



Sen. Christopher Belt

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10200HB2789sam001

LRB102 10539 CMG 26780 a

1 AMENDMENT TO HOUSE BILL 2789

2 AMENDMENT NO. _____. Amend House Bill 2789 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Administrative Procedure Act is
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that
9 any agency finds reasonably constitutes a threat to the public
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that
12 requires adoption of a rule upon fewer days than is required by
13 Section 5-40 and states in writing its reasons for that
14 finding, the agency may adopt an emergency rule without prior
15 notice or hearing upon filing a notice of emergency rulemaking
16 with the Secretary of State under Section 5-70. The notice

1 shall include the text of the emergency rule and shall be
2 published in the Illinois Register. Consent orders or other
3 court orders adopting settlements negotiated by an agency may
4 be adopted under this Section. Subject to applicable
5 constitutional or statutory provisions, an emergency rule
6 becomes effective immediately upon filing under Section 5-65
7 or at a stated date less than 10 days thereafter. The agency's
8 finding and a statement of the specific reasons for the
9 finding shall be filed with the rule. The agency shall take
10 reasonable and appropriate measures to make emergency rules
11 known to the persons who may be affected by them.

12 (c) An emergency rule may be effective for a period of not
13 longer than 150 days, but the agency's authority to adopt an
14 identical rule under Section 5-40 is not precluded. No
15 emergency rule may be adopted more than once in any 24-month
16 period, except that this limitation on the number of emergency
17 rules that may be adopted in a 24-month period does not apply
18 to (i) emergency rules that make additions to and deletions
19 from the Drug Manual under Section 5-5.16 of the Illinois
20 Public Aid Code or the generic drug formulary under Section
21 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
22 emergency rules adopted by the Pollution Control Board before
23 July 1, 1997 to implement portions of the Livestock Management
24 Facilities Act, (iii) emergency rules adopted by the Illinois
25 Department of Public Health under subsections (a) through (i)
26 of Section 2 of the Department of Public Health Act when

1 necessary to protect the public's health, (iv) emergency rules
2 adopted pursuant to subsection (n) of this Section, (v)
3 emergency rules adopted pursuant to subsection (o) of this
4 Section, or (vi) emergency rules adopted pursuant to
5 subsection (c-5) of this Section. Two or more emergency rules
6 having substantially the same purpose and effect shall be
7 deemed to be a single rule for purposes of this Section.

8 (c-5) To facilitate the maintenance of the program of
9 group health benefits provided to annuitants, survivors, and
10 retired employees under the State Employees Group Insurance
11 Act of 1971, rules to alter the contributions to be paid by the
12 State, annuitants, survivors, retired employees, or any
13 combination of those entities, for that program of group
14 health benefits, shall be adopted as emergency rules. The
15 adoption of those rules shall be considered an emergency and
16 necessary for the public interest, safety, and welfare.

17 (d) In order to provide for the expeditious and timely
18 implementation of the State's fiscal year 1999 budget,
19 emergency rules to implement any provision of Public Act
20 90-587 or 90-588 or any other budget initiative for fiscal
21 year 1999 may be adopted in accordance with this Section by the
22 agency charged with administering that provision or
23 initiative, except that the 24-month limitation on the
24 adoption of emergency rules and the provisions of Sections
25 5-115 and 5-125 do not apply to rules adopted under this
26 subsection (d). The adoption of emergency rules authorized by

1 this subsection (d) shall be deemed to be necessary for the
2 public interest, safety, and welfare.

3 (e) In order to provide for the expeditious and timely
4 implementation of the State's fiscal year 2000 budget,
5 emergency rules to implement any provision of Public Act 91-24
6 or any other budget initiative for fiscal year 2000 may be
7 adopted in accordance with this Section by the agency charged
8 with administering that provision or initiative, except that
9 the 24-month limitation on the adoption of emergency rules and
10 the provisions of Sections 5-115 and 5-125 do not apply to
11 rules adopted under this subsection (e). The adoption of
12 emergency rules authorized by this subsection (e) shall be
13 deemed to be necessary for the public interest, safety, and
14 welfare.

15 (f) In order to provide for the expeditious and timely
16 implementation of the State's fiscal year 2001 budget,
17 emergency rules to implement any provision of Public Act
18 91-712 or any other budget initiative for fiscal year 2001 may
19 be adopted in accordance with this Section by the agency
20 charged with administering that provision or initiative,
21 except that the 24-month limitation on the adoption of
22 emergency rules and the provisions of Sections 5-115 and 5-125
23 do not apply to rules adopted under this subsection (f). The
24 adoption of emergency rules authorized by this subsection (f)
25 shall be deemed to be necessary for the public interest,
26 safety, and welfare.

1 (g) In order to provide for the expeditious and timely
2 implementation of the State's fiscal year 2002 budget,
3 emergency rules to implement any provision of Public Act 92-10
4 or any other budget initiative for fiscal year 2002 may be
5 adopted in accordance with this Section by the agency charged
6 with administering that provision or initiative, except that
7 the 24-month limitation on the adoption of emergency rules and
8 the provisions of Sections 5-115 and 5-125 do not apply to
9 rules adopted under this subsection (g). The adoption of
10 emergency rules authorized by this subsection (g) shall be
11 deemed to be necessary for the public interest, safety, and
12 welfare.

13 (h) In order to provide for the expeditious and timely
14 implementation of the State's fiscal year 2003 budget,
15 emergency rules to implement any provision of Public Act
16 92-597 or any other budget initiative for fiscal year 2003 may
17 be adopted in accordance with this Section by the agency
18 charged with administering that provision or initiative,
19 except that the 24-month limitation on the adoption of
20 emergency rules and the provisions of Sections 5-115 and 5-125
21 do not apply to rules adopted under this subsection (h). The
22 adoption of emergency rules authorized by this subsection (h)
23 shall be deemed to be necessary for the public interest,
24 safety, and welfare.

25 (i) In order to provide for the expeditious and timely
26 implementation of the State's fiscal year 2004 budget,

1 emergency rules to implement any provision of Public Act 93-20
2 or any other budget initiative for fiscal year 2004 may be
3 adopted in accordance with this Section by the agency charged
4 with administering that provision or initiative, except that
5 the 24-month limitation on the adoption of emergency rules and
6 the provisions of Sections 5-115 and 5-125 do not apply to
7 rules adopted under this subsection (i). The adoption of
8 emergency rules authorized by this subsection (i) shall be
9 deemed to be necessary for the public interest, safety, and
10 welfare.

11 (j) In order to provide for the expeditious and timely
12 implementation of the provisions of the State's fiscal year
13 2005 budget as provided under the Fiscal Year 2005 Budget
14 Implementation (Human Services) Act, emergency rules to
15 implement any provision of the Fiscal Year 2005 Budget
16 Implementation (Human Services) Act may be adopted in
17 accordance with this Section by the agency charged with
18 administering that provision, except that the 24-month
19 limitation on the adoption of emergency rules and the
20 provisions of Sections 5-115 and 5-125 do not apply to rules
21 adopted under this subsection (j). The Department of Public
22 Aid may also adopt rules under this subsection (j) necessary
23 to administer the Illinois Public Aid Code and the Children's
24 Health Insurance Program Act. The adoption of emergency rules
25 authorized by this subsection (j) shall be deemed to be
26 necessary for the public interest, safety, and welfare.

1 (k) In order to provide for the expeditious and timely
2 implementation of the provisions of the State's fiscal year
3 2006 budget, emergency rules to implement any provision of
4 Public Act 94-48 or any other budget initiative for fiscal
5 year 2006 may be adopted in accordance with this Section by the
6 agency charged with administering that provision or
7 initiative, except that the 24-month limitation on the
8 adoption of emergency rules and the provisions of Sections
9 5-115 and 5-125 do not apply to rules adopted under this
10 subsection (k). The Department of Healthcare and Family
11 Services may also adopt rules under this subsection (k)
12 necessary to administer the Illinois Public Aid Code, the
13 Senior Citizens and Persons with Disabilities Property Tax
14 Relief Act, the Senior Citizens and Disabled Persons
15 Prescription Drug Discount Program Act (now the Illinois
16 Prescription Drug Discount Program Act), and the Children's
17 Health Insurance Program Act. The adoption of emergency rules
18 authorized by this subsection (k) shall be deemed to be
19 necessary for the public interest, safety, and welfare.

20 (l) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2007 budget, the Department of Healthcare and Family Services
23 may adopt emergency rules during fiscal year 2007, including
24 rules effective July 1, 2007, in accordance with this
25 subsection to the extent necessary to administer the
26 Department's responsibilities with respect to amendments to

1 the State plans and Illinois waivers approved by the federal
2 Centers for Medicare and Medicaid Services necessitated by the
3 requirements of Title XIX and Title XXI of the federal Social
4 Security Act. The adoption of emergency rules authorized by
5 this subsection (l) shall be deemed to be necessary for the
6 public interest, safety, and welfare.

7 (m) In order to provide for the expeditious and timely
8 implementation of the provisions of the State's fiscal year
9 2008 budget, the Department of Healthcare and Family Services
10 may adopt emergency rules during fiscal year 2008, including
11 rules effective July 1, 2008, in accordance with this
12 subsection to the extent necessary to administer the
13 Department's responsibilities with respect to amendments to
14 the State plans and Illinois waivers approved by the federal
15 Centers for Medicare and Medicaid Services necessitated by the
16 requirements of Title XIX and Title XXI of the federal Social
17 Security Act. The adoption of emergency rules authorized by
18 this subsection (m) shall be deemed to be necessary for the
19 public interest, safety, and welfare.

20 (n) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2010 budget, emergency rules to implement any provision of
23 Public Act 96-45 or any other budget initiative authorized by
24 the 96th General Assembly for fiscal year 2010 may be adopted
25 in accordance with this Section by the agency charged with
26 administering that provision or initiative. The adoption of

1 emergency rules authorized by this subsection (n) shall be
2 deemed to be necessary for the public interest, safety, and
3 welfare. The rulemaking authority granted in this subsection
4 (n) shall apply only to rules promulgated during Fiscal Year
5 2010.

6 (o) In order to provide for the expeditious and timely
7 implementation of the provisions of the State's fiscal year
8 2011 budget, emergency rules to implement any provision of
9 Public Act 96-958 or any other budget initiative authorized by
10 the 96th General Assembly for fiscal year 2011 may be adopted
11 in accordance with this Section by the agency charged with
12 administering that provision or initiative. The adoption of
13 emergency rules authorized by this subsection (o) is deemed to
14 be necessary for the public interest, safety, and welfare. The
15 rulemaking authority granted in this subsection (o) applies
16 only to rules promulgated on or after July 1, 2010 (the
17 effective date of Public Act 96-958) through June 30, 2011.

18 (p) In order to provide for the expeditious and timely
19 implementation of the provisions of Public Act 97-689,
20 emergency rules to implement any provision of Public Act
21 97-689 may be adopted in accordance with this subsection (p)
22 by the agency charged with administering that provision or
23 initiative. The 150-day limitation of the effective period of
24 emergency rules does not apply to rules adopted under this
25 subsection (p), and the effective period may continue through
26 June 30, 2013. The 24-month limitation on the adoption of

1 emergency rules does not apply to rules adopted under this
2 subsection (p). The adoption of emergency rules authorized by
3 this subsection (p) is deemed to be necessary for the public
4 interest, safety, and welfare.

5 (q) In order to provide for the expeditious and timely
6 implementation of the provisions of Articles 7, 8, 9, 11, and
7 12 of Public Act 98-104, emergency rules to implement any
8 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
9 may be adopted in accordance with this subsection (q) by the
10 agency charged with administering that provision or
11 initiative. The 24-month limitation on the adoption of
12 emergency rules does not apply to rules adopted under this
13 subsection (q). The adoption of emergency rules authorized by
14 this subsection (q) is deemed to be necessary for the public
15 interest, safety, and welfare.

16 (r) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 98-651,
18 emergency rules to implement Public Act 98-651 may be adopted
19 in accordance with this subsection (r) by the Department of
20 Healthcare and Family Services. The 24-month limitation on the
21 adoption of emergency rules does not apply to rules adopted
22 under this subsection (r). The adoption of emergency rules
23 authorized by this subsection (r) is deemed to be necessary
24 for the public interest, safety, and welfare.

25 (s) In order to provide for the expeditious and timely
26 implementation of the provisions of Sections 5-5b.1 and 5A-2

1 of the Illinois Public Aid Code, emergency rules to implement
2 any provision of Section 5-5b.1 or Section 5A-2 of the
3 Illinois Public Aid Code may be adopted in accordance with
4 this subsection (s) by the Department of Healthcare and Family
5 Services. The rulemaking authority granted in this subsection
6 (s) shall apply only to those rules adopted prior to July 1,
7 2015. Notwithstanding any other provision of this Section, any
8 emergency rule adopted under this subsection (s) shall only
9 apply to payments made for State fiscal year 2015. The
10 adoption of emergency rules authorized by this subsection (s)
11 is deemed to be necessary for the public interest, safety, and
12 welfare.

13 (t) In order to provide for the expeditious and timely
14 implementation of the provisions of Article II of Public Act
15 99-6, emergency rules to implement the changes made by Article
16 II of Public Act 99-6 to the Emergency Telephone System Act may
17 be adopted in accordance with this subsection (t) by the
18 Department of State Police. The rulemaking authority granted
19 in this subsection (t) shall apply only to those rules adopted
20 prior to July 1, 2016. The 24-month limitation on the adoption
21 of emergency rules does not apply to rules adopted under this
22 subsection (t). The adoption of emergency rules authorized by
23 this subsection (t) is deemed to be necessary for the public
24 interest, safety, and welfare.

25 (u) In order to provide for the expeditious and timely
26 implementation of the provisions of the Burn Victims Relief

1 Act, emergency rules to implement any provision of the Act may
2 be adopted in accordance with this subsection (u) by the
3 Department of Insurance. The rulemaking authority granted in
4 this subsection (u) shall apply only to those rules adopted
5 prior to December 31, 2015. The adoption of emergency rules
6 authorized by this subsection (u) is deemed to be necessary
7 for the public interest, safety, and welfare.

8 (v) In order to provide for the expeditious and timely
9 implementation of the provisions of Public Act 99-516,
10 emergency rules to implement Public Act 99-516 may be adopted
11 in accordance with this subsection (v) by the Department of
12 Healthcare and Family Services. The 24-month limitation on the
13 adoption of emergency rules does not apply to rules adopted
14 under this subsection (v). The adoption of emergency rules
15 authorized by this subsection (v) is deemed to be necessary
16 for the public interest, safety, and welfare.

17 (w) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 99-796,
19 emergency rules to implement the changes made by Public Act
20 99-796 may be adopted in accordance with this subsection (w)
21 by the Adjutant General. The adoption of emergency rules
22 authorized by this subsection (w) is deemed to be necessary
23 for the public interest, safety, and welfare.

24 (x) In order to provide for the expeditious and timely
25 implementation of the provisions of Public Act 99-906,
26 emergency rules to implement subsection (i) of Section

1 16-115D, subsection (g) of Section 16-128A, and subsection (a)
2 of Section 16-128B of the Public Utilities Act may be adopted
3 in accordance with this subsection (x) by the Illinois
4 Commerce Commission. The rulemaking authority granted in this
5 subsection (x) shall apply only to those rules adopted within
6 180 days after June 1, 2017 (the effective date of Public Act
7 99-906). The adoption of emergency rules authorized by this
8 subsection (x) is deemed to be necessary for the public
9 interest, safety, and welfare.

10 (y) In order to provide for the expeditious and timely
11 implementation of the provisions of Public Act 100-23,
12 emergency rules to implement the changes made by Public Act
13 100-23 to Section 4.02 of the Illinois Act on the Aging,
14 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
15 Section 55-30 of the Alcoholism and Other Drug Abuse and
16 Dependency Act, and Sections 74 and 75 of the Mental Health and
17 Developmental Disabilities Administrative Act may be adopted
18 in accordance with this subsection (y) by the respective
19 Department. The adoption of emergency rules authorized by this
20 subsection (y) is deemed to be necessary for the public
21 interest, safety, and welfare.

22 (z) In order to provide for the expeditious and timely
23 implementation of the provisions of Public Act 100-554,
24 emergency rules to implement the changes made by Public Act
25 100-554 to Section 4.7 of the Lobbyist Registration Act may be
26 adopted in accordance with this subsection (z) by the

1 Secretary of State. The adoption of emergency rules authorized
2 by this subsection (z) is deemed to be necessary for the public
3 interest, safety, and welfare.

4 (aa) In order to provide for the expeditious and timely
5 initial implementation of the changes made to Articles 5, 5A,
6 12, and 14 of the Illinois Public Aid Code under the provisions
7 of Public Act 100-581, the Department of Healthcare and Family
8 Services may adopt emergency rules in accordance with this
9 subsection (aa). The 24-month limitation on the adoption of
10 emergency rules does not apply to rules to initially implement
11 the changes made to Articles 5, 5A, 12, and 14 of the Illinois
12 Public Aid Code adopted under this subsection (aa). The
13 adoption of emergency rules authorized by this subsection (aa)
14 is deemed to be necessary for the public interest, safety, and
15 welfare.

16 (bb) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 100-587,
18 emergency rules to implement the changes made by Public Act
19 100-587 to Section 4.02 of the Illinois Act on the Aging,
20 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
21 subsection (b) of Section 55-30 of the Alcoholism and Other
22 Drug Abuse and Dependency Act, Section 5-104 of the
23 Specialized Mental Health Rehabilitation Act of 2013, and
24 Section 75 and subsection (b) of Section 74 of the Mental
25 Health and Developmental Disabilities Administrative Act may
26 be adopted in accordance with this subsection (bb) by the

1 respective Department. The adoption of emergency rules
2 authorized by this subsection (bb) is deemed to be necessary
3 for the public interest, safety, and welfare.

4 (cc) In order to provide for the expeditious and timely
5 implementation of the provisions of Public Act 100-587,
6 emergency rules may be adopted in accordance with this
7 subsection (cc) to implement the changes made by Public Act
8 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois
9 Pension Code by the Board created under Article 14 of the Code;
10 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by
11 the Board created under Article 15 of the Code; and Sections
12 16-190.5 and 16-190.6 of the Illinois Pension Code by the
13 Board created under Article 16 of the Code. The adoption of
14 emergency rules authorized by this subsection (cc) is deemed
15 to be necessary for the public interest, safety, and welfare.

16 (dd) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 100-864,
18 emergency rules to implement the changes made by Public Act
19 100-864 to Section 3.35 of the Newborn Metabolic Screening Act
20 may be adopted in accordance with this subsection (dd) by the
21 Secretary of State. The adoption of emergency rules authorized
22 by this subsection (dd) is deemed to be necessary for the
23 public interest, safety, and welfare.

24 (ee) In order to provide for the expeditious and timely
25 implementation of the provisions of Public Act 100-1172,
26 emergency rules implementing the Illinois Underground Natural

1 Gas Storage Safety Act may be adopted in accordance with this
2 subsection by the Department of Natural Resources. The
3 adoption of emergency rules authorized by this subsection is
4 deemed to be necessary for the public interest, safety, and
5 welfare.

6 (ff) In order to provide for the expeditious and timely
7 initial implementation of the changes made to Articles 5A and
8 14 of the Illinois Public Aid Code under the provisions of
9 Public Act 100-1181, the Department of Healthcare and Family
10 Services may on a one-time-only basis adopt emergency rules in
11 accordance with this subsection (ff). The 24-month limitation
12 on the adoption of emergency rules does not apply to rules to
13 initially implement the changes made to Articles 5A and 14 of
14 the Illinois Public Aid Code adopted under this subsection
15 (ff). The adoption of emergency rules authorized by this
16 subsection (ff) is deemed to be necessary for the public
17 interest, safety, and welfare.

18 (gg) In order to provide for the expeditious and timely
19 implementation of the provisions of Public Act 101-1,
20 emergency rules may be adopted by the Department of Labor in
21 accordance with this subsection (gg) to implement the changes
22 made by Public Act 101-1 to the Minimum Wage Law. The adoption
23 of emergency rules authorized by this subsection (gg) is
24 deemed to be necessary for the public interest, safety, and
25 welfare.

26 (hh) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 101-10,
2 emergency rules may be adopted in accordance with this
3 subsection (hh) to implement the changes made by Public Act
4 101-10 to subsection (j) of Section 5-5.2 of the Illinois
5 Public Aid Code. The adoption of emergency rules authorized by
6 this subsection (hh) is deemed to be necessary for the public
7 interest, safety, and welfare.

8 (ii) In order to provide for the expeditious and timely
9 implementation of the provisions of Public Act 101-10,
10 emergency rules to implement the changes made by Public Act
11 101-10 to Sections 5-5.4 and 5-5.4i of the Illinois Public Aid
12 Code may be adopted in accordance with this subsection (ii) by
13 the Department of Public Health. The adoption of emergency
14 rules authorized by this subsection (ii) is deemed to be
15 necessary for the public interest, safety, and welfare.

16 (jj) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 101-10,
18 emergency rules to implement the changes made by Public Act
19 101-10 to Section 74 of the Mental Health and Developmental
20 Disabilities Administrative Act may be adopted in accordance
21 with this subsection (jj) by the Department of Human Services.
22 The adoption of emergency rules authorized by this subsection
23 (jj) is deemed to be necessary for the public interest,
24 safety, and welfare.

25 (kk) In order to provide for the expeditious and timely
26 implementation of the Cannabis Regulation and Tax Act and

1 Public Act 101-27, the Department of Revenue, the Department
2 of Public Health, the Department of Agriculture, the
3 Department of State Police, and the Department of Financial
4 and Professional Regulation may adopt emergency rules in
5 accordance with this subsection (kk). The rulemaking authority
6 granted in this subsection (kk) shall apply only to rules
7 adopted before December 31, 2021. Notwithstanding the
8 provisions of subsection (c), emergency rules adopted under
9 this subsection (kk) shall be effective for 180 days. The
10 adoption of emergency rules authorized by this subsection (kk)
11 is deemed to be necessary for the public interest, safety, and
12 welfare.

13 (ll) In order to provide for the expeditious and timely
14 implementation of the provisions of the Leveling the Playing
15 Field for Illinois Retail Act, emergency rules may be adopted
16 in accordance with this subsection (ll) to implement the
17 changes made by the Leveling the Playing Field for Illinois
18 Retail Act. The adoption of emergency rules authorized by this
19 subsection (ll) is deemed to be necessary for the public
20 interest, safety, and welfare.

21 (mm) In order to provide for the expeditious and timely
22 implementation of the provisions of Section 25-70 of the
23 Sports Wagering Act, emergency rules to implement Section
24 25-70 of the Sports Wagering Act may be adopted in accordance
25 with this subsection (mm) by the Department of the Lottery as
26 provided in the Sports Wagering Act. The adoption of emergency

1 rules authorized by this subsection (mm) is deemed to be
2 necessary for the public interest, safety, and welfare.

3 (nn) In order to provide for the expeditious and timely
4 implementation of the Sports Wagering Act, emergency rules to
5 implement the Sports Wagering Act may be adopted in accordance
6 with this subsection (nn) by the Illinois Gaming Board. The
7 adoption of emergency rules authorized by this subsection (nn)
8 is deemed to be necessary for the public interest, safety, and
9 welfare.

10 (oo) In order to provide for the expeditious and timely
11 implementation of the provisions of subsection (c) of Section
12 20 of the Video Gaming Act, emergency rules to implement the
13 provisions of subsection (c) of Section 20 of the Video Gaming
14 Act may be adopted in accordance with this subsection (oo) by
15 the Illinois Gaming Board. The adoption of emergency rules
16 authorized by this subsection (oo) is deemed to be necessary
17 for the public interest, safety, and welfare.

18 (pp) In order to provide for the expeditious and timely
19 implementation of the provisions of Section 50 of the Sexual
20 Assault Evidence Submission Act, emergency rules to implement
21 Section 50 of the Sexual Assault Evidence Submission Act may
22 be adopted in accordance with this subsection (pp) by the
23 Department of State Police. The adoption of emergency rules
24 authorized by this subsection (pp) is deemed to be necessary
25 for the public interest, safety, and welfare.

26 (qq) In order to provide for the expeditious and timely

1 implementation of the provisions of the Illinois Works Jobs
2 Program Act, emergency rules may be adopted in accordance with
3 this subsection (qq) to implement the Illinois Works Jobs
4 Program Act. The adoption of emergency rules authorized by
5 this subsection (qq) is deemed to be necessary for the public
6 interest, safety, and welfare.

7 (rr) In order to provide for the expeditious and timely
8 implementation of the provisions of subsection (c) of Section
9 2-3.25 of the School Code, subsection (b) of Section 2-3.25o
10 of the School Code, paragraph (1.5) of Section 10-30 of the
11 School Code, and paragraph (1.5) of Section 34-18.66 of the
12 School Code, emergency rules to implement subsection (c) of
13 Section 2-3.25 of the School Code, subsection (b) of Section
14 2-3.25o of the School Code, paragraph (1.5) of Section 10-30
15 of the School Code, and paragraph (1.5) of Section 34-18.66 of
16 the School Code may be adopted in accordance with this
17 subsection (rr) by the State Board of Education. The adoption
18 of emergency rules authorized by this subsection (rr) is
19 deemed to be necessary for the public interest, safety, and
20 welfare.

21 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;
22 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.
23 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;
24 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.
25 3-8-19; 101-1, eff. 2-19-19; 101-10, Article 20, Section 20-5,
26 eff. 6-5-19; 101-10, Article 35, Section 35-5, eff. 6-5-19;

1 101-27, eff. 6-25-19; 101-31, Article 15, Section 15-5, eff.
2 6-28-19; 101-31, Article 25, Section 25-900, eff. 6-28-19;
3 101-31, Article 35, Section 35-3, eff. 6-28-19; 101-377, eff.
4 8-16-19; 101-601, eff. 12-10-19.)

5 Section 10. The School Code is amended by changing
6 Sections 2-3.25, 2-3.25o, 10-20, 10-30, 21B-5, and 34-18.66 as
7 follows:

8 (105 ILCS 5/2-3.25) (from Ch. 122, par. 2-3.25)
9 Sec. 2-3.25. Standards for schools.

10 (a) To determine for all types of schools conducted under
11 this Act efficient and adequate standards for the physical
12 plant, heating, lighting, ventilation, sanitation, safety,
13 equipment and supplies, instruction and teaching, curriculum,
14 library, operation, maintenance, administration and
15 supervision, and to issue, refuse to issue or revoke
16 ~~certificates of~~ recognition for schools or school districts
17 pursuant to standards established hereunder; to determine and
18 establish efficient and adequate standards for approval of
19 credit for courses given and conducted by schools outside of
20 the regular school term.

21 (a-5) On or before July 1, 2021, the State Board of
22 Education must adopt revised social science learning standards
23 that are inclusive and reflective of all individuals in this
24 country.

1 (b) Whenever it appears that a secondary or unit school
2 district may be unable to offer courses enabling students in
3 grades 9 through 12 to meet the minimum preparation and
4 admission requirements for public colleges and universities
5 adopted by the Board of Higher Education, the State Board of
6 Education shall assist the district in reviewing and analyzing
7 its existing curriculum with particular reference to the
8 educational needs of all pupils of the district and the
9 sufficiency of existing and future revenues and payments
10 available to the district for development of a curriculum
11 which will provide maximum educational opportunity to pupils
12 of the district. The review and analysis may consider
13 achievement of this goal not only through implementation of
14 traditional classroom methods but also through development of
15 and participation in joint educational programs with other
16 school districts or institutions of higher education, or
17 alternative programs employing modern technological methods
18 including but not limited to the use of television,
19 telephones, computers, radio and other electronic devices.

20 (c) The State Board of Education shall adopt rules to
21 revoke recognition pursuant to subsection (a) for schools or
22 school districts that do not comply with public health
23 requirements established by the Department of Public Health
24 when the Governor has declared a disaster due to a public
25 health emergency pursuant to Section 7 of the Illinois
26 Emergency Management Agency Act.

1 (Source: P.A. 101-654, eff. 3-8-21.)

2 (105 ILCS 5/2-3.25o)

3 Sec. 2-3.25o. Registration and recognition of non-public
4 elementary and secondary schools.

5 (a) Findings. The General Assembly finds and declares (i)
6 that the Constitution of the State of Illinois provides that a
7 "fundamental goal of the People of the State is the
8 educational development of all persons to the limits of their
9 capacities" and (ii) that the educational development of every
10 school student serves the public purposes of the State. In
11 order to ensure that all Illinois students and teachers have
12 the opportunity to enroll and work in State-approved
13 educational institutions and programs, the State Board of
14 Education shall provide for the voluntary registration and
15 recognition of non-public elementary and secondary schools.

16 (b) Registration. All non-public elementary and secondary
17 schools in the State of Illinois may voluntarily register with
18 the State Board of Education on an annual basis. Registration
19 shall be completed in conformance with procedures prescribed
20 by the State Board of Education. Information required for
21 registration shall include assurances of compliance (i) with
22 federal and State laws regarding health examination and
23 immunization, attendance, length of term, and
24 nondiscrimination and (ii) with applicable fire and health
25 safety requirements and assurances that the school will comply

1 with public health requirements established by the Department
2 of Public Health when the Governor has declared a disaster due
3 to a public health emergency pursuant to Section 7 of the
4 Illinois Emergency Management Agency Act. All non-public
5 elementary and secondary schools must investigate complaints
6 of noncompliance with public health requirements. A complaint
7 filed with a non-public school does not preclude a complaint
8 from being filed with the regional superintendent of schools.
9 Regional superintendents of schools must investigate
10 complaints received of noncompliance with public health
11 requirements at non-public schools. An appeal contesting the
12 findings of a regional superintendent of schools may be filed
13 with the State Board of Education. Upon receiving notice of an
14 appeal, the State Board of Education must investigate
15 complaints of noncompliance with public health requirements.

16 (c) Recognition. All non-public elementary and secondary
17 schools in the State of Illinois may voluntarily seek the
18 status of "Non-public School Recognition" from the State Board
19 of Education. This status may be obtained by compliance with
20 administrative guidelines and review procedures as prescribed
21 by the State Board of Education. The guidelines and procedures
22 must recognize that some of the aims and the financial bases of
23 non-public schools are different from public schools and will
24 not be identical to those for public schools, nor will they be
25 more burdensome. The guidelines and procedures must also
26 recognize the diversity of non-public schools and shall not

1 impinge upon the noneducational relationships between those
2 schools and their clientele.

3 (c-5) Prohibition against recognition. A non-public
4 elementary or secondary school may not obtain "Non-public
5 School Recognition" status unless the school requires all
6 certified and non-certified applicants for employment with the
7 school, after July 1, 2007, to authorize a fingerprint-based
8 criminal history records check as a condition of employment to
9 determine if such applicants have been convicted of any of the
10 enumerated criminal or drug offenses set forth in Section
11 21B-80 of this Code or have been convicted, within 7 years of
12 the application for employment, of any other felony under the
13 laws of this State or of any offense committed or attempted in
14 any other state or against the laws of the United States that,
15 if committed or attempted in this State, would have been
16 punishable as a felony under the laws of this State.

17 Authorization for the check shall be furnished by the
18 applicant to the school, except that if the applicant is a
19 substitute teacher seeking employment in more than one
20 non-public school, a teacher seeking concurrent part-time
21 employment positions with more than one non-public school (as
22 a reading specialist, special education teacher, or
23 otherwise), or an educational support personnel employee
24 seeking employment positions with more than one non-public
25 school, then only one of the non-public schools employing the
26 individual shall request the authorization. Upon receipt of

1 this authorization, the non-public school shall submit the
2 applicant's name, sex, race, date of birth, social security
3 number, fingerprint images, and other identifiers, as
4 prescribed by the Department of State Police, to the
5 Department of State Police.

6 The Department of State Police and Federal Bureau of
7 Investigation shall furnish, pursuant to a fingerprint-based
8 criminal history records check, records of convictions,
9 forever and hereafter, until expunged, to the president or
10 principal of the non-public school that requested the check.
11 The Department of State Police shall charge that school a fee
12 for conducting such check, which fee must be deposited into
13 the State Police Services Fund and must not exceed the cost of
14 the inquiry. Subject to appropriations for these purposes, the
15 State Superintendent of Education shall reimburse non-public
16 schools for fees paid to obtain criminal history records
17 checks under this Section.

18 A non-public school may not obtain recognition status
19 unless the school also performs a check of the Statewide Sex
20 Offender Database, as authorized by the Sex Offender Community
21 Notification Law, for each applicant for employment, after
22 July 1, 2007, to determine whether the applicant has been
23 adjudicated a sex offender.

24 Any information concerning the record of convictions
25 obtained by a non-public school's president or principal under
26 this Section is confidential and may be disseminated only to

1 the governing body of the non-public school or any other
2 person necessary to the decision of hiring the applicant for
3 employment. A copy of the record of convictions obtained from
4 the Department of State Police shall be provided to the
5 applicant for employment. Upon a check of the Statewide Sex
6 Offender Database, the non-public school shall notify the
7 applicant as to whether or not the applicant has been
8 identified in the Sex Offender Database as a sex offender. Any
9 information concerning the records of conviction obtained by
10 the non-public school's president or principal under this
11 Section for a substitute teacher seeking employment in more
12 than one non-public school, a teacher seeking concurrent
13 part-time employment positions with more than one non-public
14 school (as a reading specialist, special education teacher, or
15 otherwise), or an educational support personnel employee
16 seeking employment positions with more than one non-public
17 school may be shared with another non-public school's
18 principal or president to which the applicant seeks
19 employment. Any unauthorized release of confidential
20 information may be a violation of Section 7 of the Criminal
21 Identification Act.

22 No non-public school may obtain recognition status that
23 knowingly employs a person, hired after July 1, 2007, for whom
24 a Department of State Police and Federal Bureau of
25 Investigation fingerprint-based criminal history records check
26 and a Statewide Sex Offender Database check has not been

1 initiated or who has been convicted of any offense enumerated
2 in Section 21B-80 of this Code or any offense committed or
3 attempted in any other state or against the laws of the United
4 States that, if committed or attempted in this State, would
5 have been punishable as one or more of those offenses. No
6 non-public school may obtain recognition status under this
7 Section that knowingly employs a person who has been found to
8 be the perpetrator of sexual or physical abuse of a minor under
9 18 years of age pursuant to proceedings under Article II of the
10 Juvenile Court Act of 1987.

11 In order to obtain recognition status under this Section,
12 a non-public school must require compliance with the
13 provisions of this subsection (c-5) from all employees of
14 persons or firms holding contracts with the school, including,
15 but not limited to, food service workers, school bus drivers,
16 and other transportation employees, who have direct, daily
17 contact with pupils. Any information concerning the records of
18 conviction or identification as a sex offender of any such
19 employee obtained by the non-public school principal or
20 president must be promptly reported to the school's governing
21 body.

22 Prior to the commencement of any student teaching
23 experience or required internship (which is referred to as
24 student teaching in this Section) in any non-public elementary
25 or secondary school that has obtained or seeks to obtain
26 recognition status under this Section, a student teacher is

1 required to authorize a fingerprint-based criminal history
2 records check. Authorization for and payment of the costs of
3 the check must be furnished by the student teacher to the chief
4 administrative officer of the non-public school where the
5 student teaching is to be completed. Upon receipt of this
6 authorization and payment, the chief administrative officer of
7 the non-public school shall submit the student teacher's name,
8 sex, race, date of birth, social security number, fingerprint
9 images, and other identifiers, as prescribed by the Department
10 of State Police, to the Department of State Police. The
11 Department of State Police and the Federal Bureau of
12 Investigation shall furnish, pursuant to a fingerprint-based
13 criminal history records check, records of convictions,
14 forever and hereinafter, until expunged, to the chief
15 administrative officer of the non-public school that requested
16 the check. The Department of State Police shall charge the
17 school a fee for conducting the check, which fee must be passed
18 on to the student teacher, must not exceed the cost of the
19 inquiry, and must be deposited into the State Police Services
20 Fund. The school shall further perform a check of the
21 Statewide Sex Offender Database, as authorized by the Sex
22 Offender Community Notification Law, and of the Statewide
23 Murderer and Violent Offender Against Youth Database, as
24 authorized by the Murderer and Violent Offender Against Youth
25 Registration Act, for each student teacher. No school that has
26 obtained or seeks to obtain recognition status under this

1 Section may knowingly allow a person to student teach for whom
2 a criminal history records check, a Statewide Sex Offender
3 Database check, and a Statewide Murderer and Violent Offender
4 Against Youth Database check have not been completed and
5 reviewed by the chief administrative officer of the non-public
6 school.

7 A copy of the record of convictions obtained from the
8 Department of State Police must be provided to the student
9 teacher. Any information concerning the record of convictions
10 obtained by the chief administrative officer of the non-public
11 school is confidential and may be transmitted only to the
12 chief administrative officer of the non-public school or his
13 or her designee, the State Superintendent of Education, the
14 State Educator Preparation and Licensure Board, or, for
15 clarification purposes, the Department of State Police or the
16 Statewide Sex Offender Database or Statewide Murderer and
17 Violent Offender Against Youth Database. Any unauthorized
18 release of confidential information may be a violation of
19 Section 7 of the Criminal Identification Act.

20 No school that has obtained or seeks to obtain recognition
21 status under this Section may knowingly allow a person to
22 student teach who has been convicted of any offense that would
23 subject him or her to license suspension or revocation
24 pursuant to Section 21B-80 of this Code or who has been found
25 to be the perpetrator of sexual or physical abuse of a minor
26 under 18 years of age pursuant to proceedings under Article II

1 of the Juvenile Court Act of 1987.

2 (d) Public purposes. The provisions of this Section are in
3 the public interest, for the public benefit, and serve secular
4 public purposes.

5 (e) Definition. For purposes of this Section, a non-public
6 school means any non-profit, non-home-based, and non-public
7 elementary or secondary school that is in compliance with
8 Title VI of the Civil Rights Act of 1964 and attendance at
9 which satisfies the requirements of Section 26-1 of this Code.

10 (f) The State Board of Education shall adopt rules to
11 revoke registration or recognition, as appropriate, for
12 schools that do not comply with public health requirements
13 established by the Department of Public Health when the
14 Governor has declared a disaster due to a public health
15 emergency pursuant to Section 7 of the Illinois Emergency
16 Management Agency Act.

17 (Source: P.A. 99-21, eff. 1-1-16; 99-30, eff. 7-10-15.)

18 (105 ILCS 5/10-20) (from Ch. 122, par. 10-20)

19 Sec. 10-20. Powers of school board. The school board has
20 the powers enumerated in the Sections of this Article
21 following this Section. This enumeration of powers is not
22 exclusive, but the board may exercise all other powers not
23 inconsistent with this Act that may be requisite or proper for
24 the maintenance, operation, and development of any school or
25 schools under the jurisdiction of the board. This grant of

1 powers does not release a school board from any duty imposed
2 upon it by this Act or any other law. When the Governor has
3 declared a disaster due to a public health emergency pursuant
4 to Section 7 of the Illinois Emergency Management Agency Act,
5 a school board may not pass any resolution that is in
6 contravention of any requirement established by the Illinois
7 Department of Public Health.

8 (Source: P.A. 88-670, eff. 12-2-94; 89-159, eff. 1-1-96.)

9 (105 ILCS 5/10-30)

10 Sec. 10-30. Remote and blended remote learning. This
11 Section applies if the Governor has declared a disaster due to
12 a public health emergency pursuant to Section 7 of the
13 Illinois Emergency Management Agency Act.

14 (1) If the Governor has declared a disaster due to a
15 public health emergency pursuant to Section 7 of the
16 Illinois Emergency Management Agency Act, the State
17 Superintendent of Education may declare a requirement to
18 use remote learning days or blended remote learning days
19 for a school district, multiple school districts, a
20 region, or the entire State. During remote learning days,
21 schools shall conduct instruction remotely. During blended
22 remote learning days, schools may utilize hybrid models of
23 in-person and remote instruction. Once declared, remote
24 learning days or blended remote learning days shall be
25 implemented in grades pre-kindergarten through 12 as days

1 of attendance and shall be deemed pupil attendance days
2 for calculation of the length of a school term under
3 Section 10-19.

4 (1.5) Nonpublic schools and public school districts
5 must comply with public health requirements established by
6 the Illinois Department of Public Health. School districts
7 must investigate complaints of noncompliance with public
8 health requirements. Filing a complaint with a school
9 district does not preclude a complaint from being filed
10 with the regional superintendent of schools. Regional
11 superintendents of schools must investigate complaints
12 received of noncompliance with public health requirements
13 at nonpublic schools and public school districts. An
14 appeal contesting the findings of a regional
15 superintendent of schools may be filed with the State
16 Board of Education. Upon receiving an appeal, the State
17 Board of Education must investigate complaints of
18 noncompliance with public health requirements. The State
19 Superintendent of Education may require nonpublic schools
20 and public school districts to operate fully remotely if
21 the public health requirements established by the
22 Department are not followed. Nonpublic schools and public
23 school districts that do not comply with the requirements
24 of this paragraph (1.5) are subject to penalties pursuant
25 to Section 2-3.25 or 2-3.25o, as appropriate. The State
26 Board of Education may adopt rules to implement this

1 paragraph (1.5).

2 (2) For purposes of this Section, a remote learning
3 day or blended remote learning day may be met through a
4 district's implementation of an e-learning program under
5 Section 10-20.56.

6 (3) For any district that does not implement an
7 e-learning program under Section 10-20.56, the district
8 shall adopt a remote and blended remote learning day plan
9 approved by the district superintendent. Each district may
10 utilize remote and blended remote learning planning days,
11 consecutively or in separate increments, to develop,
12 review, or amend its remote and blended remote learning
13 day plan or provide professional development to staff
14 regarding remote education. Up to 5 remote and blended
15 remote learning planning days may be deemed pupil
16 attendance days for calculation of the length of a school
17 term under Section 10-19.

18 (4) Each remote and blended remote learning day plan
19 shall address the following:

20 (i) accessibility of the remote instruction to all
21 students enrolled in the district;

22 (ii) if applicable, a requirement that the remote
23 learning day and blended remote learning day
24 activities reflect State learning standards;

25 (iii) a means for students to confer with an
26 educator, as necessary;

1 (iv) the unique needs of students in special
2 populations, including, but not limited to, students
3 eligible for special education under Article 14,
4 students who are English learners as defined in
5 Section 14C-2, and students experiencing homelessness
6 under the Education for Homeless Children Act, or
7 vulnerable student populations;

8 (v) how the district will take attendance and
9 monitor and verify each student's remote
10 participation; and

11 (vi) transitions from remote learning to on-site
12 learning upon the State Superintendent's declaration
13 that remote learning days or blended remote learning
14 days are no longer deemed necessary.

15 (5) The district superintendent shall periodically
16 review and amend the district's remote and blended remote
17 learning day plan, as needed, to ensure the plan meets the
18 needs of all students.

19 (6) Each remote and blended remote learning day plan
20 shall be posted on the district's Internet website where
21 other policies, rules, and standards of conduct are posted
22 and shall be provided to students and faculty.

23 (7) This Section does not create any additional
24 employee bargaining rights and does not remove any
25 employee bargaining rights.

26 (8) Statutory and regulatory curricular mandates and

1 offerings may be administered via a district's remote and
2 blended remote learning day plan, except that a district
3 may not offer individual behind-the-wheel instruction
4 required by Section 27-24.2 via a district's remote and
5 blended remote learning day plan. This Section does not
6 relieve schools and districts from completing all
7 statutory and regulatory curricular mandates and
8 offerings.

9 (Source: P.A. 101-643, eff. 6-18-20.)

10 (105 ILCS 5/21B-5)

11 Sec. 21B-5. Licensure powers of the State Board of
12 Education.

13 (a) Recognizing that the education of our citizens is the
14 single most important influence on the prosperity and success
15 of this State and recognizing that new developments in
16 education require a flexible approach to our educational
17 system, the State Board of Education, in consultation with the
18 State Educator Preparation and Licensure Board, shall have the
19 power and authority to do all of the following:

20 (1) Set standards for teaching, supervising, or
21 otherwise holding licensed employment in the public
22 schools of this State and administer the licensure process
23 as provided in this Article.

24 (2) Approve, evaluate, and sanction educator
25 preparation programs.

1 (3) Enter into agreements with other states relative
2 to reciprocal approval of educator preparation programs.

3 (4) Establish standards for the issuance of new types
4 of educator licenses.

5 (5) Establish a code of ethics for all educators.

6 (6) Maintain a system of licensure examination aligned
7 with standards determined by the State Board of Education.

8 (7) Take such other action relating to the improvement
9 of instruction in the public schools as is appropriate and
10 consistent with applicable laws.

11 (8) Take action to sanction any educator or individual
12 licensed under this Code who implements any practice that
13 is in contravention of any public health requirement
14 established by the Illinois Department of Public Health
15 when the Governor has declared a disaster due to a public
16 health emergency pursuant to Section 7 of the Illinois
17 Emergency Management Agency Act.

18 (b) Only the State Board of Education, acting in
19 accordance with the applicable provisions of this Article and
20 rules, shall have the authority to issue or endorse any
21 license required for teaching, supervising, or otherwise
22 holding licensed employment in the public schools; and no
23 other State agency shall have any power or authority (i) to
24 establish or prescribe any qualifications or other
25 requirements applicable to the issuance or endorsement of any
26 such license or (ii) to establish or prescribe any licensure

1 or equivalent requirement that must be satisfied in order to
2 teach, supervise, or hold licensed employment in the public
3 schools.

4 (Source: P.A. 100-596, eff. 7-1-18.)

5 (105 ILCS 5/34-18.66)

6 Sec. 34-18.66. Remote and blended remote learning. This
7 Section applies if the Governor has declared a disaster due to
8 a public health emergency pursuant to Section 7 of the
9 Illinois Emergency Management Agency Act.

10 (1) If the Governor has declared a disaster due to a
11 public health emergency pursuant to Section 7 of the
12 Illinois Emergency Management Agency Act, the State
13 Superintendent of Education may declare a requirement to
14 use remote learning days or blended remote learning days
15 for the school district, multiple school districts, a
16 region, or the entire State. During remote learning days,
17 schools shall conduct instruction remotely. During blended
18 remote learning days, schools may utilize hybrid models of
19 in-person and remote instruction. Once declared, remote
20 learning days or blended remote learning days shall be
21 implemented in grades pre-kindergarten through 12 as days
22 of attendance and shall be deemed pupil attendance days
23 for calculation of the length of a school term under
24 Section 10-19.

25 (1.5) When individuals are present in school

1 buildings, the school district must comply with public
2 health requirements established by the Illinois Department
3 of Public Health. The school district must investigate
4 complaints of noncompliance with public health
5 requirements. Filing a complaint with the school district
6 does not preclude a complaint from being filed with the
7 State Board of Education. The State Board of Education
8 must investigate complaints received of noncompliance with
9 public health requirements in the school district. The
10 State Superintendent of Education may require a school or
11 the school district to operate fully remotely if the
12 public health requirements established by the Department
13 are not followed. If the school district does not comply
14 with the requirements of this paragraph (1.5), the school
15 district is subject to penalties pursuant to Section
16 2-3.25. The State Board of Education may adopt rules to
17 implement this paragraph (1.5).

18 (2) For purposes of this Section, a remote learning
19 day or blended remote learning day may be met through the
20 district's implementation of an e-learning program under
21 Section 10-20.56.

22 (3) If the district does not implement an e-learning
23 program under Section 10-20.56, the district shall adopt a
24 remote and blended remote learning day plan approved by
25 the general superintendent of schools. The district may
26 utilize remote and blended remote learning planning days,

1 consecutively or in separate increments, to develop,
2 review, or amend its remote and blended remote learning
3 day plan or provide professional development to staff
4 regarding remote education. Up to 5 remote and blended
5 remote learning planning days may be deemed pupil
6 attendance days for calculation of the length of a school
7 term under Section 10-19.

8 (4) Each remote and blended remote learning day plan
9 shall address the following:

10 (i) accessibility of the remote instruction to all
11 students enrolled in the district;

12 (ii) if applicable, a requirement that the remote
13 learning day and blended remote learning day
14 activities reflect State learning standards;

15 (iii) a means for students to confer with an
16 educator, as necessary;

17 (iv) the unique needs of students in special
18 populations, including, but not limited to, students
19 eligible for special education under Article 14,
20 students who are English learners as defined in
21 Section 14C-2, and students experiencing homelessness
22 under the Education for Homeless Children Act, or
23 vulnerable student populations;

24 (v) how the district will take attendance and
25 monitor and verify each student's remote
26 participation; and

1 (vi) transitions from remote learning to on-site
2 learning upon the State Superintendent's declaration
3 that remote learning days or blended remote learning
4 days are no longer deemed necessary.

5 (5) The general superintendent of schools shall
6 periodically review and amend the district's remote and
7 blended remote learning day plan, as needed, to ensure the
8 plan meets the needs of all students.

9 (6) Each remote and blended remote learning day plan
10 shall be posted on the district's Internet website where
11 other policies, rules, and standards of conduct are posted
12 and shall be provided to students and faculty.

13 (7) This Section does not create any additional
14 employee bargaining rights and does not remove any
15 employee bargaining rights.

16 (8) Statutory and regulatory curricular mandates and
17 offerings may be administered via the district's remote
18 and blended remote learning day plan, except that the
19 district may not offer individual behind-the-wheel
20 instruction required by Section 27-24.2 via the district's
21 remote and blended remote learning day plan. This Section
22 does not relieve schools and the district from completing
23 all statutory and regulatory curricular mandates and
24 offerings.

25 (Source: P.A. 101-643, eff. 6-18-20.)".