



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4535

Introduced 1/30/2026, by Rep. Maura Hirschauer

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.56

Amends the School Code. Allows the school board of a school district to use an adopted and verified program for e-learning days district-wide that permits student instruction to be received electronically while students are not physically present on an election day because a school was selected to be a polling place (rather than adopt a research-based program for e-learning days district-wide that shall permit student instruction to be received electronically while students are not physically present because a school was selected to be a polling place). Provides that e-learning days used for this purpose may not be counted in lieu of the district's scheduled emergency days.

LRB104 17754 LNS 31186 b

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Section
5 10-20.56 as follows:

6 (105 ILCS 5/10-20.56)

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

8 (a) The State Board of Education shall establish and
9 maintain, for implementation in school districts, a program
10 for use of electronic-learning (e-learning) days, as described
11 in this Section. School districts may utilize a program
12 approved under this Section for use during remote learning
13 days and blended remote learning days under Section 10-30 or
14 34-18.66.

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

1 emergency days in the approved school calendar and must be
2 verified annually by the regional office of education or
3 intermediate service center for the school district before the
4 implementation of any e-learning days in that school year to
5 ensure access for all students. The regional office of
6 education or intermediate service center shall ensure that the
7 specific needs of all students are met, including special
8 education students and English learners, and that all mandates
9 are still met using the proposed research-based program. The
10 e-learning program may utilize the Internet, telephones,
11 texts, chat rooms, or other similar means of electronic
12 communication for instruction and interaction between teachers
13 and students that meet the needs of all learners. The
14 e-learning program shall address the school district's
15 responsibility to ensure that all teachers and staff who may
16 be involved in the provision of e-learning have access to any
17 and all hardware and software that may be required for the
18 program. If a proposed program does not address this
19 responsibility, the school district must propose an alternate
20 program.

21 (b-5) The school board of a school district may use an
22 adopted and verified program for e-learning days district-wide
23 that permits student instruction to be received electronically
24 while students are not physically present on an election day
25 because a school was selected to be a polling place under
26 Section 11-4.1 of the Election Code. E-learning days used for

1 this purpose may not be counted in lieu of the district's
2 scheduled emergency days as required by Section 10-19 of this
3 Code.

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

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

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

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

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

1 (1) to ensure and verify at least 5 clock hours of
2 instruction or school work, as required under Section
3 10-19.05, for each student participating in an e-learning
4 day;

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

10 (2.5) to ensure that non-electronic materials are made
11 available to students participating in the program who do
12 not have access to the required technology or to
13 participating teachers or students who are prevented from
14 accessing the required technology;

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

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

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

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

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

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

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

10 (10) to ensure that the protocol regarding general
11 expectations and responsibilities of the program is
12 communicated to teachers, staff, and students at least 30
13 days prior to utilizing an e-learning day in a school
14 year.

15 The school board's approval of a school district's initial
16 e-learning program and renewal of the e-learning program shall
17 be for a term of 3 school years, beginning with the first
18 school year in which the program was approved and verified by
19 the regional office of education or intermediate service
20 center for the school district.

21 (d-5) A school district shall pay to its contractors who
22 provide educational support services to the district,
23 including, but not limited to, custodial, transportation, or
24 food service providers, their daily, regular rate of pay or
25 billings rendered for any e-learning day that is used because
26 a school was selected to be a polling place under Section

1 11-4.1 of the Election Code, except that this requirement does
2 not apply to contractors who are paid under contracts that are
3 entered into, amended, or renewed on or after March 15, 2022 or
4 to contracts that otherwise address compensation for such
5 e-learning days.

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

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

1 scheduled duties and employees would have reported for work
2 but for the closure. The employees who provide the support
3 services covered by such contracts shall be paid their daily
4 bid package rates and benefits as defined by their local
5 operating agreements or collective bargaining agreements,
6 except this requirement does not apply if the day is
7 rescheduled and the employee will be paid their daily, regular
8 rate of pay and benefits for the rescheduled day when services
9 are rendered.

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

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

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

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

1 General Assembly.

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

5 (Source: P.A. 102-584, eff. 6-1-22; 102-697, eff. 4-5-22;
6 103-780, eff. 8-2-24.)