

Faith's Law and Employment History Review (EHR)

What is Faith's Law?

Faith's Law is named after prevention advocate and child sexual abuse survivor Faith Colson, who graduated from an Illinois high school in the early 2000s. Faith was sexually abused by a teacher at her high school. Years later, during the course of legal proceedings related to the abuse, Faith learned that several adults within her high school suspected that the teacher's relationship with her was inappropriate but did not take appropriate action to report their concerns. As a result of her experiences, Faith pushed for change to state laws related to educator sexual misconduct in K-12 schools.

Faith's Law was passed by the 102nd General Assembly as two separate pieces of legislation. The first legislation, Public Act 102-0676, took effect on December 3, 2021, and, for the first time, established the definition of sexual misconduct within the School Code. It further outlined the requirements for schools to develop and post employee code of professional conduct policies, which were to include the definition of sexual misconduct, and required ISBE to develop a resource guide for schools to make available to pupils, parents/guardians, and teachers. Public Act 102-0676 also expanded the definition of "grooming" in the Illinois Criminal Code, added "grooming" to the list of conduct that qualifies a child as an "abused child" under the Abused and Neglected Child Reporting Act, and added professional development training opportunities for employees seeking to renew their professional educator license.

The second legislation, Public Act 102-0702, will take effect on July 1, 2023. It focuses on the prevention of "sexual misconduct" as defined in the first part of the legislation (Public Act 102-0676) by school employees, substitute employees, and employees of contractors. Specifically, the Act adds employment history reviews as part of the hiring and vetting process, requires notices to be provided to parents/guardians and the applicable student when there's an alleged act of sexual misconduct, and makes other changes to the process schools must follow when handling allegations of sexual misconduct. Public Act 102-0702 also adds that if a district superintendent has any reasonable cause to believe a license holder has committed an act of sexual misconduct, the superintendent must report this information to the state superintendent of education and the applicable regional superintendent of schools. Further, the state superintendent can initiate the process to revoke or suspend a license, endorsement, or approval issued under Article 21B for reasons including sexual misconduct. The ultimate goals of Public Act 102-0702 are to give parents/guardians notice regarding allegations of sexual misconduct that involve their student; equip schools across Illinois with better information regarding the employment history of an applicant or employee of a contractor; give schools the resources necessary to make well-informed decisions about who they are employing/contracting with; and protect students from acts of sexual misconduct by school employees, substitute employees, and employees of contractors.

Please forward your Employment History Review (EHR) request/template form to:

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