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May 11, 2017

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Sent via email: OIRA\_Submission@omb.eop.gov

RE: OMB Control Number: 0607-0990

Dear Mr. Mancini,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, and the 148 national, state and local organizations listed below, we submit the following comment and recommendation in response to the notice published in the Federal Register on April 11, 2017 regarding the proposed information collection for the National Survey of Children's Health (NSCH).<sup>i</sup>

Given the NSCH's purpose to examine the physical and emotional health of children<sup>ii</sup>, removal of the question about whether a parent was "asked to keep your child home from any child care or preschool because of their behavior"<sup>iii</sup> would be a serious mistake and would undermine this important collection and access to crucial data about children's well-being. **Without access to valid and reliable data, parents, advocates, educators, service providers, researchers, policymakers, and the public will not have the information they need to ensure early childhood settings are developmentally appropriate and nondiscriminatory.**

As organizations committed to the fair and appropriate treatment of *all* children in *all* settings, we have long been alarmed by the high and racially disproportionate rates of exclusionary discipline of children beginning in early childhood and continuing through high school.<sup>iv</sup> All schools, preschools, and child care settings should be places for children to learn and grow surrounded by supportive and caring adults. Given clear data that expulsions and suspensions regularly occur in preschool settings and have a negative impact on child development, health, and education,<sup>v</sup> we continue to press for changes to policy and practice – and the critical data that makes systemic change possible. As the Department of Health and Human Services and Education's joint November 2016 *Policy Statement on Expulsion and Suspension Policies in Early Childhood Settings* says, "By reducing and ultimately eliminating expulsion and suspension through nurturing relationships and capacity building, with and on behalf of young children and their families, we can ensure that all of our youngest learners have the tools and experiences they need to thrive."<sup>vi</sup>

Above and beyond the harm caused to any child by their removal from an early childhood setting because of perceived or actual misbehavior, we are particularly concerned about the well-documented disproportionate way in which children of color, especially Black girls and boys, are subject to this practice. Recent research has made clear that these disparities cannot be attributed to different child behavior<sup>vii</sup> and are more likely the result of adult bias and differences in adult responses based on a child's race.<sup>viii</sup> This trend continues as children enter elementary school, when children of color with disabilities are removed at alarmingly high rates.<sup>ix</sup> As documented by the Department of Education's Civil Rights Data Collection, Black children make up 19 percent of public preschool enrollment but 47 percent of those preschool children suspended more than once.<sup>x</sup> As disturbing as this data is, it is limited because of the survey's application to only those preschools operated by public schools. The inclusion of similar data in the NSCH provides information about the experience of young children in other settings and allows for cross-tabulation across other indicators of a child's circumstances including health and family income.

The availability of data about the ways in which young children are disciplined has already led to changes in policies and practices,<sup>xi</sup> additional supports and professional development for educators to respond differently to child behavior,<sup>xii</sup> and a call by educators, service providers, and advocates for young children that, "We must continue to shine a light on data that inform our decision making, while we work together to create systems, policies, and practices that reduce disparities across race and gender, preventing and eventually eliminating expulsions and suspensions in early childhood settings."<sup>xiii</sup>

**We urge you to retain the preschool suspension and expulsion question in the 2017 National Survey of Children's Health collection, and future collections, so that parents, advocates, educators, service providers, researchers, policymakers and the public have access to data to drive change in the service of high-quality and equitable supports for and treatment of all children.** We appreciate your consideration of this request. Please contact The Leadership Conference's director of education policy, Liz King, at [king@civilrights.org](mailto:king@civilrights.org) or (202)466-0087 with any questions or for additional information.

Sincerely,

National Organizations

The Leadership Conference on Civil and Human Rights  
AASA, The School Superintendents Association  
AdvancED  
African American Ministers In Action  
American Association of University Women (AAUW)  
American Civil Liberties Union  
American Federation of Teachers  
American Psychological Association  
Black Women's Roundtable  
Campaign for Youth Justice

Center for American Progress  
Center for Civil Rights Remedies at UCLA's Civil Rights Project  
Center for Community Change Action  
Center for Global Policy Solutions  
Center for Research and Reform in Education, Johns Hopkins University  
Child Care Aware of America  
Children's Defense Fund  
Clearinghouse on Women's Issues  
Coalition for Juvenile Justice  
Committee for Children  
Common Sense Kids Action  
Communities for Just Schools Fund  
Community Community Training and Assistance Center (CTAC)  
Council of Administrators of Special Education  
Council of Parent Attorneys and Advocates  
Democrats for Education Reform  
Dignity in Schools Campaign  
Disability Rights Education & Defense Fund  
EDGE Consulting  
Education Development Center  
Education Northwest  
Educators for Excellence  
Educolor Movement  
Feminist Majority Foundation  
FHI 360  
Futures Without Violence  
Girls Inc.  
HighScope Educational Research Foundation  
IAMAW  
In Our Own Voice: National Black Women's Reproductive Justice Agenda  
Justice For Families  
Knowledge Alliance  
Labor Project for Working Families  
Lawyers' Committee for Civil Rights Under Law  
League of United Latin American Citizens  
Learning Disabilities Association of America  
MIRA, Inc. (Making It Right Again)  
MomsRising  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
National Action Network  
National Alliance for Partnerships in Equity (NAPE)  
National Association of Social Workers

National Association of State Boards of Education  
National Bar Association  
National Black Justice Coalition  
National Black Womens Roundtable  
National Center for Learning Disabilities  
National Center for Transgender Equality  
National Coalition on Black Civic Participation  
National Congress of American Indians  
National Disability Rights Network  
National Down Syndrome Congress  
National Education Association  
National Organization for Women  
National Women's Law Center  
NBCDI  
NETWORK Lobby for Catholic Social Justice  
ParentsTogether  
People's Action Institute  
PolicyLink  
RMC Research  
School Social Work Association of America  
Southeast Asia Resource Action Center (SEARAC)  
Southern Poverty Law Center  
SparkAction  
StoptheDrugWar.org  
Success for All Foundation  
The Arc of the United States  
The Black Women's Roundtable  
The National Juvenile Justice Network  
The Sentencing Project  
TNTP  
UNCF  
WestEd  
William T. Grant Foundation  
YWCA USA

State/Local Organizations

334 East 92nd Street Tenant Association  
Achievement Centers for Children  
Action for Children  
Alliance for Quality Education  
Arkansas Advocates for Children and Families  
Black Child Development Institute-Ft. Lauderdale  
Black Parallel School Board

Black Women's Roundtable, Kalamazoo MI  
Black Youth Vote!  
Child Care Association of Louisiana  
Child Guidance & Family Solutions  
Children Now  
Children's Defense Fund-New York  
Children's Defense Fund-Ohio  
Citizen Action of New York  
Colorado Children's Campaign  
Conexión Américas  
CPLAN Collaborative Parent Leadership Action Network  
Deep South Cherokee Keetoowah Foundation  
Early Care and Learning Council  
EdAllies, Minnesota  
Education Law Center-PA  
Education Northwest  
Educators for Excellence Minnesota  
First 5 LA  
Georgia Coalition for the Peoples Agenda  
Georgia Stand-Up  
Georgia State Advisory Panel to Division of Special Education  
Girls Inc. of Long Island  
Gwinnett SToPP  
Healthy Child Care Colorado  
Interfaith Children's Movement  
Juvenile Justice Coalition (Ohio)  
L.I.F.T. to End Poverty  
Legal Rights Center (MN)  
Louisiana Partnership for Children and Families  
Mental Health & Addiction Advocacy Coalition  
Metro Atlanta Chamber  
Michigan Alliance for Special Education  
Minnesota Alliance With Youth  
Missouri Developmental Disabilities Council  
Mothers of Hope  
National Council of Jewish Women Minnesota  
New York Civil Liberties Union  
Nollie Jenkins Family Center, Inc.  
North Carolina Justice Center  
Ohio Transformation Fund  
OneAmerica  
Parent Support Arizona  
Racial Justice NOW!

Sacramento Faces Race  
Schuyler Center for Analysis and Advocacy  
Student Advocacy, Inc.  
TAP Diversity Navigators  
Teach Plus  
Tennessee State Conference NAACP  
Texas Appleseed  
The Village PTSA Community Chapter - St. Paul  
Twinfield Education Association  
Urban League of Metropolitan Denver  
Virginia Excels  
Volunteers of America Greater Baton Rouge

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<sup>i</sup> See: <https://www.gpo.gov/fdsys/pkg/FR-2017-04-11/pdf/2017-07159.pdf>

<sup>ii</sup> See: <https://www.census.gov/programs-surveys/nsch.html>

<sup>iii</sup> See: <https://www.reginfo.gov/public/do/DownloadDocument?objectID=72617900>

<sup>iv</sup> See: <http://www.civilrights.org/press/2014/school-discipline-guidance.html>

<sup>v</sup> See: <https://www.acf.hhs.gov/ecd/child-health-development/reducing-suspension-and-expulsion-practices>

<sup>vi</sup> See: [https://www.acf.hhs.gov/sites/default/files/ecd/expulsion\\_ps\\_numbered.pdf](https://www.acf.hhs.gov/sites/default/files/ecd/expulsion_ps_numbered.pdf)

<sup>vii</sup> See: [http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior\\_031214.pdf](http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior_031214.pdf)

<sup>viii</sup> See: [http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief\\_final\\_9\\_26\\_276766\\_5379.pdf](http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379.pdf)

<sup>ix</sup> See: <https://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/upcoming-ccrr-research/losen-gillespie-opportunity-suspended-summary-2012.pdf>

<sup>x</sup> See: <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>

<sup>xi</sup> See: <http://www.startribune.com/minneapolis-schools-ban-suspensions-of-youngest-students/274043091/>

<sup>xii</sup> See: <https://edsources.org/2016/suspensions-and-expulsions-decline-as-districts-adopt-alternatives-state-says/93297>

<sup>xiii</sup> See: [http://www.naeyc.org/files/naeyc/Standing%20Together.Joint%20Statement.FINAL\\_9.pdf](http://www.naeyc.org/files/naeyc/Standing%20Together.Joint%20Statement.FINAL_9.pdf)