

## **ENSURING SUCCESS IN SCHOOL ACT (ESSA) HB 3615**

**House Bill 3615, the Ensuring Success in School Act (ESSA)** amends the School Code to better ensure school success and safety for youth who are expectant parents, parents, or the victims of domestic or sexual violence. **HB 3615 does this by:**

- Directing the State Board of Education to form a working group to develop policies, procedures and protocols to ensure the safety of all students, to train designated school personnel, to preserve the confidentiality and privacy of students who are expectant parents, parents or the victims of domestic or sexual violence, and to make recommendations on how to count the graduation, transfer and dropout rates of students who are expectant parents, parents or the victims of domestic or sexual violence;
- encouraging the safe and healthy involvement of parents of youth;
- requiring immediate enrollment or re-enrollment of youth who are expectant parents, parents, or victims of domestic or sexual violence;
- authorizing school transfer in limited circumstances;
- adding new categories to the list of valid causes for school absences;
- offering greater access to home/hospital instruction;
- requiring schools to offer students some accommodations and assisting them in their efforts to connect with existing community services and resources; and
- providing enforcement and notice procedures.

**Specifically, HB 3615 promotes school success and safety by establishing a statewide working group to address safety concerns, by requiring school districts to train personnel to support students, and by encouraging the involvement of parents of students.**

- **Statewide working group.** The State Board of Education shall convene a statewide working group comprised of experienced educators, school social workers, counselors and psychologists, as well as representatives of Illinois' nonprofit domestic and sexual violence and expectant and parenting youth advocacy communities, in order to develop
  - model policies, procedures and protocols to address and resolve allegations of domestic and sexual violence raised by students;
  - a procedure and protocol to train designated school personnel to work with students who are expectant parents, parents, or victims of domestic or sexual violence;
  - a model policy and protocol to preserve the confidentiality and privacy of students who disclose their status or seek services or accommodations as expectant parents, parents, or victims of domestic or sexual violence, and;
  - recommendations on how to count and report the graduation, transfer and dropout rates of youth who are expectant parents, parents, and victims of domestic or sexual violence.
- **Local working group.** School districts shall either adopt and implement the model policies, procedures and protocols developed by the statewide working group, or convene

a local working group for the purpose of developing, adopting and implementing school-district specific policies, procedures and protocols.

- **Specially trained school personnel.** Students who are expectant parents, parents or victims of domestic or sexual violence often report feeling a lack of support and understanding from school personnel.
  - HB 3615 requires school districts to designate specific staff that is trained to understand and address sensitively the needs of these students.
  - Specially trained school personnel will play a key role in ensuring that students know their rights and obtain the necessary assistance to succeed and stay safe in school.
- **Parental involvement.** Some students who are expectant parents, parents or victims of domestic or sexual violence would like, but do not know how, to turn to their own parents for guidance and support. Others cannot turn to their own parents for support because doing so would create a threat to their well-being and safety.
  - Under HB 3615, where parental involvement is appropriate, specially trained personnel will work with youth to involve their parents in ensuring student safety and success.

**HB 3615 promotes school success and safety by creating the following student rights and school district responsibilities that foster school enrollment, school attendance and school completion:**

**Promoting school enrollment:** The successful completion of school can lead to long-term self-sufficiency and well-being for youth who are expectant parents, parents, or victims of domestic or sexual violence. HB 3615 aims to help such youth by first promoting their enrollment or re-enrollment in school.

- **Immediate enrollment or re-enrollment.** Some students have been disenrolled from their schools by school officials because of absences accrued due to circumstances related to their status as an expectant parent, parent, or a victim of domestic or sexual violence.
  - HB 3615 requires school districts to immediately enroll or re-enroll in school such students even if they cannot immediately provide academic, medical, or other records required for enrollment, but only if the youth will be able to graduate before his or her twenty-first birthday.
- **Special attention to youth not in school.**
  - HB 3615 urges schools or school districts that are aware of youth who are expectant parents, parents, or victims of domestic or sexual violence and who are not currently attending school to aid and/or facilitate their re-enrollment in school.
- **School transfer.** HB 3615 permits students to transfer schools in limited and specific circumstances if they have safety concerns related to domestic or sexual violence, or if they are homeless.

**Promoting school attendance:** Students who are expectant parents, parents, or victims of domestic or sexual violence face challenges unique to their circumstances that may interrupt their school attendance. HB 3615 aims to help these students successfully and meaningfully attend school.

- **Right to attend school.** Some expectant and parenting students report that they have been encouraged by school staff to leave school.
  - HB 3615 requires school personnel to recognize that these students and those who are victims of domestic or sexual violence have the right to attend school and to receive the same or equal educational instruction as other students.
- **Student absences.** At times, students who are expectant parents or parenting miss school to tend to their own or their children's health needs. Other students may need to miss school in order to address circumstances resulting from domestic or sexual violence.
  - HB 3615 accommodates students' needs by adding absences due to pregnancy, parenthood, and circumstances related to domestic or sexual violence to the list of valid causes for school absences.
- **Home/hospital instruction.** Some students who are expectant parents, parents, or victims of domestic or sexual violence require physical and/or mental health treatment for themselves or their children for extended periods.
  - HB 3615 provides these students with the opportunity to receive meaningful home/hospital instruction so that they may successfully return to their regular educational program.
- **Chronic or habitual truants and truant minors.**
  - HB 3615 does not allow students who are absent one or more times due to their status as expectant parents, parents, or victims of domestic or sexual violence to be considered chronic or habitual truants or truant minors.
  - Such students are, however, eligible to receive supportive services and available resources designed to address absenteeism and truancy.

**Promoting school success and safety:** Students who are expectant parents, parents, or victims of domestic or sexual violence must be made aware of the accommodations and services that are available to them in school and in their communities in order to ensure their full participation and success in school. Schools and/or school districts are responsible for providing written notice to inform students of the accommodations and services that are available to them under HB 3615.

- **In-school accommodations and education and support services.** Some expectant and parenting students have dropped out of school because it was too overwhelming to handle or because they felt mistreated at school. Other students find it challenging to balance school with their other needs as they work to recover from domestic or sexual violence.
  - HB 3615 requires schools, upon request, to provide accommodations for youth who are expectant parents, parents or the victims of domestic or sexual violence,

and to refer them to school or community services so that these students may fully and meaningfully participate in school.

- **Student success plan.** Upon request, HB 3615 requires school officials to work together with students who are expectant parents, parents, or victims of domestic or sexual violence to develop individual Student Success Plans.
  - Student Success Plans will assist students to realize school success by articulating their goals and objectives as well as making clear the responsibility of their schools in helping them to make up missed work.
- **Making up missed class and work.**
  - HB 3615 requires teachers and school administrative personnel and officials to integrate students who are expectant parents, parents, or victims of domestic or sexual violence into the regular educational program to the fullest extent possible.
  - This means that teachers and school administrative personnel and officials must provide these students with meaningful opportunities to make up missed school work when they are unable to perform such work due to circumstances related to their status as expectant parents, parents, or victims of domestic or sexual violence.

**HB 3615 creates procedures to ensure that students know how to avail of the rights, responsibilities, programs, services and accommodations HB 3615 creates, and what to do if they are denied assistance:**

- **Procedural safeguards and dispute resolution:** Students who are expectant parents, parents, or the victims of domestic or sexual violence may not always be afforded the assistance they are entitled to under HB 3615 in order to stay safe and succeed in school.
  - HB 3615 requires the Illinois State Board of Education (ISBE), as well as all school districts and schools covered by the Act, to create specific policies and procedures designed to enable students, and in some cases their parents, guardians, attorneys or advocates, to enforce the students' rights under HB 3615.
  - Each regional superintendent of schools shall serve as an ombudsperson to resolve disputes that arise under HB 3615.
  - Any party to a dispute under HB 3615 may seek judicial review in state court, which is authorized to award attorney's fees and costs to parties whose rights are found to have been violated under HB 3615.
- **Educational placement during pendency of proceedings:** HB 3615 ensures educational continuity during the dispute resolution process by:
  - Entitling youth to immediate enrollment in a particular school where such enrollment is the subject of a dispute;

- prohibiting schools from disenrolling youth where such disenrollment is the subject of a dispute, and;
  - authorizing school transfer where transfer is the subject of a dispute.
- **Notice of rights:** School districts must ensure that students and their parents are aware of the rights HB 3615 affords.
- Schools must provide written notice of the educational rights available under HB 3615 to all current students, applicants for admission, and their parents and guardians, at least once per year, and at the time of any adverse action, such as suspension, expulsion or disenrollment.
  - Such notice must include information on how to contact the school district's specially trained personnel, it must be available upon request in the school district's office at any time, and it must be conspicuously posted on school grounds and on the school district's website, if any, at all times.