**Section 250.302 Section 8.1(a) Work Hours Exception; Maximum Hours on Set, Schooling, Health and Welfare of Child Performers in Television, Motion Picture, or Related Entertainment Productions**

Child performers may be employed, permitted or allowed to work in a television, motion picture, or related entertainment production, in adherence with the limitations and requirements of this Section.

a) Maximum Hours on Set. A child performer's time permitted at the place of employment within a 24-hour time period is limited based on the child performer's age, as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Child Performer's****Age** | **Maximum****Time on Set** | **Maximum****Work Time** | **Rest, Meals and Recreation** | **School****Hours** |
| 15 Days-6 Mos | 2 Hrs | 20 Min | Balance of Time |  |
| 7 Mos-2 Yrs | 4 Hrs | 2 Hrs | Balance of Time |  |
| 3-5 Yrs | 5 Hrs | 3 Hrs | 1 Hr | On School Days: 1 Hr |
| 6-8 Yrs | On School Days: 7 Hrs | On School Days: 4 Hrs | On School Days or Non School Days: 1 Hr | On School Days: 3 Hrs |
|  | On Non-School Days: 8 Hrs | On Non-School Days: 6 Hrs |  |  |
| 9-15 Yrs | 9 Hrs | On School Days: 5 Hrs | On School Days or Non School Days: 1 Hr | On School Days: 3 Hrs |
|  |  | On Non-School Days: 7 Hrs |  |  |

b) Requirements for School Hours

1) The employer shall provide a studio teacher or teachers to fulfill school hour requirements by age group on school days when the child performer is not otherwise receiving educational instruction. The employer shall set aside a clean, well-lit place where the instruction can take place;

2) A studio teacher, retained by the employer, shall provide the following services:

A) Educationally appropriate instruction for a child performer if employment, including performance and rehearsals, interferes with education requirements;

B) For each child performer employed, a written report to the child perfomer's parents or legal guardians of subjects covered and the number of hours and dates of attendance.

C) Manage recreational activity, meals and rest periods during non-school days;

D) Age-appropriate activity for non-school age children; and

E) Complement and provide supervision as needed during school days and non-school days;

3) School hours may only take place between 7 a.m. and 4 p.m.;

4) Materials needed for schooling, such as laptops and supplies, shall be provided by parents or legal guardians. If a child performer lacks necessary supplies, the employer must provide supplies to ensure instruction can take place; and

5) Additional Guidelines for the Employer to Achieve School Hours Requirements

A) The child performer must receive at least one hour of school time per school day. However, if the full school time requirement is not met on a particular school day due to the production schedule, the employer may have the child performer make up the difference on other work days, provided that the following requirements are met:

i) The studio teacher must approve the make-up schedule;

ii) The make-up school hours must be made up within one week before or after the day of the missed school hours;

iii) The child performer's maximum time at the employment site shall not exceed the total maximum allowable number of work and school hours combined as provided in subsection (a);

iv) The employer may make up no more than 2 school hours on any given day, including non-filming days when the child performer is required to be on the employment site for rehearsal or other preparations required outside of the actual performance with approval of studio teacher;

v) School hours cannot be made up during holidays observed by the child performer's family; and

vi) The child performer may not perform and make up school hours in excess of six days in a week.

c) Staffing Requirements

The employer shall adhere to the following staffing requirements:

1) A registered nurse shall be present for all rehearsals and performances when infants are on a set, in accordance with the following ratios, and may call for breaks as necessary:

A) One nurse for no more than 3 infants between 15 days and 6 months of age; or

B) One nurse for no more than 10 infants between 7 months and 1 year of age;

2) A studio teacher shall be present to provide educational instruction in accordance with the following ratios:

A) One studio teacher for no more than 10 child performers between age 5 and 8; or

B) One studio teacher for no more than 20 child performers between age 9 and 15;

3) Licensed medical professionals, such as emergency medical technicians or nurses, shall be retained by the employer and shall be on-site and available to respond to medical emergencies when child performers are present at the place of employment. During remote-based performances, medical attention must be approved by written consent signed by the parents or legal guardian.

d) Educational Requirements

The employer shall adhere to the following requirements regarding educational instruction and supervision:

1) Content taught by the studio teacher shall be appropriate for the grade level of each child, as determined by the Illinois State Board of Education's Illinois Learning Standards (see 23 Ill. Adm. Code 1.Appendix D). Games may not be substituted for material taught to children during school hours;

2) Instruction may be taught remotely by a studio teacher:

A) If work performance takes place outside the place of employment; or

B) To make up school hours, with the agreement of the child performer's parents or legal guardians and the employer.

e) No child performer may be sent to wardrobe, dressing, hair dressing, or make-up without the supervision of a chaperone or studio teacher.

(Source: Amended at 45 Ill. Reg. 14174, effective November 1, 2021)