

# **Strategies and Resources to Support Challenging Behaviors in Early Childhood Settings**

Wednesday October 2, 2024

Cohort 1 Meeting

# The Why

- Nationally, 7% of the 1.5 million preschoolers were children with w/IEPs and were expelled at rates 2.5 times greater than their share of the total preschool population ([2017-2018 Civil Rights Data Collection](#))
- Office of Special Education is concerned with the informal removals and shortened school days in response to a behavior as these may equate to a suspension or expulsion.
- In Maine, fielding questions about addressing challenging behaviors; Schools reaching out needing TA.



# Current Regulations

- Students with disabilities have regulatorily defined access to public education, so if a child is suspended or expelled, the child has a right to the disciplinary provisions in IDEA. Non-disabled children have similar protection based on state regulations.
- Federal Regulations/Statutes on Discipline:
  - [eCFR :: 34 CFR 300.530 -- Authority of school personnel.](#)
    - Removals up to 10 days; Series of removals constitute a pattern; After 10-day removal child continues to get services; FBA/BIPs would be required
- State Statutes on Discipline:
  - [Title 20-A, §1001: Duties of school boards](#)
    - Section 8-A Due Process standards for expulsion proceedings
    - Section 9 Students expelled or suspended
    - Section 9-B Disciplinary sanctions for children with disabilities
    - 9-C. Reentry for students after expulsion.
    - 9-D. Professional services after expulsion for a child with a disability.

# Definitions

Concept/ Name	Definitions	Regulations:
Suspension, In School	An instance in which a child is temporarily removed from their regularly assigned classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel.	34 C.F.R. § 300.530
Exclusionary Discipline	The removal, whether on a short-term or long-term basis, of a child with a disability from a class, school, or other educational program or activity for violating a school rule or code of conduct. Examples can include detentions, in school suspensions, out-of-school suspensions, suspensions from riding the school bus, expulsions, disciplinary transfers to alternative schools, and referrals to law enforcement, including referrals that result in school-related arrest	Not defined in IDEA regs
School Day	Under IDEA, means any day, including a partial day, that children are in attendance at school for instructional purposes. School day has the same meaning for all children in school, including children with and without disabilities.	34 C.F.R. § 300.11(c).
Disciplinary Removal/ Change in Placement	Means (for purposes of removal of a child with a disability from the child’s current educational placement for disciplinary reasons) a child with a disability who has been removed from their current educational placement for disciplinary reasons for more than 10 consecutive school days; or that the child has been subjected to a series of removals that constitute a pattern: (1) because the series of removals total more than 10 school days in a school year; (2) because the child’s behavior is substantially similar to the child’s behavior in previous incidents that resulted in the series of removals; and (3) because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.	34 C.F.R. § 300.536(a)
Informal Removal	Action taken by school personnel in response to a child’s behavior that excludes the child for part or all of the school day, or even an indefinite period of time. Informal removals include administratively shortened school days when a child’s school day is reduced by school personnel, outside of the IEP Team and placement process, in response to the child’s behavior	Not defined in IDEA regs
Physical Restraint	A personal restriction that immobilizes or reduces the ability of a student to move their torso, arms, legs, or head freely. The term physical restraint does not include a physical escort.	Chapter 33
Short Term Disciplinary Removal	The removal of a child from their educational placement for 10 consecutive school days or less	34 C.F.R. § 300.530(b)

## Challenging Behaviors are Expected and are Educational Opportunities

“Behaviors that activate me may not activate you.” [Dr. Rosemarie Allen](#),  
Center for Equity and Excellence.

[Updates News](#) Expected Skills and  
Behaviors of children in early childhood  
are defined in both [PMELDS](#) and  
[ITMELDS](#) .

The Maine Early Learning and  
Standards are a continuum across the  
domains of early learning and can be  
used to inform instructional goals.

Behavior. Is.  
Defined. By.  
The. Person.  
Most. Annoyed.  
By. It.



Dr. Rosemarie Allen, AZ-ECSE Summit 2023

# Resources/Approaches

- [Maine Early Childhood Consultation Partnership \(ECCP\)](#)
- [Maine Roads to Quality Professional Development Network \(MRTQ\)](#)
- [MRTQ Warm Line](#)
- [Maine Resilience Building Network \(MRBN\)](#) [Fall & winter learning opportunities](#)
- [Pyramid Model](#) - Building foundational social emotional competencies in children
- [Leading Early Learning Pre-K – 3rd Grade](#)
- [Center for Community Inclusion and Disability Studies \(CCIDS, UMaine\)](#) [Growing Ideas and resources](#)



# Professional Development

- Pre-K/K/1st Grade for Me PLC's
- Challenging Behaviors and Early Childhood Environments Learning Modules – register [here](#)
- [Iris Modules](#) from Vanderbilt University
- Upcoming book studies focused on classroom management strategies and behavior as communication – details in the World of Early Learning Newsletter
- Subscribe to Maine DOE newsletters & monthly office hours – FMI click [here](#)

# Contact for Additional Assistance

- PD on Behaviors Supports
  - Andrea Logan, MTSS Specialist [andrea.logan@maine.gov](mailto:andrea.logan@maine.gov)
  - Marcy Whitcomb, Public Pre-K Consultant; Pre-K Gen Ed support; [marcy.r.whitcomb@maine.gov](mailto:marcy.r.whitcomb@maine.gov)
  - Tracy Whitlock, PBIS Support [tracy.w.whitlock@maine.gov](mailto:tracy.w.whitlock@maine.gov)
  - Bear Shea, Chapter 33 support; [w.bear.shea@maine.gov](mailto:w.bear.shea@maine.gov)
- Cohort 1 Questions
  - Jen Hopkins, Asst. Transition Coordinator of FAPE [jennifer.i.hopkins@maine.gov](mailto:jennifer.i.hopkins@maine.gov)





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