

FINAL REPORT TO THE ILLINOIS GENERAL ASSEMBLY

Ensuring Success in School Task Force

Executive Summary

June 2010

Addressing the educational and related needs of children and youths who are parents, expectant parents, or survivors of domestic or sexual violence to ensure their ability to stay in school, stay safe, and successfully complete their education

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Call to Action

Public Act 95-0558, enacted into law in 2007, required the Illinois State Board of Education to create the Ensuring Success in School Task Force.¹ In light of the growing dropout and push-out crisis in Illinois, this task force was charged with developing policies, procedures, and protocols to be adopted by school districts for addressing the educational and related needs of elementary and secondary students who are parents, expectant parents, or survivors of domestic or sexual violence to ensure their ability to stay in school, stay safe while in school, and successfully complete their education.

The duties of the Task Force include

- examining thoroughly the barriers to school attendance, safety, and completion for children and youths who are parents, expectant parents, or victims of domestic or sexual violence;
- researching and identifying effective policies, protocols, and programs in Illinois and elsewhere;
- conducting meetings and public hearings in geographically diverse locations throughout Illinois to ensure the maximum input from area advocates and service providers, from local education agencies, and from children or youths and their parents or guardians;
- establishing and adhering to procedures and protocols to allow individuals to participate in the Task Force anonymously and confidentially;
- inviting the testimony of and conferring with experts on relevant topics; and
- submitting a report of the Task Force's findings on best practices and policies to the General Assembly.

Addressing the Problem

Young people who are parents, expectant parents, or survivors of domestic or sexual violence face unique challenges as they try to meet school obligations while coping with pregnancy and parenting responsibilities or the stresses related to domestic and sexual violence. Such challenges, which disproportionately, though by no means exclusively, affect young women and girls, often interfere with their ability to have an education and reach their potential for educational development through the secondary level. Because these students have historically been stigmatized and discriminated against, Illinois policymakers and school staff members must understand and be sensitive to these children and youths' needs.

Federal and state laws do exist with an aim to safeguard the educational rights of these students. Most notable at the federal level, Title IX of the Education Amendments of 1972 prohibits discrimination in education based on sex, including marital or parental status.² Illinois law

similarly dictates that “no student shall be discriminated against because of his or her actual or potential marital or parental status.”³ With regard to domestic and sexual violence, the Illinois administrative code says that “no student shall be subjected to sexual intimidation or harassment by any school employee, by other students, or by the effect of any school policy or practice.”⁴ The Illinois State Constitution establishes the right to free public education through the secondary level for all people and prohibits discrimination in education on the basis of sex.⁵ Research on students who are parents, expectant parents, or survivors of domestic or sexual violence and testimony presented at the Task Force hearings, however, all point to the insufficiency of existing legislation. These students need legal protections that specifically recognize their right to attend school and complete their education in a safe and encouraging learning environment.

The policy and procedural recommendations presented in this report offer strategies and solutions to issues that schools are already required to address. Task Force members are keenly aware of the difficult fiscal posture of our state, school districts, and human service providers. Many of the strategies and solutions offered can be accomplished at low or no cost; and, for the others, what is important is to begin taking the steps needed for proper implementation.

Task Force Methodology

The Ensuring Success in School Task Force held five public hearings in 2008 and 2009 in Quincy, Elgin, Springfield, Mount Vernon, and Chicago, Illinois, collecting written and oral testimony from students, parents, advocates, school personnel, and other service providers. Several common themes were heard at these hearings, the most predominant among them being

- the problematic nature of inconsistent “ad hoc” responses to student needs and requests, and the corresponding lack of clear and consistent protocols and policies;
- the lack of basic accommodations needed by this population of students to stay in school;
- the failure of schools to respect student confidentiality;
- the lack of a designated school staff member who is trained in issues related to teen pregnancy and parenting, and domestic and sexual violence, and can give information or referrals;
- the lack of sensitivity/awareness training for all school personnel regarding these issues;
- the failure of schools to respect and enforce orders of protection or civil no-contact orders;
- the need to integrate services with local community-based organizations; and
- the prevalence of homelessness and poverty among this population of students.

See the full report for a complete list of common themes.

Task Force members researched existing policies, in both Illinois and outside the state, to determine best practices. They also heard testimony from various experts in the field on relevant

research and existing initiatives concerning students who are parents, expectant parents, or survivors of domestic or sexual violence. All of these data inform the policy recommendations presented in this report.

Section 1: Consequences of the High School Dropout Crisis

High school completion is vital to an individual's ability to become an economically and socially secure and independent adult. Dropouts have lower employment and lower lifetime earnings than their graduated peers—and higher rates of poverty.⁶ The gap in employment and earnings potential between high school graduates and dropouts is even greater for girls, with female dropouts in Illinois earning on average just 40 percent of what male dropouts earn.⁷ They are consequently also plagued by poorer health and greater reliance on public benefits. Because high school dropouts contribute far less in federal, state, and local taxes than they receive in cash benefits, in-kind transfers, and correctional costs, they impose a net fiscal burden on the rest of society.⁸ Because of this, it is in Illinois's best interest to invest in and support the development of policies and procedures to help keep children and youths in school.

Section 2: Students Who Are Parents or Expectant Parents

In 2007 in Illinois 10.1 percent of the total births—18,314 babies—were to teens.⁹ Nearly 60 percent of teens with a school-age pregnancy drop out of high school at some point, and only 66 percent of teen mothers complete high school or get a general education development (GED) certificate.¹⁰ Some existing policies actually serve to prevent teen parents from completing school. For example, current Illinois law recognizes a student's illness as a valid cause for absence from school but is not clear as to a student's child's illness, leaving student parents to choose between not taking care of their children and being truant. Such policies also dissuade young male expectant parents or parents from taking an active role in prenatal, childbirth, and parenting responsibilities, such as accompanying a pregnant girlfriend to a prenatal appointment. Schools need to work to remove this dichotomy between fulfilling prenatal and parenting obligations and fulfilling school obligations by creating ways to support expectant and parenting students in school while supporting healthy and conscientious parenting.

Foremost, then, among the concerns of the Task Force was addressing the issue of prenatal, childbirth, and parenting-related absences. Students need schools to affirm acts of responsible prenatal care and parenting by formally recognizing such absences as valid. In instances where students miss class work, including quizzes and tests, students need to be allowed to make up missed work, and they need to be provided with extra academic support to avoid falling behind. These extra academic supports should be extended to include homebound instruction when appropriate—another provision currently available to students who are sick themselves but not to students whose children are sick. Engaging these students as active participants in their school should be a top priority, and schools should seek ways to accommodate student needs in the classroom, when possible. This includes everything from allowing pregnant students to have

individual hall passes to go to the bathroom as needed, to providing on-site child care. Even better served are students whose schools provide on-site health centers with services for themselves and their children, cutting back on class time lost in traveling to and from appointments and—through early detection and quality health services—helping prevent the development of health problems. For schools that cannot provide child care or health services, students need information and referrals to community organizations that can. Transportation is also a hurdle particularly for students at schools that do not provide child care. Traveling from home, to child care, and on to school is time-consuming and challenging, as is finding transportation that can accommodate infants and young children.

Many who testified on behalf of teen parents and expectant parents spoke of the need for a designated staff member at each school, a go-to person who could give information about protocol, community resources, and student rights. Oftentimes, in schools lacking explicit protocol, decisions about whether to grant an accommodation are made in the absence of any knowledge of the particular challenges and needs of expectant and parenting students. This go-to person would act as a liaison between student parents and expectant parents, on the one hand, and the school and other resources, on the other hand. The liaison would not have to be a new staff member or have to have any special certifications. The liaison would only have to be aware of the basic dynamics of teen pregnancy and parenting, of existing school policy regarding expectant and parenting students, and of how to refer them to needed resources. This would eliminate the problem of inconsistent, uninformed, and unhelpful responses from the school to students requesting the accommodations and support they need to stay in school.

Because students who are parents or expectant parents are disproportionately at risk of dropping out, schools should separately track the graduation, transfer, and dropout rates of this population of students. The Illinois State Board of Education currently reports these rates to the General Assembly on an annual basis, categorized by grade level, sex, and race.¹¹ Separately tracking parents and expectant parents could help schools learn more about the needs of this population and assess the success of their initiatives to keep this population of students in school.

In light of the testimony given at public hearings, the research, and the examples of best practices found around the state and around the country, the Task Force recommends, among others, that policies affecting expectant and parenting youths

- waive minimum attendance requirements for expectant and parenting students, and recognize prenatal, childbirth, and parenting-related absences as valid;
- allow students to make up work missed because of expectant parenting or parenting-related absences, and provide appropriate academic supports, including the option of homebound instruction;
- allow in-school accommodations as necessary to facilitate school attendance and participation;

- develop clear protocols for helping students arrange ancillary services, including child care, health care, transportation, parenting classes, support groups, and other services as needed;
- allow school transfers as necessary and without penalty for parenting students who cannot secure child care within a reasonable distance from the school of origin; and
- separately track graduation, transfer, and dropout rates for these students.

See the full report for a complete list of recommendations.

Section 3: Student Survivors of Domestic and Sexual Violence

Nationally 8.8 percent of teenage girls report having been hit, slapped, or otherwise physically hurt on purpose by a dating partner. Although the number is slightly lower for Illinois, at 8.6 percent, it is higher for Chicago, where 10.6 percent of girls report this. In Illinois 9.4 percent of female high school students report ever having been forced to have sexual intercourse.¹² Students in Grades 8–11 also report a very high rate of sexual harassment in their lifetimes (81 percent), with 30 percent of girls and 24 percent of boys saying that the sexual harassment happens not just once in a while but often.¹³ Teens overall are more likely to be victims of trauma, abuse, and neglect, with young women of color living in poverty reporting the highest rates of nonlethal intimate partner violence.¹⁴ Experiencing or witnessing domestic or sexual violence has an impact on students that can be emotional, social, psychological, developmental, and even neurological. The estimated risk of developing posttraumatic stress disorder (PTSD) is 49 percent for survivors of rape, 32 percent for survivors of severe beating or physical assault, and 24 percent for survivors of other types of sexual assault.¹⁵ This has an impact on school attendance and performance as well. In Chicago 10.7 percent of girls reported skipping school at least one day in the prior thirty days because of safety concerns—nearly twice the national average of 5.6 percent.¹⁶

Studies are clear about the negative repercussions that witnessing violence in the home can have on children’s lives, including emotional problems, increased aggressive behavior, lower levels of social competence and poorer academic performance. Beyond this, however, studies show that children who witness abuse are more likely to be abused themselves, both in their own homes and in relationships they form later in life.¹⁷ Abuse of children perpetrated by other children similarly has a negative impact on a child’s development and well-being. Dating violence among adolescents is a serious public health concern. Students who experience dating violence or sexual harassment have a hard time paying attention in school and often participate less in class or do not go to class at all, whether the violence happened on or off school grounds. Testimony at Task Force hearings indicated that student survivors of sexual violence experienced sharp declines in grades following incidence of violence.

School response to domestic and sexual violence survivors has often had the effect of revictimizing the student. Unintentional—or intentional—blaming of the survivor is common,

with a number of student survivors reporting at Task Force hearings that schools were not only ignorant but also sometimes openly hostile toward them. Witnesses told stories of schools that refused to respect orders of protection, denied reasonable accommodations requested by the survivor, placed the burden of change and compliance on the survivor and not the perpetrator, forced the survivor to repeat her story several times and in front of other people, denied the survivor basic confidentiality, and punished the survivor for minor offenses related to the violence while overlooking the acts of violence committed by the perpetrator. Students who are survivors of domestic and sexual violence want to stay in school and graduate, but fear for their safety and well-being often forces them into involuntary homeschooling or alternative programs or forces them to drop out entirely.

Students need to be able to feel safe at school. Requiring training for all school personnel on how to deal sensitively with survivors of domestic and sexual violence is a step toward increasing student safety and well-being. Schools need to develop clear and consistent protocols for how to handle disclosures as well, to avoid the ad hoc, inconsistent, and often very insensitive responses that student survivors receive. Schools need to designate a go-to person on staff, someone who is trained in issues related to domestic and sexual violence. Like the liaison recommended for students who are parents or expectant parents, this person would not have to be a new staff member and would not require any special certification. The liaison would give information about student rights, resources, and available accommodations and would be able to make referrals to appropriate community services.

Another factor in maintaining safety at school is recognizing orders of protection and civil no-contact orders. When possible, the burden of compliance—for example, a change in class schedule, locker assignment, or lunch hour—should be placed on the perpetrator, not the survivor. Where criminal charges are not being pursued for whatever reason, this does not release the school from its obligations to protect and accommodate the survivor. The criminal justice system serves a different purpose and operates under a different standard of proof. The decision not to press criminal charges by the survivor or law enforcement, or lack of a criminal conviction, does not exonerate the perpetrator of wrongdoing, nor does it invalidate the survivor's need for accommodations. With regard to school disciplinary proceedings against a survivor, schools need to put aside the “zero-tolerance” policies to which they often adhere and instead consider whether or how the survivor's misbehavior is related to the survivor's experience of violence. When there is a relationship between the survivor's behavior and the survivor's experience of violence—for example, when students engage in acts of self-defense—schools need to be flexible and modify the punishment appropriately.

Schools should grant reasonable requests for accommodation for student survivors of domestic and sexual violence. Requests to change classes, lockers, and lunch hours or to leave class a few minutes early to ensure safe passage in the hallway do not greatly inconvenience the school but do contribute to creating a safe and supportive environment for the student. School absences that occur as a result of the experience of violence should be excused; schools should help these

students make up the work they missed and provide extra academic support when needed. This provision extends to homebound instruction, which a victim should be able to request but which the schools should not use as an excuse for failure to provide in-school accommodations. While maintaining school stability is key, in instances where a student survivor requests a school transfer, schools should grant this request without penalty even if the violence did not occur on school grounds.

Student survivors of domestic and sexual violence need a variety of support services, such as counseling. Schools should provide counseling for these students in a safe and confidential environment and respect the confidential nature of the student-counselor relationship. In instances where a school cannot provide counseling services or other services that the student needs, schools need to work with external service providers in the community to ensure the delivery of necessary services. Building such relationships would be cost-effective for schools while improving outcomes for student survivors of domestic and sexual violence and their families. Schools should always maintain the confidentiality of student records and ensure that any documentation regarding a student's status as a survivor of domestic or sexual violence, including orders of protection, safety plans, requests for accommodation, and referrals, be kept confidential and separate from the student's permanent record, and not be released, transferred, disclosed, or otherwise disseminated without the student's consent.

In light of the testimony given at public hearings, the research, and the examples of best practices found around the state and around the country, the Task Force recommends, among others, that policies affecting student survivors of domestic and sexual violence

- waive minimum attendance requirements for students who are survivors of domestic or sexual violence and recognize absences as valid if they are due to safety concerns, to having received victim services, or to recovering from physical or psychological injuries;
- allow students to make up missed work and provide appropriate academic supports, including the option of homebound instruction;
- allow in-school accommodations—including changing classes, lockers, lunch hours, or any other appropriate safety measures—as necessary to facilitate school attendance and participation;
- honor any order of protection and civil no-contact order;
- allow student survivors of violence to transfer to another school without penalty for reasons of safety and well-being; and
- place the burden of compliance on the perpetrator whenever possible.

See the full report for a complete list of recommendations.

Section 4: Special Concerns and Related Issues

In considering the changes that must occur in school policy and procedure to ensure that students who are parents, expectant parents, or survivors of domestic or sexual violence are safe in school and can receive the accommodations they need, schools and policymakers must take into account related and overlapping issues that may also be affecting these students. The Task Force looked particularly at the overlap between these issues, on the one hand, and bullying; homelessness; lesbian, gay, bisexual, transgender, queer, and questioning children and youths (LGBTQQ); children and youths with disabilities; and foster children, on the other hand. Our findings indicate that students also in these population groups are often at an increased risk, and face additional hurdles to staying in school and staying safe. Bullying and harassment, for example, contribute to the hostile environment that some survivors of violence and pregnant and parenting adolescents find in schools, with 81 percent of students in Illinois reporting having heard sexist comments and 79 percent reporting hearing homophobic slurs, sometimes even from school staff members.¹⁸ Homelessness is also a very pervasive problem, with students who are parents, expectant parents, or survivors of domestic or sexual violence overrepresented among homeless youths. Creating a safe and stable school environment for those without a home becomes all the more critical. LGBTQQ students also face significant barriers to success and are particularly vulnerable to victimization, as are children and youths with disabilities. Being substantially more likely than their peers to experience teen pregnancy and forced sex, students in foster care are similarly at greater risk.¹⁹ All of these findings point to a need for further training for school personnel and for greater sensitivity when dealing with these issues. Bearing in mind the concerns related to bullying, homelessness, LGBTQQ students, students with disabilities, and foster children and youths when creating policies for students who are also parents, expectant parents, or survivors of domestic or sexual violence will render policies that take into account the whole situation and are therefore more effective overall. The Task Force also identified some issues needing further research and discussion.

Section 5: General Recommendations

While students who are parents or expectant parents and students who are survivors of domestic or sexual violence have particular needs for their specific situations in keeping them in school and enabling them to be successful, there are many areas of overlap between these student population groups as well. The need for confidentiality, excused absences, accommodations, including school transfers, and the need to designate a staff member to serve as a liaison for these students are common to both sets of recommendations. The Task Force further delineates a list of recommendations to deal with overarching themes affecting students who are parents, expectant parents, or survivors of domestic or sexual violence. The Task Force recommends that policies must, among other purposes,

- establish the right of students who are parents, expectant parents, or survivors of domestic or sexual violence to attend school, receive the same or equivalent instruction as

other students, and complete their education successfully in a safe, secure, and encouraging learning environment;

- comply with current law that requires in-service training for all school personnel on domestic and sexual violence and on adolescents who are parents or expectant parents;
- establish clear protocols for handling disclosures and giving referrals;
- coordinate efforts with external service providers to ensure that students receive a comprehensive continuum of health and social services;
- always allow students to make their own decisions with regard to accommodations and alternative programs, and never pressure or require a student to request or accept any particular accommodation;
- require all materials for students and parents pertaining to rights and policies to be presented in a culturally competent manner and in other languages when necessary and appropriate;
- prioritize student confidentiality; in cases where students indicate that their health or safety would be threatened if they were to reveal their status to their parents or guardians, school staff members should not be permitted to inform the students' parents or guardians but instead refer the students to a community-based organization that provides appropriate services; this does not preclude school personnel from disclosing information to the Department of Children and Family Services when it is required under the Abused and Neglected Child Reporting Act;
- require school districts to enroll or reenroll immediately a student who is under 21 and is a parent, expectant parent, or survivor of domestic or sexual violence, even if the student is lacking the otherwise necessary requirements; students with an individualized education plan (IEP) should be reenrolled with their most recent IEP even if it is no longer valid;
- provide educational and other support services at school and in the community in cases where the student who is a parent, expectant parent, or survivor of domestic or sexual violence is at risk of academic failure;
- ensure, in accordance with Title IX, that all alternative education programs, including homebound instruction, are equivalent and that students pursuing alternative programs will not be penalized in any way, provided that they comply with the alternative program requirements;
- regularly evaluate programs and interventions to promote effective practices; and
- require school districts to adopt and implement the model policies as identified by this Task Force or to form their own local working groups to establish policies and procedures appropriate to their own districts to address the issues set forth in this report.

See the full report for a complete list of general recommendations.

Changes in law, policies, and procedures are needed to require schools to take proactive steps to support children and youths who are parents, expectant parents, or survivors of domestic or

sexual violence: intervening before they falter, fail, and drop out is the most effective strategy to increase educational outcomes and promote healthy development. Actively supporting student success and personal development in our state’s educational system, specifically in young women and girls’ advancement throughout the system, is necessary to ensure equal opportunity for all students.

¹105 ILL. COMP. STAT. 5/2-3.147 (2009).

²Education Amendments of 1972 tit. IX, 20 U.S.C. § 1681.

³ILL. ADMIN. CODE tit. 23, § 200.50(e) (2009).

⁴*Id.* § 200.50(f).

⁵ILL. CONST. art. 10, §1; *id.* art. 1, § 18.

⁶See Signe-Mary McKernan & Caroline Ratcliffe, The Urban Institute, *Events that Trigger Poverty Entries and Exits* (2002), http://www.urban.org/UploadedPDF/410636_PovertyEntries.pdf.

⁷Andrew Sum et al., Chicago Alternative Schools Network, *An Assessment of the Labor Market, Income, Health, Social, and Fiscal Consequences of Dropping Out of High School: Findings for Illinois Adults in the 21st Century 19* (2007),

http://www.clms.neu.edu/publication/documents/An_Assessment_of_the_Consequences_of_Dropping_Out_of_High_School_in_Illinois.pdf. Findings indicate that adult male dropouts’ mean annual earnings were \$21,421, while adult female dropouts had a mean annual earning of just \$8,472.

⁸Center for Labor Market Studies at Northeastern University & Alternative Schools Network, *Left Behind in America: The Nation’s Dropout Crisis 3* (2009),

http://www.clms.neu.edu/publication/documents/CLMS_2009_Dropout_Report.pdf.

⁹Illinois Department of Public Health, *Illinois Teen Births by County 2006–2007*,

<http://www.idph.state.il.us/health/teen/teen0607.htm>.

¹⁰Center for Law and Social Policy, *Leave No Youth Behind: Opportunities for Congress to Reach Disconnected Youth 8* (Jodie Levin-Epstein & Mark H. Greenberg eds., 2003),

<http://www.clasp.org/admin/site/publications/files/0135.pdf>.; Kate Perper et al., *Diploma Attainment Among Teen Mothers*, CHILD TRENDS FACT SHEET, Jan. 2010, http://www.childtrends.org/Files/Child_Trends-2010_01_22_FS_DiplomaAttainment.pdf.

¹¹105 ILL. COMP. STAT. § 5/1A-4 (E) (2009).

¹²*Youth Risk Behavior Surveillance—United States, 2007*, CENTERS FOR DISEASE CONTROL AND PREVENTION MORBIDITY AND MORTALITY WEEKLY REPORT, June 6, 2008, at 7, 48, <http://www.cdc.gov/mmwr/PDF/ss/ss5704.pdf>.

¹³AAUW Educational Foundation, *Hostile Hallways: Bullying, Teasing, and Sexual Harassment in School 4* (2001), <http://www.aauw.org/learn/research/upload/hostilehallways.pdf>.

¹⁴C.M. Rennison, U.S. Department of Justice, *Bureau of Justice Statistics Special Report: Intimate Partner Violence and Age of Victim, 1993–1999* (2000) (cited in Angie Kennedy, *Urban Adolescent Mothers Exposed to Community, Family, and Partner Violence: Prevalence, Outcomes, and Welfare Policy Implications*, 76(1) AMERICAN JOURNAL OF ORTHOPSYCHIATRY 44–54 (2006)).

¹⁵Sidran Institute, *Post Traumatic Stress Disorder Fact Sheet*, <http://www.sidran.org/sub.cfm?contentID=66§ionid=4> (last visited Sept. 14, 2009).

¹⁶*Youth Risk Behavior Surveillance*, *supra* note 12, at 53–54, <http://www.cdc.gov/mmwr/PDF/ss/ss5704.pdf>.

¹⁷John W. Fantuzzo & Wanda K. Mohr, *Prevalence and Effects of Child Exposure to Domestic Violence*, THE FUTURE OF CHILDREN, Winter 1999, at 21; American Bar Association Commission on Youth at Risk, *Family Conflict: The Effects of High Family Conflict and Domestic Violence on Teenagers* (n.d.), <http://www.abanet.org/youthatrisk/factsheets/familyconflict.shtml>.

¹⁸Joseph G. Kosciw et al., Gay, Lesbian, and Straight Education Network, *From Teasing to Torment: A Report on School Climate in Illinois*, at v (2006), http://www.glsen.org/binary-data/GLSEN_ATTACHMENTS/file/000/000/700-1.pdf.

¹⁹National Campaign to Prevent Teen Pregnancy, *Science Says: Foster Care Youth 1* (2006), http://www.thenationalcampaign.org/resources/pdf/SS/SS27_FosterCare.pdf.