

# SUPPORT SB147

## Exclusionary Practices Act

Sponsors:  
Senator Harold Pope and  
Senator Linda Trujillo



## Limiting Suspensions and Expulsions for Children Under Age 5

Young children in preschool and child care programs are suspended or expelled at rates three times higher than school-aged children. The exclusion rates are much higher for boys, Children of color, and those with disabilities than the rest of the preschool population. These practices deprive children of opportunities to learn and grow during their most crucial period of brain development and results in immediate disruptions and stress for families.

Exclusionary practices often also result in long-term negative outcomes, including academic underachievement, school disconnection, high school dropout, and incarceration.

SB147 promotes more positive child and family outcomes by limiting suspensions and expulsions of children under the age of 5 in licensed child care and New Mexico pre-kindergarten programs. It also requires programs to report all disenrollments, including suspensions or expulsions, to the Early Childhood Education and Care Department (ECECD).

SB147 prioritizes equity and inclusion, ensuring every child has access to a supportive and nurturing educational environment.

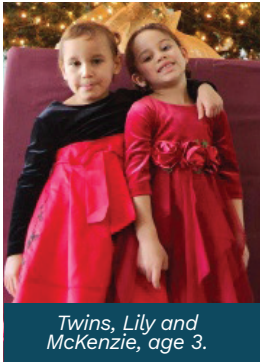
SB147 protects young children's right to learn by:

- **Limiting Expulsions:** Starting July 2026, children may only be expelled for behavioral or disciplinary reasons if:
  - All available resources have been exhausted.
  - The child's family and the department have been notified.
- **Limiting Suspensions:**
  - Only allowed when a child has willfully caused, attempted, or threatened bodily harm, except in self-defense.
  - Out-of-school suspensions are capped at three days per incident.

### ECECD Invests in solutions to support early childhood professionals in addressing the root causes of suspension and expulsion such as:

- Infant Early Childhood Mental Health Consultation: Equips staff to support children's social and emotional development.
- Social and Emotional Learning and Trauma Informed Professional Development: Builds emotional regulation and healthy relationship skills and helps educators recognize and address trauma while creating safe, supportive environments.
- Inclusion Coaches: Ensures children with disabilities can fully participate in educational activities alongside their peers.

## Testimonials: Impacted Families

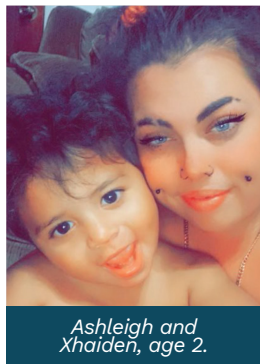


### Lily and McKenzie's Story

Samantha is a 29-year-old single mother from Albuquerque who has twin three-year-old girls, Lily and McKenzie, who are mixed race (African American, Hispanic and White). Samantha was excited to see her two children benefit from the early learning opportunities the child care facility provided. On the first day of school, only Lily attended due to McKenzie feeling unwell. At the end of the first day, Lily's teachers reported that she had difficulty paying attention. Samantha assumed that these issues would resolve after Lily adjusted to her new school and environment.

The next day both girls attended school. Samantha dropped the girls off at 9 a.m., and by 11:30 the school called Samantha to pick up the girls because "they could not handle them." The teachers reported that Lily was exhibiting aggressive behaviors and that McKenzie would not listen. **After only a day and a half, the school informed her that they did not have the resources to care for her children and she must find a different child care center for them to attend.**

*“After one and a half days it's hard to adjust to new environments even as adults, said Samantha. A three-year-old does not have the capacity to understand major changes, and I think she was frustrated because she was struggling to communicate. They just didn't give us a shot.”*



### Xhaiden's Story

Ashleigh Jacobson, 27, lives in Albuquerque, New Mexico with her four-year-old daughter and two-year-old son, Xhaiden. After enrolling her children, Ashleigh came to realize that the child care facility had only one staff member able to communicate directly with her in English. Although Ashleigh does understand some Spanish, English is the primary language spoken at home with her children. The first week Xhaiden attended school he was suspended for hitting. The school suspended him again for allegedly hitting a teacher in the breast while she was changing him and a third time for "slapping a teacher." At just two years old,

Xhaiden experienced suspension at least once a week for several months until they finally expelled him from the school.

*“I feel like they judged a two-year-old as if he understands right from wrong and isn't allowed to make mistakes, said Ashleigh. He doesn't understand why he has to miss school. I think this has affected his behavior at home, and I worry that the suspensions and expulsions will continue to follow him as he gets older.”*

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Call us toll-free: 1-800-832-1321.

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