



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2087

Introduced 2/5/2019, by Rep. Jonathan Carroll

SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-24.1
105 ILCS 5/27-24.2

from Ch. 122, par. 27-24.1
from Ch. 122, par. 27-24.2

Amends the School Code. Provides that a school district's decision to allow a student to take a portion of a driver education course through a distance learning program must be determined on a case-by-case basis and must be approved by the student's driver education teacher and the student's parent or guardian; defines "distance learning program". Provides that under no circumstances may the student take the entire driver education course through a distance learning program. Effective immediately.

LRB101 07258 AXK 52297 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Sections
5 27-24.1 and 27-24.2 as follows:

6 (105 ILCS 5/27-24.1) (from Ch. 122, par. 27-24.1)

7 Sec. 27-24.1. Definitions. As used in the Driver Education
8 Act unless the context otherwise requires:

9 "State Board" means the State Board of Education;

10 "Driver education course" and "course" means a course of
11 instruction in the use and operation of cars, including
12 instruction in the safe operation of cars and rules of the road
13 and the laws of this State relating to motor vehicles, which
14 meets the minimum requirements of this Act and the rules and
15 regulations issued thereunder by the State Board and has been
16 approved by the State Board as meeting such requirements;

17 "Car" means a motor vehicle of the first Division as
18 defined in The Illinois Vehicle Code;

19 "Motorcycle" or "motor driven cycle" means such a vehicle
20 as defined in The Illinois Vehicle Code;

21 "Driver's license" means any license or permit issued by
22 the Secretary of State under Chapter 6 of The Illinois Vehicle
23 Code.

1 "Distance learning program" means a program of study in
2 which all participating teachers and students do not physically
3 meet in the classroom and instead use the Internet, email, or
4 any other method other than the classroom to provide
5 instruction.

6 With reference to persons, the singular number includes the
7 plural and vice versa, and the masculine gender includes the
8 feminine.

9 (Source: P.A. 81-1508.)

10 (105 ILCS 5/27-24.2) (from Ch. 122, par. 27-24.2)

11 Sec. 27-24.2. Safety education; driver education course.
12 Instruction shall be given in safety education in each of
13 grades one through 8, equivalent to one class period each week,
14 and any school district which maintains grades 9 through 12
15 shall offer a driver education course in any such school which
16 it operates. Its curriculum shall include content dealing with
17 Chapters 11, 12, 13, 15, and 16 of the Illinois Vehicle Code,
18 the rules adopted pursuant to those Chapters insofar as they
19 pertain to the operation of motor vehicles, and the portions of
20 the Litter Control Act relating to the operation of motor
21 vehicles. The course of instruction given in grades 10 through
22 12 shall include an emphasis on the development of knowledge,
23 attitudes, habits, and skills necessary for the safe operation
24 of motor vehicles, including motorcycles insofar as they can be
25 taught in the classroom, and instruction on distracted driving

1 as a major traffic safety issue. In addition, the course shall
2 include instruction on special hazards existing at and required
3 safety and driving precautions that must be observed at
4 emergency situations, highway construction and maintenance
5 zones, and railroad crossings and the approaches thereto.
6 Beginning with the 2017-2018 school year, the course shall also
7 include instruction concerning law enforcement procedures for
8 traffic stops, including a demonstration of the proper actions
9 to be taken during a traffic stop and appropriate interactions
10 with law enforcement. The course of instruction required of
11 each eligible student at the high school level shall consist of
12 a minimum of 30 clock hours of classroom instruction and a
13 minimum of 6 clock hours of individual behind-the-wheel
14 instruction in a dual control car on public roadways taught by
15 a driver education instructor endorsed by the State Board of
16 Education. A school district's decision to allow a student to
17 take a portion of the driver education course through a
18 distance learning program must be determined on a case-by-case
19 basis and must be approved by the student's driver education
20 teacher and the student's parent or guardian. Under no
21 circumstances may the student take the entire driver education
22 course through a distance learning program. Both the classroom
23 instruction part and the practice driving part of a such driver
24 education course shall be open to a resident or non-resident
25 student attending a non-public school in the district wherein
26 the course is offered. Each student attending any public or

1 non-public high school in the district must receive a passing
2 grade in at least 8 courses during the previous 2 semesters
3 prior to enrolling in a driver education course, or the student
4 shall not be permitted to enroll in the course; provided that
5 the local superintendent of schools (with respect to a student
6 attending a public high school in the district) or chief school
7 administrator (with respect to a student attending a non-public
8 high school in the district) may waive the requirement if the
9 superintendent or chief school administrator, as the case may
10 be, deems it to be in the best interest of the student. A
11 student may be allowed to commence the classroom instruction
12 part of such driver education course prior to reaching age 15
13 if such student then will be eligible to complete the entire
14 course within 12 months after being allowed to commence such
15 classroom instruction.

16 A school district may offer a driver education course in a
17 school by contracting with a commercial driver training school
18 to provide both the classroom instruction part and the practice
19 driving part or either one without having to request a
20 modification or waiver of administrative rules of the State
21 Board of Education if the school district approves the action
22 during a public hearing on whether to enter into a contract
23 with a commercial driver training school. The public hearing
24 shall be held at a regular or special school board meeting
25 prior to entering into such a contract. If a school district
26 chooses to approve a contract with a commercial driver training

1 school, then the district must provide evidence to the State
2 Board of Education that the commercial driver training school
3 with which it will contract holds a license issued by the
4 Secretary of State under Article IV of Chapter 6 of the
5 Illinois Vehicle Code and that each instructor employed by the
6 commercial driver training school to provide instruction to
7 students served by the school district holds a valid teaching
8 license issued under the requirements of this Code and rules of
9 the State Board of Education. Such evidence must include, but
10 need not be limited to, a list of each instructor assigned to
11 teach students served by the school district, which list shall
12 include the instructor's name, personal identification number
13 as required by the State Board of Education, birth date, and
14 driver's license number. Once the contract is entered into, the
15 school district shall notify the State Board of Education of
16 any changes in the personnel providing instruction either (i)
17 within 15 calendar days after an instructor leaves the program
18 or (ii) before a new instructor is hired. Such notification
19 shall include the instructor's name, personal identification
20 number as required by the State Board of Education, birth date,
21 and driver's license number. If the school district maintains
22 an Internet website, then the district shall post a copy of the
23 final contract between the district and the commercial driver
24 training school on the district's Internet website. If no
25 Internet website exists, then the school district shall make
26 available the contract upon request. A record of all materials

1 in relation to the contract must be maintained by the school
2 district and made available to parents and guardians upon
3 request. The instructor's date of birth and driver's license
4 number and any other personally identifying information as
5 deemed by the federal Driver's Privacy Protection Act of 1994
6 must be redacted from any public materials.

7 Such a course may be commenced immediately after the
8 completion of a prior course. Teachers of such courses shall
9 meet the licensure requirements of this Code and regulations of
10 the State Board as to qualifications.

11 Subject to rules of the State Board of Education, the
12 school district may charge a reasonable fee, not to exceed \$50,
13 to students who participate in the course, unless a student is
14 unable to pay for such a course, in which event the fee for
15 such a student must be waived. However, the district may
16 increase this fee to an amount not to exceed \$250 by school
17 board resolution following a public hearing on the increase,
18 which increased fee must be waived for students who participate
19 in the course and are unable to pay for the course. The total
20 amount from driver education fees and reimbursement from the
21 State for driver education must not exceed the total cost of
22 the driver education program in any year and must be deposited
23 into the school district's driver education fund as a separate
24 line item budget entry. All moneys deposited into the school
25 district's driver education fund must be used solely for the
26 funding of a high school driver education program approved by

1 the State Board of Education that uses driver education
2 instructors endorsed by the State Board of Education.

3 (Source: P.A. 99-642, eff. 7-28-16; 99-720, eff. 1-1-17;
4 100-465, eff. 8-31-17.)

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