

# SB3635



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3635

Introduced 2/9/2024, by Sen. Andrew S. Chesney

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-19.05

Amends the School Boards Article of the School Code. In provisions concerning daily pupil attendance calculation, removes provisions specifying that days of attendance by pupils through verified participation in an e-learning program adopted by a school board and verified by the regional office of education or intermediate service center for the school district shall be considered as full days of attendance. Effective July 1, 2024.

LRB103 37493 RJT 67616 b

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 10-19.05 as follows:

6 (105 ILCS 5/10-19.05)

7 Sec. 10-19.05. Daily pupil attendance calculation.

8 (a) Except as otherwise provided in this Section, for a  
9 pupil of legal school age and in kindergarten or any of grades  
10 1 through 12, a day of attendance shall be counted only for  
11 sessions of not less than 5 clock hours of school work per day  
12 under direct supervision of (i) teachers or (ii) non-teaching  
13 personnel or volunteer personnel when engaging in non-teaching  
14 duties and supervising in those instances specified in  
15 subsection (a) of Section 10-22.34 and paragraph 10 of Section  
16 34-18. ~~Days of attendance by pupils through verified~~  
17 ~~participation in an e learning program adopted by a school~~  
18 ~~board and verified by the regional office of education or~~  
19 ~~intermediate service center for the school district under~~  
20 ~~Section 10-20.56 of this Code shall be considered as full days~~  
21 ~~of attendance under this Section.~~

22 (b) A pupil regularly enrolled in a public school for only  
23 a part of the school day may be counted on the basis of

1 one-sixth of a school day for every class hour of instruction  
2 of 40 minutes or more attended pursuant to such enrollment,  
3 unless a pupil is enrolled in a block-schedule format of 80  
4 minutes or more of instruction, in which case the pupil may be  
5 counted on the basis of the proportion of minutes of school  
6 work completed each day to the minimum number of minutes that  
7 school work is required to be held that day.

8 (c) A session of 4 or more clock hours may be counted as a  
9 day of attendance upon certification by the regional  
10 superintendent of schools and approval by the State  
11 Superintendent of Education to the extent that the district  
12 has been forced to use daily multiple sessions.

13 (d) A session of 3 or more clock hours may be counted as a  
14 day of attendance (1) when the remainder of the school day or  
15 at least 2 hours in the evening of that day is utilized for an  
16 in-service training program for teachers, up to a maximum of  
17 10 days per school year, provided that a district conducts an  
18 in-service training program for teachers in accordance with  
19 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2  
20 full days may be used, in which event each such day may be  
21 counted as a day required for a legal school calendar pursuant  
22 to Section 10-19 of this Code; (2) when, of the 5 days allowed  
23 under item (1), a maximum of 4 days are used for parent-teacher  
24 conferences, or, in lieu of 4 such days, 2 full days are used,  
25 in which case each such day may be counted as a calendar day  
26 required under Section 10-19 of this Code, provided that the

1 full-day, parent-teacher conference consists of (i) a minimum  
2 of 5 clock hours of parent-teacher conferences, (ii) both a  
3 minimum of 2 clock hours of parent-teacher conferences held in  
4 the evening following a full day of student attendance and a  
5 minimum of 3 clock hours of parent-teacher conferences held on  
6 the day immediately following evening parent-teacher  
7 conferences, or (iii) multiple parent-teacher conferences held  
8 in the evenings following full days of student attendance in  
9 which the time used for the parent-teacher conferences is  
10 equivalent to a minimum of 5 clock hours; and (3) when days in  
11 addition to those provided in items (1) and (2) are scheduled  
12 by a school pursuant to its school improvement plan adopted  
13 under Article 34 or its revised or amended school improvement  
14 plan adopted under Article 2, provided that (i) such sessions  
15 of 3 or more clock hours are scheduled to occur at regular  
16 intervals, (ii) the remainder of the school days in which such  
17 sessions occur are utilized for in-service training programs  
18 or other staff development activities for teachers, and (iii)  
19 a sufficient number of minutes of school work under the direct  
20 supervision of teachers are added to the school days between  
21 such regularly scheduled sessions to accumulate not less than  
22 the number of minutes by which such sessions of 3 or more clock  
23 hours fall short of 5 clock hours. Days scheduled for  
24 in-service training programs, staff development activities, or  
25 parent-teacher conferences may be scheduled separately for  
26 different grade levels and different attendance centers of the

1 district.

2 (e) A session of not less than one clock hour of teaching  
3 hospitalized or homebound pupils on-site or by telephone to  
4 the classroom may be counted as a half day of attendance;  
5 however, these pupils must receive 4 or more clock hours of  
6 instruction to be counted for a full day of attendance.

7 (f) A session of at least 4 clock hours may be counted as a  
8 day of attendance for first grade pupils and pupils in  
9 full-day kindergartens, and a session of 2 or more hours may be  
10 counted as a half day of attendance by pupils in kindergartens  
11 that provide only half days of attendance.

12 (g) For children with disabilities who are below the age  
13 of 6 years and who cannot attend 2 or more clock hours because  
14 of their disability or immaturity, a session of not less than  
15 one clock hour may be counted as a half day of attendance;  
16 however, for such children whose educational needs require a  
17 session of 4 or more clock hours, a session of at least 4 clock  
18 hours may be counted as a full day of attendance.

19 (h) A recognized kindergarten that provides for only a  
20 half day of attendance by each pupil shall not have more than  
21 one half day of attendance counted in any one day. However,  
22 kindergartens may count 2 and a half days of attendance in any  
23 5 consecutive school days. When a pupil attends such a  
24 kindergarten for 2 half days on any one school day, the pupil  
25 shall have the following day as a day absent from school,  
26 unless the school district obtains permission in writing from

1 the State Superintendent of Education. Attendance at  
2 kindergartens that provide for a full day of attendance by  
3 each pupil shall be counted the same as attendance by first  
4 grade pupils. Only the first year of attendance in one  
5 kindergarten shall be counted, except in the case of children  
6 who entered the kindergarten in their fifth year whose  
7 educational development requires a second year of kindergarten  
8 as determined under rules of the State Board of Education.

9 (i) On the days when the State's final accountability  
10 assessment is administered under subsection (c) of Section  
11 2-3.64a-5 of this Code, the day of attendance for a pupil whose  
12 school day must be shortened to accommodate required testing  
13 procedures may be less than 5 clock hours and shall be counted  
14 toward the 176 days of actual pupil attendance required under  
15 Section 10-19 of this Code, provided that a sufficient number  
16 of minutes of school work in excess of 5 clock hours are first  
17 completed on other school days to compensate for the loss of  
18 school work on the examination days.

19 (j) Pupils enrolled in a remote educational program  
20 established under Section 10-29 of this Code may be counted on  
21 the basis of a one-fifth day of attendance for every clock hour  
22 of instruction attended in the remote educational program,  
23 provided that, in any month, the school district may not claim  
24 for a student enrolled in a remote educational program more  
25 days of attendance than the maximum number of days of  
26 attendance the district can claim (i) for students enrolled in

1 a building holding year-round classes if the student is  
2 classified as participating in the remote educational program  
3 on a year-round schedule or (ii) for students enrolled in a  
4 building not holding year-round classes if the student is not  
5 classified as participating in the remote educational program  
6 on a year-round schedule.

7 (j-5) The clock hour requirements of subsections (a)  
8 through (j) of this Section do not apply if the Governor has  
9 declared a disaster due to a public health emergency pursuant  
10 to Section 7 of the Illinois Emergency Management Agency Act.  
11 The State Superintendent of Education may establish minimum  
12 clock hour requirements under Sections 10-30 and 34-18.66 if  
13 the Governor has declared a disaster due to a public health  
14 emergency pursuant to Section 7 of the Illinois Emergency  
15 Management Agency Act.

16 (k) Pupil participation in any of the following activities  
17 shall be counted toward the calculation of clock hours of  
18 school work per day:

19 (1) Instruction in a college course in which a student  
20 is dually enrolled for both high school credit and college  
21 credit.

22 (2) Participation in a Supervised Career Development  
23 Experience, as defined in Section 10 of the Postsecondary  
24 and Workforce Readiness Act, or any work-based learning  
25 experience in which student participation and learning  
26 outcomes are directed by an educator licensed under

1 Article 21B for assessment of competencies. Participation  
2 in a work-based learning experience may include, but is  
3 not limited to, scheduled events of State FFA  
4 associations, the National FFA Organization, and 4-H  
5 programs as part of organized competitions or exhibitions.  
6 The student and the student's parent or legal guardian  
7 shall be responsible for obtaining assignments missed  
8 while the student was participating in a Supervised Career  
9 Development Experience or other work-based learning  
10 experience pursuant to this paragraph (2) from the  
11 student's teacher.

12 (3) Participation in a youth apprenticeship, as  
13 jointly defined in rules of the State Board of Education  
14 and Department of Commerce and Economic Opportunity, in  
15 which student participation and outcomes are directed by  
16 an educator licensed under Article 21B for assessment of  
17 competencies. The student and the student's parent or  
18 legal guardian shall be responsible for obtaining  
19 assignments missed while the student was participating in  
20 a youth apprenticeship pursuant to this paragraph (3) from  
21 the student's teacher.

22 (4) Participation in a blended learning program  
23 approved by the school district in which course content,  
24 student evaluation, and instructional methods are  
25 supervised by an educator licensed under Article 21B.

26 (Source: P.A. 103-560, eff. 1-1-24.)



1           Section 99. Effective date. This Act takes effect July 1,  
2    2024.