

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. Except as otherwise
23 provided in this subsection (b), the ~~The~~ research-based

1 program or programs may not exceed the minimum number of
2 emergency days in the approved school calendar and must be
3 verified annually by the regional office of education or
4 intermediate service center for the school district before the
5 implementation of any e-learning days in that school year to
6 ensure access for all students. An e-learning day used by a
7 school district under this subsection (b) due to a school
8 being selected as a polling place pursuant to Section 11-4.1
9 of the Election Code does not count toward the school
10 district's minimum number of emergency days. The regional
11 office of education or intermediate service center shall
12 ensure that the specific needs of all students are met,
13 including special education students and English learners, and
14 that all mandates are still met using the proposed
15 research-based program. The e-learning program may utilize the
16 Internet, telephones, texts, chat rooms, or other similar
17 means of electronic communication for instruction and
18 interaction between teachers and students that meet the needs
19 of all learners. The e-learning program shall address the
20 school district's responsibility to ensure that all teachers
21 and staff who may be involved in the provision of e-learning
22 have access to any and all hardware and software that may be
23 required for the program. If a proposed program does not
24 address this responsibility, the school district must propose
25 an alternate program.

26 (c) Before its adoption by a school board, the school

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

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

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

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

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

23 (1) to ensure and verify at least 5 clock hours of
24 instruction or school work, as required under Section
25 10-19.05, for each student participating in an e-learning
26 day;

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

6 (2.5) to ensure that non-electronic materials are made
7 available to students participating in the program who do
8 not have access to the required technology or to
9 participating teachers or students who are prevented from
10 accessing the required technology;

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

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

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

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

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

23 (8) to ensure an opportunity for any collective
24 bargaining negotiations with representatives of the school
25 district's employees that would be legally required,
26 including all classifications of school district employees

1 who are represented by collective bargaining agreements
2 and who would be affected in the event of an e-learning
3 day;

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

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

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

17 (d-5) A school district shall pay to its contractors who
18 provide educational support services to the district,
19 including, but not limited to, custodial, transportation, or
20 food service providers, their daily, regular rate of pay or
21 billings rendered for any e-learning day that is used because
22 a school was selected to be a polling place under Section
23 11-4.1 of the Election Code, except that this requirement does
24 not apply to contractors who are paid under contracts that are
25 entered into, amended, or renewed on or after March 15, 2022 or
26 to contracts that otherwise address compensation for such

1 e-learning days.

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

15 (d-15) A school district shall make full payment that
16 would have otherwise been paid to its contractors who provide
17 educational support services to the district, including, but
18 not limited to, custodial, building maintenance,
19 transportation, food service providers, classroom assistants,
20 or administrative staff, their daily, regular rate of pay and
21 benefits rendered for any school closure or e-learning day if
22 any closure precludes them from performing their regularly
23 scheduled duties and employees would have reported for work
24 but for the closure. The employees who provide the support
25 services covered by such contracts shall be paid their daily
26 bid package rates and benefits as defined by their local

1 operating agreements or collective bargaining agreements,
2 except this requirement does not apply if the day is
3 rescheduled and the employee will be paid their daily, regular
4 rate of pay and benefits for the rescheduled day when services
5 are rendered.

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

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

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

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

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

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