

AN ACT concerning education.

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

Section 5. The School Code is amended by changing Sections 10-20.56, 24-6, and 27A-5 and by adding Sections 10-20.83, 34-18.78, and 34-85e as follows:

(105 ILCS 5/10-20.56)

(Text of Section before amendment by P.A. 102-584)

Sec. 10-20.56. E-learning days.

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

(b) The school board of a school district may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code. The research-based program or programs may not exceed

the minimum number of emergency days in the approved school calendar and must be verified by the regional office of education or intermediate service center for the school district on or before September 1st annually to ensure access for all students. The regional office of education or intermediate service center shall ensure that the specific needs of all students are met, including special education students and English learners, and that all mandates are still met using the proposed research-based program. The e-learning program may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners. The e-learning program shall address the school district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program. If a proposed program does not address this responsibility, the school district must propose an alternate program.

(c) Before its adoption by a school board, the school board must hold a public hearing on a school district's initial proposal for an e-learning program or for renewal of such a program, at a regular or special meeting of the school board, in which the terms of the proposal must be substantially presented and an opportunity for allowing public comments must be provided. Notice of such public hearing must

be provided at least 10 days prior to the hearing by:

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

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

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

(d) The regional office of education or intermediate service center for the school district must timely verify that a proposal for an e-learning program has met the requirements specified in this Section and that the proposal contains provisions designed to reasonably and practicably accomplish the following:

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

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

(2.5) to ensure that non-electronic materials are made

available to students participating in the program who do not have access to the required technology or to participating teachers or students who are prevented from accessing the required technology;

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

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

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

(6) to provide effective notice to students and their parents or guardians of the use of particular days for e-learning;

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

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

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

(10) to ensure that the protocol regarding general

expectations and responsibilities of the program is communicated to teachers, staff, and students at least 30 days prior to utilizing an e-learning day.

The school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 years.

(d-10) A school district shall pay to its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employee would have reported for work but for the closure, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-15) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if

any closure precludes them from performing their regularly scheduled duties and employees would have reported for work but for the closure. The employees who provide the support services covered by such contracts shall be paid their daily bid package rates and benefits as defined by their local operating agreements or collective bargaining agreements, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-20) A school district shall make full payment or reimbursement to an employee or contractor as specified in subsection (d-10) or (d-15) of this Section for any school closure or e-learning day in the 2021-2022 school year that occurred prior to the effective date of this amendatory Act of the 102nd General Assembly if the employee or contractor did not receive pay or was required to use earned paid time off, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(e) The State Board of Education may adopt rules consistent with the provision of this Section.

(f) For purposes of subsections (d-10), (d-15), and (d-20) of this Section:

"Employee" means anyone employed by a school district on

or after the effective date of this amendatory Act of the 102nd General Assembly.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

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

(Text of Section after amendment by P.A. 102-584)

Sec. 10-20.56. E-learning days.

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

(b) The school board of a school district may, by resolution, adopt a research-based program or research-based programs for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present in lieu of the district's scheduled emergency days as required by Section 10-19 of this Code or because a school was selected to be a polling place under Section 11-4.1 of the Election Code. The research-based program or programs may not exceed the minimum number of

emergency days in the approved school calendar and must be verified by the regional office of education or intermediate service center for the school district on or before September 1st annually to ensure access for all students. The regional office of education or intermediate service center shall ensure that the specific needs of all students are met, including special education students and English learners, and that all mandates are still met using the proposed research-based program. The e-learning program may utilize the Internet, telephones, texts, chat rooms, or other similar means of electronic communication for instruction and interaction between teachers and students that meet the needs of all learners. The e-learning program shall address the school district's responsibility to ensure that all teachers and staff who may be involved in the provision of e-learning have access to any and all hardware and software that may be required for the program. If a proposed program does not address this responsibility, the school district must propose an alternate program.

(c) Before its adoption by a school board, the school board must hold a public hearing on a school district's initial proposal for an e-learning program or for renewal of such a program, at a regular or special meeting of the school board, in which the terms of the proposal must be substantially presented and an opportunity for allowing public comments must be provided. Notice of such public hearing must

be provided at least 10 days prior to the hearing by:

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

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

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

(d) The regional office of education or intermediate service center for the school district must timely verify that a proposal for an e-learning program has met the requirements specified in this Section and that the proposal contains provisions designed to reasonably and practicably accomplish the following:

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

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

(2.5) to ensure that non-electronic materials are made

available to students participating in the program who do not have access to the required technology or to participating teachers or students who are prevented from accessing the required technology;

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

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

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

(6) to provide effective notice to students and their parents or guardians of the use of particular days for e-learning;

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

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

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

(10) to ensure that the protocol regarding general

expectations and responsibilities of the program is communicated to teachers, staff, and students at least 30 days prior to utilizing an e-learning day.

The school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 years.

(d-5) A school district shall pay to its contractors who provide educational support services to the district, including, but not limited to, custodial, transportation, or food service providers, their daily, regular rate of pay or billings rendered for any e-learning day that is used because a school was selected to be a polling place under Section 11-4.1 of the Election Code, except that this requirement does not apply to contractors who are paid under contracts that are entered into, amended, or renewed on or after March 15, 2022 or to contracts that otherwise address compensation for such e-learning days.

(d-10) A school district shall pay to its employees who provide educational support services to the district, including, but not limited to, custodial employees, building maintenance employees, transportation employees, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if the closure precludes them from performing their regularly scheduled duties and the employee would have reported for work but for the closure,

except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-15) A school district shall make full payment that would have otherwise been paid to its contractors who provide educational support services to the district, including, but not limited to, custodial, building maintenance, transportation, food service providers, classroom assistants, or administrative staff, their daily, regular rate of pay and benefits rendered for any school closure or e-learning day if any closure precludes them from performing their regularly scheduled duties and employees would have reported for work but for the closure. The employees who provide the support services covered by such contracts shall be paid their daily bid package rates and benefits as defined by their local operating agreements or collective bargaining agreements, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(d-20) A school district shall make full payment or reimbursement to an employee or contractor as specified in subsection (d-10) or (d-15) of this Section for any school closure or e-learning day in the 2021-2022 school year that occurred prior to the effective date of this amendatory Act of

the 102nd General Assembly if the employee or contractor did not receive pay or was required to use earned paid time off, except this requirement does not apply if the day is rescheduled and the employee will be paid their daily, regular rate of pay and benefits for the rescheduled day when services are rendered.

(e) The State Board of Education may adopt rules consistent with the provision of this Section.

(f) For purposes of subsections (d-10), (d-15), and (d-20) of this Section:

"Employee" means anyone employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20; 102-584, eff. 6-1-22.)

(105 ILCS 5/10-20.83 new)

Sec. 10-20.83. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by a school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

"School district" includes charter schools established under Article 27A of this Code, but does not include the Department of Juvenile Justice School District.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section

7 of the Illinois Emergency Management Agency Act and a school district, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the school district from being on school district property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the school, or (iv) is required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms, the employee of the school district shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from school property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General

Assembly.

(c) An employee of a school district shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child has:

(1) a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) a probable COVID-19 diagnosis via an antigen diagnostic test;

(3) been in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) been required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of a school district who is on paid administrative leave pursuant to this Section must provide all documentation requested by the school board.

(e) An employee of a school district who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of a school district may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of a school district to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all required doses to be fully vaccinated against COVID-19, as defined in this Section;
and

(2) participate in the COVID-19 testing program adopted by the school district to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully

vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

(105 ILCS 5/24-6)

Sec. 24-6. Sick leave. The school boards of all school districts, including special charter districts, but not including school districts in municipalities of 500,000 or more, shall grant their full-time teachers, and also shall grant such of their other employees as are eligible to participate in the Illinois Municipal Retirement Fund under the "600-Hour Standard" established, or under such other eligibility participation standard as may from time to time be established, by rules and regulations now or hereafter promulgated by the Board of that Fund under Section 7-198 of the Illinois Pension Code, as now or hereafter amended, sick leave provisions not less in amount than 10 days at full pay in each school year. If any such teacher or employee does not use the full amount of annual leave thus allowed, the unused amount shall be allowed to accumulate to a minimum available leave of 180 days at full pay, including the leave of the current year. Sick leave shall be interpreted to mean personal illness, quarantine at home, or serious illness or death in the immediate family or household. The school board may require a certificate from a physician licensed in Illinois to practice medicine and surgery in all its branches, a

chiropractic physician licensed under the Medical Practice Act of 1987, a licensed advanced practice registered nurse, a licensed physician assistant, or, if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the teacher's or employee's faith as a basis for pay during leave after an absence of 3 days for personal illness or as the school board may deem necessary in other cases. If the school board does require a certificate as a basis for pay during leave of less than 3 days for personal illness, the school board shall pay, from school funds, the expenses incurred by the teachers or other employees in obtaining the certificate.

Sick leave shall also be interpreted to mean birth, adoption, placement for adoption, and the acceptance of a child in need of foster care. Teachers and other employees to which this Section applies are entitled to use up to 30 days of paid sick leave because of the birth of a child that is not dependent on the need to recover from childbirth. Paid sick leave because of the birth of a child may be used absent medical certification for up to 30 working school days, which days may be used at any time within the 12-month period following the birth of the child. The use of up to 30 working school days of paid sick leave because of the birth of a child may not be diminished as a result of any intervening period of nonworking days or school not being in session, such as for summer, winter, or spring break or holidays, that may occur during the use of the paid sick leave. For paid sick leave for

adoption, placement for adoption, or the acceptance of a child in need of foster care, the school board may require that the teacher or other employee to which this Section applies provide evidence that the formal adoption process or the formal foster care process is underway, and such sick leave is limited to 30 days unless a longer leave has been negotiated with the exclusive bargaining representative. Paid sick leave for adoption, placement for adoption, or the acceptance of a child in need of foster care need not be used consecutively once the formal adoption process or the formal foster care process is underway, and such sick leave may be used for reasons related to the formal adoption process or the formal foster care process prior to taking custody of the child or accepting the child in need of foster care, in addition to using such sick leave upon taking custody of the child or accepting the child in need of foster care.

If, by reason of any change in the boundaries of school districts, or by reason of the creation of a new school district, the employment of a teacher is transferred to a new or different board, the accumulated sick leave of such teacher is not thereby lost, but is transferred to such new or different district.

Any sick leave used by a teacher or employee during the 2021-2022 school year shall be returned to a teacher or employee who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 10-20.83 of

this Code, if:

(1) the sick leave was taken because the teacher or employee was restricted from being on school district property because the teacher or employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the teacher or employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

For purposes of return of sick leave used in the 2021-2022 school year pursuant this Section, an "employee" is a teacher or employee employed by the school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

Leave shall be returned to a teacher or employee pursuant to this Section provided that the teacher or employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 10-20.83 of this Code no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

No school may rescind any sick leave returned to a teacher or employee on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the teacher or employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 10-20.83 of this Code, at the time the sick leave was returned to the teacher or employee.

For purposes of this Section, "immediate family" shall include parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law,

sisters-in-law, and legal guardians.

(Source: P.A. 102-275, eff. 8-6-21.)

(105 ILCS 5/27A-5)

(Text of Section before amendment by P.A. 102-157 and P.A. 102-466)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on April 16, 2003 (the effective date of Public Act 93-3), in all new applications to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by Public Act 93-3 do not apply to charter schools existing or approved on or before April 16, 2003 (the effective date of Public Act 93-3).

(b-5) In this subsection (b-5), "virtual-schooling" means a cyber school where students engage in online curriculum and instruction via the Internet and electronic communication with their teachers at remote locations and with students

participating at different times.

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act. No later than January 1, 2021 (one year after the effective date of Public Act 101-291), a charter school's board of directors or other governing body must include at least one parent or guardian of a pupil currently enrolled in the charter school who may be selected through the charter school or a charter network election, appointment by the charter school's board of directors or other governing body, or by the charter school's Parent Teacher Organization or its equivalent.

(c-5) No later than January 1, 2021 (one year after the effective date of Public Act 101-291) or within the first year of his or her first term, every voting member of a charter

school's board of directors or other governing body shall complete a minimum of 4 hours of professional development leadership training to ensure that each member has sufficient familiarity with the board's or governing body's role and responsibilities, including financial oversight and accountability of the school, evaluating the principal's and school's performance, adherence to the Freedom of Information Act and the Open Meetings Act, and compliance with education and labor law. In each subsequent year of his or her term, a voting member of a charter school's board of directors or other governing body shall complete a minimum of 2 hours of professional development training in these same areas. The training under this subsection may be provided or certified by a statewide charter school membership association or may be provided or certified by other qualified providers approved by the State Board of Education.

(d) For purposes of this subsection (d), "non-curricular health and safety requirement" means any health and safety requirement created by statute or rule to provide, maintain, preserve, or safeguard safe or healthful conditions for students and school personnel or to eliminate, reduce, or prevent threats to the health and safety of students and school personnel. "Non-curricular health and safety requirement" does not include any course of study or specialized instructional requirement for which the State Board has established goals and learning standards or which is

designed primarily to impart knowledge and skills for students to master and apply as an outcome of their education.

A charter school shall comply with all non-curricular health and safety requirements applicable to public schools under the laws of the State of Illinois. On or before September 1, 2015, the State Board shall promulgate and post on its Internet website a list of non-curricular health and safety requirements that a charter school must meet. The list shall be updated annually no later than September 1. Any charter contract between a charter school and its authorizer must contain a provision that requires the charter school to follow the list of all non-curricular health and safety requirements promulgated by the State Board and any non-curricular health and safety requirements added by the State Board to such list during the term of the charter. Nothing in this subsection (d) precludes an authorizer from including non-curricular health and safety requirements in a charter school contract that are not contained in the list promulgated by the State Board, including non-curricular health and safety requirements of the authorizing local school board.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs, including, but

not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. The contractor shall not be an employee of the charter school or affiliated with the charter school or its authorizer in any way, other than to audit the charter school's finances. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer and the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from each charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, all federal and State laws and rules applicable to public schools that pertain to special education and the instruction of English learners, and its charter. A charter school is exempt from all other State laws and regulations in this Code governing public schools and local school board policies; however, a charter school is not exempt from the following:

- (1) Sections 10-21.9 and 34-18.5 of this Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer

and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and 34-84a of this Code regarding discipline of students;

(3) the Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) the Abused and Neglected Child Reporting Act;

(5.5) subsection (b) of Section 10-23.12 and subsection (b) of Section 34-18.6 of this Code;

(6) the Illinois School Student Records Act;

(7) Section 10-17a of this Code regarding school report cards;

(8) the P-20 Longitudinal Education Data System Act;

(9) Section 27-23.7 of this Code regarding bullying prevention;

(10) Section 2-3.162 of this Code regarding student discipline reporting;

(11) Sections 22-80 and 27-8.1 of this Code;

(12) Sections 10-20.60 and 34-18.53 of this Code;

(13) Sections 10-20.63 and 34-18.56 of this Code;

(14) Section 26-18 of this Code;

(15) Section 22-30 of this Code;

(16) Sections 24-12 and 34-85 of this Code; ~~and~~

- (17) the Seizure Smart School Act;
- (18) Section 2-3.64a-10 of this Code; ~~and~~
- (19) ~~(18)~~ Sections 10-20.73 and 34-21.9 of this Code;
- (20) ~~(19)~~ Section 10-22.25b of this Code;
- (21) ~~(19)~~ Section 27-9.1a of this Code;
- (22) ~~(20)~~ Section 27-9.1b of this Code; and
- (23) ~~(21)~~ Section 34-18.8 of this Code;
- (25) ~~(19)~~ Section 2-3.188 of this Code; and
- (26) ~~(20)~~ Section 22-85.5 of this Code;
- (27) Subsections (d-10), (d-15), and (d-20) of Section 10-20.56 of this Code; and
- (28) Sections 10-20.83 and 34-18.78 of this Code.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after April 16, 2003 (the effective date of Public Act 93-3) and that

operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on April 16, 2003 (the effective date of Public Act 93-3) and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the State Board or

Commission, then the charter school is its own local education agency.

(Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-522, eff. 8-20-21; 102-558, eff. 8-20-21; 102-676, eff. 12-3-21; revised 12-21-21.)

(Text of Section after amendment by P.A. 102-157 but before amendment by P.A. 102-466)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on April 16, 2003 (the effective date of Public Act 93-3), in all new applications to establish a charter school in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by Public Act 93-3 do not apply to charter schools existing or approved on or before April 16, 2003 (the

effective date of Public Act 93-3).

(b-5) In this subsection (b-5), "virtual-schooling" means a cyber school where students engage in online curriculum and instruction via the Internet and electronic communication with their teachers at remote locations and with students participating at different times.

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act. No later than January 1, 2021 (one year after the effective date of Public Act 101-291), a charter school's board of directors or other governing body must include at least one parent or guardian of a pupil currently enrolled in the charter school who may be selected through the charter school or a charter network election, appointment by the charter school's board of directors or other governing

body, or by the charter school's Parent Teacher Organization or its equivalent.

(c-5) No later than January 1, 2021 (one year after the effective date of Public Act 101-291) or within the first year of his or her first term, every voting member of a charter school's board of directors or other governing body shall complete a minimum of 4 hours of professional development leadership training to ensure that each member has sufficient familiarity with the board's or governing body's role and responsibilities, including financial oversight and accountability of the school, evaluating the principal's and school's performance, adherence to the Freedom of Information Act and the Open Meetings Act, and compliance with education and labor law. In each subsequent year of his or her term, a voting member of a charter school's board of directors or other governing body shall complete a minimum of 2 hours of professional development training in these same areas. The training under this subsection may be provided or certified by a statewide charter school membership association or may be provided or certified by other qualified providers approved by the State Board of Education.

(d) For purposes of this subsection (d), "non-curricular health and safety requirement" means any health and safety requirement created by statute or rule to provide, maintain, preserve, or safeguard safe or healthful conditions for students and school personnel or to eliminate, reduce, or

prevent threats to the health and safety of students and school personnel. "Non-curricular health and safety requirement" does not include any course of study or specialized instructional requirement for which the State Board has established goals and learning standards or which is designed primarily to impart knowledge and skills for students to master and apply as an outcome of their education.

A charter school shall comply with all non-curricular health and safety requirements applicable to public schools under the laws of the State of Illinois. On or before September 1, 2015, the State Board shall promulgate and post on its Internet website a list of non-curricular health and safety requirements that a charter school must meet. The list shall be updated annually no later than September 1. Any charter contract between a charter school and its authorizer must contain a provision that requires the charter school to follow the list of all non-curricular health and safety requirements promulgated by the State Board and any non-curricular health and safety requirements added by the State Board to such list during the term of the charter. Nothing in this subsection (d) precludes an authorizer from including non-curricular health and safety requirements in a charter school contract that are not contained in the list promulgated by the State Board, including non-curricular health and safety requirements of the authorizing local school board.

(e) Except as otherwise provided in the School Code, a

charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs, including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. The contractor shall not be an employee of the charter school or affiliated with the charter school or its authorizer in any way, other than to audit the charter school's finances. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer and the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from each charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act, all federal and State laws and rules applicable to public schools that pertain to special education and the instruction of English learners, and its charter. A charter school is exempt from all other State laws and regulations in this Code

governing public schools and local school board policies; however, a charter school is not exempt from the following:

(1) Sections 10-21.9 and 34-18.5 of this Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and 34-84a of this Code regarding discipline of students;

(3) the Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) the Abused and Neglected Child Reporting Act;

(5.5) subsection (b) of Section 10-23.12 and subsection (b) of Section 34-18.6 of this Code;

(6) the Illinois School Student Records Act;

(7) Section 10-17a of this Code regarding school report cards;

(8) the P-20 Longitudinal Education Data System Act;

(9) Section 27-23.7 of this Code regarding bullying prevention;

(10) Section 2-3.162 of this Code regarding student discipline reporting;

(11) Sections 22-80 and 27-8.1 of this Code;

- (12) Sections 10-20.60 and 34-18.53 of this Code;
- (13) Sections 10-20.63 and 34-18.56 of this Code;
- (14) Sections 22-90 and 26-18 of this Code;
- (15) Section 22-30 of this Code;
- (16) Sections 24-12 and 34-85 of this Code; ~~and~~
- (17) the Seizure Smart School Act;
- (18) Section 2-3.64a-10 of this Code; ~~and~~
- (19) ~~(18)~~ Sections 10-20.73 and 34-21.9 of this Code; ~~i-~~
- (20) ~~(19)~~ Section 10-22.25b of this Code; ~~i-~~
- (21) ~~(19)~~ Section 27-9.1a of this Code;
- (22) ~~(20)~~ Section 27-9.1b of this Code; ~~and~~
- (23) ~~(21)~~ Section 34-18.8 of this Code; ~~i-~~
- (25) ~~(19)~~ Section 2-3.188 of this Code; ~~and~~
- (26) ~~(20)~~ Section 22-85.5 of this Code; ~~i-~~
- (27) Subsections (d-10), (d-15), and (d-20) of Section 10-20.56 of this Code; and
- (28) Sections 10-20.83 and 34-18.78 of this Code.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and

maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after April 16, 2003 (the effective date of Public Act 93-3) and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on April 16, 2003 (the effective date of Public Act 93-3) and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be

subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the State Board or Commission, then the charter school is its own local education agency.

(Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-157, eff. 7-1-22; 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-522, eff. 8-20-21; 102-558, eff. 8-20-21; 102-676, eff. 12-3-21; revised 12-21-21.)

(Text of Section after amendment by P.A. 102-466)

Sec. 27A-5. Charter school; legal entity; requirements.

(a) A charter school shall be a public, nonsectarian, nonreligious, non-home based, and non-profit school. A charter school shall be organized and operated as a nonprofit corporation or other discrete, legal, nonprofit entity authorized under the laws of the State of Illinois.

(b) A charter school may be established under this Article by creating a new school or by converting an existing public school or attendance center to charter school status. Beginning on April 16, 2003 (the effective date of Public Act 93-3), in all new applications to establish a charter school

in a city having a population exceeding 500,000, operation of the charter school shall be limited to one campus. The changes made to this Section by Public Act 93-3 do not apply to charter schools existing or approved on or before April 16, 2003 (the effective date of Public Act 93-3).

(b-5) In this subsection (b-5), "virtual-schooling" means a cyber school where students engage in online curriculum and instruction via the Internet and electronic communication with their teachers at remote locations and with students participating at different times.

From April 1, 2013 through December 31, 2016, there is a moratorium on the establishment of charter schools with virtual-schooling components in school districts other than a school district organized under Article 34 of this Code. This moratorium does not apply to a charter school with virtual-schooling components existing or approved prior to April 1, 2013 or to the renewal of the charter of a charter school with virtual-schooling components already approved prior to April 1, 2013.

(c) A charter school shall be administered and governed by its board of directors or other governing body in the manner provided in its charter. The governing body of a charter school shall be subject to the Freedom of Information Act and the Open Meetings Act. No later than January 1, 2021 (one year after the effective date of Public Act 101-291), a charter school's board of directors or other governing body must

include at least one parent or guardian of a pupil currently enrolled in the charter school who may be selected through the charter school or a charter network election, appointment by the charter school's board of directors or other governing body, or by the charter school's Parent Teacher Organization or its equivalent.

(c-5) No later than January 1, 2021 (one year after the effective date of Public Act 101-291) or within the first year of his or her first term, every voting member of a charter school's board of directors or other governing body shall complete a minimum of 4 hours of professional development leadership training to ensure that each member has sufficient familiarity with the board's or governing body's role and responsibilities, including financial oversight and accountability of the school, evaluating the principal's and school's performance, adherence to the Freedom of Information Act and the Open Meetings Act, and compliance with education and labor law. In each subsequent year of his or her term, a voting member of a charter school's board of directors or other governing body shall complete a minimum of 2 hours of professional development training in these same areas. The training under this subsection may be provided or certified by a statewide charter school membership association or may be provided or certified by other qualified providers approved by the State Board of Education.

(d) For purposes of this subsection (d), "non-curricular

health and safety requirement" means any health and safety requirement created by statute or rule to provide, maintain, preserve, or safeguard safe or healthful conditions for students and school personnel or to eliminate, reduce, or prevent threats to the health and safety of students and school personnel. "Non-curricular health and safety requirement" does not include any course of study or specialized instructional requirement for which the State Board has established goals and learning standards or which is designed primarily to impart knowledge and skills for students to master and apply as an outcome of their education.

A charter school shall comply with all non-curricular health and safety requirements applicable to public schools under the laws of the State of Illinois. On or before September 1, 2015, the State Board shall promulgate and post on its Internet website a list of non-curricular health and safety requirements that a charter school must meet. The list shall be updated annually no later than September 1. Any charter contract between a charter school and its authorizer must contain a provision that requires the charter school to follow the list of all non-curricular health and safety requirements promulgated by the State Board and any non-curricular health and safety requirements added by the State Board to such list during the term of the charter. Nothing in this subsection (d) precludes an authorizer from including non-curricular health and safety requirements in a charter school contract that are

not contained in the list promulgated by the State Board, including non-curricular health and safety requirements of the authorizing local school board.

(e) Except as otherwise provided in the School Code, a charter school shall not charge tuition; provided that a charter school may charge reasonable fees for textbooks, instructional materials, and student activities.

(f) A charter school shall be responsible for the management and operation of its fiscal affairs, including, but not limited to, the preparation of its budget. An audit of each charter school's finances shall be conducted annually by an outside, independent contractor retained by the charter school. The contractor shall not be an employee of the charter school or affiliated with the charter school or its authorizer in any way, other than to audit the charter school's finances. To ensure financial accountability for the use of public funds, on or before December 1 of every year of operation, each charter school shall submit to its authorizer and the State Board a copy of its audit and a copy of the Form 990 the charter school filed that year with the federal Internal Revenue Service. In addition, if deemed necessary for proper financial oversight of the charter school, an authorizer may require quarterly financial statements from each charter school.

(g) A charter school shall comply with all provisions of this Article, the Illinois Educational Labor Relations Act,

all federal and State laws and rules applicable to public schools that pertain to special education and the instruction of English learners, and its charter. A charter school is exempt from all other State laws and regulations in this Code governing public schools and local school board policies; however, a charter school is not exempt from the following:

(1) Sections 10-21.9 and 34-18.5 of this Code regarding criminal history records checks and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database of applicants for employment;

(2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and 34-84a of this Code regarding discipline of students;

(3) the Local Governmental and Governmental Employees Tort Immunity Act;

(4) Section 108.75 of the General Not For Profit Corporation Act of 1986 regarding indemnification of officers, directors, employees, and agents;

(5) the Abused and Neglected Child Reporting Act;

(5.5) subsection (b) of Section 10-23.12 and subsection (b) of Section 34-18.6 of this Code;

(6) the Illinois School Student Records Act;

(7) Section 10-17a of this Code regarding school report cards;

(8) the P-20 Longitudinal Education Data System Act;

(9) Section 27-23.7 of this Code regarding bullying

prevention;

(10) Section 2-3.162 of this Code regarding student discipline reporting;

(11) Sections 22-80 and 27-8.1 of this Code;

(12) Sections 10-20.60 and 34-18.53 of this Code;

(13) Sections 10-20.63 and 34-18.56 of this Code;

(14) Sections 22-90 and 26-18 of this Code;

(15) Section 22-30 of this Code;

(16) Sections 24-12 and 34-85 of this Code; ~~and~~

(17) the Seizure Smart School Act;

(18) Section 2-3.64a-10 of this Code; ~~and~~

(19) ~~(18)~~ Sections 10-20.73 and 34-21.9 of this Code; ~~and~~

(20) ~~(19)~~ Section 10-22.25b of this Code; ~~and~~

(21) ~~(19)~~ Section 27-9.1a of this Code;

(22) ~~(20)~~ Section 27-9.1b of this Code; ~~and~~

(23) ~~(21)~~ Section 34-18.8 of this Code; ~~and~~

(24) ~~(19)~~ Article 26A of this Code; ~~and~~

(25) ~~(19)~~ Section 2-3.188 of this Code; ~~and~~

(26) ~~(20)~~ Section 22-85.5 of this Code; ~~and~~

(27) Subsections (d-10), (d-15), and (d-20) of Section 10-20.56 of this Code; and

(28) Sections 10-20.83 and 34-18.78 of this Code.

The change made by Public Act 96-104 to this subsection (g) is declaratory of existing law.

(h) A charter school may negotiate and contract with a school district, the governing body of a State college or

university or public community college, or any other public or for-profit or nonprofit private entity for: (i) the use of a school building and grounds or any other real property or facilities that the charter school desires to use or convert for use as a charter school site, (ii) the operation and maintenance thereof, and (iii) the provision of any service, activity, or undertaking that the charter school is required to perform in order to carry out the terms of its charter. However, a charter school that is established on or after April 16, 2003 (the effective date of Public Act 93-3) and that operates in a city having a population exceeding 500,000 may not contract with a for-profit entity to manage or operate the school during the period that commences on April 16, 2003 (the effective date of Public Act 93-3) and concludes at the end of the 2004-2005 school year. Except as provided in subsection (i) of this Section, a school district may charge a charter school reasonable rent for the use of the district's buildings, grounds, and facilities. Any services for which a charter school contracts with a school district shall be provided by the district at cost. Any services for which a charter school contracts with a local school board or with the governing body of a State college or university or public community college shall be provided by the public entity at cost.

(i) In no event shall a charter school that is established by converting an existing school or attendance center to

charter school status be required to pay rent for space that is deemed available, as negotiated and provided in the charter agreement, in school district facilities. However, all other costs for the operation and maintenance of school district facilities that are used by the charter school shall be subject to negotiation between the charter school and the local school board and shall be set forth in the charter.

(j) A charter school may limit student enrollment by age or grade level.

(k) If the charter school is approved by the State Board or Commission, then the charter school is its own local education agency.

(Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19; 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff. 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-157, eff. 7-1-22; 102-360, eff. 1-1-22; 102-445, eff. 8-20-21; 102-466, eff. 7-1-25; 102-522, eff. 8-20-21; 102-558, eff. 8-20-21; 102-676, eff. 12-3-21; revised 12-21-21.)

(105 ILCS 5/34-18.78 new)

Sec. 34-18.78. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

"School district" includes charter schools established under Article 27A of this Code.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the

school district, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the school district from being on school district property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the school, or (iv) is required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms, the employee of the school district shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from school property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the school district shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child has:

(1) a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) a probable COVID-19 diagnosis via an antigen diagnostic test;

(3) been in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) been required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the school district who is on paid

administrative leave pursuant to this Section must provide all documentation requested by the board.

(e) An employee of the school district who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the school district may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the school district to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all required doses to be fully vaccinated against COVID-19, as defined in this Section;
and

(2) participate in the COVID-19 testing program adopted by the school district to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis

that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

(105 ILCS 5/34-85e new)

Sec. 34-85e. COVID-19 sick leave.

For purposes of this Section, "employee" means a person employed by the school district on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by a teacher or employee during the 2021-2022 school year shall be returned to a teacher or employee who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 34-18.78 of this Code, if:

(1) the sick leave was taken because the teacher or employee was restricted from being on school district property because the teacher or employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property

due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the teacher or employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to a teacher or employee pursuant to this Section provided that the teacher or employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 34-18.78 of this Code no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

No school may rescind any sick leave returned to a teacher or employee on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health,

provided that the teacher or employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 34-18.78 of this Code, at the time the sick leave was returned to the teacher or employee.

Section 10. The University of Illinois Act is amended by adding Sections 160 and 175 as follows:

(110 ILCS 305/160 new)

Sec. 160. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 175 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 175 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to

an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 175 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 305/175 new)

Sec. 175. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible

upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of

the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a

confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section,

the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 15. The Southern Illinois University Management Act is amended by adding Sections 135 and 150 as follows:

(110 ILCS 520/135 new)

Sec. 135. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an

employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 150 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be

excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 150 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 150 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 520/150 new)

Sec. 150. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public

health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this

Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all

documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 20. The Chicago State University Law is amended by adding Sections 5-245 and 5-260 as follows:

(110 ILCS 660/5-245 new)

Sec. 5-245. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 5-260 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded

from University property due to COVID-19 symptoms; or
(2) the sick leave was taken to care for a child of the
employee who was unable to attend elementary or secondary
school because the child:

(A) had a confirmed positive COVID-19 diagnosis
via a molecular amplification diagnostic test, such as
a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an
antigen diagnostic test;

(C) was in close contact with a person who had a
confirmed case of COVID-19 and was required to be
excluded from school; or

(D) was required by the school or school district
policy to be excluded from school district property
due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this
Section provided that the employee has received all required
doses to meet the definition of "fully vaccinated against
COVID-19" under Section 5-260 of this Act no later than 5 weeks
after the effective date of this amendatory Act of the 102nd
General Assembly.

The University may not rescind any sick leave returned to
an employee of the University on the basis of a revision to the
definition of "fully vaccinated against COVID-19" by the
Centers for Disease Control and Prevention of the United
States Department of Health and Human Services or the

Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 5-260 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 660/5-260 new)

Sec. 5-260. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to

include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave

has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to

COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program

adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 25. The Eastern Illinois University Law is amended by adding Sections 10-245 and 10-265 as follows:

(110 ILCS 665/10-245 new)

Sec. 10-245. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 10-265 of this Act, if:

(1) the sick leave was taken because the employee was

restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 10-265 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 10-265 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 665/10-265 new)

Sec. 10-265. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the

United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a

molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school

because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid

administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 30. The Governors State University Law is amended by adding Sections 15-245 and 15-260 as follows:

(110 ILCS 670/15-245 new)

Sec. 15-245. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 15-260 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 15-260 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 15-260 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 670/15-260 new)

Sec. 15-260. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated

against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date

of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General

Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any

right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 35. The Illinois State University Law is amended by adding Sections 20-250 and 20-270 as follows:

(110 ILCS 675/20-250 new)

Sec. 20-250. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 20-270 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as

a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 20-270 of this Act no later than 5

weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 20-270 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 675/20-270 new)

Sec. 20-270. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug

Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of

COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid

administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 40. The Northeastern Illinois University Law is amended by adding Sections 25-245 and 25-265 as follows:

(110 ILCS 680/25-245 new)

Sec. 25-245. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the

102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 25-265 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an

antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 25-265 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 25-265 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 680/25-265 new)

Sec. 25-265. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a

disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this

amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General

Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully

vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 45. The Northern Illinois University Law is amended by adding Sections 30-255 and 30-275 as follows:

(110 ILCS 685/30-255 new)

Sec. 30-255. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 30-275 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a

confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 30-275 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the

definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 30-275 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 685/30-275 new)

Sec. 30-275. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any

changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative

leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded

from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 50. The Western Illinois University Law is amended by adding Sections 35-250 and 35-270 as follows:

(110 ILCS 690/35-250 new)

Sec. 35-250. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of the University during the 2021-2022 academic year shall be returned to an employee of the University who receives all doses required to

be fully vaccinated against COVID-19, as defined in Section 35-270 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on University property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from the University; or

(D) was required by the University to be excluded from University property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 35-270 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The University may not rescind any sick leave returned to an employee of the University on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 35-270 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 690/35-270 new)

Sec. 35-270. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by the University on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and the University, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules

related to COVID-19 that restrict an employee of the University from being on University property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from the University, or (iv) is required by University policy to be excluded from University property due to COVID-19 symptoms, the employee of the University shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from University property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of the University shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave

has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of the University who is on paid administrative leave pursuant to this Section must provide all documentation requested by the University.

(e) An employee of the University who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of the University may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of the University to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by the University to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 55. The Public Community College Act is amended by adding Sections 3-29.20 and 3-29.25 as follows:

(110 ILCS 805/3-29.20 new)

Sec. 3-29.20. COVID-19 sick leave. For purposes of this Section, "employee" means a person employed by a community college or community college district on or after the effective date of this amendatory Act of the 102nd General Assembly.

Any sick leave used by an employee of a community college or community college district during the 2021-2022 academic year shall be returned to an employee of the community college or community college district who receives all doses required to be fully vaccinated against COVID-19, as defined in Section 3-29.25 of this Act, if:

(1) the sick leave was taken because the employee was restricted from being on community college district property because the employee:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from community college district property; or

(D) was required by the community college or community college district policy to be excluded from community college district property due to COVID-19 symptoms; or

(2) the sick leave was taken to care for a child of the employee who was unable to attend elementary or secondary school because the child:

(A) had a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(B) had a probable COVID-19 diagnosis via an antigen diagnostic test;

(C) was in close contact with a person who had a confirmed case of COVID-19 and was required to be excluded from school; or

(D) was required by the school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Leave shall be returned to an employee pursuant to this Section provided that the employee has received all required doses to meet the definition of "fully vaccinated against COVID-19" under Section 3-29.25 of this Act no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

The community college district may not rescind any sick leave returned to an employee of the community college or

community college district on the basis of a revision to the definition of "fully vaccinated against COVID-19" by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services or the Department of Public Health, provided that the employee received all doses required to be fully vaccinated against COVID-19, as defined in Section 3-29.25 of this Act, at the time the sick leave was returned to the employee.

(110 ILCS 805/3-29.25 new)

Sec. 3-29.25. COVID-19 paid administrative leave.

(a) In this Section:

"Employee" means a person employed by a community college or community college district on or after the effective date of this amendatory Act of the 102nd General Assembly.

"Fully vaccinated against COVID-19" means:

(1) 2 weeks after receiving the second dose in a 2-dose series of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration; or

(2) 2 weeks after receiving a single dose of a COVID-19 vaccine authorized for emergency use, licensed, or otherwise approved by the United States Food and Drug Administration.

"Fully vaccinated against COVID-19" also includes any recommended booster doses for which the individual is eligible

upon the adoption by the Department of Public Health of any changes made by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services to the definition of "fully vaccinated against COVID-19" to include any such booster doses. For purposes of this Section, individuals who are eligible for a booster dose but have not received a booster dose by 5 weeks after the Department of Public Health adopts a revised definition of "fully vaccinated against COVID-19" are not considered fully vaccinated for determining eligibility for future paid administrative leave pursuant to this Section.

(b) During any time when the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act and a community college district, the State or any of its agencies, or a local public health department has issued guidance, mandates, or rules related to COVID-19 that restrict an employee of a community college or community college district from being on community college district property because the employee (i) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19, (ii) has a probable COVID-19 diagnosis via an antigen diagnostic test, (iii) has been in close contact with a person who had a confirmed case of COVID-19 and is required to be excluded from a community college district, or (iv) is required by a community college

or community college district policy to be excluded from community college district property due to COVID-19 symptoms, the employee of a community college or community college district shall receive as many days of administrative leave as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any. Such leave shall be provided to an employee for any days for which the employee was required to be excluded from community college district property prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives all doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(c) An employee of a community college or community college district shall receive paid administrative leave pursuant to subsection (b) of this Section, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any, to care for a child of the employee if the child is unable to attend elementary or secondary school because the child:

(1) has a confirmed positive COVID-19 diagnosis via a molecular amplification diagnostic test, such as a polymerase chain reaction (PCR) test for COVID-19;

(2) has probable COVID-19 diagnosis via an antigen diagnostic test;

(3) was in close contact with a person who has a confirmed case of COVID-19 and is required to be excluded from school; or

(4) was required by school or school district policy to be excluded from school district property due to COVID-19 symptoms.

Such leave shall be provided to an employee for any days needed to care for a child of the employee prior to the effective date of this amendatory Act of the 102nd General Assembly, provided that the employee receives the doses required to meet the definition of "fully vaccinated against COVID-19" under this Section no later than 5 weeks after the effective date of this amendatory Act of the 102nd General Assembly.

(d) An employee of a community college or community college district who is on paid administrative leave pursuant to this Section must provide all documentation requested by the community college or community college district.

(e) An employee of a community college or community college district who is on paid administrative leave pursuant to this Section shall receive the employee's regular rate of pay. The use of a paid administrative leave day or days by an employee pursuant to this Section may not diminish any other leave or benefits of the employee.

(f) An employee of a community college or community college district may not accrue paid administrative leave pursuant to this Section.

(g) For an employee of a community college or community college district to be eligible to receive paid administrative leave pursuant to this Section, the employee must:

(1) have received all doses required to be fully vaccinated against COVID-19; and

(2) participate in the COVID-19 testing program adopted by a community college or community college district to the extent such a testing program requires participation by individuals who are fully vaccinated against COVID-19.

(h) Nothing in this Section is intended to affect any right or remedy under federal law.

(i) No paid administrative leave awarded to or used by a fully vaccinated employee prior to the Department of Public Health's adoption of a revised definition of the term "fully vaccinated against COVID-19" may be rescinded on the basis that the employee no longer meets the definition of "fully vaccinated against COVID-19" based on the revised definition.

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does

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not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

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