



Rep. Janet Yang Rohr

Filed: 2/14/2022

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LRB102 03183 NLB 36114 a

1 AMENDMENT TO HOUSE BILL 1167

2 AMENDMENT NO. _____. Amend House Bill 1167 by replacing
3 everything after the enacting clause with the following:

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

7 (105 ILCS 5/10-20.56)

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

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

10 (a) The State Board of Education shall establish and
11 maintain, for implementation in school districts, a program
12 for use of electronic-learning (e-learning) days, as described
13 in this Section. School districts may utilize a program
14 approved under this Section for use during remote learning
15 days and blended remote learning days under Section 10-30 or
16 34-18.66.

1 (b) The school board of a school district may, by
2 resolution, adopt a research-based program or research-based
3 programs for e-learning days district-wide that shall permit
4 student instruction to be received electronically while
5 students are not physically present in lieu of the district's
6 scheduled emergency days as required by Section 10-19 of this
7 Code. The research-based program or programs may not exceed
8 the minimum number of emergency days in the approved school
9 calendar and must be verified by the regional office of
10 education or intermediate service center for the school
11 district on or before September 1st annually to ensure access
12 for all students. The regional office of education or
13 intermediate service center shall ensure that the specific
14 needs of all students are met, including special education
15 students and English learners, and that all mandates are still
16 met using the proposed research-based program. The e-learning
17 program may utilize the Internet, telephones, texts, chat
18 rooms, or other similar means of electronic communication for
19 instruction and interaction between teachers and students that
20 meet the needs of all learners. The e-learning program shall
21 address the school district's responsibility to ensure that
22 all teachers and staff who may be involved in the provision of
23 e-learning have access to any and all hardware and software
24 that may be required for the program. If a proposed program
25 does not address this responsibility, the school district must
26 propose an alternate program.

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

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

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

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

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

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

1 day;

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

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

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

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

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

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

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

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

1 including all classifications of school district employees
2 who are represented by collective bargaining agreements
3 and who would be affected in the event of an e-learning
4 day;

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

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

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 years.

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

23 (d-15) A school district shall make full payment that
24 would have otherwise been paid to its contractors who provide
25 educational support services to the district, including, but
26 not limited to, custodial, building maintenance,

1 transportation, food service providers, classroom assistants,
2 or administrative staff, their daily, regular rate of pay and
3 benefits rendered for any school closure or e-learning day if
4 any closure precludes them from performing their regularly
5 scheduled duties and employees would have reported for work
6 but for the closure. The employees who provide the support
7 services covered by such contracts shall be paid their daily
8 bid package rates and benefits as defined by their local
9 operating agreements or collective bargaining agreements.

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

19 (f) For purposes of this Section:

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

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

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

1 101-643, eff. 6-18-20.)

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

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

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

11 (b) The school board of a school district may, by
12 resolution, adopt a research-based program or research-based
13 programs for e-learning days district-wide that shall permit
14 student instruction to be received electronically while
15 students are not physically present in lieu of the district's
16 scheduled emergency days as required by Section 10-19 of this
17 Code or because a school was selected to be a polling place
18 under Section 11-4.1 of the Election Code. The research-based
19 program or programs may not exceed the minimum number of
20 emergency days in the approved school calendar and must be
21 verified by the regional office of education or intermediate
22 service center for the school district on or before September
23 1st annually to ensure access for all students. The regional
24 office of education or intermediate service center shall
25 ensure that the specific needs of all students are met,

1 including special education students and English learners, and
2 that all mandates are still met using the proposed
3 research-based program. The e-learning program may utilize the
4 Internet, telephones, texts, chat rooms, or other similar
5 means of electronic communication for instruction and
6 interaction between teachers and students that meet the needs
7 of all learners. The e-learning program shall address the
8 school district's responsibility to ensure that all teachers
9 and staff who may be involved in the provision of e-learning
10 have access to any and all hardware and software that may be
11 required for the program. If a proposed program does not
12 address this responsibility, the school district must propose
13 an alternate program.

14 (c) Before its adoption by a school board, the school
15 board must hold a public hearing on a school district's
16 initial proposal for an e-learning program or for renewal of
17 such a program, at a regular or special meeting of the school
18 board, in which the terms of the proposal must be
19 substantially presented and an opportunity for allowing public
20 comments must be provided. Notice of such public hearing must
21 be provided at least 10 days prior to the hearing by:

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

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

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

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

11 (1) to ensure and verify at least 5 clock hours of
12 instruction or school work, as required under Section
13 10-19.05, for each student participating in an e-learning
14 day;

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

20 (2.5) to ensure that non-electronic materials are made
21 available to students participating in the program who do
22 not have access to the required technology or to
23 participating teachers or students who are prevented from
24 accessing the required technology;

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

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

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

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

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

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

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

20 (10) to ensure that the protocol regarding general
21 expectations and responsibilities of the program is
22 communicated to teachers, staff, and students at least 30
23 days prior to utilizing an e-learning day.

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

1 (d-5) A school district shall pay to its contractors who
2 provide educational support services to the district,
3 including, but not limited to, custodial, transportation, or
4 food service providers, their daily, regular rate of pay or
5 billings rendered for any e-learning day that is used because
6 a school was selected to be a polling place under Section
7 11-4.1 of the Election Code, except that this requirement does
8 not apply to contractors who are paid under contracts that are
9 entered into, amended, or renewed on or after March 15, 2022 or
10 to contracts that otherwise address compensation for such
11 e-learning days.

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

21 (d-15) A school district shall make full payment that
22 would have otherwise been paid to its contractors who provide
23 educational support services to the district, including, but
24 not limited to, custodial, building maintenance,
25 transportation, food service providers, classroom assistants,
26 or administrative staff, their daily, regular rate of pay and

1 benefits rendered for any school closure or e-learning day if
2 any closure precludes them from performing their regularly
3 scheduled duties and employees would have reported for work
4 but for the closure. The employees who provide the support
5 services covered by such contracts shall be paid their daily
6 bid package rates and benefits as defined by their local
7 operating agreements or collective bargaining agreements.

8 (d-20) A school district shall make full payment or
9 reimbursement to an employee or contractor as specified in
10 subsection (d-10) or (d-15) of this Section for any school
11 closure or e-learning day in the 2021-2022 school year that
12 occurred prior to the effective date of this amendatory Act of
13 the 102nd General Assembly if the employee or contractor did
14 not receive pay or was required to use earned paid time off.

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

17 (f) For purposes of this Section:

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

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

24 (Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20;
25 102-584, eff. 6-1-22.)

1 (105 ILCS 5/10-20.83 new)

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

3 (a) In this Section:

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

7 "Fully vaccinated against COVID-19" means:

8 (1) 2 weeks after receiving the second dose in a
9 2-dose series of a COVID-19 vaccine authorized for
10 emergency use, licensed, or otherwise approved by the
11 United States Food and Drug Administration; or

12 (2) 2 weeks after receiving a single dose of a
13 COVID-19 vaccine authorized for emergency use, licensed,
14 or otherwise approved by the United States Food and Drug
15 Administration.

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

1 determining eligibility for future paid administrative leave
2 pursuant to this Section.

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

6 (b) During any time when the Governor has declared a
7 disaster due to a public health emergency pursuant to Section
8 7 of the Illinois Emergency Management Agency Act and a school
9 district, the State or any of its agencies, or a local public
10 health department has issued guidance, mandates, or rules
11 related to COVID-19 that restrict an employee of the school
12 district from being on school district property because the
13 employee (i) has a confirmed positive COVID-19 diagnosis via a
14 molecular amplification diagnostic test, such as a polymerase
15 chain reaction (PCR) test for COVID-19, (ii) has a probable
16 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
17 been in close contact with a person who had a confirmed case of
18 COVID-19 and is required to be excluded from the school, or
19 (iv) is required by the school or school district policy to be
20 excluded from school district property due to COVID-19
21 symptoms, the employee of the school district shall receive as
22 many days of administrative leave as required to abide by the
23 public health guidance, mandates, and requirements issued by
24 the Department of Public Health, unless a longer period of
25 paid administrative leave has been negotiated with the
26 exclusive bargaining representative if any. Such leave shall

1 be provided to an employee for any days for which the employee
2 was required to be excluded from school property prior to the
3 effective date of this amendatory Act of the 102nd General
4 Assembly, provided that the employee receives all doses
5 required to meet the definition of "fully vaccinated against
6 COVID-19" under this Section no later than 5 weeks after the
7 effective date of this amendatory Act of the 102nd General
8 Assembly.

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

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

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

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

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

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

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

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

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

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

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

25 (2) participate in the COVID-19 testing program
26 adopted by the school district to the extent such a

1 testing program requires participation by individuals who
2 are fully vaccinated against COVID-19.

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

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

11 (105 ILCS 5/24-6)

12 Sec. 24-6. Sick leave. The school boards of all school
13 districts, including special charter districts, but not
14 including school districts in municipalities of 500,000 or
15 more, shall grant their full-time teachers, and also shall
16 grant such of their other employees as are eligible to
17 participate in the Illinois Municipal Retirement Fund under
18 the "600-Hour Standard" established, or under such other
19 eligibility participation standard as may from time to time be
20 established, by rules and regulations now or hereafter
21 promulgated by the Board of that Fund under Section 7-198 of
22 the Illinois Pension Code, as now or hereafter amended, sick
23 leave provisions not less in amount than 10 days at full pay in
24 each school year. If any such teacher or employee does not use
25 the full amount of annual leave thus allowed, the unused

1 amount shall be allowed to accumulate to a minimum available
2 leave of 180 days at full pay, including the leave of the
3 current year. Sick leave shall be interpreted to mean personal
4 illness, quarantine at home, or serious illness or death in
5 the immediate family or household. The school board may
6 require a certificate from a physician licensed in Illinois to
7 practice medicine and surgery in all its branches, a
8 chiropractic physician licensed under the Medical Practice Act
9 of 1987, a licensed advanced practice registered nurse, a
10 licensed physician assistant, or, if the treatment is by
11 prayer or spiritual means, a spiritual adviser or practitioner
12 of the teacher's or employee's faith as a basis for pay during
13 leave after an absence of 3 days for personal illness or as the
14 school board may deem necessary in other cases. If the school
15 board does require a certificate as a basis for pay during
16 leave of less than 3 days for personal illness, the school
17 board shall pay, from school funds, the expenses incurred by
18 the teachers or other employees in obtaining the certificate.

19 Sick leave shall also be interpreted to mean birth,
20 adoption, placement for adoption, and the acceptance of a
21 child in need of foster care. Teachers and other employees to
22 which this Section applies are entitled to use up to 30 days of
23 paid sick leave because of the birth of a child that is not
24 dependent on the need to recover from childbirth. Paid sick
25 leave because of the birth of a child may be used absent
26 medical certification for up to 30 working school days, which

1 days may be used at any time within the 12-month period
2 following the birth of the child. The use of up to 30 working
3 school days of paid sick leave because of the birth of a child
4 may not be diminished as a result of any intervening period of
5 nonworking days or school not being in session, such as for
6 summer, winter, or spring break or holidays, that may occur
7 during the use of the paid sick leave. For paid sick leave for
8 adoption, placement for adoption, or the acceptance of a child
9 in need of foster care, the school board may require that the
10 teacher or other employee to which this Section applies
11 provide evidence that the formal adoption process or the
12 formal foster care process is underway, and such sick leave is
13 limited to 30 days unless a longer leave has been negotiated
14 with the exclusive bargaining representative. Paid sick leave
15 for adoption, placement for adoption, or the acceptance of a
16 child in need of foster care need not be used consecutively
17 once the formal adoption process or the formal foster care
18 process is underway, and such sick leave may be used for
19 reasons related to the formal adoption process or the formal
20 foster care process prior to taking custody of the child or
21 accepting the child in need of foster care, in addition to
22 using such sick leave upon taking custody of the child or
23 accepting the child in need of foster care.

24 If, by reason of any change in the boundaries of school
25 districts, or by reason of the creation of a new school
26 district, the employment of a teacher is transferred to a new

1 or different board, the accumulated sick leave of such teacher
2 is not thereby lost, but is transferred to such new or
3 different district.

4 Any sick leave used by a teacher or employee during the
5 2021-2022 school year shall be returned to a teacher or
6 employee who receives all doses required to be fully
7 vaccinated against COVID-19, as defined in Section 10-20.83 of
8 this Code, if:

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

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

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

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

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

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

26 (A) had a confirmed positive COVID-19 diagnosis

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

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

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

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

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

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

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

1 provided that the teacher or employee received all doses
2 required to be fully vaccinated against COVID-19, as defined
3 in Section 10-20.83 of this Code, at the time the sick leave
4 was returned to the teacher or employee.

5 For purposes of this Section, "immediate family" shall
6 include parents, spouse, brothers, sisters, children,
7 grandparents, grandchildren, parents-in-law, brothers-in-law,
8 sisters-in-law, and legal guardians.

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

10 (105 ILCS 5/27A-5)

11 (Text of Section before amendment by P.A. 102-157 and P.A.
12 102-466)

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

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

19 (b) A charter school may be established under this Article
20 by creating a new school or by converting an existing public
21 school or attendance center to charter school status.
22 Beginning on April 16, 2003 (the effective date of Public Act
23 93-3), in all new applications to establish a charter school
24 in a city having a population exceeding 500,000, operation of
25 the charter school shall be limited to one campus. The changes

1 made to this Section by Public Act 93-3 do not apply to charter
2 schools existing or approved on or before April 16, 2003 (the
3 effective date of Public Act 93-3).

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

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

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

1 charter school or a charter network election, appointment by
2 the charter school's board of directors or other governing
3 body, or by the charter school's Parent Teacher Organization
4 or its equivalent.

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

24 (d) For purposes of this subsection (d), "non-curricular
25 health and safety requirement" means any health and safety
26 requirement created by statute or rule to provide, maintain,

1 preserve, or safeguard safe or healthful conditions for
2 students and school personnel or to eliminate, reduce, or
3 prevent threats to the health and safety of students and
4 school personnel. "Non-curricular health and safety
5 requirement" does not include any course of study or
6 specialized instructional requirement for which the State
7 Board has established goals and learning standards or which is
8 designed primarily to impart knowledge and skills for students
9 to master and apply as an outcome of their education.

10 A charter school shall comply with all non-curricular
11 health and safety requirements applicable to public schools
12 under the laws of the State of Illinois. On or before September
13 1, 2015, the State Board shall promulgate and post on its
14 Internet website a list of non-curricular health and safety
15 requirements that a charter school must meet. The list shall
16 be updated annually no later than September 1. Any charter
17 contract between a charter school and its authorizer must
18 contain a provision that requires the charter school to follow
19 the list of all non-curricular health and safety requirements
20 promulgated by the State Board and any non-curricular health
21 and safety requirements added by the State Board to such list
22 during the term of the charter. Nothing in this subsection (d)
23 precludes an authorizer from including non-curricular health
24 and safety requirements in a charter school contract that are
25 not contained in the list promulgated by the State Board,
26 including non-curricular health and safety requirements of the

1 authorizing local school board.

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

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

23 (g) A charter school shall comply with all provisions of
24 this Article, the Illinois Educational Labor Relations Act,
25 all federal and State laws and rules applicable to public
26 schools that pertain to special education and the instruction

1 of English learners, and its charter. A charter school is
2 exempt from all other State laws and regulations in this Code
3 governing public schools and local school board policies;
4 however, a charter school is not exempt from the following:

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

10 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
11 34-84a of this Code regarding discipline of students;

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

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

17 (5) the Abused and Neglected Child Reporting Act;

18 (5.5) subsection (b) of Section 10-23.12 and
19 subsection (b) of Section 34-18.6 of this Code;

20 (6) the Illinois School Student Records Act;

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

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

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

26 (10) Section 2-3.162 of this Code regarding student

1 discipline reporting;

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

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

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

5 (14) Section 26-18 of this Code;

6 (15) Section 22-30 of this Code;

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

8 (17) the Seizure Smart School Act;

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

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

11 (20) ~~(19)~~ Section 10-22.25b of this Code; ~~and~~

12 (21) ~~(19)~~ Section 27-9.1a of this Code;

13 (22) ~~(20)~~ Section 27-9.1b of this Code; ~~and~~

14 (23) ~~(21)~~ Section 34-18.8 of this Code; ~~and~~

15 (25) ~~(19)~~ Section 2-3.188 of this Code; ~~and~~

16 (26) ~~(20)~~ Section 22-85.5 of this Code; ~~and~~

17 (27) Sections 10-20.56, 10-20.83, and 34-18.78 of this

18 Code.

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

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

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

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

1 facilities that are used by the charter school shall be
2 subject to negotiation between the charter school and the
3 local school board and shall be set forth in the charter.

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

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

9 (Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19;
10 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff.
11 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-360,
12 eff. 1-1-22; 102-445, eff. 8-20-21; 102-522, eff. 8-20-21;
13 102-558, eff. 8-20-21; 102-676, eff. 12-3-21; revised
14 12-21-21.)

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

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

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

23 (b) A charter school may be established under this Article
24 by creating a new school or by converting an existing public
25 school or attendance center to charter school status.

1 Beginning on April 16, 2003 (the effective date of Public Act
2 93-3), in all new applications to establish a charter school
3 in a city having a population exceeding 500,000, operation of
4 the charter school shall be limited to one campus. The changes
5 made to this Section by Public Act 93-3 do not apply to charter
6 schools existing or approved on or before April 16, 2003 (the
7 effective date of Public Act 93-3).

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

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

22 (c) A charter school shall be administered and governed by
23 its board of directors or other governing body in the manner
24 provided in its charter. The governing body of a charter
25 school shall be subject to the Freedom of Information Act and
26 the Open Meetings Act. No later than January 1, 2021 (one year

1 after the effective date of Public Act 101-291), a charter
2 school's board of directors or other governing body must
3 include at least one parent or guardian of a pupil currently
4 enrolled in the charter school who may be selected through the
5 charter school or a charter network election, appointment by
6 the charter school's board of directors or other governing
7 body, or by the charter school's Parent Teacher Organization
8 or its equivalent.

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

1 the State Board of Education.

2 (d) For purposes of this subsection (d), "non-curricular
3 health and safety requirement" means any health and safety
4 requirement created by statute or rule to provide, maintain,
5 preserve, or safeguard safe or healthful conditions for
6 students and school personnel or to eliminate, reduce, or
7 prevent threats to the health and safety of students and
8 school personnel. "Non-curricular health and safety
9 requirement" does not include any course of study or
10 specialized instructional requirement for which the State
11 Board has established goals and learning standards or which is
12 designed primarily to impart knowledge and skills for students
13 to master and apply as an outcome of their education.

14 A charter school shall comply with all non-curricular
15 health and safety requirements applicable to public schools
16 under the laws of the State of Illinois. On or before September
17 1, 2015, the State Board shall promulgate and post on its
18 Internet website a list of non-curricular health and safety
19 requirements that a charter school must meet. The list shall
20 be updated annually no later than September 1. Any charter
21 contract between a charter school and its authorizer must
22 contain a provision that requires the charter school to follow
23 the list of all non-curricular health and safety requirements
24 promulgated by the State Board and any non-curricular health
25 and safety requirements added by the State Board to such list
26 during the term of the charter. Nothing in this subsection (d)

1 precludes an authorizer from including non-curricular health
2 and safety requirements in a charter school contract that are
3 not contained in the list promulgated by the State Board,
4 including non-curricular health and safety requirements of the
5 authorizing local school board.

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

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

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

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

14 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
15 34-84a of this Code regarding discipline of students;

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

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

21 (5) the Abused and Neglected Child Reporting Act;

22 (5.5) subsection (b) of Section 10-23.12 and
23 subsection (b) of Section 34-18.6 of this Code;

24 (6) the Illinois School Student Records Act;

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

- 1 (8) the P-20 Longitudinal Education Data System Act;
- 2 (9) Section 27-23.7 of this Code regarding bullying
3 prevention;
- 4 (10) Section 2-3.162 of this Code regarding student
5 discipline reporting;
- 6 (11) Sections 22-80 and 27-8.1 of this Code;
- 7 (12) Sections 10-20.60 and 34-18.53 of this Code;
- 8 (13) Sections 10-20.63 and 34-18.56 of this Code;
- 9 (14) Sections 22-90 and 26-18 of this Code;
- 10 (15) Section 22-30 of this Code;
- 11 (16) Sections 24-12 and 34-85 of this Code; ~~and~~
- 12 (17) the Seizure Smart School Act;
- 13 (18) Section 2-3.64a-10 of this Code; ~~and~~
- 14 (19) ~~(18)~~ Sections 10-20.73 and 34-21.9 of this Code; ~~;~~
- 15 (20) ~~(19)~~ Section 10-22.25b of this Code; ~~;~~
- 16 (21) ~~(19)~~ Section 27-9.1a of this Code;
- 17 (22) ~~(20)~~ Section 27-9.1b of this Code; ~~and~~
- 18 (23) ~~(21)~~ Section 34-18.8 of this Code; ~~;~~
- 19 (25) ~~(19)~~ Section 2-3.188 of this Code; ~~and~~
- 20 (26) ~~(20)~~ Section 22-85.5 of this Code; ~~and~~
- 21 (27) Sections 10-20.56, 10-20.83, and 34-18.78 of this
22 Code.

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

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

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

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

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

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

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

13 (Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19;
14 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff.
15 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-157,
16 eff. 7-1-22; 102-360, eff. 1-1-22; 102-445, eff. 8-20-21;
17 102-522, eff. 8-20-21; 102-558, eff. 8-20-21; 102-676, eff.
18 12-3-21; revised 12-21-21.)

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

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

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

1 (b) A charter school may be established under this Article
2 by creating a new school or by converting an existing public
3 school or attendance center to charter school status.
4 Beginning on April 16, 2003 (the effective date of Public Act
5 93-3), in all new applications to establish a charter school
6 in a city having a population exceeding 500,000, operation of
7 the charter school shall be limited to one campus. The changes
8 made to this Section by Public Act 93-3 do not apply to charter
9 schools existing or approved on or before April 16, 2003 (the
10 effective date of Public Act 93-3).

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

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

25 (c) A charter school shall be administered and governed by
26 its board of directors or other governing body in the manner

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

12 (c-5) No later than January 1, 2021 (one year after the
13 effective date of Public Act 101-291) or within the first year
14 of his or her first term, every voting member of a charter
15 school's board of directors or other governing body shall
16 complete a minimum of 4 hours of professional development
17 leadership training to ensure that each member has sufficient
18 familiarity with the board's or governing body's role and
19 responsibilities, including financial oversight and
20 accountability of the school, evaluating the principal's and
21 school's performance, adherence to the Freedom of Information
22 Act and the Open Meetings Act, and compliance with education
23 and labor law. In each subsequent year of his or her term, a
24 voting member of a charter school's board of directors or
25 other governing body shall complete a minimum of 2 hours of
26 professional development training in these same areas. The

1 training under this subsection may be provided or certified by
2 a statewide charter school membership association or may be
3 provided or certified by other qualified providers approved by
4 the State Board of Education.

5 (d) For purposes of this subsection (d), "non-curricular
6 health and safety requirement" means any health and safety
7 requirement created by statute or rule to provide, maintain,
8 preserve, or safeguard safe or healthful conditions for
9 students and school personnel or to eliminate, reduce, or
10 prevent threats to the health and safety of students and
11 school personnel. "Non-curricular health and safety
12 requirement" does not include any course of study or
13 specialized instructional requirement for which the State
14 Board has established goals and learning standards or which is
15 designed primarily to impart knowledge and skills for students
16 to master and apply as an outcome of their education.

17 A charter school shall comply with all non-curricular
18 health and safety requirements applicable to public schools
19 under the laws of the State of Illinois. On or before September
20 1, 2015, the State Board shall promulgate and post on its
21 Internet website a list of non-curricular health and safety
22 requirements that a charter school must meet. The list shall
23 be updated annually no later than September 1. Any charter
24 contract between a charter school and its authorizer must
25 contain a provision that requires the charter school to follow
26 the list of all non-curricular health and safety requirements

1 promulgated by the State Board and any non-curricular health
2 and safety requirements added by the State Board to such list
3 during the term of the charter. Nothing in this subsection (d)
4 precludes an authorizer from including non-curricular health
5 and safety requirements in a charter school contract that are
6 not contained in the list promulgated by the State Board,
7 including non-curricular health and safety requirements of the
8 authorizing local school board.

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

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

1 financial oversight of the charter school, an authorizer may
2 require quarterly financial statements from each charter
3 school.

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

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

17 (2) Sections 10-20.14, 10-22.6, 24-24, 34-19, and
18 34-84a of this Code regarding discipline of students;

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

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

24 (5) the Abused and Neglected Child Reporting Act;

25 (5.5) subsection (b) of Section 10-23.12 and
26 subsection (b) of Section 34-18.6 of this Code;

- 1 (6) the Illinois School Student Records Act;
- 2 (7) Section 10-17a of this Code regarding school
3 report cards;
- 4 (8) the P-20 Longitudinal Education Data System Act;
- 5 (9) Section 27-23.7 of this Code regarding bullying
6 prevention;
- 7 (10) Section 2-3.162 of this Code regarding student
8 discipline reporting;
- 9 (11) Sections 22-80 and 27-8.1 of this Code;
- 10 (12) Sections 10-20.60 and 34-18.53 of this Code;
- 11 (13) Sections 10-20.63 and 34-18.56 of this Code;
- 12 (14) Sections 22-90 and 26-18 of this Code;
- 13 (15) Section 22-30 of this Code;
- 14 (16) Sections 24-12 and 34-85 of this Code; ~~and~~
- 15 (17) the Seizure Smart School Act;
- 16 (18) Section 2-3.64a-10 of this Code; ~~and~~
- 17 (19) ~~(18)~~ Sections 10-20.73 and 34-21.9 of this Code; ~~i-~~
- 18 (20) ~~(19)~~ Section 10-22.25b of this Code; ~~i-~~
- 19 (21) ~~(19)~~ Section 27-9.1a of this Code;
- 20 (22) ~~(20)~~ Section 27-9.1b of this Code; ~~and~~
- 21 (23) ~~(21)~~ Section 34-18.8 of this Code; ~~i-~~
- 22 (24) ~~(19)~~ Article 26A of this Code; ~~i-~~
- 23 (25) ~~(19)~~ Section 2-3.188 of this Code; ~~and~~
- 24 (26) ~~(20)~~ Section 22-85.5 of this Code; ~~and-~~
- 25 (27) Sections 10-20.56, 10-20.83, and 34-18.78 of this
- 26 Code.

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

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

1 community college shall be provided by the public entity at
2 cost.

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

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

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

17 (Source: P.A. 101-50, eff. 7-1-20; 101-81, eff. 7-12-19;
18 101-291, eff. 1-1-20; 101-531, eff. 8-23-19; 101-543, eff.
19 8-23-19; 101-654, eff. 3-8-21; 102-51, eff. 7-9-21; 102-157,
20 eff. 7-1-22; 102-360, eff. 1-1-22; 102-445, eff. 8-20-21;
21 102-466, eff. 7-1-25; 102-522, eff. 8-20-21; 102-558, eff.
22 8-20-21; 102-676, eff. 12-3-21; revised 12-21-21.)

23 (105 ILCS 5/34-18.78 new)

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

25 (a) In this Section:

1 "Employee" means a person employed by the school district
2 on or after the effective date of this amendatory Act of the
3 102nd General Assembly.

4 "Fully vaccinated against COVID-19" means:

5 (1) 2 weeks after receiving the second dose in a
6 2-dose series of a COVID-19 vaccine authorized for
7 emergency use, licensed, or otherwise approved by the
8 United States Food and Drug Administration; or

9 (2) 2 weeks after receiving a single dose of a
10 COVID-19 vaccine authorized for emergency use, licensed,
11 or otherwise approved by the United States Food and Drug
12 Administration.

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

26 "School district" includes charter schools established

1 under Article 27A of this Code.

2 (b) During any time when the Governor has declared a
3 disaster due to a public health emergency pursuant to Section
4 7 of the Illinois Emergency Management Agency Act and the
5 school district, the State or any of its agencies, or a local
6 public health department has issued guidance, mandates, or
7 rules related to COVID-19 that restrict an employee of the
8 school district from being on school district property because
9 the employee (i) has a confirmed positive COVID-19 diagnosis
10 via a molecular amplification diagnostic test, such as a
11 polymerase chain reaction (PCR) test for COVID-19, (ii) has a
12 probable COVID-19 diagnosis via an antigen diagnostic test,
13 (iii) has been in close contact with a person who had a
14 confirmed case of COVID-19 and is required to be excluded from
15 the school, or (iv) is required by the school or school
16 district policy to be excluded from school district property
17 due to COVID-19 symptoms, the employee of the school district
18 shall receive as many days of administrative leave as required
19 to abide by the public health guidance, mandates, and
20 requirements issued by the Department of Public Health, unless
21 a longer period of paid administrative leave has been
22 negotiated with the exclusive bargaining representative. Such
23 leave shall be provided to an employee for any days for which
24 the employee was required to be excluded from school property
25 prior to the effective date of this amendatory Act of the 102nd
26 General Assembly, provided that the employee receives all

1 doses required to meet the definition of "fully vaccinated
2 against COVID-19" under this Section no later than 5 weeks
3 after the effective date of this amendatory Act of the 102nd
4 General Assembly.

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

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

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

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

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

23 Such leave shall be provided to an employee for any days needed
24 to care for a child of the employee prior to the effective date
25 of this amendatory Act of the 102nd General Assembly, provided
26 that the employee receives the doses required to meet the

1 definition of "fully vaccinated against COVID-19" under this
2 Section no later than 5 weeks after the effective date of this
3 amendatory Act of the 102nd General Assembly.

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

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

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

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

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

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

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

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

7 (105 ILCS 5/34-85e new)

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

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

12 Any sick leave used by a teacher or employee during the
13 2021-2022 school year shall be returned to a teacher or
14 employee who receives all doses required to be fully
15 vaccinated against COVID-19, as defined in Section 34-18.78 of
16 this Code, if:

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

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

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

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

1 confirmed case of COVID-19 and was required to be
2 excluded from school; or

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

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

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

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

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

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

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

26 No school may rescind any sick leave returned to a teacher

1 or employee on the basis of a revision to the definition of
2 "fully vaccinated against COVID-19" by the Centers for Disease
3 Control and Prevention of the United States Department of
4 Health and Human Services or the Department of Public Health,
5 provided that the teacher or employee received all doses
6 required to be fully vaccinated against COVID-19, as defined
7 in Section 34-18.78 of this Code, at the time the sick leave
8 was returned to the teacher or employee.

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

11 (110 ILCS 305/160 new)

12 Sec. 160. COVID-19 sick leave. For purposes of this
13 Section, "employee" means a person employed by the University
14 on or after the effective date of this amendatory Act of the
15 102nd General Assembly.

16 Any sick leave used by an employee of the University
17 during the 2021-2022 academic year shall be returned to an
18 employee of the University who receives all doses required to
19 be fully vaccinated against COVID-19, as defined in Section
20 175 of this Act, if:

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

24 (A) had a confirmed positive COVID-19 diagnosis

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

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

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

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

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

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

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

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

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

24 Leave shall be returned to an employee pursuant to this
25 Section provided that the employee has received all required
26 doses to meet the definition of "fully vaccinated against

1 COVID-19" under Section 175 of this Act no later than 5 weeks
2 after the effective date of this amendatory Act of the 102nd
3 General Assembly.

4 The University may not rescind any sick leave returned to
5 an employee of the University on the basis of a revision to the
6 definition of "fully vaccinated against COVID-19" by the
7 Centers for Disease Control and Prevention of the United
8 States Department of Health and Human Services or the
9 Department of Public Health, provided that the employee
10 received all doses required to be fully vaccinated against
11 COVID-19, as defined in Section 175 of this Act, at the time
12 the sick leave was returned to the employee.

13 (110 ILCS 305/175 new)

14 Sec. 175. COVID-19 paid administrative leave.

15 (a) In this Section:

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

19 "Fully vaccinated against COVID-19" means:

20 (1) 2 weeks after receiving the second dose in a
21 2-dose series of a COVID-19 vaccine authorized for
22 emergency use, licensed, or otherwise approved by the
23 United States Food and Drug Administration; or

24 (2) 2 weeks after receiving a single dose of a
25 COVID-19 vaccine authorized for emergency use, licensed,

1 or otherwise approved by the United States Food and Drug
2 Administration.

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

16 (b) During any time when the Governor has declared a
17 disaster due to a public health emergency pursuant to Section
18 7 of the Illinois Emergency Management Agency Act and the
19 University, the State or any of its agencies, or a local public
20 health department has issued guidance, mandates, or rules
21 related to COVID-19 that restrict an employee of the
22 University from being on University property because the
23 employee (i) has a confirmed positive COVID-19 diagnosis via a
24 molecular amplification diagnostic test, such as a polymerase
25 chain reaction (PCR) test for COVID-19, (ii) has a probable
26 COVID-19 diagnosis via an antigen diagnostic test, (iii) has

1 been in close contact with a person who had a confirmed case of
2 COVID-19 and is required to be excluded from the University,
3 or (iv) is required by University policy to be excluded from
4 University property due to COVID-19 symptoms, the employee of
5 the University shall receive as many days of administrative
6 leave as required to abide by the public health guidance,
7 mandates, and requirements issued by the Department of Public
8 Health, unless a longer period of paid administrative leave
9 has been negotiated with the exclusive bargaining
10 representative if any. Such leave shall be provided to an
11 employee for any days for which the employee was required to be
12 excluded from University property prior to the effective date
13 of this amendatory Act of the 102nd General Assembly, provided
14 that the employee receives all doses required to meet the
15 definition of "fully vaccinated against COVID-19" under this
16 Section no later than 5 weeks after the effective date of this
17 amendatory Act of the 102nd General Assembly.

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

25 (1) has a confirmed positive COVID-19 diagnosis via a
26 molecular amplification diagnostic test, such as a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (110 ILCS 520/135 new)

23 Sec. 135. COVID-19 sick leave. For purposes of this
24 Section, "employee" means a person employed by the University

1 on or after the effective date of this amendatory Act of the
2 102nd General Assembly.

3 Any sick leave used by an employee of the University
4 during the 2021-2022 academic year shall be returned to an
5 employee of the University who receives all doses required to
6 be fully vaccinated against COVID-19, as defined in Section
7 150 of this Act, if:

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

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

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

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

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

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

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

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

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

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

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

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

24 (110 ILCS 520/150 new)

25 Sec. 150. COVID-19 paid administrative leave.

1 (a) In this Section:

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

5 "Fully vaccinated against COVID-19" means:

6 (1) 2 weeks after receiving the second dose in a
7 2-dose series of a COVID-19 vaccine authorized for
8 emergency use, licensed, or otherwise approved by the
9 United States Food and Drug Administration; or

10 (2) 2 weeks after receiving a single dose of a
11 COVID-19 vaccine authorized for emergency use, licensed,
12 or otherwise approved by the United States Food and Drug
13 Administration.

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

1 (b) During any time when the Governor has declared a
2 disaster due to a public health emergency pursuant to Section
3 7 of the Illinois Emergency Management Agency Act and the
4 University, the State or any of its agencies, or a local public
5 health department has issued guidance, mandates, or rules
6 related to COVID-19 that restrict an employee of the
7 University from being on University property because the
8 employee (i) has a confirmed positive COVID-19 diagnosis via a
9 molecular amplification diagnostic test, such as a polymerase
10 chain reaction (PCR) test for COVID-19, (ii) has a probable
11 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
12 been in close contact with a person who had a confirmed case of
13 COVID-19 and is required to be excluded from the University,
14 or (iv) is required by University policy to be excluded from
15 University property due to COVID-19 symptoms, the employee of
16 the University shall receive as many days of administrative
17 leave as required to abide by the public health guidance,
18 mandates, and requirements issued by the Department of Public
19 Health, unless a longer period of paid administrative leave
20 has been negotiated with the exclusive bargaining
21 representative if any. Such leave shall be provided to an
22 employee for any days for which the employee was required to be
23 excluded from University property prior to the effective date
24 of this amendatory Act of the 102nd General Assembly, provided
25 that the employee receives all doses required to meet the
26 definition of "fully vaccinated against COVID-19" under this

1 Section no later than 5 weeks after the effective date of this
2 amendatory Act of the 102nd General Assembly.

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

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

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

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

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

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

1 effective date of this amendatory Act of the 102nd General
2 Assembly.

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

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

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

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

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

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

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

25 (i) No paid administrative leave awarded to or used by a
26 fully vaccinated employee prior to the Department of Public

1 Health's adoption of a revised definition of the term "fully
2 vaccinated against COVID-19" may be rescinded on the basis
3 that the employee no longer meets the definition of "fully
4 vaccinated against COVID-19" based on the revised definition.

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

7 (110 ILCS 660/5-245 new)

8 Sec. 5-245. COVID-19 sick leave. For purposes of this
9 Section, "employee" means a person employed by the University
10 on or after the effective date of this amendatory Act of the
11 102nd General Assembly.

12 Any sick leave used by an employee of the University
13 during the 2021-2022 academic year shall be returned to an
14 employee of the University who receives all doses required to
15 be fully vaccinated against COVID-19, as defined in Section
16 5-260 of this Act, if:

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

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

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

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

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

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

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

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

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

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

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

26 The University may not rescind any sick leave returned to

1 an employee of the University on the basis of a revision to the
2 definition of "fully vaccinated against COVID-19" by the
3 Centers for Disease Control and Prevention of the United
4 States Department of Health and Human Services or the
5 Department of Public Health, provided that the employee
6 received all doses required to be fully vaccinated against
7 COVID-19, as defined in Section 5-260 of this Act, at the time
8 the sick leave was returned to the employee.

9 (110 ILCS 660/5-260 new)

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

11 (a) In this Section:

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

15 "Fully vaccinated against COVID-19" means:

16 (1) 2 weeks after receiving the second dose in a
17 2-dose series of a COVID-19 vaccine authorized for
18 emergency use, licensed, or otherwise approved by the
19 United States Food and Drug Administration; or

20 (2) 2 weeks after receiving a single dose of a
21 COVID-19 vaccine authorized for emergency use, licensed,
22 or otherwise approved by the United States Food and Drug
23 Administration.

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

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

12 (b) During any time when the Governor has declared a
13 disaster due to a public health emergency pursuant to Section
14 7 of the Illinois Emergency Management Agency Act and the
15 University, the State or any of its agencies, or a local public
16 health department has issued guidance, mandates, or rules
17 related to COVID-19 that restrict an employee of the
18 University from being on University property because the
19 employee (i) has a confirmed positive COVID-19 diagnosis via a
20 molecular amplification diagnostic test, such as a polymerase
21 chain reaction (PCR) test for COVID-19, (ii) has a probable
22 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
23 been in close contact with a person who had a confirmed case of
24 COVID-19 and is required to be excluded from the University,
25 or (iv) is required by University policy to be excluded from
26 University property due to COVID-19 symptoms, the employee of

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

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

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

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

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

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

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

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

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

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

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

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

1 the employee must:

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

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

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

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

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

18 (110 ILCS 665/10-245 new)

19 Sec. 10-245. COVID-19 sick leave. For purposes of this
20 Section, "employee" means a person employed by the University
21 on or after the effective date of this amendatory Act of the
22 102nd General Assembly.

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

1 employee of the University who receives all doses required to
2 be fully vaccinated against COVID-19, as defined in Section
3 10-265 of this Act, if:

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

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

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

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

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

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

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

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

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

1 excluded from school; or

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

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

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

20 (110 ILCS 665/10-265 new)

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

22 (a) In this Section:

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

1 "Fully vaccinated against COVID-19" means:

2 (1) 2 weeks after receiving the second dose in a
3 2-dose series of a COVID-19 vaccine authorized for
4 emergency use, licensed, or otherwise approved by the
5 United States Food and Drug Administration; or

6 (2) 2 weeks after receiving a single dose of a
7 COVID-19 vaccine authorized for emergency use, licensed,
8 or otherwise approved by the United States Food and Drug
9 Administration.

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

23 (b) During any time when the Governor has declared a
24 disaster due to a public health emergency pursuant to Section
25 7 of the Illinois Emergency Management Agency Act and the
26 University, the State or any of its agencies, or a local public

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

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

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

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

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

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

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

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

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

1 documentation requested by the University.

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

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

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

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

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

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

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

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

3 (110 ILCS 670/15-245 new)

4 Sec. 15-245. COVID-19 sick leave. For purposes of this
5 Section, "employee" means a person employed by the University
6 on or after the effective date of this amendatory Act of the
7 102nd General Assembly.

8 Any sick leave used by an employee of the University
9 during the 2021-2022 academic year shall be returned to an
10 employee of the University who receives all doses required to
11 be fully vaccinated against COVID-19, as defined in Section
12 15-260 of this Act, if:

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

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

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

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

24 (D) was required by the University to be excluded

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

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

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

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

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

16 Leave shall be returned to an employee pursuant to this
17 Section provided that the employee has received all required
18 doses to meet the definition of "fully vaccinated against
19 COVID-19" under Section 15-260 of this Act no later than 5
20 weeks after the effective date of this amendatory Act of the
21 102nd General Assembly.

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

1 Department of Public Health, provided that the employee
2 received all doses required to be fully vaccinated against
3 COVID-19, as defined in Section 15-260 of this Act, at the time
4 the sick leave was returned to the employee.

5 (110 ILCS 670/15-260 new)

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

7 (a) In this Section:

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

11 "Fully vaccinated against COVID-19" means:

12 (1) 2 weeks after receiving the second dose in a
13 2-dose series of a COVID-19 vaccine authorized for
14 emergency use, licensed, or otherwise approved by the
15 United States Food and Drug Administration; or

16 (2) 2 weeks after receiving a single dose of a
17 COVID-19 vaccine authorized for emergency use, licensed,
18 or otherwise approved by the United States Food and Drug
19 Administration.

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

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

8 (b) During any time when the Governor has declared a
9 disaster due to a public health emergency pursuant to Section
10 7 of the Illinois Emergency Management Agency Act and the
11 University, the State or any of its agencies, or a local public
12 health department has issued guidance, mandates, or rules
13 related to COVID-19 that restrict an employee of the
14 University from being on University property because the
15 employee (i) has a confirmed positive COVID-19 diagnosis via a
16 molecular amplification diagnostic test, such as a polymerase
17 chain reaction (PCR) test for COVID-19, (ii) has a probable
18 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
19 been in close contact with a person who had a confirmed case of
20 COVID-19 and is required to be excluded from the University,
21 or (iv) is required by University policy to be excluded from
22 University property due to COVID-19 symptoms, the employee of
23 the University shall receive as many days of administrative
24 leave as required to abide by the public health guidance,
25 mandates, and requirements issued by the Department of Public
26 Health, unless a longer period of paid administrative leave

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

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

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

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

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

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

1 COVID-19 symptoms.

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

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

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

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

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

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

26 (2) participate in the COVID-19 testing program

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

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

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

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

14 (110 ILCS 675/20-250 new)

15 Sec. 20-250. COVID-19 sick leave. For purposes of this
16 Section, "employee" means a person employed by the University
17 on or after the effective date of this amendatory Act of the
18 102nd General Assembly.

19 Any sick leave used by an employee of the University
20 during the 2021-2022 academic year shall be returned to an
21 employee of the University who receives all doses required to
22 be fully vaccinated against COVID-19, as defined in Section
23 20-270 of this Act, if:

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

1 restricted from being on University property because the
2 employee:

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

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

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

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

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

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

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

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

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

1 Leave shall be returned to an employee pursuant to this
2 Section provided that the employee has received all required
3 doses to meet the definition of "fully vaccinated against
4 COVID-19" under Section 20-270 of this Act no later than 5
5 weeks after the effective date of this amendatory Act of the
6 102nd General Assembly.

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

16 (110 ILCS 675/20-270 new)

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

18 (a) In this Section:

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

22 "Fully vaccinated against COVID-19" means:

23 (1) 2 weeks after receiving the second dose in a
24 2-dose series of a COVID-19 vaccine authorized for
25 emergency use, licensed, or otherwise approved by the

1 United States Food and Drug Administration; or

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

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

19 (b) During any time when the Governor has declared a
20 disaster due to a public health emergency pursuant to Section
21 7 of the Illinois Emergency Management Agency Act and the
22 University, the State or any of its agencies, or a local public
23 health department has issued guidance, mandates, or rules
24 related to COVID-19 that restrict an employee of the
25 University from being on University property because the
26 employee (i) has a confirmed positive COVID-19 diagnosis via a

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

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

1 because the child:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (110 ILCS 680/25-245 new)

2 Sec. 25-245. COVID-19 sick leave. For purposes of this
3 Section, "employee" means a person employed by the University
4 on or after the effective date of this amendatory Act of the
5 102nd General Assembly.

6 Any sick leave used by an employee of the University
7 during the 2021-2022 academic year shall be returned to an
8 employee of the University who receives all doses required to
9 be fully vaccinated against COVID-19, as defined in Section
10 25-265 of this Act, if:

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

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

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

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

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

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

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

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

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

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

12 Leave shall be returned to an employee pursuant to this
13 Section provided that the employee has received all required
14 doses to meet the definition of "fully vaccinated against
15 COVID-19" under Section 25-265 of this Act no later than 5
16 weeks after the effective date of this amendatory Act of the
17 102nd General Assembly.

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

1 (110 ILCS 680/25-265 new)

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

3 (a) In this Section:

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

7 "Fully vaccinated against COVID-19" means:

8 (1) 2 weeks after receiving the second dose in a
9 2-dose series of a COVID-19 vaccine authorized for
10 emergency use, licensed, or otherwise approved by the
11 United States Food and Drug Administration; or

12 (2) 2 weeks after receiving a single dose of a
13 COVID-19 vaccine authorized for emergency use, licensed,
14 or otherwise approved by the United States Food and Drug
15 Administration.

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

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

4 (b) During any time when the Governor has declared a
5 disaster due to a public health emergency pursuant to Section
6 7 of the Illinois Emergency Management Agency Act and the
7 University, the State or any of its agencies, or a local public
8 health department has issued guidance, mandates, or rules
9 related to COVID-19 that restrict an employee of the
10 University from being on University property because the
11 employee (i) has a confirmed positive COVID-19 diagnosis via a
12 molecular amplification diagnostic test, such as a polymerase
13 chain reaction (PCR) test for COVID-19, (ii) has a probable
14 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
15 been in close contact with a person who had a confirmed case of
16 COVID-19 and is required to be excluded from the University,
17 or (iv) is required by University policy to be excluded from
18 University property due to COVID-19 symptoms, the employee of
19 the University shall receive as many days of administrative
20 leave as required to abide by the public health guidance,
21 mandates, and requirements issued by the Department of Public
22 Health, unless a longer period of paid administrative leave
23 has been negotiated with the exclusive bargaining
24 representative if any. Such leave shall be provided to an
25 employee for any days for which the employee was required to be
26 excluded from University property prior to the effective date

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 right or remedy under federal law.

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

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

10 (110 ILCS 685/30-255 new)

11 Sec. 30-255. COVID-19 sick leave. For purposes of this
12 Section, "employee" means a person employed by the University
13 on or after the effective date of this amendatory Act of the
14 102nd General Assembly.

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

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

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

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

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

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

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

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

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

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

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

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

23 Leave shall be returned to an employee pursuant to this
24 Section provided that the employee has received all required
25 doses to meet the definition of "fully vaccinated against
26 COVID-19" under Section 30-275 of this Act no later than 5

1 weeks after the effective date of this amendatory Act of the
2 102nd General Assembly.

3 The University may not rescind any sick leave returned to
4 an employee of the University on the basis of a revision to the
5 definition of "fully vaccinated against COVID-19" by the
6 Centers for Disease Control and Prevention of the United
7 States Department of Health and Human Services or the
8 Department of Public Health, provided that the employee
9 received all doses required to be fully vaccinated against
10 COVID-19, as defined in Section 30-275 of this Act, at the time
11 the sick leave was returned to the employee.

12 (110 ILCS 685/30-275 new)

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

14 (a) In this Section:

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

18 "Fully vaccinated against COVID-19" means:

19 (1) 2 weeks after receiving the second dose in a
20 2-dose series of a COVID-19 vaccine authorized for
21 emergency use, licensed, or otherwise approved by the
22 United States Food and Drug Administration; or

23 (2) 2 weeks after receiving a single dose of a
24 COVID-19 vaccine authorized for emergency use, licensed,
25 or otherwise approved by the United States Food and Drug

1 Administration.

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

15 (b) During any time when the Governor has declared a
16 disaster due to a public health emergency pursuant to Section
17 7 of the Illinois Emergency Management Agency Act and the
18 University, the State or any of its agencies, or a local public
19 health department has issued guidance, mandates, or rules
20 related to COVID-19 that restrict an employee of the
21 University from being on University property because the
22 employee (i) has a confirmed positive COVID-19 diagnosis via a
23 molecular amplification diagnostic test, such as a polymerase
24 chain reaction (PCR) test for COVID-19, (ii) has a probable
25 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
26 been in close contact with a person who had a confirmed case of

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

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

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

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

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

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

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

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

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

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

1 administrative leave pursuant to this Section.

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

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

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

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

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

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

21 (110 ILCS 690/35-250 new)

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

1 102nd General Assembly.

2 Any sick leave used by an employee of the University
3 during the 2021-2022 academic year shall be returned to an
4 employee of the University who receives all doses required to
5 be fully vaccinated against COVID-19, as defined in Section
6 35-270 of this Act, if:

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

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

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

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

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

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

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

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

1 antigen diagnostic test;

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

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

8 Leave shall be returned to an employee pursuant to this
9 Section provided that the employee has received all required
10 doses to meet the definition of "fully vaccinated against
11 COVID-19" under Section 35-270 of this Act no later than 5
12 weeks after the effective date of this amendatory Act of the
13 102nd General Assembly.

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

23 (110 ILCS 690/35-270 new)

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

25 (a) In this Section:

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

4 "Fully vaccinated against COVID-19" means:

5 (1) 2 weeks after receiving the second dose in a
6 2-dose series of a COVID-19 vaccine authorized for
7 emergency use, licensed, or otherwise approved by the
8 United States Food and Drug Administration; or

9 (2) 2 weeks after receiving a single dose of a
10 COVID-19 vaccine authorized for emergency use, licensed,
11 or otherwise approved by the United States Food and Drug
12 Administration.

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

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

1 disaster due to a public health emergency pursuant to Section
2 7 of the Illinois Emergency Management Agency Act and the
3 University, the State or any of its agencies, or a local public
4 health department has issued guidance, mandates, or rules
5 related to COVID-19 that restrict an employee of the
6 University from being on University property because the
7 employee (i) has a confirmed positive COVID-19 diagnosis via a
8 molecular amplification diagnostic test, such as a polymerase
9 chain reaction (PCR) test for COVID-19, (ii) has a probable
10 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
11 been in close contact with a person who had a confirmed case of
12 COVID-19 and is required to be excluded from the University,
13 or (iv) is required by University policy to be excluded from
14 University property due to COVID-19 symptoms, the employee of
15 the University shall receive as many days of administrative
16 leave as required to abide by the public health guidance,
17 mandates, and requirements issued by the Department of Public
18 Health, unless a longer period of paid administrative leave
19 has been negotiated with the exclusive bargaining
20 representative if any. Such leave shall be provided to an
21 employee for any days for which the employee was required to be
22 excluded from University property prior to the effective date
23 of this amendatory Act of the 102nd General Assembly, provided
24 that the employee receives all doses required to meet the
25 definition of "fully vaccinated against COVID-19" under this
26 Section no later than 5 weeks after the effective date of this

1 amendatory Act of the 102nd General Assembly.

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

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

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

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

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

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

1 Assembly.

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

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

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

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

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

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

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

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

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

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

6 (110 ILCS 805/3-29.20 new)

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

12 Any sick leave used by an employee of a community college
13 or community college district during the 2021-2022 academic
14 year shall be returned to an employee of the community college
15 or community college district who receives all doses required
16 to be fully vaccinated against COVID-19, as defined in Section
17 3-29.25 of this Act, if:

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

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

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

1 antigen diagnostic test;

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

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

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

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

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

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

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

23 Leave shall be returned to an employee pursuant to this
24 Section provided that the employee has received all required
25 doses to meet the definition of "fully vaccinated against
26 COVID-19" under Section 3-29.25 of this Act no later than 5

1 weeks after the effective date of this amendatory Act of the
2 102nd General Assembly.

3 The community college district may not rescind any sick
4 leave returned to an employee of the community college or
5 community college district on the basis of a revision to the
6 definition of "fully vaccinated against COVID-19" by the
7 Centers for Disease Control and Prevention of the United
8 States Department of Health and Human Services or the
9 Department of Public Health, provided that the employee
10 received all doses required to be fully vaccinated against
11 COVID-19, as defined in Section 3-29.25 of this Act, at the
12 time the sick leave was returned to the employee.

13 (110 ILCS 805/3-29.25 new)

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

15 (a) In this Section:

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

19 "Fully vaccinated against COVID-19" means:

20 (1) 2 weeks after receiving the second dose in a
21 2-dose series of a COVID-19 vaccine authorized for
22 emergency use, licensed, or otherwise approved by the
23 United States Food and Drug Administration; or

24 (2) 2 weeks after receiving a single dose of a
25 COVID-19 vaccine authorized for emergency use, licensed,

1 or otherwise approved by the United States Food and Drug
2 Administration.

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

16 (b) During any time when the Governor has declared a
17 disaster due to a public health emergency pursuant to Section
18 7 of the Illinois Emergency Management Agency Act and a
19 community college district, the State or any of its agencies,
20 or a local public health department has issued guidance,
21 mandates, or rules related to COVID-19 that restrict an
22 employee of a community college or community college district
23 from being on community college district property because the
24 employee (i) has a confirmed positive COVID-19 diagnosis via a
25 molecular amplification diagnostic test, such as a polymerase
26 chain reaction (PCR) test for COVID-19, (ii) has a probable

1 COVID-19 diagnosis via an antigen diagnostic test, (iii) has
2 been in close contact with a person who had a confirmed case of
3 COVID-19 and is required to be excluded from a community
4 college district, or (iv) is required by a community college
5 or community college district policy to be excluded from
6 community college district property due to COVID-19 symptoms,
7 the employee of a community college or community college
8 district shall receive as many days of administrative leave as
9 required to abide by the public health guidance, mandates, and
10 requirements issued by the Department of Public Health, unless
11 a longer period of paid administrative leave has been
12 negotiated with the exclusive bargaining representative if
13 any. Such leave shall be provided to an employee for any days
14 for which the employee was required to be excluded from
15 community college district property prior to the effective
16 date of this amendatory Act of the 102nd General Assembly,
17 provided that the employee receives all doses required to meet
18 the definition of "fully vaccinated against COVID-19" under
19 this Section no later than 5 weeks after the effective date of
20 this amendatory Act of the 102nd General Assembly.

21 (c) An employee of a community college or community
22 college district shall receive paid administrative leave
23 pursuant to subsection (b) of this Section, unless a longer
24 period of paid administrative leave has been negotiated with
25 the exclusive bargaining representative if any, to care for a
26 child of the employee if the child is unable to attend

1 elementary or secondary school because the child:

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

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

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

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

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

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

25 (e) An employee of a community college or community
26 college district who is on paid administrative leave pursuant

1 to this Section shall receive the employee's regular rate of
2 pay. The use of a paid administrative leave day or days by an
3 employee pursuant to this Section may not diminish any other
4 leave or benefits of the employee.

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

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

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

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

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

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

1 Section 95. No acceleration or delay. Where this Act makes
2 changes in a statute that is represented in this Act by text
3 that is not yet or no longer in effect (for example, a Section
4 represented by multiple versions), the use of that text does
5 not accelerate or delay the taking effect of (i) the changes
6 made by this Act or (ii) provisions derived from any other
7 Public Act.

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