



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### HB3573

Introduced 2/22/2021, by Rep. Thomas M. Bennett

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19	from Ch. 122, par. 10-19
105 ILCS 5/10-19.05	
105 ILCS 5/10-20.56	
105 ILCS 5/10-29	
105 ILCS 5/10-30	
105 ILCS 5/10-31 new	
105 ILCS 5/18-12	from Ch. 122, par. 18-12
105 ILCS 5/34-18.66	
105 ILCS 5/34-18.67 new	

Amends the School Code. Allows a school district to utilize a remote learning day instead of an emergency day provided for in the school calendar. Provides that the number of remote learning days used in a school year may not exceed the number of emergency days provided for in the school calendar and the district superintendent must approve a remote learning plan for the district before the district may utilize a remote learning day. Sets forth what the plan must address, the term of approval, and how the plan must be posted. Sets forth district requirements. Allows statutory and regulatory curricular mandates and offerings to be administered via remote learning, allows for electronic communication for instruction and interaction between educators and students, and provides for rulemaking. Makes related changes. Effective July 1, 2021.

LRB102 12055 CMG 17392 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 Sections  
5 10-19, 10-19.05, 10-20.56, 10-29, 10-30, 18-12, and 34-18.66  
6 and by adding Sections 10-31 and 34-18.67 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  
17 of thanksgiving for the freedom of the Americans who had been  
18 held hostage in Iran. Any days allowed by law for teachers'  
19 institutes but not used as such or used as parental institutes  
20 as provided in Section 10-22.18d shall increase the minimum  
21 term by the school days not so used. Except as provided in  
22 Section 10-19.1, the board may not extend the school term  
23 beyond such closing date unless that extension of term is

1 necessary to provide the minimum number of computable days. In  
2 case of such necessary extension school employees shall be  
3 paid for such additional time on the basis of their regular  
4 contracts. A school board may specify a closing date earlier  
5 than that set on the annual calendar when the schools of the  
6 district have provided the minimum number of computable days  
7 under this Section. Nothing in this Section prevents the board  
8 from employing superintendents of schools, principals and  
9 other nonteaching personnel for a period of 12 months, or in  
10 the case of superintendents for a period in accordance with  
11 Section 10-23.8, or prevents the board from employing other  
12 personnel before or after the regular school term with payment  
13 of salary proportionate to that received for comparable work  
14 during the school term. Remote learning days, blended remote  
15 learning days, and up to 5 remote and blended remote learning  
16 planning days established under Section 10-30 or 34-18.66 or  
17 remote learning days established under Section 10-31 or  
18 34-18.67 shall be deemed pupil attendance days for calculation  
19 of the length of a school term under this Section.

20 A school board may make such changes in its calendar for  
21 the school term as may be required by any changes in the legal  
22 school holidays prescribed in Section 24-2. A school board may  
23 make changes in its calendar for the school term as may be  
24 necessary to reflect the utilization of teachers' institute  
25 days as parental institute days as provided in Section  
26 10-22.18d.

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

4           With the prior approval of the State Board of Education  
5 and subject to review by the State Board of Education every 3  
6 years, any school board may, by resolution of its board and in  
7 agreement with affected exclusive collective bargaining  
8 agents, establish experimental educational programs, including  
9 but not limited to programs for e-learning days or remote  
10 learning as authorized under Sections ~~Section~~ 10-20.56, 10-31  
11 or 34-18.67 of this Code, self-directed learning, or outside  
12 of formal class periods, which programs when so approved shall  
13 be considered to comply with the requirements of this Section  
14 as respects numbers of days of actual pupil attendance and  
15 with the other requirements of this Act as respects courses of  
16 instruction.

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

19           (105 ILCS 5/10-19.05)

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

21           (a) Except as otherwise provided in this Section, for a  
22 pupil of legal school age and in kindergarten or any of grades  
23 1 through 12, a day of attendance shall be counted only for  
24 sessions of not less than 5 clock hours of school work per day  
25 under direct supervision of (i) teachers or (ii) non-teaching

1 personnel or volunteer personnel when engaging in non-teaching  
2 duties and supervising in those instances specified in  
3 subsection (a) of Section 10-22.34 and paragraph 10 of Section  
4 34-18. Days of attendance by pupils through verified  
5 participation in an e-learning program adopted by a school  
6 board and verified by the regional office of education or  
7 intermediate service center for the school district under  
8 Section 10-20.56, remote or blended remote learning under  
9 Section 10-30 or 34-18.66, or remote learning under Section  
10 10-31 or 34-18.67 of this Code shall be considered as full days  
11 of attendance under this Section.

12 (b) A pupil regularly enrolled in a public school for only  
13 a part of the school day may be counted on the basis of  
14 one-sixth of a school day for every class hour of instruction  
15 of 40 minutes or more attended pursuant to such enrollment,  
16 unless a pupil is enrolled in a block-schedule format of 80  
17 minutes or more of instruction, in which case the pupil may be  
18 counted on the basis of the proportion of minutes of school  
19 work completed each day to the minimum number of minutes that  
20 school work is required to be held that day.

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

26 (d) A session of 3 or more clock hours may be counted as a

1 day of attendance (1) when the remainder of the school day or  
2 at least 2 hours in the evening of that day is utilized for an  
3 in-service training program for teachers, up to a maximum of  
4 10 days per school year, provided that a district conducts an  
5 in-service training program for teachers in accordance with  
6 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2  
7 full days may be used, in which event each such day may be  
8 counted as a day required for a legal school calendar pursuant  
9 to Section 10-19 of this Code; (2) when, of the 5 days allowed  
10 under item (1), a maximum of 4 days are used for parent-teacher  
11 conferences, or, in lieu of 4 such days, 2 full days are used,  
12 in which case each such day may be counted as a calendar day  
13 required under Section 10-19 of this Code, provided that the  
14 full-day, parent-teacher conference consists of (i) a minimum  
15 of 5 clock hours of parent-teacher conferences, (ii) both a  
16 minimum of 2 clock hours of parent-teacher conferences held in  
17 the evening following a full day of student attendance and a  
18 minimum of 3 clock hours of parent-teacher conferences held on  
19 the day immediately following evening parent-teacher  
20 conferences, or (iii) multiple parent-teacher conferences held  
21 in the evenings following full days of student attendance in  
22 which the time used for the parent-teacher conferences is  
23 equivalent to a minimum of 5 clock hours; and (3) when days in  
24 addition to those provided in items (1) and (2) are scheduled  
25 by a school pursuant to its school improvement plan adopted  
26 under Article 34 or its revised or amended school improvement

1 plan adopted under Article 2, provided that (i) such sessions  
2 of 3 or more clock hours are scheduled to occur at regular  
3 intervals, (ii) the remainder of the school days in which such  
4 sessions occur are utilized for in-service training programs  
5 or other staff development activities for teachers, and (iii)  
6 a sufficient number of minutes of school work under the direct  
7 supervision of teachers are added to the school days between  
8 such regularly scheduled sessions to accumulate not less than  
9 the number of minutes by which such sessions of 3 or more clock  
10 hours fall short of 5 clock hours. Days scheduled for  
11 in-service training programs, staff development activities, or  
12 parent-teacher conferences may be scheduled separately for  
13 different grade levels and different attendance centers of the  
14 district.

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

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

25 (g) For children with disabilities who are below the age  
26 of 6 years and who cannot attend 2 or more clock hours because

1 of their disability or immaturity, a session of not less than  
2 one clock hour may be counted as a half day of attendance;  
3 however, for such children whose educational needs require a  
4 session of 4 or more clock hours, a session of at least 4 clock  
5 hours may be counted as a full day of attendance.

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

22 (i) On the days when the State's final accountability  
23 assessment is administered under subsection (c) of Section  
24 2-3.64a-5 of this Code, the day of attendance for a pupil whose  
25 school day must be shortened to accommodate required testing  
26 procedures may be less than 5 clock hours and shall be counted



1 toward the 176 days of actual pupil attendance required under  
2 Section 10-19 of this Code, provided that a sufficient number  
3 of minutes of school work in excess of 5 clock hours are first  
4 completed on other school days to compensate for the loss of  
5 school work on the examination days.

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

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

1 emergency pursuant to Section 7 of the Illinois Emergency  
2 Management Agency Act.

3 (k) Pupil participation in any of the following activities  
4 shall be counted toward the calculation of clock hours of  
5 school work per day:

6 (1) Instruction in a college course in which a student  
7 is dually enrolled for both high school credit and college  
8 credit.

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

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

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

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

24 (105 ILCS 5/10-20.56)

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

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

8           (b) The school board of a school district may, by  
9 resolution, adopt a research-based program or research-based  
10 programs for e-learning days district-wide that shall permit  
11 student instruction to be received electronically while  
12 students are not physically present in lieu of the district's  
13 scheduled emergency days as required by Section 10-19 of this  
14 Code. The research-based program or programs may not exceed  
15 the minimum number of emergency days in the approved school  
16 calendar and must be verified by the regional office of  
17 education or intermediate service center for the school  
18 district on or before September 1st annually to ensure access  
19 for all students. The regional office of education or  
20 intermediate service center shall ensure that the specific  
21 needs of all students are met, including special education  
22 students and English learners, and that all mandates are still  
23 met using the proposed research-based program. The e-learning  
24 program may utilize the Internet, telephones, texts, chat  
25 rooms, or other similar means of electronic communication for  
26 instruction and interaction between teachers and students that

1 meet the needs of all learners. The e-learning program shall  
2 address the school district's responsibility to ensure that  
3 all teachers and staff who may be involved in the provision of  
4 e-learning have access to any and all hardware and software  
5 that may be required for the program. If a proposed program  
6 does not address this responsibility, the school district must  
7 propose an alternate program.

8 (c) Before its adoption by a school board, the school  
9 board must hold a public hearing on a school district's  
10 initial proposal for an e-learning program or for renewal of  
11 such a program, at a regular or special meeting of the school  
12 board, in which the terms of the proposal must be  
13 substantially presented and an opportunity for allowing public  
14 comments must be provided. Notice of such public hearing must  
15 be provided at least 10 days prior to the hearing by:

16 (1) publication in a newspaper of general circulation  
17 in the school district;

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

21 (3) written or electronic notice designed to reach any  
22 exclusive collective bargaining representatives of school  
23 district employees and all those employees not in a  
24 collective bargaining unit.

25 (d) The regional office of education or intermediate  
26 service center for the school district must timely verify that

1 a proposal for an e-learning program has met the requirements  
2 specified in this Section and that the proposal contains  
3 provisions designed to reasonably and practicably accomplish  
4 the following:

5 (1) to ensure and verify at least 5 clock hours of  
6 instruction or school work, as required under Section  
7 10-19.05, for each student participating in an e-learning  
8 day;

9 (2) to ensure access from home or other appropriate  
10 remote facility for all students participating, including  
11 computers, the Internet, and other forms of electronic  
12 communication that must be utilized in the proposed  
13 program;

14 (2.5) to ensure that non-electronic materials are made  
15 available to students participating in the program who do  
16 not have access to the required technology or to  
17 participating teachers or students who are prevented from  
18 accessing the required technology;

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

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

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

26 (6) to provide effective notice to students and their

1 parents or guardians of the use of particular days for  
2 e-learning;

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

5 (8) to ensure an opportunity for any collective  
6 bargaining negotiations with representatives of the school  
7 district's employees that would be legally required,  
8 including all classifications of school district employees  
9 who are represented by collective bargaining agreements  
10 and who would be affected in the event of an e-learning  
11 day;

12 (9) to review and revise the program as implemented to  
13 address difficulties confronted; and

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

18 The school board's approval of a school district's initial  
19 e-learning program and renewal of the e-learning program shall  
20 be for a term of 3 years. Any e-learning program adopted or  
21 renewed before the effective date of this amendatory Act of  
22 the 102nd General may continue until the expiration of its  
23 term, at which time the school district shall implement remote  
24 learning days under Section 10-31 or Section 34-18.67 of this  
25 Code rather than an e-learning program under this Section.

26 (e) The State Board of Education may adopt rules

1 consistent with the provision of this Section.

2 (Source: P.A. 100-760, eff. 8-10-18; 101-12, eff. 7-1-19;  
3 101-643, eff. 6-18-20.)

4 (105 ILCS 5/10-29)

5 Sec. 10-29. Remote educational programs.

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

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

18 (A) Criteria for determining that a remote  
19 educational program will best serve a student's  
20 individual learning needs. The criteria must include  
21 consideration of, at a minimum, a student's prior  
22 attendance, disciplinary record, and academic history.

23 (B) Any limitations on the number of students or  
24 grade levels that may participate in a remote  
25 educational program.

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

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

15 (E) A description of the system the school  
16 district will establish to determine student  
17 participation in instruction in accordance with the  
18 remote educational program.

19 (F) A description of the process for renewing a  
20 remote educational program at the expiration of its  
21 term.

22 (G) Such other terms and provisions as the school  
23 district deems necessary to provide for the  
24 establishment and delivery of a remote educational  
25 program.

26 (2) The school district has determined that the remote



1 educational program's curriculum is aligned to State  
2 learning standards and that the program offers instruction  
3 and educational experiences consistent with those given to  
4 students at the same grade level in the district.

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

7 (A) they are certificated under Article 21 of this  
8 Code;

9 (B) (blank); and

10 (C) they have responsibility for all of the  
11 following elements of the program: planning  
12 instruction, diagnosing learning needs, prescribing  
13 content delivery through class activities, assessing  
14 learning, reporting outcomes to administrators and  
15 parents and guardians, and evaluating the effects of  
16 instruction.

17 (4) During the period of time from and including the  
18 opening date to the closing date of the regular school  
19 term of the school district established pursuant to  
20 Section 10-19 of this Code, participation in a remote  
21 educational program may be claimed for evidence-based  
22 funding purposes under Section 18-8.15 of this Code on any  
23 calendar day, notwithstanding whether the day is a day of  
24 pupil attendance or institute day on the school district's  
25 calendar or any other provision of law restricting  
26 instruction on that day. If the district holds year-round

1 classes in some buildings, the district shall classify  
2 each student's participation in a remote educational  
3 program as either on a year-round or a non-year-round  
4 schedule for purposes of claiming evidence-based funding.  
5 Outside of the regular school term of the district, the  
6 remote educational program may be offered as part of any  
7 summer school program authorized by this Code.

8 (5) Each student participating in a remote educational  
9 program must have a written remote educational plan that  
10 has been approved by the school district and a person  
11 authorized to enroll the student under Section 10-20.12b  
12 of this Code. The school district and a person authorized  
13 to enroll the student under Section 10-20.12b of this Code  
14 must approve any amendment to a remote educational plan.  
15 The remote educational plan must include, but is not  
16 limited to, all of the following:

17 (A) Specific achievement goals for the student  
18 aligned to State learning standards.

19 (B) A description of all assessments that will be  
20 used to measure student progress, which description  
21 shall indicate the assessments that will be  
22 administered at an attendance center within the school  
23 district.

24 (C) A description of the progress reports that  
25 will be provided to the school district and the person  
26 or persons authorized to enroll the student under

1 Section 10-20.12b of this Code.

2 (D) Expectations, processes, and schedules for  
3 interaction between a teacher and student.

4 (E) A description of the specific responsibilities  
5 of the student's family and the school district with  
6 respect to equipment, materials, phone and Internet  
7 service, and any other requirements applicable to the  
8 home or other location outside of a school building  
9 necessary for the delivery of the remote educational  
10 program.

11 (F) If applicable, a description of how the remote  
12 educational program will be delivered in a manner  
13 consistent with the student's individualized education  
14 program required by Section 614(d) of the federal  
15 Individuals with Disabilities Education Improvement  
16 Act of 2004 or plan to ensure compliance with Section  
17 504 of the federal Rehabilitation Act of 1973.

18 (G) A description of the procedures and  
19 opportunities for participation in academic and  
20 extracurricular activities and programs within the  
21 school district.

22 (H) The identification of a parent, guardian, or  
23 other responsible adult who will provide direct  
24 supervision of the program. The plan must include an  
25 acknowledgment by the parent, guardian, or other  
26 responsible adult that he or she may engage only in

1 non-teaching duties not requiring instructional  
2 judgment or the evaluation of a student. The plan  
3 shall designate the parent, guardian, or other  
4 responsible adult as non-teaching personnel or  
5 volunteer personnel under subsection (a) of Section  
6 10-22.34 of this Code.

7 (I) The identification of a school district  
8 administrator who will oversee the remote educational  
9 program on behalf of the school district and who may be  
10 contacted by the student's parents with respect to any  
11 issues or concerns with the program.

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

17 (K) A description of the specific location or  
18 locations in which the program will be delivered. If  
19 the remote educational program is to be delivered to a  
20 student in any location other than the student's home,  
21 the plan must include a written determination by the  
22 school district that the location will provide a  
23 learning environment appropriate for the delivery of  
24 the program. The location or locations in which the  
25 program will be delivered shall be deemed a long  
26 distance teaching reception area under subsection (a)

1 of Section 10-22.34 of this Code.

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

4 (6) Students participating in a remote educational  
5 program must be enrolled in a school district attendance  
6 center pursuant to the school district's enrollment policy  
7 or policies. A student participating in a remote  
8 educational program must be tested as part of all  
9 assessments administered by the school district pursuant  
10 to Section 2-3.64a-5 of this Code at the attendance center  
11 in which the student is enrolled and in accordance with  
12 the attendance center's assessment policies and schedule.  
13 The student must be included within all accountability  
14 determinations for the school district and attendance  
15 center under State and federal law.

16 (7) The term of a student's participation in a remote  
17 educational program may not extend for longer than 12  
18 months, unless the term is renewed by the school district.  
19 The district may only renew a student's participation in a  
20 remote educational program following an evaluation of the  
21 student's progress in the program, a determination that  
22 the student's continuation in the program will best serve  
23 the student's individual learning needs, and an amendment  
24 to the student's written remote educational plan  
25 addressing any changes for the upcoming term of the  
26 program.

1           For purposes of this Section, a remote educational program  
2 does not include instruction delivered to students through an  
3 e-learning program approved under Section 10-20.56, remote or  
4 blended remote learning under Section 10-30 or 34-18.66, or  
5 remote learning under Section 10-31 or 34-18.67 of this Code.

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

8           (c) (Blank).

9           (d) The impact of remote educational programs on wages,  
10 hours, and terms and conditions of employment of educational  
11 employees within the school district shall be subject to local  
12 collective bargaining agreements.

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

16           (f) A remote educational program may be used, but is not  
17 required, for instruction delivered to a student in the home  
18 or other location outside of a school building that is not  
19 claimed for evidence-based funding purposes under Section  
20 18-8.15 of this Code.

21           (g) School districts that, pursuant to this Section, adopt  
22 a policy for a remote educational program must submit to the  
23 State Board of Education a copy of the policy and any  
24 amendments thereto, as well as data on student participation  
25 in a format specified by the State Board of Education. The  
26 State Board of Education may perform or contract with an

1 outside entity to perform an evaluation of remote educational  
2 programs in this State.

3 (h) The State Board of Education may adopt any rules  
4 necessary to ensure compliance by remote educational programs  
5 with the requirements of this Section and other applicable  
6 legal requirements.

7 (Source: P.A. 100-465, eff. 8-31-17; 100-1046, eff. 8-23-18;  
8 101-81, eff. 7-12-19.)

9 (105 ILCS 5/10-30)

10 Sec. 10-30. 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 a 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 a  
6 district's implementation of an e-learning program under  
7 Section 10-20.56 or remote learning under Section 10-31.

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

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

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

25 (ii) if applicable, a requirement that the remote  
26 learning day and blended remote learning day



1 activities reflect State learning standards;

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

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

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

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

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

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

26 (7) This Section does not create any additional

1 employee bargaining rights and does not remove any  
2 employee bargaining rights.

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

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

13 (105 ILCS 5/10-31 new)

14 Sec. 10-31. Remote learning.

15 (a) A school district may utilize a remote learning day  
16 meeting the requirements of this Section instead of an  
17 emergency day provided for in the school calendar. However,  
18 the number of remote learning days used in a school year under  
19 this Section may not exceed the number of emergency days  
20 provided for in the school calendar. A remote learning day  
21 under this Section shall be deemed a pupil attendance day for  
22 calculation of the length of the school term under Section  
23 10-19.

24 (b) The district superintendent must approve a remote  
25 learning plan for the district before the district may utilize

1 a remote learning day under this Section. The remote learning  
2 plan must address all of the following:

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

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

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

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

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

20 (6) An assurance of at least 5 clock hours of school  
21 work, as required under Section 10-19.05, for each student  
22 participating in the remote learning day.

23 Approval of a remote learning plan by the district  
24 superintendent shall be for an initial term of 3 years. Every 3  
25 years thereafter, the district superintendent shall review the  
26 plan and make any necessary changes. During the 3-year term of

1 a remote learning plan, the district superintendent may  
2 periodically review and amend the plan as needed to ensure  
3 that the plan meets the needs of all students and faculty.

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

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

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

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

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

26 (g) A remote learning day may utilize the Internet,

1 telephones, texts, chat rooms, or other similar means of  
2 electronic communication for instruction and interaction  
3 between educators and students if such utilization meets the  
4 needs of all learners.

5 (h) The State Board of Education may adopt rules  
6 consistent with the provisions of this Section that are  
7 necessary to implement this Section.

8 (105 ILCS 5/18-12) (from Ch. 122, par. 18-12)

9 Sec. 18-12. Dates for filing State aid claims. The school  
10 board of each school district, a regional office of education,  
11 a laboratory school, or a State-authorized charter school  
12 shall require teachers, principals, or superintendents to  
13 furnish from records kept by them such data as it needs in  
14 preparing and certifying to the State Superintendent of  
15 Education its report of claims provided in Section 18-8.05 or  
16 18-8.15 of this Code. The claim shall be based on the latest  
17 available equalized assessed valuation and tax rates, as  
18 provided in Section 18-8.05 or 18-8.15, shall use the average  
19 daily attendance as determined by the method outlined in  
20 Section 18-8.05 or 18-8.15, and shall be certified and filed  
21 with the State Superintendent of Education by June 21 for  
22 districts and State-authorized charter schools with an  
23 official school calendar end date before June 15 or within 2  
24 weeks following the official school calendar end date for  
25 districts, regional offices of education, laboratory schools,

1 or State-authorized charter schools with a school year end  
2 date of June 15 or later. Failure to so file by these deadlines  
3 constitutes a forfeiture of the right to receive payment by  
4 the State until such claim is filed. The State Superintendent  
5 of Education shall voucher for payment those claims to the  
6 State Comptroller as provided in Section 18-11.

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

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

19 If a school district is precluded from providing the  
20 minimum hours of instruction required for a full day of  
21 attendance due to (A) an adverse weather condition, (B) a  
22 condition beyond the control of the school district that poses  
23 a hazardous threat to the health and safety of students, or (C)  
24 beginning with the 2016-2017 school year, the utilization of  
25 the school district's facilities for not more than 2 school  
26 days per school year by local or county authorities for the

1 purpose of holding a memorial or funeral services in  
2 remembrance of a community member, then the partial day of  
3 attendance may be counted if (i) the school district has  
4 provided at least one hour of instruction prior to the closure  
5 of the school district, (ii) a school building has provided at  
6 least one hour of instruction prior to the closure of the  
7 school building, or (iii) the normal start time of the school  
8 district is delayed.

9 If, prior to providing any instruction, a school district  
10 must close one or more but not all school buildings after  
11 consultation with a local emergency response agency or due to  
12 a condition beyond the control of the school district, then  
13 the school district may claim attendance for up to 2 school  
14 days based on the average attendance of the 3 school days  
15 immediately preceding the closure of the affected school  
16 building or, if approved by the State Board of Education,  
17 utilize the provisions of an e-learning program for the  
18 affected school building as prescribed in Section 10-20.56, a  
19 remote and blended remote learning day plan under Section  
20 10-30 or 34-18.66, or a remote learning plan under Section  
21 10-31 or 34-18.67 of this Code. The partial or no day of  
22 attendance described in this Section and the reasons therefore  
23 shall be certified within a month of the closing or delayed  
24 start by the school district superintendent to the regional  
25 superintendent of schools for forwarding to the State  
26 Superintendent of Education for approval.

1 Other than the utilization of any e-learning days as  
2 prescribed in Section 10-20.56, a remote or blended remote  
3 learning day under Section 10-30 or 34-18.66, or a remote  
4 learning day under Section 10-31 or 34-18.67 of this Code, no  
5 exception to the requirement of providing a minimum school  
6 term may be approved by the State Superintendent of Education  
7 pursuant to this Section unless a school district has first  
8 used all emergency days provided for in its regular calendar.

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

23 Electronically submitted State aid claims shall be  
24 submitted by duly authorized district individuals over a  
25 secure network that is password protected. The electronic  
26 submission of a State aid claim must be accompanied with an



1 affirmation that all of the provisions of Section 18-8.05 or  
2 18-8.15 and Sections 10-22.5 and 24-4 of this Code are met in  
3 all respects.

4 (Source: P.A. 99-194, eff. 7-30-15; 99-657, eff. 7-28-16;  
5 100-28, eff. 8-4-17; 100-465, eff. 8-31-17; 100-863, eff.  
6 8-14-18.)

7 (105 ILCS 5/34-18.66)

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

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

1 Section 10-19.

2 (2) For purposes of this Section, a remote learning  
3 day or blended remote learning day may be met through the  
4 district's implementation of an e-learning program under  
5 Section 10-20.56 or remote learning under Section  
6 34-18.67.

7 (3) If the district does not implement an e-learning  
8 program under Section 10-20.56 or remote learning under  
9 Section 34-18.67, the district shall adopt a remote and  
10 blended remote learning day plan approved by the general  
11 superintendent of schools. The district may utilize remote  
12 and blended remote learning planning days, consecutively  
13 or in separate increments, to develop, review, or amend  
14 its remote and blended remote learning day plan or provide  
15 professional development to staff regarding remote  
16 education. Up to 5 remote and blended remote learning  
17 planning days may be deemed pupil attendance days for  
18 calculation of the length of a school term under Section  
19 10-19.

20 (4) Each remote and blended remote learning day plan  
21 shall address the following:

22 (i) accessibility of the remote instruction to all  
23 students enrolled in the district;

24 (ii) if applicable, a requirement that the remote  
25 learning day and blended remote learning day  
26 activities reflect State learning standards;

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

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

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

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

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

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

25           (7) This Section does not create any additional  
26 employee bargaining rights and does not remove any

1 employee bargaining rights.

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

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

12 (105 ILCS 5/34-18.67 new)

13 Sec. 34-18.67. Remote learning.

14 (a) The school district may utilize a remote learning day  
15 meeting the requirements of this Section instead of an  
16 emergency day provided for in the school calendar. However,  
17 the number of remote learning days used in a school year under  
18 this Section may not exceed the number of emergency days  
19 provided for in the school calendar. A remote learning day  
20 under this Section shall be deemed a pupil attendance day for  
21 calculation of the length of the school term under Section  
22 10-19.

23 (b) The general superintendent of schools must approve a  
24 remote learning plan for the district before the district may  
25 utilize a remote learning day under this Section. The remote

1 learning plan must address all of the following:

2 (1) The accessibility of remote instruction, including  
3 non-electronic materials, to all students enrolled in the  
4 district.

5 (2) The requirement that remote learning day  
6 activities reflect State learning standards, if  
7 applicable.

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

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

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

19 (6) An assurance of at least 5 clock hours of school  
20 work, as required under Section 10-19.05, for each student  
21 participating in the remote learning day.

22 Approval of a remote learning plan by the general  
23 superintendent of schools shall be for an initial term of 3  
24 years. Every 3 years thereafter, the general superintendent of  
25 schools shall review the plan and make any necessary changes.  
26 During the 3-year term of a remote learning plan, the general

1 superintendent of schools may periodically review and amend  
2 the plan as needed to ensure that the plan meets the needs of  
3 all students and faculty.

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

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

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

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

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

26 (g) A remote learning day may utilize the Internet,

1 telephones, texts, chat rooms, or other similar means of  
2 electronic communication for instruction and interaction  
3 between educators and students if such utilization meets the  
4 needs of all learners.

5 (h) The State Board of Education may adopt rules  
6 consistent with the provisions of this Section that are  
7 necessary to implement this Section.

8 Section 99. Effective date. This Act takes effect July 1,  
9 2021.