

AMERICAN BAR ASSOCIATION**COMMISSION ON YOUTH AT RISK
COMMISSION ON HOMELESSNESS AND POVERTY****RECOMMENDATION**

1 RESOLVED, That the American Bar Association urges federal and state legislatures to pass
2 laws, and national, state, and local education agencies to implement policies:

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- 4 1. To help secure the right of every child to a high quality education, including, specifying the
5 elements of that right and fostering its consistent provision to all by schools and local, state,
6 and federal agencies;
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 - 8 2. To improve implementation and enforcement of existing provisions of law and policy
9 designed to enable students to obtain elements of a high quality education;
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 - 11 3. To enable and assist students and their parents and their representatives in participating in
12 decisions affecting their right to quality education and in understanding and utilizing existing
13 provisions of law and policy and remedying deficiencies in their implementation and
14 enforcement through administrative and judicial relief; and

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16 FURTHER RESOLVED, That the American Bar Association urges state and local bar
17 associations, and attorneys to:

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- 19 1. Seek improvements in state and federal law to protect and advance the right to high quality
20 education, including the enactment of remedies to secure that right administratively and
21 judicially;
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 - 23 2. Make legal representation available to parents, students, and organizations seeking to enforce
24 provisions of state and federal law related to the right to high quality education, in
25 administrative and judicial proceedings; and
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 - 27 3. Provide community legal education and other assistance to parents, students, community
28 organizations, schools, and school systems to aid in understanding and obtaining improved
29 implementation of laws that protect and advance the right to high quality education.

AMERICAN BAR ASSOCIATION
COMMISSION ON YOUTH AT RISK
COMMISSION ON HOMELESSNESS AND POVERTY
REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

1 RESOLVED, That the American Bar Association urges federal and state legislatures to pass laws
2 and national, state, and local education, child welfare, and juvenile justice agencies to implement
3 and enforce policies that:

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- 5 1. Help advance the right to remain in school, promote a safe and supportive school
6 environment for all children, and enable them to complete school;
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- 8 2. Limit exclusion from and disruption of students' regular educational programs as a response
9 to disciplinary problems;
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- 11 3. Provide full procedural protections, including the opportunity to have representation by
12 counsel in proceedings to exclude students from their regular education program, appropriate
13 provisions of due process in other school disciplinary processes, and implementing
14 disciplinary procedures in a fair, non-discriminatory and culturally responsive manner;
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- 16 4. Reduce criminalization of truancy, disability-related behavior, and other school-related
17 conduct; and
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- 19 5. Establish programs and procedures to assist parents, caregivers, guardians, students, and their
20 legal representatives in understanding and exercising student rights to remain in school; and
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22 FURTHER RESOLVED, That the American Bar Association urges federal and state legislatures
23 to legally define, and assure standardized on-going monitoring, reporting, and accountability for,
24 measuring graduation rates, school dropout rates, school truancy, and disciplinary violations
25 resulting in student suspensions and expulsions, with data disaggregated by race, disability and
26 other disparately affected populations, and ensure that no group of students is disparately
27 subjected to school discipline or exclusion.

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**COMMISSION ON YOUTH AT RISK
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REPORT TO THE HOUSE OF DELEGATES

RECOMMENDATION

1 RESOLVED, That the American Bar Association urges enactment and implementation of
2 statutes and policies that support the right of youth who have left school to return to school to
3 complete their education in high-quality, age-appropriate programs.

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5 FURTHER RESOLVED, That the American Bar Association urges the enactment of laws and
6 policies that establish programs and procedures to encourage and assist parents, students, and
7 their legal representatives in understanding and exercising student rights to resume their
8 education.