



May 11, 2017

Dominic J. Mancini
Acting Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
725 17th St., NW
Washington, DC 20503
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).ⁱ

Given the NSCH's purpose to examine the physical and emotional health of childrenⁱⁱ, 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"ⁱⁱⁱ 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.^{iv} 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,^v 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."^{vi}

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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^{vii} and are more likely the result of adult bias and differences in adult responses based on a child's race.^{viii} This trend continues as children enter elementary school, when children of color with disabilities are removed at alarmingly high rates.^{ix} 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.^x 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,^{xi} additional supports and professional development for educators to respond differently to child behavior,^{xii} 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."^{xiii}

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 or (202)466-0087 with any questions or for additional information.

Sincerely,

The Leadership Conference on Civil and Human Rights

National Organizations (86)

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 (62)

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

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

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

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

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

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

^{vi} See: https://www.acf.hhs.gov/sites/default/files/eecd/expulsion_ps_numbered.pdf

^{vii} See: http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior_031214.pdf

^{viii} See: http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379.pdf

^{ix} 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>

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

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

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

^{xiii} See: http://www.naeyc.org/files/naeyc/Standing%20Together.Joint%20Statement.FINAL_9.pdf