



Sen. Tom Bennett

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1 AMENDMENT TO SENATE BILL 1470

2 AMENDMENT NO. _____. Amend Senate Bill 1470 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing
5 Sections 10-19, 10-19.05, 10-20.56, 10-29, 10-30, 18-12, and
6 34-18.66 and by adding Sections 10-31 and 34-18.82 as follows:

7 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

8 Sec. 10-19. Length of school term - experimental programs.
9 Each school board shall annually prepare a calendar for the
10 school term, specifying the opening and closing dates and
11 providing a minimum term of at least 185 days to insure 176
12 days of actual pupil attendance, computable under Section
13 10-19.05, except that for the 1980-1981 school year only 175
14 days of actual pupil attendance shall be required because of
15 the closing of schools pursuant to Section 24-2 on January 29,
16 1981 upon the appointment by the President of that day as a day

1 of thanksgiving for the freedom of the Americans who had been
2 held hostage in Iran. Any days allowed by law for teachers'
3 institutes but not used as such or used as parental institutes
4 as provided in Section 10-22.18d shall increase the minimum
5 term by the school days not so used. Except as provided in
6 Section 10-19.1, the board may not extend the school term
7 beyond such closing date unless that extension of term is
8 necessary to provide the minimum number of computable days. In
9 case of such necessary extension school employees shall be
10 paid for such additional time on the basis of their regular
11 contracts. A school board may specify a closing date earlier
12 than that set on the annual calendar when the schools of the
13 district have provided the minimum number of computable days
14 under this Section. Nothing in this Section prevents the board
15 from employing superintendents of schools, principals and
16 other nonteaching personnel for a period of 12 months, or in
17 the case of superintendents for a period in accordance with
18 Section 10-23.8, or prevents the board from employing other
19 personnel before or after the regular school term with payment
20 of salary proportionate to that received for comparable work
21 during the school term. Remote learning days, blended remote
22 learning days, and up to 5 remote and blended remote learning
23 planning days established under Section 10-30 or 34-18.66 or
24 remote learning days established under Section 10-31 or
25 34-18.82 shall be deemed pupil attendance days for calculation
26 of the length of a school term under this Section.

1 A school board may make such changes in its calendar for
2 the school term as may be required by any changes in the legal
3 school holidays prescribed in Section 24-2. A school board may
4 make changes in its calendar for the school term as may be
5 necessary to reflect the utilization of teachers' institute
6 days as parental institute days as provided in Section
7 10-22.18d.

8 The calendar for the school term and any changes must be
9 submitted to and approved by the regional superintendent of
10 schools before the calendar or changes may take effect.

11 With the prior approval of the State Board of Education
12 and subject to review by the State Board of Education every 3
13 years, any school board may, by resolution of its board and in
14 agreement with affected exclusive collective bargaining
15 agents, establish experimental educational programs, including
16 but not limited to ~~programs for e learning days as authorized~~
17 ~~under Section 10-20.56 of this Code,~~ self-directed learning,
18 or outside of formal class periods, which programs when so
19 approved shall be considered to comply with the requirements
20 of this Section as respects numbers of days of actual pupil
21 attendance and with the other requirements of this Act as
22 respects courses of instruction.

23 (Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19;
24 101-643, eff. 6-18-20.)

1 Sec. 10-19.05. Daily pupil attendance calculation.

2 (a) Except as otherwise provided in this Section, for a
3 pupil of legal school age and in kindergarten or any of grades
4 1 through 12, a day of attendance shall be counted only for
5 sessions of not less than 5 clock hours of school work per day
6 under direct supervision of (i) teachers or (ii) non-teaching
7 personnel or volunteer personnel when engaging in non-teaching
8 duties and supervising in those instances specified in
9 subsection (a) of Section 10-22.34 and paragraph 10 of Section
10 34-18. Days of attendance by pupils through verified
11 participation in an e-learning program adopted by a school
12 board and verified by the regional office of education or
13 intermediate service center for the school district under
14 Section 10-20.56 of this Code, a remote and blended remote
15 learning day plan under Section 10-30 or 34-18.66 of this
16 Code, or a remote learning plan under Section 10-31 or
17 34-18.82 of this Code shall be considered as full days of
18 attendance under this Section.

19 (b) A pupil regularly enrolled in a public school for only
20 a part of the school day may be counted on the basis of
21 one-sixth of a school day for every class hour of instruction
22 of 40 minutes or more attended pursuant to such enrollment,
23 unless a pupil is enrolled in a block-schedule format of 80
24 minutes or more of instruction, in which case the pupil may be
25 counted on the basis of the proportion of minutes of school
26 work completed each day to the minimum number of minutes that

1 school work is required to be held that day.

2 (c) A session of 4 or more clock hours may be counted as a
3 day of attendance upon certification by the regional
4 superintendent of schools and approval by the State
5 Superintendent of Education to the extent that the district
6 has been forced to use daily multiple sessions.

7 (d) A session of 3 or more clock hours may be counted as a
8 day of attendance (1) when the remainder of the school day or
9 at least 2 hours in the evening of that day is utilized for an
10 in-service training program for teachers, up to a maximum of
11 10 days per school year, provided that a district conducts an
12 in-service training program for teachers in accordance with
13 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2
14 full days may be used, in which event each such day may be
15 counted as a day required for a legal school calendar pursuant
16 to Section 10-19 of this Code; (2) when, of the 5 days allowed
17 under item (1), a maximum of 4 days are used for parent-teacher
18 conferences, or, in lieu of 4 such days, 2 full days are used,
19 in which case each such day may be counted as a calendar day
20 required under Section 10-19 of this Code, provided that the
21 full-day, parent-teacher conference consists of (i) a minimum
22 of 5 clock hours of parent-teacher conferences, (ii) both a
23 minimum of 2 clock hours of parent-teacher conferences held in
24 the evening following a full day of student attendance and a
25 minimum of 3 clock hours of parent-teacher conferences held on
26 the day immediately following evening parent-teacher

1 conferences, or (iii) multiple parent-teacher conferences held
2 in the evenings following full days of student attendance in
3 which the time used for the parent-teacher conferences is
4 equivalent to a minimum of 5 clock hours; and (3) when days in
5 addition to those provided in items (1) and (2) are scheduled
6 by a school pursuant to its school improvement plan adopted
7 under Article 34 or its revised or amended school improvement
8 plan adopted under Article 2, provided that (i) such sessions
9 of 3 or more clock hours are scheduled to occur at regular
10 intervals, (ii) the remainder of the school days in which such
11 sessions occur are utilized for in-service training programs
12 or other staff development activities for teachers, and (iii)
13 a sufficient number of minutes of school work under the direct
14 supervision of teachers are added to the school days between
15 such regularly scheduled sessions to accumulate not less than
16 the number of minutes by which such sessions of 3 or more clock
17 hours fall short of 5 clock hours. Days scheduled for
18 in-service training programs, staff development activities, or
19 parent-teacher conferences may be scheduled separately for
20 different grade levels and different attendance centers of the
21 district.

22 (e) A session of not less than one clock hour of teaching
23 hospitalized or homebound pupils on-site or by telephone to
24 the classroom may be counted as a half day of attendance;
25 however, these pupils must receive 4 or more clock hours of
26 instruction to be counted for a full day of attendance.

1 (f) A session of at least 4 clock hours may be counted as a
2 day of attendance for first grade pupils and pupils in
3 full-day kindergartens, and a session of 2 or more hours may be
4 counted as a half day of attendance by pupils in kindergartens
5 that provide only half days of attendance.

6 (g) For children with disabilities who are below the age
7 of 6 years and who cannot attend 2 or more clock hours because
8 of their disability or immaturity, a session of not less than
9 one clock hour may be counted as a half day of attendance;
10 however, for such children whose educational needs require a
11 session of 4 or more clock hours, a session of at least 4 clock
12 hours may be counted as a full day of attendance.

13 (h) A recognized kindergarten that provides for only a
14 half day of attendance by each pupil shall not have more than
15 one half day of attendance counted in any one day. However,
16 kindergartens may count 2 and a half days of attendance in any
17 5 consecutive school days. When a pupil attends such a
18 kindergarten for 2 half days on any one school day, the pupil
19 shall have the following day as a day absent from school,
20 unless the school district obtains permission in writing from
21 the State Superintendent of Education. Attendance at
22 kindergartens that provide for a full day of attendance by
23 each pupil shall be counted the same as attendance by first
24 grade pupils. Only the first year of attendance in one
25 kindergarten shall be counted, except in the case of children
26 who entered the kindergarten in their fifth year whose

1 educational development requires a second year of kindergarten
2 as determined under rules of the State Board of Education.

3 (i) On the days when the State's final accountability
4 assessment is administered under subsection (c) of Section
5 2-3.64a-5 of this Code, the day of attendance for a pupil whose
6 school day must be shortened to accommodate required testing
7 procedures may be less than 5 clock hours and shall be counted
8 toward the 176 days of actual pupil attendance required under
9 Section 10-19 of this Code, provided that a sufficient number
10 of minutes of school work in excess of 5 clock hours are first
11 completed on other school days to compensate for the loss of
12 school work on the examination days.

13 (j) Pupils enrolled in a remote educational program
14 established under Section 10-29 of this Code may be counted on
15 the basis of a one-fifth day of attendance for every clock hour
16 of instruction attended in the remote educational program,
17 provided that, in any month, the school district may not claim
18 for a student enrolled in a remote educational program more
19 days of attendance than the maximum number of days of
20 attendance the district can claim (i) for students enrolled in
21 a building holding year-round classes if the student is
22 classified as participating in the remote educational program
23 on a year-round schedule or (ii) for students enrolled in a
24 building not holding year-round classes if the student is not
25 classified as participating in the remote educational program
26 on a year-round schedule.

1 (j-5) The clock hour requirements of subsections (a)
2 through (j) of this Section do not apply if the Governor has
3 declared a disaster due to a public health emergency pursuant
4 to Section 7 of the Illinois Emergency Management Agency Act.
5 The State Superintendent of Education may establish minimum
6 clock hour requirements under Sections 10-30 and 34-18.66 if
7 the Governor has declared a disaster due to a public health
8 emergency pursuant to Section 7 of the Illinois Emergency
9 Management Agency Act.

10 (k) Pupil participation in any of the following activities
11 shall be counted toward the calculation of clock hours of
12 school work per day:

13 (1) Instruction in a college course in which a student
14 is dually enrolled for both high school credit and college
15 credit.

16 (2) Participation in a Supervised Career Development
17 Experience, as defined in Section 10 of the Postsecondary
18 and Workforce Readiness Act, in which student
19 participation and learning outcomes are supervised by an
20 educator licensed under Article 21B.

21 (3) Participation in a youth apprenticeship, as
22 jointly defined in rules of the State Board of Education
23 and Department of Commerce and Economic Opportunity, in
24 which student participation and outcomes are supervised by
25 an educator licensed under Article 21B.

26 (4) Participation in a blended learning program

1 approved by the school district in which course content,
2 student evaluation, and instructional methods are
3 supervised by an educator licensed under Article 21B.
4 (Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

5 (105 ILCS 5/10-20.56)

6 Sec. 10-20.56. E-learning days.

7 (a) The State Board of Education shall establish and
8 maintain, for implementation in school districts, a program
9 for use of electronic-learning (e-learning) days, as described
10 in this Section. School districts may utilize a program
11 approved under this Section for use during remote learning
12 days and blended remote learning days under Section 10-30 or
13 34-18.66.

14 (b) The school board of a school district may, by
15 resolution, adopt a research-based program or research-based
16 programs for e-learning days district-wide that shall permit
17 student instruction to be received electronically while
18 students are not physically present in lieu of the district's
19 scheduled emergency days as required by Section 10-19 of this
20 Code or because a school was selected to be a polling place
21 under Section 11-4.1 of the Election Code. The research-based
22 program or programs may not exceed the minimum number of
23 emergency days in the approved school calendar and must be
24 verified by the regional office of education or intermediate
25 service center for the school district on or before September

1 1st annually to ensure access for all students. The regional
2 office of education or intermediate service center shall
3 ensure that the specific needs of all students are met,
4 including special education students and English learners, and
5 that all mandates are still met using the proposed
6 research-based program. The e-learning program may utilize the
7 Internet, telephones, texts, chat rooms, or other similar
8 means of electronic communication for instruction and
9 interaction between teachers and students that meet the needs
10 of all learners. The e-learning program shall address the
11 school district's responsibility to ensure that all teachers
12 and staff who may be involved in the provision of e-learning
13 have access to any and all hardware and software that may be
14 required for the program. If a proposed program does not
15 address this responsibility, the school district must propose
16 an alternate program.

17 (c) Before its adoption by a school board, the school
18 board must hold a public hearing on a school district's
19 initial proposal for an e-learning program or for renewal of
20 such a program, at a regular or special meeting of the school
21 board, in which the terms of the proposal must be
22 substantially presented and an opportunity for allowing public
23 comments must be provided. Notice of such public hearing must
24 be provided at least 10 days prior to the hearing by:

25 (1) publication in a newspaper of general circulation
26 in the school district;

1 (2) written or electronic notice designed to reach the
2 parents or guardians of all students enrolled in the
3 school district; and

4 (3) written or electronic notice designed to reach any
5 exclusive collective bargaining representatives of school
6 district employees and all those employees not in a
7 collective bargaining unit.

8 (d) The regional office of education or intermediate
9 service center for the school district must timely verify that
10 a proposal for an e-learning program has met the requirements
11 specified in this Section and that the proposal contains
12 provisions designed to reasonably and practicably accomplish
13 the following:

14 (1) to ensure and verify at least 5 clock hours of
15 instruction or school work, as required under Section
16 10-19.05, for each student participating in an e-learning
17 day;

18 (2) to ensure access from home or other appropriate
19 remote facility for all students participating, including
20 computers, the Internet, and other forms of electronic
21 communication that must be utilized in the proposed
22 program;

23 (2.5) to ensure that non-electronic materials are made
24 available to students participating in the program who do
25 not have access to the required technology or to
26 participating teachers or students who are prevented from

1 accessing the required technology;

2 (3) to ensure appropriate learning opportunities for
3 students with special needs;

4 (4) to monitor and verify each student's electronic
5 participation;

6 (5) to address the extent to which student
7 participation is within the student's control as to the
8 time, pace, and means of learning;

9 (6) to provide effective notice to students and their
10 parents or guardians of the use of particular days for
11 e-learning;

12 (7) to provide staff and students with adequate
13 training for e-learning days' participation;

14 (8) to ensure an opportunity for any collective
15 bargaining negotiations with representatives of the school
16 district's employees that would be legally required,
17 including all classifications of school district employees
18 who are represented by collective bargaining agreements
19 and who would be affected in the event of an e-learning
20 day;

21 (9) to review and revise the program as implemented to
22 address difficulties confronted; and

23 (10) to ensure that the protocol regarding general
24 expectations and responsibilities of the program is
25 communicated to teachers, staff, and students at least 30
26 days prior to utilizing an e-learning day.

1 The school board's approval of a school district's initial
2 e-learning program and renewal of the e-learning program shall
3 be for a term of 3 years. Any e-learning program adopted or
4 renewed before the effective date of this amendatory Act of
5 the 103rd General Assembly may continue until the expiration
6 of its term, at which time the school district shall implement
7 remote learning days under Section 10-31 or Section 34-18.82
8 of this Code rather than an e-learning program under this
9 Section.

10 (d-5) A school district shall pay to its contractors who
11 provide educational support services to the district,
12 including, but not limited to, custodial, transportation, or
13 food service providers, their daily, regular rate of pay or
14 billings rendered for any e-learning day that is used because
15 a school was selected to be a polling place under Section
16 11-4.1 of the Election Code, except that this requirement does
17 not apply to contractors who are paid under contracts that are
18 entered into, amended, or renewed on or after March 15, 2022 or
19 to contracts that otherwise address compensation for such
20 e-learning days.

21 (d-10) A school district shall pay to its employees who
22 provide educational support services to the district,
23 including, but not limited to, custodial employees, building
24 maintenance employees, transportation employees, food service
25 providers, classroom assistants, or administrative staff,
26 their daily, regular rate of pay and benefits rendered for any

1 school closure or e-learning day if the closure precludes them
2 from performing their regularly scheduled duties and the
3 employee would have reported for work but for the closure,
4 except this requirement does not apply if the day is
5 rescheduled and the employee will be paid their daily, regular
6 rate of pay and benefits for the rescheduled day when services
7 are rendered.

8 (d-15) A school district shall make full payment that
9 would have otherwise been paid to its contractors who provide
10 educational support services to the district, including, but
11 not limited to, custodial, building maintenance,
12 transportation, food service providers, classroom assistants,
13 or administrative staff, their daily, regular rate of pay and
14 benefits rendered for any school closure or e-learning day if
15 any closure precludes them from performing their regularly
16 scheduled duties and employees would have reported for work
17 but for the closure. The employees who provide the support
18 services covered by such contracts shall be paid their daily
19 bid package rates and benefits as defined by their local
20 operating agreements or collective bargaining agreements,
21 except this requirement does not apply if the day is
22 rescheduled and the employee will be paid their daily, regular
23 rate of pay and benefits for the rescheduled day when services
24 are rendered.

25 (d-20) A school district shall make full payment or
26 reimbursement to an employee or contractor as specified in

1 subsection (d-10) or (d-15) of this Section for any school
2 closure or e-learning day in the 2021-2022 school year that
3 occurred prior to the effective date of this amendatory Act of
4 the 102nd General Assembly if the employee or contractor did
5 not receive pay or was required to use earned paid time off,
6 except this requirement does not apply if the day is
7 rescheduled and the employee will be paid their daily, regular
8 rate of pay and benefits for the rescheduled day when services
9 are rendered.

10 (e) The State Board of Education may adopt rules
11 consistent with the provision of this Section.

12 (f) For purposes of subsections (d-10), (d-15), and (d-20)
13 of this Section:

14 "Employee" means anyone employed by a school district on
15 or after the effective date of this amendatory Act of the 102nd
16 General Assembly.

17 "School district" includes charter schools established
18 under Article 27A of this Code, but does not include the
19 Department of Juvenile Justice School District.

20 (Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20;
21 102-584, eff. 6-1-22; 102-697, eff. 4-5-22.)

22 (105 ILCS 5/10-29)

23 Sec. 10-29. Remote educational programs.

24 (a) For purposes of this Section, "remote educational
25 program" means an educational program delivered to students in

1 the home or other location outside of a school building that
2 meets all of the following criteria:

3 (1) A student may participate in the program only
4 after the school district, pursuant to adopted school
5 board policy, and a person authorized to enroll the
6 student under Section 10-20.12b of this Code determine
7 that a remote educational program will best serve the
8 student's individual learning needs. The adopted school
9 board policy shall include, but not be limited to, all of
10 the following:

11 (A) Criteria for determining that a remote
12 educational program will best serve a student's
13 individual learning needs. The criteria must include
14 consideration of, at a minimum, a student's prior
15 attendance, disciplinary record, and academic history.

16 (B) Any limitations on the number of students or
17 grade levels that may participate in a remote
18 educational program.

19 (C) A description of the process that the school
20 district will use to approve participation in the
21 remote educational program. The process must include
22 without limitation a requirement that, for any student
23 who qualifies to receive services pursuant to the
24 federal Individuals with Disabilities Education
25 Improvement Act of 2004, the student's participation
26 in a remote educational program receive prior approval

1 from the student's individualized education program
2 team.

3 (D) A description of the process the school
4 district will use to develop and approve a written
5 remote educational plan that meets the requirements of
6 subdivision (5) of this subsection (a).

7 (E) A description of the system the school
8 district will establish to determine student
9 participation in instruction in accordance with the
10 remote educational program.

11 (F) A description of the process for renewing a
12 remote educational program at the expiration of its
13 term.

14 (G) Such other terms and provisions as the school
15 district deems necessary to provide for the
16 establishment and delivery of a remote educational
17 program.

18 (2) The school district has determined that the remote
19 educational program's curriculum is aligned to State
20 learning standards and that the program offers instruction
21 and educational experiences consistent with those given to
22 students at the same grade level in the district.

23 (3) The remote educational program is delivered by
24 instructors that meet the following qualifications:

25 (A) they are licensed under Article 21B of this
26 Code;

1 (B) (blank); and

2 (C) they have responsibility for all of the
3 following elements of the program: planning
4 instruction, diagnosing learning needs, prescribing
5 content delivery through class activities, assessing
6 learning, reporting outcomes to administrators and
7 parents and guardians, and evaluating the effects of
8 instruction.

9 (4) During the period of time from and including the
10 opening date to the closing date of the regular school
11 term of the school district established pursuant to
12 Section 10-19 of this Code, participation in a remote
13 educational program may be claimed for evidence-based
14 funding purposes under Section 18-8.15 of this Code on any
15 calendar day, notwithstanding whether the day is a day of
16 pupil attendance or institute day on the school district's
17 calendar or any other provision of law restricting
18 instruction on that day. If the district holds year-round
19 classes in some buildings, the district shall classify
20 each student's participation in a remote educational
21 program as either on a year-round or a non-year-round
22 schedule for purposes of claiming evidence-based funding.
23 Outside of the regular school term of the district, the
24 remote educational program may be offered as part of any
25 summer school program authorized by this Code.

26 (5) Each student participating in a remote educational

1 program must have a written remote educational plan that
2 has been approved by the school district and a person
3 authorized to enroll the student under Section 10-20.12b
4 of this Code. The school district and a person authorized
5 to enroll the student under Section 10-20.12b of this Code
6 must approve any amendment to a remote educational plan.
7 The remote educational plan must include, but is not
8 limited to, all of the following:

9 (A) Specific achievement goals for the student
10 aligned to State learning standards.

11 (B) A description of all assessments that will be
12 used to measure student progress, which description
13 shall indicate the assessments that will be
14 administered at an attendance center within the school
15 district.

16 (C) A description of the progress reports that
17 will be provided to the school district and the person
18 or persons authorized to enroll the student under
19 Section 10-20.12b of this Code.

20 (D) Expectations, processes, and schedules for
21 interaction between a teacher and student.

22 (E) A description of the specific responsibilities
23 of the student's family and the school district with
24 respect to equipment, materials, phone and Internet
25 service, and any other requirements applicable to the
26 home or other location outside of a school building

1 necessary for the delivery of the remote educational
2 program.

3 (F) If applicable, a description of how the remote
4 educational program will be delivered in a manner
5 consistent with the student's individualized education
6 program required by Section 614(d) of the federal
7 Individuals with Disabilities Education Improvement
8 Act of 2004 or plan to ensure compliance with Section
9 504 of the federal Rehabilitation Act of 1973.

10 (G) A description of the procedures and
11 opportunities for participation in academic and
12 extracurricular activities and programs within the
13 school district.

14 (H) The identification of a parent, guardian, or
15 other responsible adult who will provide direct
16 supervision of the program. The plan must include an
17 acknowledgment by the parent, guardian, or other
18 responsible adult that he or she may engage only in
19 non-teaching duties not requiring instructional
20 judgment or the evaluation of a student. The plan
21 shall designate the parent, guardian, or other
22 responsible adult as non-teaching personnel or
23 volunteer personnel under subsection (a) of Section
24 10-22.34 of this Code.

25 (I) The identification of a school district
26 administrator who will oversee the remote educational

1 program on behalf of the school district and who may be
2 contacted by the student's parents with respect to any
3 issues or concerns with the program.

4 (J) The term of the student's participation in the
5 remote educational program, which may not extend for
6 longer than 12 months, unless the term is renewed by
7 the district in accordance with subdivision (7) of
8 this subsection (a).

9 (K) A description of the specific location or
10 locations in which the program will be delivered. If
11 the remote educational program is to be delivered to a
12 student in any location other than the student's home,
13 the plan must include a written determination by the
14 school district that the location will provide a
15 learning environment appropriate for the delivery of
16 the program. The location or locations in which the
17 program will be delivered shall be deemed a long
18 distance teaching reception area under subsection (a)
19 of Section 10-22.34 of this Code.

20 (L) Certification by the school district that the
21 plan meets all other requirements of this Section.

22 (6) Students participating in a remote educational
23 program must be enrolled in a school district attendance
24 center pursuant to the school district's enrollment policy
25 or policies. A student participating in a remote
26 educational program must be tested as part of all

1 assessments administered by the school district pursuant
2 to Section 2-3.64a-5 of this Code at the attendance center
3 in which the student is enrolled and in accordance with
4 the attendance center's assessment policies and schedule.
5 The student must be included within all accountability
6 determinations for the school district and attendance
7 center under State and federal law.

8 (7) The term of a student's participation in a remote
9 educational program may not extend for longer than 12
10 months, unless the term is renewed by the school district.
11 The district may only renew a student's participation in a
12 remote educational program following an evaluation of the
13 student's progress in the program, a determination that
14 the student's continuation in the program will best serve
15 the student's individual learning needs, and an amendment
16 to the student's written remote educational plan
17 addressing any changes for the upcoming term of the
18 program.

19 For purposes of this Section, a remote educational program
20 does not include instruction delivered to students through an
21 e-learning program approved under Section 10-20.56 of this
22 Code, a remote and blended remote learning day plan under
23 Section 10-30 or 34-18.66 of this Code, or a remote learning
24 plan under Section 10-31 or 34-18.82 of this Code.

25 (b) A school district may, by resolution of its school
26 board, establish a remote educational program.

1 (c) (Blank).

2 (d) The impact of remote educational programs on wages,
3 hours, and terms and conditions of employment of educational
4 employees within the school district shall be subject to local
5 collective bargaining agreements.

6 (e) The use of a home or other location outside of a school
7 building for a remote educational program shall not cause the
8 home or other location to be deemed a public school facility.

9 (f) A remote educational program may be used, but is not
10 required, for instruction delivered to a student in the home
11 or other location outside of a school building that is not
12 claimed for evidence-based funding purposes under Section
13 18-8.15 of this Code.

14 (g) School districts that, pursuant to this Section, adopt
15 a policy for a remote educational program must submit to the
16 State Board of Education a copy of the policy and any
17 amendments thereto, as well as data on student participation
18 in a format specified by the State Board of Education. The
19 State Board of Education may perform or contract with an
20 outside entity to perform an evaluation of remote educational
21 programs in this State.

22 (h) The State Board of Education may adopt any rules
23 necessary to ensure compliance by remote educational programs
24 with the requirements of this Section and other applicable
25 legal requirements.

26 (Source: P.A. 101-81, eff. 7-12-19; 102-894, eff. 5-20-22.)

1 (105 ILCS 5/10-30)

2 Sec. 10-30. Remote and blended remote learning; public
3 health emergency. This Section applies if the Governor has
4 declared a disaster due to a public health emergency pursuant
5 to Section 7 of the Illinois Emergency Management Agency Act.

6 (1) If the Governor has declared a disaster due to a
7 public health emergency pursuant to Section 7 of the
8 Illinois Emergency Management Agency Act, the State
9 Superintendent of Education may declare a requirement to
10 use remote learning days or blended remote learning days
11 for a school district, multiple school districts, a
12 region, or the entire State. During remote learning days,
13 schools shall conduct instruction remotely. During blended
14 remote learning days, schools may utilize hybrid models of
15 in-person and remote instruction. Once declared, remote
16 learning days or blended remote learning days shall be
17 implemented in grades pre-kindergarten through 12 as days
18 of attendance and shall be deemed pupil attendance days
19 for calculation of the length of a school term under
20 Section 10-19.

21 (2) For purposes of this Section, a remote learning
22 day or blended remote learning day may be met through a
23 district's implementation of an e-learning program under
24 Section 10-20.56 or a remote learning plan under Section
25 10-31.

1 (3) For any district that does not implement an
2 e-learning program under Section 10-20.56 or a remote
3 learning plan under Section 10-31, the district shall
4 adopt a remote and blended remote learning day plan
5 approved by the district superintendent. Each district may
6 utilize remote and blended remote learning planning days,
7 consecutively or in separate increments, to develop,
8 review, or amend its remote and blended remote learning
9 day plan or provide professional development to staff
10 regarding remote education. Up to 5 remote and blended
11 remote learning planning days may be deemed pupil
12 attendance days for calculation of the length of a school
13 term under Section 10-19.

14 (4) Each remote and blended remote learning day plan
15 shall address the following:

16 (i) accessibility of the remote instruction to all
17 students enrolled in the district;

18 (ii) if applicable, a requirement that the remote
19 learning day and blended remote learning day
20 activities reflect State learning standards;

21 (iii) a means for students to confer with an
22 educator, as necessary;

23 (iv) the unique needs of students in special
24 populations, including, but not limited to, students
25 eligible for special education under Article 14,
26 students who are English learners as defined in

1 Section 14C-2, and students experiencing homelessness
2 under the Education for Homeless Children Act, or
3 vulnerable student populations;

4 (v) how the district will take attendance and
5 monitor and verify each student's remote
6 participation; and

7 (vi) transitions from remote learning to on-site
8 learning upon the State Superintendent's declaration
9 that remote learning days or blended remote learning
10 days are no longer deemed necessary.

11 (5) The district superintendent shall periodically
12 review and amend the district's remote and blended remote
13 learning day plan, as needed, to ensure the plan meets the
14 needs of all students.

15 (6) Each remote and blended remote learning day plan
16 shall be posted on the district's Internet website where
17 other policies, rules, and standards of conduct are posted
18 and shall be provided to students and faculty.

19 (7) This Section does not create any additional
20 employee bargaining rights and does not remove any
21 employee bargaining rights.

22 (8) Statutory and regulatory curricular mandates and
23 offerings may be administered via a district's remote and
24 blended remote learning day plan, except that a district
25 may not offer individual behind-the-wheel instruction
26 required by Section 27-24.2 via a district's remote and

1 blended remote learning day plan. This Section does not
2 relieve schools and districts from completing all
3 statutory and regulatory curricular mandates and
4 offerings.

5 (Source: P.A. 101-643, eff. 6-18-20.)

6 (105 ILCS 5/10-31 new)

7 Sec. 10-31. Remote learning.

8 (a) A school district may utilize a remote learning day
9 meeting the requirements of this Section in lieu of the
10 district's scheduled emergency days as required by Section
11 10-19 of this Code or because a school was selected to be a
12 polling place under Section 11-4.1 of the Election Code.
13 However, in no case may a school district utilize more than 5
14 remote learning days under this Section in a school year. A
15 remote learning day under this Section shall be deemed a pupil
16 attendance day for calculation of the length of the school
17 term under Section 10-19 of this Code.

18 (b) The district superintendent must approve a remote
19 learning plan for the district before the district may utilize
20 a remote learning day under this Section. The remote learning
21 plan must address all of the following:

22 (1) The accessibility of remote instruction, including
23 non-electronic materials, to all students enrolled in the
24 district.

25 (2) The requirement that remote learning day

1 activities reflect State learning standards, if
2 applicable.

3 (3) A means for a student to confer with an educator,
4 as necessary.

5 (4) The unique needs of a student in a special
6 population, including, but not limited to, a student
7 eligible for special education services under Article 14
8 of this Code, a student who is an English learner, as
9 defined in Section 14C-2 of this Code, or a student who is
10 a homeless person, child, or youth, as defined in the
11 Education for Homeless Children Act, or other vulnerable
12 student population.

13 (5) How the district will take attendance and monitor
14 and verify each student's remote participation.

15 (6) An assurance of at least 5 clock hours of school
16 work, as required under Section 10-19.05 of this Code, for
17 each student participating in the remote learning day.

18 Before the district superintendent approves a remote
19 learning plan, the school board must hold a public hearing on
20 the district's initial proposal for a remote learning plan or
21 for renewal of a remote learning plan at a regular or special
22 meeting of the school board, at which meeting the terms of the
23 proposal or renewal must be substantially presented and an
24 opportunity for allowing public comments must be provided.

25 Approval of a remote learning plan by the district
26 superintendent shall be for an initial term of 3 years. Every 3

1 years thereafter, the district superintendent shall review the
2 plan and make any necessary changes. During the 3-year term of
3 a remote learning plan, the district superintendent may
4 periodically review and amend the plan as needed to ensure
5 that the plan meets the needs of all students and faculty.

6 The remote learning plan must be posted on the district's
7 Internet website where other policies, rules, and standards of
8 conduct are posted and must be provided to students and
9 faculty. Any changes to the remote learning plan must be
10 posted on the district's Internet website.

11 (c) The district must provide effective notice to students
12 and their parents or guardians of the use of a particular day
13 as a remote learning day.

14 (d) The district must provide students and faculty with
15 adequate training on how to participate in a remote learning
16 day.

17 (e) The district shall ensure an opportunity for any
18 collective bargaining negotiations with representatives of the
19 district's employees that would be legally required, including
20 all classifications of district employees who are represented
21 by a collective bargaining agreement and who would be affected
22 in the event a remote learning day is used.

23 (f) Statutory and regulatory curricular mandates and
24 offerings may be administered via remote learning under the
25 remote learning plan. This Section does not relieve a school
26 or district from completing all statutory and regulatory

1 curricular mandates and offerings.

2 (g) A remote learning day may utilize the Internet,
3 telephones, texts, chat rooms, or other similar means of
4 electronic communication for instruction and interaction
5 between educators and students if such utilization meets the
6 needs of all learners.

7 (h) A school district shall pay its employees who provide
8 educational support services to the district, including, but
9 not limited to, custodial employees, building maintenance
10 employees, transportation employees, food service providers,
11 classroom assistants, and administrative staff, their daily,
12 regular rate of pay and benefits rendered for any school
13 closure, remote learning day, or e-learning day if the
14 closure, remote learning day, or e-learning day precludes them
15 from performing their regularly scheduled duties and they
16 would have reported for work but for the closure, remote
17 learning day, or e-learning day; however, this requirement
18 does not apply if the day is rescheduled and the employees will
19 be paid their daily, regular rate of pay and benefits for the
20 rescheduled day if services are rendered.

21 (i) A school district shall make full payment that would
22 have otherwise been paid to its contractors who provide
23 educational support services to the district, including, but
24 not limited to, custodial, building maintenance,
25 transportation, food service providers, classroom assistants,
26 or administrative staff, their daily, regular rate of pay and

1 benefits rendered for any school closure, remote learning day
2 or e-learning day if the closure precludes them from
3 performing their regularly scheduled duties and the employees
4 would have reported for work but for the closure, remote
5 learning day, or e-learning day, except this requirement does
6 not apply if the day is rescheduled and the employee will be
7 paid their daily, regular rate of pay and benefits for the
8 rescheduled day when services are rendered.

9 (j) The State Board of Education may adopt rules
10 consistent with the provisions of this Section that are
11 necessary to implement this Section.

12 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

13 Sec. 18-12. Dates for filing State aid claims. The school
14 board of each school district, a regional office of education,
15 a laboratory school, or a State-authorized charter school
16 shall require teachers, principals, or superintendents to
17 furnish from records kept by them such data as it needs in
18 preparing and certifying to the State Superintendent of
19 Education its report of claims provided in Section 18-8.05 or
20 18-8.15 of this Code. The claim shall be based on the latest
21 available equalized assessed valuation and tax rates, as
22 provided in Section 18-8.05 or 18-8.15, shall use the average
23 daily attendance as determined by the method outlined in
24 Section 18-8.05 or 18-8.15, and shall be certified and filed
25 with the State Superintendent of Education by June 21 for

1 districts and State-authorized charter schools with an
2 official school calendar end date before June 15 or within 2
3 weeks following the official school calendar end date for
4 districts, regional offices of education, laboratory schools,
5 or State-authorized charter schools with a school year end
6 date of June 15 or later. Failure to so file by these deadlines
7 constitutes a forfeiture of the right to receive payment by
8 the State until such claim is filed. The State Superintendent
9 of Education shall voucher for payment those claims to the
10 State Comptroller as provided in Section 18-11.

11 Except as otherwise provided in this Section, if any
12 school district fails to provide the minimum school term
13 specified in Section 10-19, the State aid claim for that year
14 shall be reduced by the State Superintendent of Education in
15 an amount equivalent to 1/176 or .56818% for each day less than
16 the number of days required by this Code.

17 If the State Superintendent of Education determines that
18 the failure to provide the minimum school term was occasioned
19 by an act or acts of God, or was occasioned by conditions
20 beyond the control of the school district which posed a
21 hazardous threat to the health and safety of pupils, the State
22 aid claim need not be reduced.

23 If a school district is precluded from providing the
24 minimum hours of instruction required for a full day of
25 attendance due to (A) an adverse weather condition, (B) a
26 condition beyond the control of the school district that poses

1 a hazardous threat to the health and safety of students, or (C)
2 beginning with the 2016-2017 school year, the utilization of
3 the school district's facilities for not more than 2 school
4 days per school year by local or county authorities for the
5 purpose of holding a memorial or funeral services in
6 remembrance of a community member, then the partial day of
7 attendance may be counted if (i) the school district has
8 provided at least one hour of instruction prior to the closure
9 of the school district, (ii) a school building has provided at
10 least one hour of instruction prior to the closure of the
11 school building, or (iii) the normal start time of the school
12 district is delayed.

13 If, prior to providing any instruction, a school district
14 must close one or more but not all school buildings after
15 consultation with a local emergency response agency or due to
16 a condition beyond the control of the school district, then
17 the school district may claim attendance for up to 2 school
18 days based on the average attendance of the 3 school days
19 immediately preceding the closure of the affected school
20 building or, if approved by the State Board of Education,
21 utilize the provisions of an e-learning program under Section
22 10-20.56 of this Code or a remote learning plan under Section
23 10-31 or 34-18.82 of this Code for the affected school
24 building ~~as prescribed in Section 10-20.56 of this Code~~. The
25 partial or no day of attendance described in this Section and
26 the reasons therefore shall be certified within a month of the

1 closing or delayed start by the school district superintendent
2 to the regional superintendent of schools for forwarding to
3 the State Superintendent of Education for approval.

4 Other than the utilization of any e-learning days as
5 prescribed in Section 10-20.56 of this Code or remote learning
6 days as prescribed in Section 10-31 or 34-18.82 of this Code,
7 no exception to the requirement of providing a minimum school
8 term may be approved by the State Superintendent of Education
9 pursuant to this Section unless a school district has first
10 used all emergency days provided for in its regular calendar.

11 If the State Superintendent of Education declares that an
12 energy shortage exists during any part of the school year for
13 the State or a designated portion of the State, a district may
14 operate the school attendance centers within the district 4
15 days of the week during the time of the shortage by extending
16 each existing school day by one clock hour of school work, and
17 the State aid claim shall not be reduced, nor shall the
18 employees of that district suffer any reduction in salary or
19 benefits as a result thereof. A district may operate all
20 attendance centers on this revised schedule, or may apply the
21 schedule to selected attendance centers, taking into
22 consideration such factors as pupil transportation schedules
23 and patterns and sources of energy for individual attendance
24 centers.

25 Electronically submitted State aid claims shall be
26 submitted by duly authorized district individuals over a

1 secure network that is password protected. The electronic
2 submission of a State aid claim must be accompanied with an
3 affirmation that all of the provisions of Section 18-8.05 or
4 18-8.15 and Sections 10-22.5 and 24-4 of this Code are met in
5 all respects.

6 (Source: P.A. 99-194, eff. 7-30-15; 99-657, eff. 7-28-16;
7 100-28, eff. 8-4-17; 100-465, eff. 8-31-17; 100-863, eff.
8 8-14-18.)

9 (105 ILCS 5/34-18.66)

10 Sec. 34-18.66. Remote and blended remote learning; public
11 health emergency. This Section applies if the Governor has
12 declared a disaster due to a public health emergency pursuant
13 to Section 7 of the Illinois Emergency Management Agency Act.

14 (1) If the Governor has declared a disaster due to a
15 public health emergency pursuant to Section 7 of the
16 Illinois Emergency Management Agency Act, the State
17 Superintendent of Education may declare a requirement to
18 use remote learning days or blended remote learning days
19 for the school district, multiple school districts, a
20 region, or the entire State. During remote learning days,
21 schools shall conduct instruction remotely. During blended
22 remote learning days, schools may utilize hybrid models of
23 in-person and remote instruction. Once declared, remote
24 learning days or blended remote learning days shall be
25 implemented in grades pre-kindergarten through 12 as days

1 of attendance and shall be deemed pupil attendance days
2 for calculation of the length of a school term under
3 Section 10-19.

4 (2) For purposes of this Section, a remote learning
5 day or blended remote learning day may be met through the
6 district's implementation of an e-learning program under
7 Section 10-20.56 or a remote learning plan under Section
8 34-18.82.

9 (3) If the district does not implement an e-learning
10 program under Section 10-20.56 or a remote learning plan
11 under Section 34-18.82, the district shall adopt a remote
12 and blended remote learning day plan approved by the
13 general superintendent of schools. The district may
14 utilize remote and blended remote learning planning days,
15 consecutively or in separate increments, to develop,
16 review, or amend its remote and blended remote learning
17 day plan or provide professional development to staff
18 regarding remote education. Up to 5 remote and blended
19 remote learning planning days may be deemed pupil
20 attendance days for calculation of the length of a school
21 term under Section 10-19.

22 (4) Each remote and blended remote learning day plan
23 shall address the following:

24 (i) accessibility of the remote instruction to all
25 students enrolled in the district;

26 (ii) if applicable, a requirement that the remote

1 learning day and blended remote learning day
2 activities reflect State learning standards;

3 (iii) a means for students to confer with an
4 educator, as necessary;

5 (iv) the unique needs of students in special
6 populations, including, but not limited to, students
7 eligible for special education under Article 14,
8 students who are English learners as defined in
9 Section 14C-2, and students experiencing homelessness
10 under the Education for Homeless Children Act, or
11 vulnerable student populations;

12 (v) how the district will take attendance and
13 monitor and verify each student's remote
14 participation; and

15 (vi) transitions from remote learning to on-site
16 learning upon the State Superintendent's declaration
17 that remote learning days or blended remote learning
18 days are no longer deemed necessary.

19 (5) The general superintendent of schools shall
20 periodically review and amend the district's remote and
21 blended remote learning day plan, as needed, to ensure the
22 plan meets the needs of all students.

23 (6) Each remote and blended remote learning day plan
24 shall be posted on the district's Internet website where
25 other policies, rules, and standards of conduct are posted
26 and shall be provided to students and faculty.

1 (7) This Section does not create any additional
2 employee bargaining rights and does not remove any
3 employee bargaining rights.

4 (8) Statutory and regulatory curricular mandates and
5 offerings may be administered via the district's remote
6 and blended remote learning day plan, except that the
7 district may not offer individual behind-the-wheel
8 instruction required by Section 27-24.2 via the district's
9 remote and blended remote learning day plan. This Section
10 does not relieve schools and the district from completing
11 all statutory and regulatory curricular mandates and
12 offerings.

13 (Source: P.A. 101-643, eff. 6-18-20.)

14 (105 ILCS 5/34-18.82 new)

15 Sec. 34-18.82. Remote learning.

16 (a) The school district may utilize a remote learning day
17 meeting the requirements of this Section in lieu of the
18 district's scheduled emergency days as required by Section
19 10-19 of this Code or because a school was selected to be a
20 polling place under Section 11-4.1 of the Election Code.
21 However, in no case may the district utilize more than 5 remote
22 learning days under this Section in a school year. A remote
23 learning day under this Section shall be deemed a pupil
24 attendance day for calculation of the length of the school
25 term under Section 10-19 of this Code.

1 (b) The general superintendent of schools must approve a
2 remote learning plan for the district before the district may
3 utilize a remote learning day under this Section. The remote
4 learning plan must address all of the following:

5 (1) The accessibility of remote instruction, including
6 non-electronic materials, to all students enrolled in the
7 district.

8 (2) The requirement that remote learning day
9 activities reflect State learning standards, if
10 applicable.

11 (3) A means for a student to confer with an educator,
12 as necessary.

13 (4) The unique needs of a student in a special
14 population, including, but not limited to, a student
15 eligible for special education services under Article 14
16 of this Code, a student who is an English learner, as
17 defined in Section 14C-2 of this Code, or a student who is
18 a homeless person, child, or youth, as defined in the
19 Education for Homeless Children Act, or other vulnerable
20 student population.

21 (5) How the district will take attendance and monitor
22 and verify each student's remote participation.

23 (6) An assurance of at least 5 clock hours of school
24 work, as required under Section 10-19.05 of this Code, for
25 each student participating in the remote learning day.

26 Before the general superintendent approves a remote

1 learning plan, the school board must hold a public hearing on
2 the district's initial proposal for a remote learning plan or
3 for renewal of a remote learning plan at a regular or special
4 meeting of the school board, at which meeting the terms of the
5 proposal or renewal must be substantially presented and an
6 opportunity for allowing public comments must be provided.

7 Approval of a remote learning plan by the general
8 superintendent of schools shall be for an initial term of 3
9 years. Every 3 years thereafter, the general superintendent of
10 schools shall review the plan and make any necessary changes.
11 During the 3-year term of a remote learning plan, the general
12 superintendent of schools may periodically review and amend
13 the plan as needed to ensure that the plan meets the needs of
14 all students and faculty.

15 The remote learning plan must be posted on the district's
16 Internet website where other policies, rules, and standards of
17 conduct are posted and must be provided to students and
18 faculty. Any changes to the remote learning plan must be
19 posted on the district's Internet website.

20 (c) The district must provide effective notice to students
21 and their parents or guardians of the use of a particular day
22 as a remote learning day.

23 (d) The district must provide students and faculty with
24 adequate training on how to participate in a remote learning
25 day.

26 (e) The district shall ensure an opportunity for any

1 collective bargaining negotiations with representatives of the
2 district's employees that would be legally required, including
3 all classifications of district employees who are represented
4 by a collective bargaining agreement and who would be affected
5 in the event a remote learning day is used.

6 (f) Statutory and regulatory curricular mandates and
7 offerings may be administered via remote learning under the
8 remote learning plan. This Section does not relieve a school
9 or the district from completing all statutory and regulatory
10 curricular mandates and offerings.

11 (g) A remote learning day may utilize the Internet,
12 telephones, texts, chat rooms, or other similar means of
13 electronic communication for instruction and interaction
14 between educators and students if such utilization meets the
15 needs of all learners.

16 (h) The district shall pay its employees who provide
17 educational support services to the district, including, but
18 not limited to, custodial employees, building maintenance
19 employees, transportation employees, food service providers,
20 classroom assistants, and administrative staff, their daily,
21 regular rate of pay and benefits rendered for any school
22 closure, remote learning day, or e-learning day if the
23 closure, remote learning day, or e-learning day precludes them
24 from performing their regularly scheduled duties and they
25 would have reported for work but for the closure, remote
26 learning day, or e-learning day; however, this requirement

1 does not apply if the day is rescheduled and the employees will
2 be paid their daily, regular rate of pay and benefits for the
3 rescheduled day if services are rendered.

4 (i) A school district shall make full payment that would
5 have otherwise been paid to its contractors who provide
6 educational support services to the district, including, but
7 not limited to, custodial, building maintenance,
8 transportation, food service providers, classroom assistants,
9 or administrative staff, their daily, regular rate of pay and
10 benefits rendered for any school closure, remote learning day
11 or e-learning day if the closure precludes them from
12 performing their regularly scheduled duties and the employees
13 would have reported for work but for the closure, remote
14 learning day, or e-learning day, except this requirement does
15 not apply if the day is rescheduled and the employee will be
16 paid their daily, regular rate of pay and benefits for the
17 rescheduled day when services are rendered.

18 (j) The State Board of Education may adopt rules
19 consistent with the provisions of this Section that are
20 necessary to implement this Section.

21 Section 99. Effective date. This Act takes effect July 1,
22 2023."