

HB2778



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2778

Introduced 2/19/2021, by Rep. Kelly M. Burke

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19.05

Amends the School Code. With respect to the daily pupil attendance calculation, provides that instead of school improvement days with students in attendance a minimum of 3 clock hours, a school district may opt to have a school improvement day without students in attendance for up to 4 times in a given school year. Provides that each such day may be counted as a day of attendance, provided that a sufficient number of clock hours have been accumulated beyond the 5 clock hours per day that students would have been in session. Effective immediately.

LRB102 14280 CMG 19632 b

FISCAL NOTE ACT
MAY APPLY

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 10-19.05 as follows:

6 (105 ILCS 5/10-19.05)

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

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

22 (b) A pupil regularly enrolled in a public school for only
23 a part of the school day may be counted on the basis of

1 one-sixth of a school day for every class hour of instruction
2 of 40 minutes or more attended pursuant to such enrollment,
3 unless a pupil is enrolled in a block-schedule format of 80
4 minutes or more of instruction, in which case the pupil may be
5 counted on the basis of the proportion of minutes of school
6 work completed each day to the minimum number of minutes that
7 school work is required to be held that day.

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

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

1 full-day, parent-teacher conference consists of (i) a minimum
2 of 5 clock hours of parent-teacher conferences, (ii) both a
3 minimum of 2 clock hours of parent-teacher conferences held in
4 the evening following a full day of student attendance and a
5 minimum of 3 clock hours of parent-teacher conferences held on
6 the day immediately following evening parent-teacher
7 conferences, or (iii) multiple parent-teacher conferences held
8 in the evenings following full days of student attendance in
9 which the time used for the parent-teacher conferences is
10 equivalent to a minimum of 5 clock hours; and (3) when days in
11 addition to those provided in items (1) and (2) are scheduled
12 by a school pursuant to its school improvement plan adopted
13 under Article 34 or its revised or amended school improvement
14 plan adopted under Article 2, provided that (i) such sessions
15 of 3 or more clock hours are scheduled to occur at regular
16 intervals, (ii) the remainder of the school days in which such
17 sessions occur are utilized for in-service training programs
18 or other staff development activities for teachers, and (iii)
19 a sufficient number of minutes of school work under the direct
20 supervision of teachers are added to the school days between
21 such regularly scheduled sessions to accumulate not less than
22 the number of minutes by which such sessions of 3 or more clock
23 hours fall short of 5 clock hours. Instead of school
24 improvement days with students in attendance a minimum of 3
25 clock hours, a school district may opt to have a school
26 improvement day without students in attendance for up to 4

1 times in a given school year. Each such day may be counted as a
2 day of attendance, provided that a sufficient number of clock
3 hours have been accumulated beyond the 5 clock hours per day
4 that students would have been in session. Days scheduled for
5 in-service training programs, staff development activities, or
6 parent-teacher conferences may be scheduled separately for
7 different grade levels and different attendance centers of the
8 district.

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

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

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

26 (h) A recognized kindergarten that provides for only a

1 half day of attendance by each pupil shall not have more than
2 one half day of attendance counted in any one day. However,
3 kindergartens may count 2 and a half days of attendance in any
4 5 consecutive school days. When a pupil attends such a
5 kindergarten for 2 half days on any one school day, the pupil
6 shall have the following day as a day absent from school,
7 unless the school district obtains permission in writing from
8 the State Superintendent of Education. Attendance at
9 kindergartens that provide for a full day of attendance by
10 each pupil shall be counted the same as attendance by first
11 grade pupils. Only the first year of attendance in one
12 kindergarten shall be counted, except in the case of children
13 who entered the kindergarten in their fifth year whose
14 educational development requires a second year of kindergarten
15 as determined under rules of the State Board of Education.

16 (i) On the days when the State's final accountability
17 assessment is administered under subsection (c) of Section
18 2-3.64a-5 of this Code, the day of attendance for a pupil whose
19 school day must be shortened to accommodate required testing
20 procedures may be less than 5 clock hours and shall be counted
21 toward the 176 days of actual pupil attendance required under
22 Section 10-19 of this Code, provided that a sufficient number
23 of minutes of school work in excess of 5 clock hours are first
24 completed on other school days to compensate for the loss of
25 school work on the examination days.

26 (j) Pupils enrolled in a remote educational program

1 established under Section 10-29 of this Code may be counted on
2 the basis of a one-fifth day of attendance for every clock hour
3 of instruction attended in the remote educational program,
4 provided that, in any month, the school district may not claim
5 for a student enrolled in a remote educational program more
6 days of attendance than the maximum number of days of
7 attendance the district can claim (i) for students enrolled in
8 a building holding year-round classes if the student is
9 classified as participating in the remote educational program
10 on a year-round schedule or (ii) for students enrolled in a
11 building not holding year-round classes if the student is not
12 classified as participating in the remote educational program
13 on a year-round schedule.

14 (j-5) The clock hour requirements of subsections (a)
15 through (j) of this Section do not apply if the Governor has
16 declared a disaster due to a public health emergency pursuant
17 to Section 7 of the Illinois Emergency Management Agency Act.
18 The State Superintendent of Education may establish minimum
19 clock hour requirements under Sections 10-30 and 34-18.66 if
20 the Governor has declared a disaster due to a public health
21 emergency pursuant to Section 7 of the Illinois Emergency
22 Management Agency Act.

23 (k) Pupil participation in any of the following activities
24 shall be counted toward the calculation of clock hours of
25 school work per day:

26 (1) Instruction in a college course in which a student

1 is dually enrolled for both high school credit and college
2 credit.

3 (2) Participation in a Supervised Career Development
4 Experience, as defined in Section 10 of the Postsecondary
5 and Workforce Readiness Act, in which student
6 participation and learning outcomes are supervised by an
7 educator licensed under Article 21B.

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

13 (4) Participation in a blended learning program
14 approved by the school district in which course content,
15 student evaluation, and instructional methods are
16 supervised by an educator licensed under Article 21B.

17 (Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.