

Understanding Early Childhood Suspension and Expulsion Laws



Background

In 2021, the Oregon legislature passed two laws (Senate Bill 236 and House Bill 2166) related to suspension and expulsion in early childhood programs. These laws were created in response to ongoing concerns that children of color and children with disabilities are removed from child care at higher rates than their peers.

The laws did two things:

- Established Every Child Belongs, DELC's suspension and expulsion prevention program.
- Prohibited child care programs from suspending or expelling children.

How is DELC preventing suspension and expulsion?

DELC partners with child care programs to prevent suspension and expulsion in child care. DELC offers a service for early childhood programs, called **Every Child Belongs**. This service helps early childhood programs to promote children's social-emotional development, manage children's behavior, and design learning environments that support positive learning and development. This service offers education and resources for child care providers to ensure they are preventing suspension and expulsion through effective teaching practices. Children learn best when they can stay in their program with the right support. Oregon's rules and support services like Every Child Belongs are designed to help child care programs work with families to keep children included whenever possible.

Child care programs must follow rules that help keep your child safe, healthy, and supported while in care. These rules say that:

- They must communicate with you about concerns early and often.
- They must contact Every Child Belongs when they are thinking about expelling a child.
- They must have suspension and expulsion prevention policies in place. They are required to share these policies with you.

Every Child Belongs

What is Every Child Belongs?

Every Child Belongs is Oregon's early childhood suspension and expulsion prevention program. The goal of Every Child Belongs is to help early childhood care and education programs keep children in care by offering child care programs responsive support when challenges arise.

How might my child care program interact with Every Child Belongs?

Child care programs can ask Every Child Belongs for help when they have concerns or need extra support. Depending on what the program needs, Every Child Belongs may provide:

- Guidance and support for child care staff
- Help from specialists who understand children's social and emotional development
- Connection to other community resources

Every Child Belongs focuses on supporting the adults who care for children so they can create supportive and healthy environments for young children. Every Child Belongs does not provide direct services for families or therapy to children.

For more information on contacting Every Child Belongs and available resources for child care programs, visit [Every Child Belongs](#).

Can I, as a parent, make a request to Every Child Belongs on behalf of my child care program?

Yes, parents can submit requests through Every Child Belongs. However, we encourage you to talk with your child care program first so you can plan together and make sure they are aware of the request.

Can I contact Every Child Belongs to get support for my child or is it only for child care programs?

Every Child Belongs services are designed to support child care programs in creating inclusive, successful environments. They are not direct services for children or families, such as counseling or behavioral therapy. If families are looking for community resources or additional supports, they can contact 2-1-1 at <https://gethelp.211info.org/> for help finding local options.

Suspension and Expulsion Questions

Does my child care program have to follow these laws?

The suspension and expulsion laws apply to early childhood care or education programs that:

- Receive state public funds from DELC;
- Are certified under ORS 329A.280; or
- Are registered under ORS 329A.330.

Examples of these child care programs include: Registered Family Child Care, Certified Family Child Care, Certified Child Care Centers, and Certified Outdoor Nature-Based Programs.

My child is a school-ager. Do these requirements only apply to young children?

The requirements apply to child care programs that serve infants, toddlers and preschool-age children. Programs that only serve school-agers are not required to meet these requirements but may choose to implement suspension and expulsion prevention policies. You can ask your child care program about the policies and practices they have in place.

My child care program told me they are struggling with my child's behavior. What should I do?

Talk to your child care program about what is happening in the classroom. You can share ideas about what works best for your child. Partner with your child care program to discuss what strategies are working and what might need to change. Ongoing communication and collaboration support healthy working relationships between you and your child care program. You can let them know that there are services, like Every Child Belongs, that can help them support your child.

There is another child with behavior issues in my child's class. It concerns me for the safety of my child. What can I do?

It's not uncommon for parents to feel uneasy when children have behaviors that feel challenging in a classroom. It's okay to want to understand what's going on without making assumptions about another child or situation.

A good first step is to talk with your child care program. They should be able to explain how they supervise the group, what strategies they use to manage behavior, and how they keep all children

safe throughout the day. This can give you a clearer picture of how situations are handled and whether it aligns with your expectations.

If you still have concerns after that conversation, you can ask more specific questions about supervision, incident response, and communication with families. The goal is to make sure you feel confident in the environment your child is in, while recognizing that supporting a group of children with different needs is a normal part of child care settings.

If you feel like your concerns about child safety are not addressed, you can contact DELC and file a complaint. DELC can conduct an investigation to review whether any health or safety violations have occurred.

Is it allowed if I want to reduce my child's hours in care if they need a break?

Yes, it is okay for you to decide to reduce your child's hours if you feel they need a break-families often make short-term adjustments like this to support their child's well-being. The important thing is that the decision to reduce time in care comes from you.

What can I do if my child has been suspended or expelled from child care?

There are several options if your child has been suspended or expelled:

- **Talk to your child care provider** to understand what support has been put in place for your child to be successful in care. Ask them about the rules for prevention and what steps they have taken to support your child.
- **File a complaint with DELC.** If you believe your young child was suspended or expelled without the child care program taking required prevention steps (communicating with you, contacting Every Child Belongs), you can contact DELC (1-800-556-6616). DELC will investigate the child care licensing rules that a program is required to follow, including if they contacted Every Child Belongs to get resources and support for their practices.
- **Seek legal guidance.** You can talk to an attorney to see if there are other legal options. DELC cannot provide legal advice.

What is Suspension, Expulsion, and "Exclusionary Practices"?

- **Suspension** is when a child care program temporarily removes a child from care for a period of time due to behavior, specialized needs, or other concerns. This may include reducing the number of days or hours that a child may attend.
- **Expulsion** is when a child care program permanently removes a child from enrollment due to the child's behavior or specialized needs, meaning the child is no longer allowed to attend.
- **Exclusionary practices** are broader and include any actions a child care program takes that make it difficult or impossible for a child to enroll, attend, or remain in care. This can include suspension and expulsion, as well as other practices like having a trial enrollment period, asking a family member to attend with the child, or creating conditions that push a family to leave.

If you have concerns about your child care program using suspension, expulsion, or other exclusionary practices, you can contact DELC. We can review the situation to determine whether the practices are allowed under child care licensing rules.

References and Resources

Statutes/Laws

Prevention Law (HB 2166) This law created the Suspension and Expulsion Prevention Program, also known as Every Child Belongs (ECB). The law requires licensed and publicly funded early learning programs to contact ECB when a young child is facing potential expulsion (ORS 329A.600).

Prohibition Law (SB 236) This law prohibits suspension and expulsion in early childhood care and education programs that are licensed by The Department of Early Learning and Care (DELC) or receiving public funding from DELC. The prohibition took effect July 1, 2026 (ORS 329A.625).

Rules for Child Care Facilities

In June 2026, DELC's Early Learning Council adopted administrative rules related to suspension and expulsion prevention. To view the rules for licensed child care facilities, visit the DELC rules website:

<https://www.oregon.gov/delc/providers/Pages/child-care-rules.aspx>

Other Resources

<https://www.oregon.gov/delc/providers/pages/child-care-rules.aspx>

[Child Care Licensing Division-Online Complaint Form](#)

[SB236 Enrolled](#)

[HB2166 Enrolled](#)

[DELC Every Child Belongs Webpage](#)

[Every Child Belongs](#)