



Rep. Karen A. Yarbrough

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1 AMENDMENT TO HOUSE BILL 3615

2 AMENDMENT NO. _____. Amend House Bill 3615 as follows:

3 on page 1, line 5, by deleting "2-3.13a,"; and

4 on page 1, line 5, after "10-21.3a,", by inserting "10-22.5a,";
5 and

6 by deleting line 8 on page 1 through line 3 on page 4; and

7 on page 5, line 27, after the period, by inserting "School
8 districts shall waive tuition for youth who transfer out of a
9 previous school district into a school district in which the
10 youth is a nonresident to accommodate safety concerns arising
11 out of domestic or sexual violence."; and

12 on page 5, immediately below line 31, by inserting the
13 following:

14 "(105 ILCS 5/10-22.5a) (from Ch. 122, par. 10-22.5a)

15 Sec. 10-22.5a. Attendance by dependents of United States
16 military personnel, foreign exchange students, and certain
17 nonresident pupils.

18 (a) To enter into written agreements with cultural exchange
19 organizations, or with nationally recognized eleemosynary
20 institutions that promote excellence in the arts, mathematics,

1 or science. The written agreements may provide for tuition free
2 attendance at the local district school by foreign exchange
3 students, or by nonresident pupils of eleemosynary
4 institutions. The local board of education, as part of the
5 agreement, may require that the cultural exchange program or
6 the eleemosynary institutions provide services to the district
7 in exchange for the waiver of nonresident tuition.

8 To enter into written agreements with adjacent school
9 districts to provide for tuition free attendance by a student
10 of the adjacent district when requested for the student's
11 health and safety by the student or parent and both districts
12 determine that the student's health or safety will be served by
13 such attendance. Districts shall not be required to enter into
14 such agreements nor be required to alter existing
15 transportation services due to the attendance of such
16 non-resident pupils, except as otherwise provided under
17 Article 13C of this Code.

18 (a-5) If, at the time of enrollment, a dependent of United
19 States military personnel is housed in temporary housing
20 located outside of a school district, but will be living within
21 the district within 60 days after the time of initial
22 enrollment, the dependent must be allowed to enroll, subject to
23 the requirements of this subsection (a-5), and must not be
24 charged tuition. Any United States military personnel
25 attempting to enroll a dependent under this subsection (a-5)
26 shall provide proof that the dependent will be living within
27 the district within 60 days after the time of initial
28 enrollment. Proof of residency may include, but is not limited
29 to, postmarked mail addressed to the military personnel and
30 sent to an address located within the district, a lease
31 agreement for occupancy of a residence located within the
32 district, or proof of ownership of a residence located within
33 the district.

34 (b) Nonresident pupils and foreign exchange students

1 attending school on a tuition free basis under such agreements
2 and nonresident dependents of United States military personnel
3 attending school on a tuition free basis may be counted for the
4 purposes of determining the apportionment of State aid provided
5 under Section 18-8.05 of this Code, provided that any cultural
6 exchange organization or eleemosynary institutions wishing to
7 participate in an agreement authorized under this Section must
8 be approved in writing by the State Board of Education. The
9 State Board of Education may establish reasonable rules to
10 determine the eligibility of cultural exchange organizations
11 or eleemosynary institutions wishing to participate in
12 agreements authorized under this Section. No organization or
13 institution participating in agreements authorized under this
14 Section may exclude any individual for participation in its
15 program on account of the person's race, color, sex, religion
16 or nationality.

17 (Source: P.A. 93-740, eff. 7-15-04.)"; and

18 on page 9, by replacing lines 11 and 12 with the following:

19 "status as an expectant and parenting youth or as a victim of
20 domestic or sexual violence be considered as a factor in"; and

21 on page 9, by replacing lines 28 through 35 with the following:

22 "basis."; and

23 on page 10, line 13, by deleting "for as long as needed"; and

24 on page 10, by replacing lines 15 through 22 with the
25 following:

26 "has indicated to the district, in writing, that the pupil's
27 child has a serious health condition, that the pupil is needed
28 to provide care to this child for at least 2 or more
29 consecutive weeks of school, and that alternative care for the
30 child is unavailable, or (4) to treat physical or mental health

1 complications arising from domestic or sexual violence when the
2 pupil's domestic or sexual violence service provider or health
3 care provider has indicated to the district, in writing, that
4 such care is needed and will cause an absence for 2 or more
5 consecutive weeks of school."; and

6 on page 11, immediately below line 6, by inserting the
7 following:

8 "In this Section:

9 "Serious health condition" means an illness, injury,
10 impairment, or physical or mental condition that involves
11 inpatient care in a hospital, hospice, or residential medical
12 care facility or continuing treatment by a health care
13 provider.

14 "Domestic or sexual violence service provider" means a
15 nonprofit, nongovernmental organization that provides
16 assistance to victims of domestic or sexual violence, including
17 a rape crisis center, an organization carrying out a domestic
18 violence program, or an organization operating a shelter or
19 providing counseling services."; and

20 on page 17, line 3, after "permission.", by inserting
21 "Involvement of the parent or guardian of a youth who is the
22 victim of domestic or sexual violence shall be consistent with
23 Section 13C-35 of this Code."; and

24 on page 17, line 15, by replacing "group and" with "group;";
25 and

26 on page 17, line 16, after "protocols", by inserting "; local
27 working group"; and

28 on page 17, line 21, by replacing "and sexual violence
29 community" with ", sexual violence, and expectant and parenting

1 youth advocacy communities"; and

2 on page 17, line 35, by replacing "and sexual violence
3 community" with ", sexual violence, and expectant and parenting
4 youth advocacy communities"; and

5 on page 18, line 28, by deleting "and"; and

6 on page 18, by replacing lines 29 through 30 with the
7 following:

8 "no later than August 1,"; and

9 on page 18, line 34, by replacing "July 1, 2006." with "January
10 1, 2007. Written copies of all policies, procedures, and
11 protocols must be available to the public upon request."; and

12 on page 18, immediately below line 34, by inserting the
13 following:

14 "(e) The statewide working group shall investigate and make
15 recommendations to the State Board of Education on how to count
16 and report the graduation, transfer, and dropout rates of youth
17 who are expectant parents, parents, and victims of domestic or
18 sexual violence."; and

19 on page 19, by replacing lines 16 through 35 with the
20 following:

21 "(a) Each school district shall designate or appoint at
22 least one staff person who is either a school social worker,
23 psychologist, counselor, or nurse and who is trained to address
24 in a confidential and sensitive manner the needs of youth who
25 are expectant parents, parents, or victims of domestic or
26 sexual violence. School districts with more than 10,000
27 students shall designate or appoint at least one additional
28 staff person who is either a school social worker,

1 psychologist, counselor, or nurse and who is trained to address
2 in a confidential and sensitive manner the needs of youth who
3 are expectant parents, parents, or victims of domestic or
4 sexual violence for every additional 10,000 students. However,
5 no school district is required to designate or appoint more
6 than 10 specially trained school personnel. Designated staff
7 shall be responsible for, but not limited to, all of the
8 following activities:

9 (1) Communicating with and listening to such youth.

10 (2) Connecting such youth to appropriate in-school
11 services and other agencies, programs, and services as
12 needed.

13 (3) Implementing the school district's policy,
14 procedures, and protocols as set forth in this Law.

15 (4) Assisting such youth in their efforts to exercise
16 and preserve their rights as set forth in this Law.

17 (b) At a minimum, designated or appointed staff shall be
18 trained to understand, provide information and referrals, and
19 address issues pertaining to youth who are expectant parents,
20 parents, or victims of domestic or sexual violence."; and

21 on page 20, by deleting lines 1 through 31; and

22 on page 21, by replacing lines 18 and 19 with the following:

23 "youth shall be referred to the school district's specially
24 trained personnel. The specially trained personnel"; and

25 on page 21, line 20, by deleting "psychologist"; and

26 on page 21, by replacing lines 32 and 33 with the following:

27 "mediated by the school district's specially trained
28 personnel."; and

29 on page 21, line 34, after "school", by inserting "district's

1 specialty trained personnel"; and

2 on page 21, by replacing line 35 with the following:

3 "about the"; and

4 on page 22, line 5, by replacing "a school" with "neither the
5 school district's specialty trained personnel nor a school
6 counselor, social worker, or psychologist may assist"; and

7 on page 22, by replacing line 6 with the following:

8 "that"; and

9 on page 22, lines 11 and 12, by replacing "school counselor,
10 social worker, or psychologist" with "school district's
11 specialty trained personnel"; and

12 on page 22, line 16, after "preclude", by inserting "a school
13 district's specialty trained personnel or"; and

14 on page 23, by replacing "21" with "19"; and

15 on page 24, line 16, by replacing "must" with "should"; and

16 on page 24, line 23, by replacing "shall" with "should"; and

17 on page 24, line 27, by replacing "must" with "should"; and

18 on page 24, line 29, by replacing "shall" with "should"; and

19 on page 25, by replacing lines 13 and 14 with the following:

20 "domestic or sexual violence and (ii) in accordance with the";

21 and

22 on page 25, by deleting lines 23 through 30; and

1 on page 25, line 31, by replacing "(c)" with "(b)"; and

2 on page 25, immediately below line 34, by inserting the
3 following:

4 "(c) School districts shall waive tuition for youth who
5 transfer out of a previous school district into a school
6 district in which the youth is a nonresident to accommodate
7 safety concerns arising out of domestic or sexual violence.";
8 and

9 on page 26, by deleting lines 4 through 23; and

10 on page 26, line 24, by replacing "(3)" with "(2)"; and

11 on page 27, line 1, by deleting "in"; and

12 on page 27, by replacing lines 2 through 4 with the following:
13 ". No such youth shall be"; and

14 on page 28, line 12, by replacing "In-school" with "Education
15 and"; and

16 on page 28, by replacing lines 13 through 35 with the
17 following:

18 "(a) If a youth who is an expectant parent, parent, or
19 victim of domestic or sexual violence is at risk of academic
20 failure or displays poor academic performance, the youth or the
21 youth's parent or guardian may request that the school district
22 provide the youth with or refer the youth to education and
23 support services designed to assist the youth in meeting State
24 learning standards and to assist the youth in completing his or
25 her education in a safe, secure, and encouraging learning
26 environment.

1 (b) School districts may either provide such education and
2 support services directly or may collaborate with public or
3 private State, local, or community-based organizations or
4 agencies that provide these services.

5 (c) Schools shall honor a youth's decision to obtain
6 education and support services, to terminate receipt of such
7 services, or to decline participation in these services. No
8 youth is obligated to obtain education and support services.";
9 and

10 on page 30, line 10, by replacing "School districts shall
11 assist" with "When possible, school districts should assist";
12 and

13 on page 31, lines 4 and 5, by deleting ", and to a school
14 counselor, social worker, or psychologist"; and

15 on page 31, line 9, by replacing "School officials shall" with
16 "Upon request of a youth who is an expectant parent, parent, or
17 victim of domestic or sexual violence or the youth's parent or
18 guardian, school officials shall assist the youth in developing
19 a student success"; and

20 on page 31, by deleting lines 10 and 11; and

21 on page 32, line 34, after "ombudsperson", by inserting ";
22 civil action"; and

23 on page 33, line 10, by deleting "Procedures required shall";
24 and

25 by deleting line 11 on page 33 through line 21 on page 34; and

26 on page 34, immediately below line 25, by inserting:

1 "(c) No youth may be required to testify publicly
2 concerning allegations of domestic or sexual violence or
3 concerning the youth's efforts to enforce any of his or her
4 rights under this Law.

5 (d) Any party to a dispute under this Law may file a civil
6 action in a court of competent jurisdiction to seek all
7 appropriate relief, including, but not limited to, injunctive
8 relief and monetary damages. In any civil action, a party whose
9 rights under this Law are found to have been violated shall be
10 entitled to recover reasonable attorney's fees and costs."; and

11 by deleting line 26 on page 34 through line 36 on page 35; and

12 on page 36, line 8, by replacing ", homelessness, or child care
13 needs" with "or homelessness"; and

14 on page 36, by replacing lines 13 through 34 with the
15 following:

16 "(a) School districts shall notify all current students,
17 applicants for admission, and the parents or guardians of these
18 students and applicants that youth who are expectant parents,
19 parents, or the victims of domestic or sexual violence have the
20 right to enroll and attend school, to receive the same or
21 equivalent educational instruction as other students, and to
22 complete their education successfully and in a safe, secure,
23 and encouraging learning environment.

24 (b) Written notice of educational rights listed in
25 subsection (a) of this Section shall be disseminated physically
26 at least once per year to students and their parents or
27 guardians. The written notice shall include the names of the
28 school district's specially trained personnel and how to
29 contact them. The means for physical dissemination of this
30 information may include without limitation incorporating the
31 information in a student handbook and including the information

1 in a district newsletter. In addition, written notice shall be
2 distributed at the time of any adverse action, including, but
3 not limited to, disenrollment, suspension, and expulsion.

4 (c) Written notice of the educational rights listed in
5 subsection (a) of this Section shall be available at all times
6 to students and their parents or guardians upon request in the
7 school district's offices. Written notice of these educational
8 rights shall be posted at all times in a conspicuous place in
9 each school, such as in the school lunchroom and student
10 restrooms. The written notice shall also be posted on the
11 school district's Internet website, if any, at all times."; and

12 on page 37, by deleting lines 1 through 12; and

13 by deleting line 21 on page 37 through line 4 on page 38; and

14 on page 38, line 12, by replacing "July 1, 2006" with "January
15 1, 2007"; and

16 on page 42, by deleting lines 5 through 15; and

17 on page 46, line 31, after the period, by inserting "School
18 districts shall waive tuition for youth who transfer out of a
19 previous school district into a school district in which the
20 youth is a nonresident to accommodate safety concerns arising
21 out of domestic or sexual violence.".