



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4136

by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19

from Ch. 122, par. 10-19

Amends the School Boards Article of the School Code. Provides that, for the 2023-2024 school year, the school board of Decatur School District 61 may allow pupils to attend for less than the required minimum term of actual pupil attendance in an emergency if those pupils (i) receive an additional 2 clock hours of school work beyond the end of the scheduled school day for up to 25 days and (ii) receive the same total amount of clock hours of school work that they would have received if they had attended for the required minimum term. Defines "emergency". Effective immediately.

LRB103 34280 RJT 64106 b

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 as follows:

6 (105 ILCS 5/10-19) (from Ch. 122, par. 10-19)

7 Sec. 10-19. Length of school term - experimental programs.

8 (a) Each school board shall annually prepare a calendar
9 for the school term, specifying the opening and closing dates
10 and providing a minimum term of at least 185 days to insure 176
11 days of actual pupil attendance, computable under Section
12 10-19.05, except as otherwise provided in subsection (b) and
13 except that for the 1980-1981 school year only 175 days of
14 actual pupil attendance shall be required because of the
15 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
17 shall be deemed pupil attendance days for calculation of the
18 length of a school term under this Section.

19 (b) In this subsection (b), "emergency" means when
20 students are faced with an unforeseen event that impacts the
21 students' ability to attend school.

22 For the 2023-2024 school year, the school board of Decatur
23 School District 61 may allow pupils to attend for less than the
24 required minimum term of actual pupil attendance under
25 subsection (a) in an emergency if those pupils (i) receive an
26 additional 2 clock hours of school work beyond the end of the

1 scheduled school day for up to 25 days and (ii) receive the
2 same total amount of clock hours of school work that they would
3 have received if they had attended for the required minimum
4 term.

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

12 (d) The calendar for the school term and any changes must
13 be submitted to and approved by the regional superintendent of
14 schools before the calendar or changes may take effect.

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

1 (Source: P.A. 100-465, eff. 8-31-17; 101-12, eff. 7-1-19;
2 101-643, eff. 6-18-20.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.