

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 adding Section
5 10-29 as follows:

6 (105 ILCS 5/10-29 new)

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

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

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

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

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

18 (E) A description of the system the school district
19 will establish to calculate the number of clock hours a
20 student is participating in instruction in accordance
21 with the remote educational program.

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

25 (G) Such other terms and provisions as the school
26 district deems necessary to provide for the

1 establishment and delivery of a remote educational
2 program.

3 (2) The school district has determined that the remote
4 educational program's curriculum is aligned to State
5 learning standards and that the program offers instruction
6 and educational experiences consistent with those given to
7 students at the same grade level in the district.

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

10 (A) they are certificated under Article 21 of this
11 Code;

12 (B) they meet applicable highly qualified criteria
13 under the federal No Child Left Behind Act of 2001; and

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

21 (4) During the period of the calendar year included
22 within the regular school term of the school district,
23 participation in a remote educational program may be
24 claimed for general State aid purposes under Section
25 18-8.05 of this Code only on days of pupil attendance or
26 institute days included within the school district's

1 calendar established pursuant to Section 10-19 of this
2 Code. Outside of the regular school term of the district,
3 the remote educational program may be offered as part of
4 any summer school program authorized by this Code.

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

14 (A) Specific achievement goals for the student
15 aligned to State learning standards.

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

21 (C) A description of the progress reports that will
22 be provided to the school district and the person or
23 persons authorized to enroll the student under Section
24 10-20.12b of this Code.

25 (D) Expectations, processes, and schedules for
26 interaction between a teacher and student.

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

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

15 (G) A description of the procedures and
16 opportunities for participation in academic and
17 extra-curricular activities and programs within the
18 school district.

19 (H) The identification of a parent, guardian, or
20 other responsible adult who will provide direct
21 supervision of the program. The plan must include an
22 acknowledgment by the parent, guardian, or other
23 responsible adult that he or she may engage only in
24 non-teaching duties not requiring instructional
25 judgment or the evaluation of a student. The plan shall
26 designate the parent, guardian, or other responsible

1 adult as non-teaching personnel or volunteer personnel
2 under subsection (a) of Section 10-22.34 of this Code.

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

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

13 (K) A description of the specific location or
14 locations in which the program will be delivered. If
15 the remote educational program is to be delivered to a
16 student in any location other than the student's home,
17 the plan must include a written determination by the
18 school district that the location will provide a
19 learning environment appropriate for the delivery of
20 the program. The location or locations in which the
21 program will be delivered shall be deemed a long
22 distance teaching reception area under subsection (a)
23 of Section 10-22.34 of this Code.

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

26 (6) Students participating in a remote educational

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

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

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

25 (c) Days of attendance by students in a remote educational
26 program meeting the requirements of this Section may be claimed

1 by the school district and shall be counted as school work for
2 general State aid purposes in accordance with and subject to
3 the limitations of Section 18-8.05 of this Code.

4 (d) The impact of remote educational programs on wages,
5 hours, and terms and conditions of employment of educational
6 employees within the school district shall be subject to local
7 collective bargaining agreements.

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

11 (f) A remote educational program may be used, but is not
12 required, for instruction delivered to a student in the home or
13 other location outside of a school building that is not claimed
14 for general State aid purposes under Section 18-8.05 of this
15 Code.

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

24 (h) The State Board of Education may adopt any rules
25 necessary to ensure compliance by remote educational programs
26 with the requirements of this Section and other applicable

1 legal requirements.

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