

# HB0059



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB0059

Introduced 1/9/2025, by Rep. Kevin Schmidt

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-29

Amends the School Boards Article of the School Code. Requires the adopted school board policy for a remote educational program to allow a student to apply to participate in the remote educational program if the student (i) provides an employee pay stub, (ii) has a medical need, including pregnancy, or (iii) needs to care for a family member, including the student's own child.

LRB104 03443 LNS 13466 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 10-29 as follows:

6 (105 ILCS 5/10-29)

7 Sec. 10-29. Remote educational programs.

8 (a) For purposes of this Section, "remote educational  
9 program" means an educational program delivered to students in  
10 the home or other location outside of a school building that  
11 meets all of the following criteria:

12 (1) A student may participate in the program only  
13 after the school district, pursuant to adopted school  
14 board policy, and a person authorized to enroll the  
15 student under Section 10-20.12b of this Code determine  
16 that a remote educational program will best serve the  
17 student's individual learning needs. The adopted school  
18 board policy shall include, but not be limited to, all of  
19 the following:

20 (A) Criteria for determining that a remote  
21 educational program will best serve a student's  
22 individual learning needs. The criteria must include  
23 consideration of, at a minimum, a student's prior

1 attendance, disciplinary record, and academic history.

2 (B) Any limitations on the number of students or  
3 grade levels that may participate in a remote  
4 educational program.

5 (C) A description of the process that the school  
6 district will use to approve participation in the  
7 remote educational program. The process must include  
8 without limitation a requirement that, for any student  
9 who qualifies to receive services pursuant to the  
10 federal Individuals with Disabilities Education  
11 Improvement Act of 2004, the student's participation  
12 in a remote educational program receive prior approval  
13 from the student's individualized education program  
14 team.

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

19 (E) A description of the system the school  
20 district will establish to determine student  
21 participation in instruction in accordance with the  
22 remote educational program.

23 (F) A description of the process for renewing a  
24 remote educational program at the expiration of its  
25 term.

26 (G) Such other terms and provisions as the school

1 district deems necessary to provide for the  
2 establishment and delivery of a remote educational  
3 program.

4 The adopted school board policy shall allow a student  
5 to apply to participate in the remote educational program  
6 if the student (i) provides an employee pay stub, (ii) has  
7 a medical need, including pregnancy, or (iii) needs to  
8 care for a family member, including the student's own  
9 child.

10 (2) The school district has determined that the remote  
11 educational program's curriculum is aligned to State  
12 learning standards and that the program offers instruction  
13 and educational experiences consistent with those given to  
14 students at the same grade level in the district.

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

17 (A) they are licensed under Article 21B of this  
18 Code;

19 (B) (blank); and

20 (C) they have responsibility for all of the  
21 following elements of the program: planning  
22 instruction, diagnosing learning needs, prescribing  
23 content delivery through class activities, assessing  
24 learning, reporting outcomes to administrators and  
25 parents and guardians, and evaluating the effects of  
26 instruction.

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

18           (5) Each student participating in a remote educational  
19 program must have a written remote educational plan that  
20 has been approved by the school district and a person  
21 authorized to enroll the student under Section 10-20.12b  
22 of this Code. The school district and a person authorized  
23 to enroll the student under Section 10-20.12b of this Code  
24 must approve any amendment to a remote educational plan.  
25 The remote educational plan must include, but is not  
26 limited to, all of the following:

1 (A) Specific achievement goals for the student  
2 aligned to State learning standards.

3 (B) A description of all assessments that will be  
4 used to measure student progress, which description  
5 shall indicate the assessments that will be  
6 administered at an attendance center within the school  
7 district.

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

12 (D) Expectations, processes, and schedules for  
13 interaction between a teacher and student.

14 (E) A description of the specific responsibilities  
15 of the student's family and the school district with  
16 respect to equipment, materials, phone and Internet  
17 service, and any other requirements applicable to the  
18 home or other location outside of a school building  
19 necessary for the delivery of the remote educational  
20 program.

21 (F) If applicable, a description of how the remote  
22 educational program will be delivered in a manner  
23 consistent with the student's individualized education  
24 program required by Section 614(d) of the federal  
25 Individuals with Disabilities Education Improvement  
26 Act of 2004 or plan to ensure compliance with Section

1 504 of the federal Rehabilitation Act of 1973.

2 (G) A description of the procedures and  
3 opportunities for participation in academic and  
4 extracurricular activities and programs within the  
5 school district.

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

17 (I) The identification of a school district  
18 administrator who will oversee the remote educational  
19 program on behalf of the school district and who may be  
20 contacted by the student's parents with respect to any  
21 issues or concerns with the program.

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

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

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

14          (6) Students participating in a remote educational  
15          program must be enrolled in a school district attendance  
16          center pursuant to the school district's enrollment policy  
17          or policies. A student participating in a remote  
18          educational program must be tested as part of all  
19          assessments administered by the school district pursuant  
20          to Section 2-3.64a-5 of this Code at the attendance center  
21          in which the student is enrolled and in accordance with  
22          the attendance center's assessment policies and schedule.  
23          The student must be included within all accountability  
24          determinations for the school district and attendance  
25          center under State and federal law.

26          (7) The term of a student's participation in a remote

1 educational program may not extend for longer than 12  
2 months, unless the term is renewed by the school district.  
3 The district may only renew a student's participation in a  
4 remote educational program following an evaluation of the  
5 student's progress in the program, a determination that  
6 the student's continuation in the program will best serve  
7 the student's individual learning needs, and an amendment  
8 to the student's written remote educational plan  
9 addressing any changes for the upcoming term of the  
10 program.

11 For purposes of this Section, a remote educational program  
12 does not include instruction delivered to students through an  
13 e-learning program approved under Section 10-20.56 of this  
14 Code.

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

17 (c) (Blank).

18 (d) The impact of remote educational programs on wages,  
19 hours, and terms and conditions of employment of educational  
20 employees within the school district shall be subject to local  
21 collective bargaining agreements.

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

25 (f) A remote educational program may be used, but is not  
26 required, for instruction delivered to a student in the home

1 or other location outside of a school building that is not  
2 claimed for evidence-based funding purposes under Section  
3 18-8.15 of this Code.

4 (g) School districts that, pursuant to this Section, adopt  
5 a policy for a remote educational program must submit to the  
6 State Board of Education a copy of the policy and any  
7 amendments thereto, as well as data on student participation  
8 in a format specified by the State Board of Education. The  
9 State Board of Education may perform or contract with an  
10 outside entity to perform an evaluation of remote educational  
11 programs in this State.

12 (h) The State Board of Education may adopt any rules  
13 necessary to ensure compliance by remote educational programs  
14 with the requirements of this Section and other applicable  
15 legal requirements.

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