

G. Children with Unique Needs/Challenging Behaviors

Challenging behavior shall mean any repeated pattern of behavior, or perception of behavior, that interferes with, or is at risk of interfering with, optimal learning or engagement in pro-social interactions with peers and adults. It is behavior that interferes with children's learning, development, success at play or is harmful to the child, other children or adults, that puts a child at high risk for later social problems or school failure. (<http://challengingbehavior.cbcs.usf.edu/>)

When a child demonstrates challenging behaviors that prevent his or her progress in any developmental domain, as referenced in the *North Carolina Foundations for Early Learning and Development*, that impede the child's access to and participation in the assigned NC Pre-K classroom learning activities, the following shall apply:

- (1) The Site Administrator shall notify the NC Pre-K Contract Administrator and the local school system's Preschool Exceptional Children Program for assistance if a child's cognitive, language and communication, emotional, social, health and physical needs exceed the program's capacity to address as indicated by one or more of the following:
 - (A) developmental needs assessments;
 - (B) home visits;
 - (C) consultations with the family members;
 - (D) daily recorded classroom teacher observations; and/or
 - (E) modified instructional plans and differentiated lessons based on the child's individual goals.
- (2) The NC Pre-K Contract Administrator, Site Administrator, teacher and family members in consultation with the school system's Preschool Exceptional Children Program and other available community and state resources, such as Birth-through-Kindergarten licensed mentors and evaluators, Healthy Social Behavioral specialists, child care health consultants, mental health specialists, social workers and other local child developmental experts, shall develop a coordinated support plan to support the NC Pre-K child's placement and participation in the NC Pre-K Program.
- (3) The Division of Child Development and Early Education shall be notified when support plans recommended by the local school system's Exceptional Children Program require an alternative placement and support services for a child.
- (4) A site administrator shall not suspend or expel a child from a NC Pre-K Program until the site administrator has completed the requirements of Subparagraphs (1), (2), and (3) of this Paragraph.
- (5) Unless the operator determines the child poses a risk of harm to himself or herself or others and has completed the requirements of Subparagraphs (1), (2), and (3) of this Paragraph, no child shall receive less than the 6.5-hour NC Pre-K day. Risk of harm to oneself or others includes:

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- (A) physical aggression such as hitting, kicking, punching, spitting, throwing objects, pinching, pushing and biting;
- (B) destroying property;
- (C) tantrum behaviors that might include behaviors such as kicking, screaming, pushing an object or person, stomping feet or head banging;
- (D) verbal aggression including yelling, threats and screaming;
- (E) persistent or prolonged crying that is loud or disruptive or crying that interferes with the child's engagement in activities; and/or
- (F) touching other children's private areas and removing clothing from themselves or others.

See also NC Child Care Rule 10A NCAC 09 .3017 Children With Unique Needs And Challenging Behaviors

History Note: Authority G.S. 110-85; 110-88; S.L. 2011-145, s. 10.7(a); Eff. October 1, 2017

Guidance

If efforts to access the consultation needed to develop a coordinated plan of support prove unsuccessful, the NC Pre-K Contract Administrator shall contact their NC Pre-K Program Policy Consultant for guidance.

Teachers shall observe the child to identify what may be triggering the behavior, plan/record instructional modifications/differentiated strategies and document daily progress made by the child. Teachers shall document additional modifications needed based on daily observations and any other resources that may be identified to support the NC Pre-K child.

Teachers should plan and implement appropriate strategies to include, but not be limited to, the assistance of local Behavioral Specialists through the CCR&R and Smart Start Network. These and other strategies to support the child should be documented including the child's progress for at least six to eight weeks before contacting the local school system's Preschool Exceptional Children Program. The documentation will be shared with the Preschool Exceptional Children Program during consultation.

Teachers, Site Administrators and NC Pre-K Contract Administrators shall document and keep on file every effort made to support the child so they can remain in the NC Pre-K Program. The NC Pre-K teacher must complete the Early Childhood Behavioral Engagement and Developmental Needs Report or another form which documents the child's behavior and strategies implemented by the teacher. The Site Administrator must submit the report to the NC Pre-K Contract Administrator for review of what has been implemented and provide further guidance to support the child, family and teacher.

See [Appendix 9](#) for the Early Childhood Behavioral Engagement and Developmental Needs Report. You may also [click here](#) to access the report on the DCDEE website to complete the form electronically.

Teachers shall **maintain continuous collaboration** with the specialist(s) working with the child to discuss strategies implemented in the classroom and seek additional research based on effective practices to support the child.

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RESOURCES

Growing Up Well: Supporting Young Children’s Social-Emotional Development and Mental Health in North Carolina (July 2012). [Click here](#) to download the report.

Policy Statement on Expulsion and Suspension Policies in Early Childhood Setting, U.S. Department of Health and Human Services and U.S Department of Education (2014). [Click here](#) to download the Policy Statement.

[Click here](#) for the North Carolina Early Childhood Suspension and Expulsion Policy Statement Summary.

[Click here](#) for the Division of Child Development and Early Education Suspension and Expulsion Policy Statement

[Click here](#) for additional federal resources.

Implementing Policies to Reduce the Likelihood of Preschool Expulsion – Examines factors associated with expulsion from Pre-K. [Click here](#) to download this resource from the *NC Early Learning Network – EC Preschool Coordinator Resources: Quality Practices*.

H. Other Required Data Collection (Non-NC Pre-K)**1) Child Ethnicity and Race**

The NC Pre-K Statewide Evaluation requires the collection of demographic characteristics for children receiving services, which includes ethnicity and race. The following descriptions should be used to help programs **document accurate information on the child’s application**:

Ethnicity refers to cultural factors, including nationality, regional culture, ancestry and language. The **family must indicate** either “Yes” or “No” for whether the child is “Hispanic or Latino.” This information determines the child’s ethnicity.

Race refers to a person's physical characteristics, such as bone structure, skin, hair and eye color. The **family must choose** one or more options listed for race (e.g. American Indian, Black or African American, Asian, White, etc.). More than one option for race may be chosen from the list if the child is multi-racial.

2) Child’s US Citizenship

A child’s citizenship status is determined by the parent or guardian indicating “yes” or “no” on the signed NC Pre-K Child Application.

NOTE: US citizenship is **not required** for NC Pre-K eligibility – Data is used by DCDEE for TANF determination.

NC Pre-K Contracting Agency staff must check this information for accuracy during the application and eligibility process.

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Early Childhood Behavioral Engagement and Developmental Needs Report

Site Administrators and teachers must complete and submit this form to the NC Pre-K Contract Administrator to review what has been implemented and provide further guidance to support the child, family and teacher. The documentation will be shared with the Preschool Exceptional Children Program during consultation. Attach the teacher's planned modifications/individualized strategies and documented progress for the child. This form can be completed electronically.

NC Pre-K Site:

Child's Name:

Teacher's Name:

Site Administrator's Name:

Submission Date:

County:

Teacher's Contact Information:

Site Administrator's Contact Information:

Actions	Dates	Contacts/Results	Next Steps (Who, what, when)
Documentation of challenging behavior: When does it occur, what happens right before it occurs, what happens after, how often does it occur, and how long does it last			
Designated observer conducts assessment of current classroom practices in preventing challenging behaviors and promoting social-emotional development; Identifies new strategy to implement			
Documented teaching strategies implemented to maintain child's participation in the NC Pre-K Program (e.g., teacher's planned modifications or individualized strategies and recorded progress of the child for at least 6 weeks)			
Documented communications with families about child's behavioral concerns; Face to face, phone calls, emails, texts etc. that are not routine and are specifically conducted to address topic of child's behavioral concerns			
Documented collaboration with specialists due to child's challenging behaviors (e.g. local school system's Preschool Exceptional Children's Program, local Smart Start, Child Care Resources & Referral, Triple P, mental health consultant, psychologist, or other professionals)			
Documented teacher's professional development to support classroom practices (e.g., completed Foundations: Social-Emotional training, visited other classrooms, mentored by others, etc.)			
Outcomes of attempts made to maintain child's participation in the NC Pre-K Program (provision of additional staff, conducted a Functional Behavioral Assessment and implemented a Behavior Improvement Plan, referral to the Preschool Exceptional Children's Program, transferred to another appropriate setting, etc.)			

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Early Childhood Behavioral Engagement and Developmental Needs Report

This report is required for use with a child who demonstrates persistent challenging behaviors (Hemmeter, Fox, & Snyder, 2014, p.24) that prevent his/her progress in any developmental domain (see NC Early Learning and Development Progressions <http://earlylearningprogressions.fpg.unc.edu/> and impede the child's access to and participation in the NC Pre-K Program. The intention of this report is to document family communications about the challenging behavior and behavioral regulation strategies implemented in the classroom, and to inform the NC Pre-K contract administrators prior to referral to the Exceptional Children Preschool Program.

Teachers, Site Administrators and NC Pre-K Contract Administrators shall document and keep on file every effort made to support the child.

The NC Pre-K Contract Administrator, Site Administrator, teacher and the family, in consultation with the school system's Preschool Exceptional Children Program and other available resources, shall work together to develop a coordinated plan to support the NC Pre-K child's placement in the NC Pre-K Program. Every effort shall be made to maintain the child's enrollment and participation in the NC Pre-K program.

If efforts to access the consultation needed to develop a coordinated plan of support prove unsuccessful, the NC Pre-K Contract Administrator shall contact the Division of Child Development and Early Education for guidance.

What is challenging behavior? Any repeated pattern of behavior, or perception of behavior, that interferes with or is at risk of interfering with optimal learning or engagement in pro-social interactions with peers and adults that interferes with children's learning, development, and success at play, is harmful to the child, other children, or adults, that put a child at high risk for later social problems or school failure. Challenging behavior is thus defined on the basis of its effects. While some children's challenging behaviors are developmentally or culturally normative and effectively addressed by adult vigilance and the use of appropriate guidance procedures, other children need more targeted evidence-based practices (Tier II) to prevent and/or address challenging behaviors that are persistent or unresponsive to universal evidence-based approaches (<http://challengingbehavior.fmhi.usf.edu/explore/glossary.htm>).

Examples of persistent challenging behaviors for preschool children may include:

- (1) physical aggression such as hitting, kicking, punching, spitting, throwing objects forcefully, pinching, pushing, and biting;
- (2) climbing on things in the classroom that are not permitted;
- (3) destroying property, destroying what another child is working on regardless of the other child's response;
- (4) taking toys away from other children forcefully;
- (5) running that poses a safety risk for the child or others or elopement from the classroom;
- (6) tantrum behaviors that might include behaviors such as kicking, screaming, pushing an object or person, stomping feet, or head banging;
- (7) verbal aggression including yelling, threats, screaming at another person, calling children bad names, and saying bad words;
- (8) ordering an adult to do something (e.g., "leave me alone");
- (9) persistent or prolonged crying that is loud or disruptive or ongoing crying that interferes with the child's engagement in activities;
- (10) inappropriate use of materials (e.g., jumping off chairs, slamming materials, throwing objects);
- (11) statements that are noncompliant (e.g., "I'm not going to do it") or clear and explicit verbal or physical refusal to follow directions; or
- (12) inappropriate touching, stripping, and other behaviors that are hurtful, disruptive, or dangerous to self or others (Hemmeter, Fox, & Snyder, 2014, p. 24).

Hemmeter, M.L., Fox, L., & Snyder, P. (2014). Teaching pyramid observation tool (TPOT) for preschool classrooms manual research edition. Baltimore, MD: Paul H. Brooks Publishing Co.

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