to address challenging behaviors. Additionally, although almost all interviewed administrators were aware of the suspension policy, very few PK teachers knew of it; however, some teachers reported that Conscious Discipline training had inspired them to try keeping students in the classroom.

► **Finding #3: Schools used suspension and expulsion less frequently under the law but continued to rely on informal exclusionary practices.**

Most districts have reported reduced suspension rates since the policy took effect and some school staff reported less frequent use of informal exclusionary practices (e.g., sending a child to the office) in response to challenging classroom behaviors. However, other school staff described continued—and, in some cases, increased—use of informal practices that exclude children from the learning environment but which are typically not reported as suspensions, such as calling a parent to pick up their child early or assigning a student to in-school suspension.

► **Finding #4: School administrators demonstrated limited understanding of discipline disproportionality.**

Many school administrators indicated receiving training in diversity, equity, and inclusion. A few had also received targeted training and support around disproportionality in student discipline. However, administrators often pointed to racial/ethnic group population sizes to explain why Black students were suspended at higher rates than White students in their school districts, without acknowledging that this masks the relative proportion of students suspended by race.

Recommendations for Policymakers

Findings from the Child Trends study highlight successes and challenges of implementing Maryland's PK-2 suspension and expulsion policy in local school systems. As more states develop and implement policies to eliminate suspension and expulsion in ECE settings, lessons from Maryland can help policymakers develop more effective and equitable policies. Specifically, we recommend that policymakers:

- **Use a tailored communications strategy to clarify state discipline requirements and restrictions** to district administrators, school administrators, and teachers. Provide definitions and examples of key terms (e.g., suspension) to ensure consistent interpretation across school districts and schools.
- **Issue guidance on best practices and evidence-based approaches** to help school districts comply with discipline restrictions, even if the use of such approaches is not explicitly required by law.
- **Match discipline policy shifts with funding for additional staffing and programming** to ensure that schools have the capacity to meet students' behavioral needs and support educators' shifts in practice.
- **Prioritize training on equitable discipline** to help school administrators and educators detect disproportionality using discipline data and recognize the underlying individual and systemic causes of school discipline disparities.

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For more details about this study, contact Bonnie Solomon at bsolomon@childtrends.org.