

## Attendance Commission

Meeting Minutes

November 18, 2016

10:00 a.m.

James R. Thompson Center  
100 West Randolph Street  
Fourteenth Floor, V-Tel Room  
Chicago, Illinois 60601



Alzina Building  
100 North First Street  
Third Floor, V-Tel Room  
Springfield, Illinois 62777

### I. Roll Call

#### Present

Karen Hunter Anderson - Springfield  
(via proxy Mackenzie Montgomery)  
Jeff Aranowski - Chicago  
Lori Fanello - Chicago  
Karen Fox – Chicago  
Jennifer Gill – telephone  
(via proxy Jill Grove)  
Heidi Grove - telephone  
Victoria Jackson – telephone  
Shenita Johnson - telephone  
Elizabeth Malik – Chicago  
Ryan Mann – telephone and  
(via proxy Rochelle Davis)  
Melissa Mitchell – telephone  
Matthew Rodriguez - Chicago  
Diane Rutledge - telephone  
Harold Sweeney – Chicago  
Antoinette Taylor – Chicago

#### Not Present

Stephanie Bernoteit  
Christina Campos  
Tiffany Gholson  
Diane Grigsby-Jackson  
Madelyn James  
Joseph McMahan  
Deanna Sullivan  
Scott Wakeley  
Crysta Weitekamp  
Kevin Westall

### II. Welcome and Opening Remarks

The meeting began at 10:10 a.m.

### III. Approval of Minutes from September 22, 2016

Jeff Aranowski moved to adopt the minutes from the September meeting, and Beth Malik seconded. Approval was not necessary for the October minutes as a quorum had not been reached at that meeting.

### IV. Legislative Review

Mr. Aranowski reminded the commission that at the last meeting truancy and its legal repercussions, as delineated in the School Code, had been explained. He felt it was important to share specific information about McKinney Vento and the Illinois Education for Homeless Children Act since public awareness of the contents of this bill will ensure more students experiencing homelessness will not miss school. Mr. Aranowski is the educational coordinator for Illinois's homeless school children.

The level of homelessness in Illinois has fluctuated in recent years, and the state is unsure of the reason. Some may wonder if the identification of homeless students is a problem, but just because homeless students are not being identified at a consistent rate does not mean they are not out there. Many students experiencing homelessness are not identified because their families

are “doubling-up” with family or friends. Mr. Aranowski also seriously doubts that homeless students were once overly identified. The reason the numbers are so important, however, is that federal formula grants for services to the homeless are based on the number of homeless students identified in each district. In order to provide quality services to those children without fixed housing, it is necessary to have an accurate count of those in such a situation.

Pupils are homeless, according to McKinney Vento, if they “lack a fixed, regular, and adequate nighttime residence,” including children who -

- are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason
- are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations
- are living in emergency or transitional shelters
- are abandoned in hospitals
- are awaiting foster care placement (until December 10, 2016\*)
- have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
- are defined as “migratory children” who qualify as homeless based on the aforementioned scenarios

\*After this date, these children will be eligible for services under the Every Student Succeeds Act (ESSA) through which they will receive the same services, benefits, and rights as afforded them under McKinney Vento. These services will be offered through the Illinois Department of Children and Family Services and their satellite offices.

The McKinney Vento definitions of homelessness are not totally consistent with the definitions for eligibility for other government programs such as general assistance, but the Commission’s concern is the educational rights of the children.

It is important for the Attendance Commission to consider these facts about homelessness because of decisions that have to be made regarding the appropriate school for a child who is experiencing homelessness to attend. Many people in this subgroup are highly mobile, and the goal of both the McKinney Vento Act and the Illinois Education for Homeless Children Act is stability for the children in this situation. There are basically two options with regard to school attendance:

- School of origin is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including “feeder schools.”
- School of residence is the public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

This is a decision to be made by the parent, but the district can offer resources, choices, and options to help the parent make a decision that is in the best interests of the child. McKinney Vento presumes the best placement is the school of origin, unless it is against the wishes of the parent/guardian or unaccompanied youth.

Also noteworthy are the following considerations:

- McKinney Vento eligible students must be immediately enrolled even if they lack required paperwork, documents, immunizations, etc.

- It is the duty of the enrolling school to immediately contact the school last attended by the student to obtain relevant academic and other records.
- Districts have the affirmative duty to enroll students presenting themselves as homeless and to identify homeless students.
- “Enrollment” means full enrollment and participation in all school programs and activities.

School districts have a number of responsibilities under the terms of the McKinney Vento Act which include the following:

- Allow and promote access of homeless children, youth, and families in all programs and activities offered by the school and to refrain from any segregation, discrimination or stigmatization of such students
- Wherever possible, and consistent with the wishes of the parent or guardian or unaccompanied youth, keep a homeless child or youth at his or her “school of origin.”
- Adopt a policy and practice for providing appropriate transportation services to enable homeless children and youth to attend the school of origin.
- **Designate a local homeless liaison within the district.\***
- Provide notice (forms, brochures, web sites, handbooks, and instructional materials) throughout the community and all school locations of the rights of, and services for, homeless children and youth, including school choices and transportation availability as well as the name/phone number of the liaison.
- Provide outreach to homeless families and youth to ensure that all school-age and pre-school age children not enrolled in school are promptly enrolled.
- Enroll students in free breakfast/lunch and waive all fees subject to waiver.
- Review and revise any policies, websites, forms, etc. that may act as barriers to the enrollment, attendance, and success of homeless children and youth.

\*Each CPS school has a homeless liaison. Mr. Aranowski feels it would be good to bring some of the liaisons across districts to the table in hearings or in some other way to gain their input.

Ms. Malik said there is a significant change under ESSA in that there is an affirmative duty for districts to remove barriers so homeless children have access to selective enrollment, magnet, and charter schools, despite the fact some of these may have application deadlines. McKinney Vento has always had the dictum to revise policies that may serve as enrollment barriers to the homeless, but ESSA specifically identifies schools that require applications to remove barriers to enrollment for students experiencing homelessness.

Mr. Aranowski explained the responsibility of school districts to act on behalf of students with a homeless status to remove barriers which may derive from the following situations:

- Lack of training for school personnel in recognizing homelessness
- Lack of immunization and medical records
- Lack of school records, good standing form, birth certificates, etc.
- Frequent mobility
- Inability to complete school assignments
- Poor health and nutrition, increased stress and emotional instability
- Lack of transportation to or from temporary residence

The biggest barrier for many of these students is transportation for which there are three requirements under law:

- Services must be comparable to those received by non-homeless students.
- Student is entitled to transportation to and from the school of origin.
- Barriers to school attendance must be removed over any issues related to transportation even if district does not normally provide transportation to students.

The school district of origin and the school district in which the McKinney Vento eligible student lives shall meet to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the school districts are unable to agree, the responsibility and costs for transportation shall be shared equally. Transportation may include public transit cards, mileage reimbursement, bussing service, cab service, gas cards, etc., and must be appropriate to the child.

Disputes do arise in the provision of services described under law between school districts and families, so a dispute resolution process is available as a method of sensitively resolving disputes regarding enrollment, full participation in school activities, transportation, and any other issue related to a pupil's homelessness. This process is structured as informally as possible in order to allow parents/guardians or unaccompanied youth as much assistance as possible in navigating the process.

The district must immediately enroll the student and arrange for transportation and other services, as appropriate, pending the outcome of the dispute. With the involvement of the district's liaison, the district must attempt to discuss the issues with the parent/youth to determine if more information can clear up the issues. The notice of dispute resolution issued by the district to the parent/guardian must include, with a degree of specificity, the district's position as to the homelessness-related dispute. The notice of dispute resolution issued by the district to the parent/guardian must include referrals to free/reduced cost legal help and an outline of the dispute resolution procedure. Efforts should be made to facilitate the disclosure of relevant documentation prior to meeting if requested in order to enable a full and fair presentation of each position.

A decision to resolve the dispute will be rendered by an ombudsperson. Either party may, within five school days of the ombudsperson's decision, send a written request to the state coordinator asking the state coordinator to review such decision for compliance with applicable law. Such request must include any documentation related to the dispute resolution proceeding. Upon receiving a request for review, the state coordinator may request from either party any additional information that he or she deems relevant to determining compliance with applicable law. No later than ten school days after receiving the request for review, the state coordinator shall make a recommendation to the State Superintendent of Education regarding the ombudsperson's decision and the appropriate placement of the student (deferring, in this review, to any and all findings of fact by the ombudsperson). Within ten days of receiving the state coordinator's recommendation, the State Superintendent of Education or designee will inform all parties of the final determination.

Harold Sweeney asked about unaccompanied youth, youth that are not in the physical custody or care of a parent or guardian. Mr. Aranowski explained that it is the responsibility of the district's homeless liaison to make resources available to the child in order to make an informed decision about enrollment and other school-related issues.

Ms. Taylor mentioned the expansion grant for early childhood and how intentional the wording of the grant was around school attendance and specific groups of students such as those

experiencing homelessness. The governor's office added the provision that grantees must ensure they have the support to make their programs deliver to different populations.

Mr. Aranowski added that the Governor Rauner's office for early childhood development has incorporated McKinney Vento into early childhood programs and grants. He said they have provided incredible support to the homeless in Illinois.

#### **V. Discussion and Approval of Report Writing Procedures**

The commission administrator advised the group that she had begun work on the annual report which is due to the General Assembly by December 15, 2016. She explained that the minutes were mined for core content of the report which is constructed around the five legislated outcomes. She asked members of the commission to supply her with their input regarding commission recommendations and proceedings to ensure a comprehensive view of the commission during 2016.

Mr. Aranowski moved to approve the plan for writing the report, Lori Fanello seconded the motion, and the commission members voiced unanimous approval.

#### **VI. Public Comment**

There was no public comment.

#### **VII. New Business and Open Discussion**

Ms. Taylor explained that she had been invited to attend the November 9 meeting of the Illinois Balanced Accountability Measure (IBAM) Committee which was created by Public Act 99-0193 to require ISBE to "develop recognition standards for student performance and school improvement...provides that standards must be ... outcomes-based, balanced accountability measure(s)." Sarah Boucek, Hedy Chang of Attendance Works, and Ms. Taylor had met previously to discuss the inclusion of attendance as a predictor of student achievement. Ms. Taylor was unable to attend the November IBAM meeting, so she sent Madelyn James of the commission in her place.

Ms. Taylor's introduction to IBAM was facilitated by commission member Matthew Rodriguez who serves on the IBAM committee and acted in response to the committee's need to consult someone who was familiar with trending attendance issues. Ms. Taylor reminded all commission members to be mindful of other links that can be created among the various commissions, task forces, and committees on which commission members serve. She explained further that Beth Purvis, Governor Rauner's Secretary of Education, said there is an abundance of groups meeting on a daily basis in Illinois to research, discuss, and inform policy and practice, so anytime anyone can forge collaborative connections it is beneficial.

Rochelle Davis of the Healthy Schools Campaign was in attendance as the physical proxy of Ryan Mann who was on the telephone and was asked by Ms. Taylor to address the commission because she also had been present at the November 9 IBAM meeting to present a summary of information from the U. S. Department of Education's Office of Civil Rights about absenteeism meeting the requirements within ESSA to include attendance as an indicator with an accountability metric. She explained further that those in attendance wanted to know when Illinois was likely to determine a definition for chronic absence and she deferred to the Attendance Commission.

Mr. Rodriguez said there were forty indicators discussed and chronic absenteeism kept floating to the top. He said the group decided if chronic absence is going to be a non-academic indicator, there must be a definition of the term for the sake of measurement.

The need for a definition of chronic absence was also voiced by Stephanie Bernoteit who is on the College Changes Everything (CCE) committee. She commented further on the gathering momentum across the state concerning attendance-related issues and the need for a specific definition of chronic absence.

Much discussion followed relative to the need for a definition and the parameters of the definition. The general feeling is that the state should opt for the definition that is rapidly becoming a standard in the nation and is soon to be adopted by the Office of Civil Rights: a student is defined as chronically absent if he/she misses ten percent of the last 180 school days for any reason (excused absence, unexcused absence, or suspension from school).

Ms. Davis also wanted to know if the Attendance Commission was going to consider the need to define what constitutes a full day and a half day. Harold Sweeney said it is so hard to not have a statewide definition of what constitutes full and half days of attendance as his work takes him into different districts with different calculation methods. A day of attendance is only defined for funding. Practitioners want a definition as every school district has different school day lengths, and there is no consistency. Some felt this must go to the General Assembly after the commission makes a recommendation about what constitutes a school day.

Harold advocates using the ten percent chronic absence rate because it would make our data comparable to other states. The commission administrator reminded those in attendance that Patricia Graczyk had informed the body that all the research around chronic absence was based on the ten percent formula.

Ms. Taylor said we should put in the annual report that the commission recommends that chronic absence be defined but we will not stipulate as to what the parameters of the definition are until the commission has additional discussion on the matter. There also needs to be discussion about whether in-school suspensions count toward an absence or not.

Ms. Taylor said she wanted to share some information with the commission as a result of a letter that had been sent to Senator Jacqueline Collins about an event that took place the day after she hosted a public hearing at St. Sabina. On September 14, an eighteen year old student was suspended from a south side charter school for not having a complete uniform and was shot and killed on the way home. While the commission feels sorrow over the loss of this young life, it cannot make a further public comment especially since the matter is under investigation. Some in the community want the commission to take a stand on whether the lack of a school uniform should force a suspension and, consequently, an absence from school. Questions were raised about whether the commission has the right or the power to address school policy, and Karen Fox advised caution about action related to school or district discipline policies.

Beth Malik said homeless students are frequently threatened with disciplinary measures over uniform policies.

Diane Rutledge offered the point of view that Senate Bill 100 informs districts to limit the number of suspensions and expulsions and to consider non-exclusionary methods of discipline.

Harold Sweeney said the call for presenters for the ICEARY conference is already out.

Mr. Rodriguez was just appointed the lead on family engagement for the P20 Council.

**VIII. Adjourn**

The meeting was adjourned at 11:46 a.m. after a motion by Ms. Fox which was seconded by Mr. Aranowski.