




## **MEMORANDUM**

**TO:** The Honorable Jim Durkin, House Minority Leader  
The Honorable Don Harmon, Senate President  
The Honorable Dan McConchie, Senate Minority Leader  
The Honorable Emanuel “Chris” Welch, Speaker of the House

**FROM:** Dr. Carmen I. Ayala   
State Superintendent of Education

**DATE:** February 24, 2022

**SUBJECT:** 2021 Educational Mandates Report

Please find attached the 2021 Educational Mandates Report submitted in compliance with Illinois School Code {105 ILCS 5/2-3.104}. This report lists all mandates enacted in the 2020-21 legislative session, along with a description of each and a cost estimate.

If you have any questions regarding this report, please contact Amanda Elliott, executive director of Legislative Affairs, at (217) 782-6510.

**cc:** Secretary of the  
Senate Clerk of the  
House Legislative  
Research Unit  
State Government Report Center



# EDUCATIONAL MANDATES

*Annual Report — FY2021*

**Illinois State Board of Education**  
**Legislative Affairs**  
**February 2022**

**Darren Reisberg**, Chair of the Board  
State Board of Education

**Dr. Carmen I. Ayala**  
State Superintendent of Education

## Foreword

The Illinois State Board of Education, pursuant to 105 ILCS 5/2-3.104, must submit to the Illinois General Assembly by March 1 of each year a report listing "all *new* State mandates applicable to the common schools during the school year covered by the report, excluding only those mandates that relate to school elections." The report must include a description of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and whether the mandate exists because of a federal law or regulation.

Public Act 102-0539 (eff. 8/20/2021) removed the requirement to highlight each mandate on each report that first became effective and applicable to the common schools during the school year covered by the current annual report. The report shall cover *only* the school year ending during the calendar year immediately preceding the calendar year in which the annual report is required to be filed.

For the purposes of this report and in an effort to have a common definition for the term "mandate," the definition in the State Mandates Act (30 ILCS 805/3(b)) was used; that is, a mandate would be any action at the state level that would require a Local Education Agency to incur additional costs payable from local revenue in carrying out that action. Cost determinations for these mandates were made based upon available data.

This annual report covers all education-related mandates enacted in the 2020 legislative session (2020-2021 school year).

Dr. Carmen I. Ayala  
State Superintendent of Education

## Introduction

*Educational Mandates* lists all state mandates applicable to the common schools except those that relate to school elections. The report includes a summary of the mandate (with statutory citation), the date the mandate became effective, cost of implementing the mandate, and, if applicable, whether the mandate exists because of a federal law or regulation. Reports for the school years 1993-94 and thereafter will be issued in the form of a supplement to each report so as to highlight newly created mandates, and to reduce redundancy. All educational mandates enacted from 1992 - 2020 can be found here:

[2020](#)  
[2019](#)  
[2018](#)  
[2017](#)  
[2016](#)  
[2015](#)  
[2014](#)  
[2013](#)  
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## Identification of Mandates

For the purposes of identifying state mandates pertaining to education, the definition contained in the State Mandates Act (30 ILCS 805/3(b)) was used:

*... any State-initiated statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a court other than any order enforcing such statutory or executive action.*

This report covers all education-related mandates enacted in the 2020 legislative session and effective for the 2020-21 school year. In compiling the report, State Board staff examined all amendments to existing statutes and all new statutes from the 2020 legislative session to determine whether the public acts contained a mandate on school districts.

## Determination of Cost

It is often difficult to determine the exact cost of a mandate on a Local Education Agency (LEA), so cost estimates in the report are based on available data. Three general categories are used for cost estimates:

A. The mandate does impose an additional cost, which is \_\_\_\_\_.

This category will include those mandates for which there has been an appropriation. It cannot be determined, however, whether the appropriation fully covers the cost of the mandate on the LEA nor the amount of local resources used to make up a shortfall.

B. The mandate does not impose an additional cost.

These categories will include those mandates that:

1. impose additional duties of a nature that can be carried out by existing staff and procedures at no appreciable net cost increase;
2. create additional costs but also provide offsetting savings resulting in no aggregate increase in net costs; or
3. create an additional cost that is wholly or largely recovered from federal, state, or other external financial aid.

C. The mandate imposes an additional cost, but that amount is indeterminate.

Under the "Cost" section of the report, a letter corresponding to the above categories is used to specify potential financial impact.

**P.A. 101-0642**

Reference: 105 ILCS 5/24-2; effective June 16, 2020.

Among other changes, mandates November 3, 2020 (Election Day 2020) be deemed a State holiday and therefore schools shall be closed. Also requires schools to be used as a polling place, if requested by the local election authority.

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**P.A. 101-0643**

Reference: 105 ILCS 5/1H-115; 5/2-3.64a-5; 5/2-3.71; 5/2-3.170; 5/10-19; 5/10-19.05; 5/10-20.56; 5/10-21.9; 5/10-30 new; 5/14-8.02f; 5/14-8.02h; 5/17-2.11; 5/17-2A; 5/18-8.15; 5/21A-5; 5/21A-30; 5/21A-35; 5/21B-20; 5/21B-35; 5/21B-45; 5/21B-50; 5/21B-110 new; 5/21B-115 new; 5/22-89 new; 5/24-11; 5/24-12; 5/24A-5; 5/27-3; 5/27-6.5; 5/27-8.1; 5/27-21; 5/27/22; 5/34-2.1; 5/34-2.2; 5/34-18.5; 5/34-18.66 new; 5/34-85; 5/34-85c; effective June 18, 2020.

Education omnibus legislation that among other things includes ISBE COVID related priorities, educator dismissal hearing language, authorization of district intervention funds, extension of transfers between funds, and transfer of courses. Provides that beginning with the 2020-2021 school year, each school district must include in each course in its curriculum instruction on speech communication. With regard to the prerequisites to receiving a high school diploma, provides that a pupil must complete one year chosen from music, art, foreign language, vocational education, or speech (rather than music, art, foreign language, or vocational education).

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**P.A. 101-0654**

Reference: 105 ILCS 5/2-3.64a-10 new; 5/27A-5; 5/22-90 new ; 5/2-3.183 new; 5/27-22; 5/27-23.15 new; 5/14A-10; 5/14A-32; 5/22-45; 5/2-3.186 new; 5/18-8.15; 5/21B-50; 5/2-3.25; 5/2-3.187 new; 5/27-20.4; 5/21B-70; effective March 8, 2021.

Amends the School Code. With regard to the State Seal of Biliteracy program, provides that if the State Board of Education establishes criteria that includes the use of the Evidence-Based Reading and Writing section of the SAT college admissions test as an acceptable English language proficiency assessment to demonstrate English language proficiency, the minimum qualifying score for eligibility to receive the State Seal of Biliteracy must be 480. Requires the State Board of Education to annually assess all public-school students entering kindergarten. Provides that a school district's accelerated placement policy shall allow for the automatic enrollment, in the following school term, of a high school student into the next most rigorous level of advanced coursework offered by the high school if the student meets or exceeds State standards in English language arts, mathematics, or science on a State assessment. The legislation includes new requirements for school districts including expanded accelerated placement opportunities for students and new graduation and coursework requirements (computer literacy, computer science, foreign language, and laboratory science). Additionally, once the Board completes adoption of new learning standards school districts will be required to implement these new standards. It is not known what these new requirements will cost school districts.

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