

# HB2821



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2821

Introduced 2/6/2025, by Rep. Chris Miller

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.56

Amends the School Boards Article of the School Code. In provisions concerning e-learning days, provides that a school or school district that offers e-learning days may not use any real property owned or leased by a school or school district to house migrants while students are not present at a school. Provides that a school or school district may not utilize an e-learning day to house migrants on any real property owned or leased by the school or school district due to a mandate by a unit of local government that the school or school district house migrants on any real property owned or leased by the school or school district.

LRB104 06553 LNS 16589 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 10-20.56 as follows:

6 (105 ILCS 5/10-20.56)

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

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

15 (b) The school board of a school district may, by  
16 resolution, adopt a research-based program or research-based  
17 programs for e-learning days district-wide that shall permit  
18 student instruction to be received electronically while  
19 students are not physically present in lieu of the district's  
20 scheduled emergency days as required by Section 10-19 of this  
21 Code or because a school was selected to be a polling place  
22 under Section 11-4.1 of the Election Code. The research-based  
23 program or programs may not exceed the minimum number of

1 emergency days in the approved school calendar and must be  
2 verified annually by the regional office of education or  
3 intermediate service center for the school district before the  
4 implementation of any e-learning days in that school year to  
5 ensure access for all students. The regional office of  
6 education or intermediate service center shall ensure that the  
7 specific needs of all students are met, including special  
8 education students and English learners, and that all mandates  
9 are still met using the proposed research-based program. The  
10 e-learning program may utilize the Internet, telephones,  
11 texts, chat rooms, or other similar means of electronic  
12 communication for instruction and interaction between teachers  
13 and students that meet the needs of all learners. The  
14 e-learning program shall address the school district's  
15 responsibility to ensure that all teachers and staff who may  
16 be involved in the provision of e-learning have access to any  
17 and all hardware and software that may be required for the  
18 program. If a proposed program does not address this  
19 responsibility, the school district must propose an alternate  
20 program.

21 (c) Before its adoption by a school board, the school  
22 board must hold a public hearing on a school district's  
23 initial proposal for an e-learning program or for renewal of  
24 such a program, at a regular or special meeting of the school  
25 board, in which the terms of the proposal must be  
26 substantially presented and an opportunity for allowing public

1 comments must be provided. Notice of such public hearing must  
2 be provided at least 10 days prior to the hearing by:

3 (1) publication in a newspaper of general circulation  
4 in the school district;

5 (2) written or electronic notice designed to reach the  
6 parents or guardians of all students enrolled in the  
7 school district; and

8 (3) written or electronic notice designed to reach any  
9 exclusive collective bargaining representatives of school  
10 district employees and all those employees not in a  
11 collective bargaining unit.

12 (d) The regional office of education or intermediate  
13 service center for the school district must timely verify that  
14 a proposal for an e-learning program has met the requirements  
15 specified in this Section and that the proposal contains  
16 provisions designed to reasonably and practicably accomplish  
17 the following:

18 (1) to ensure and verify at least 5 clock hours of  
19 instruction or school work, as required under Section  
20 10-19.05, for each student participating in an e-learning  
21 day;

22 (2) to ensure access from home or other appropriate  
23 remote facility for all students participating, including  
24 computers, the Internet, and other forms of electronic  
25 communication that must be utilized in the proposed  
26 program;

1           (2.5) to ensure that non-electronic materials are made  
2 available to students participating in the program who do  
3 not have access to the required technology or to  
4 participating teachers or students who are prevented from  
5 accessing the required technology;

6           (3) to ensure appropriate learning opportunities for  
7 students with special needs;

8           (4) to monitor and verify each student's electronic  
9 participation;

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

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

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

18          (8) to ensure an opportunity for any collective  
19 bargaining negotiations with representatives of the school  
20 district's employees that would be legally required,  
21 including all classifications of school district employees  
22 who are represented by collective bargaining agreements  
23 and who would be affected in the event of an e-learning  
24 day;

25          (9) to review and revise the program as implemented to  
26 address difficulties confronted; and

1           (10) to ensure that the protocol regarding general  
2           expectations and responsibilities of the program is  
3           communicated to teachers, staff, and students at least 30  
4           days prior to utilizing an e-learning day in a school  
5           year.

6           The school board's approval of a school district's initial  
7           e-learning program and renewal of the e-learning program shall  
8           be for a term of 3 school years, beginning with the first  
9           school year in which the program was approved and verified by  
10          the regional office of education or intermediate service  
11          center for the school district.

12          (d-5) A school district shall pay to its contractors who  
13          provide educational support services to the district,  
14          including, but not limited to, custodial, transportation, or  
15          food service providers, their daily, regular rate of pay or  
16          billings rendered for any e-learning day that is used because  
17          a school was selected to be a polling place under Section  
18          11-4.1 of the Election Code, except that this requirement does  
19          not apply to contractors who are paid under contracts that are  
20          entered into, amended, or renewed on or after March 15, 2022 or  
21          to contracts that otherwise address compensation for such  
22          e-learning days.

23          (d-10) A school district shall pay to its employees who  
24          provide educational support services to the district,  
25          including, but not limited to, custodial employees, building  
26          maintenance employees, transportation employees, food service

1 providers, classroom assistants, or administrative staff,  
2 their daily, regular rate of pay and benefits rendered for any  
3 school closure or e-learning day if the closure precludes them  
4 from performing their regularly scheduled duties and the  
5 employee would have reported for work but for the closure,  
6 except this requirement does not apply if the day is  
7 rescheduled and the employee will be paid their daily, regular  
8 rate of pay and benefits for the rescheduled day when services  
9 are rendered.

10 (d-15) A school district shall make full payment that  
11 would have otherwise been paid to its contractors who provide  
12 educational support services to the district, including, but  
13 not limited to, custodial, building maintenance,  
14 transportation, food service providers, classroom assistants,  
15 or administrative staff, their daily, regular rate of pay and  
16 benefits rendered for any school closure or e-learning day if  
17 any closure precludes them from performing their regularly  
18 scheduled duties and employees would have reported for work  
19 but for the closure. The employees who provide the support  
20 services covered by such contracts shall be paid their daily  
21 bid package rates and benefits as defined by their local  
22 operating agreements or collective bargaining agreements,  
23 except this requirement does not apply if the day is  
24 rescheduled and the employee will be paid their daily, regular  
25 rate of pay and benefits for the rescheduled day when services  
26 are rendered.

1 (d-20) A school district shall make full payment or  
2 reimbursement to an employee or contractor as specified in  
3 subsection (d-10) or (d-15) of this Section for any school  
4 closure or e-learning day in the 2021-2022 school year that  
5 occurred prior to April 5, 2022 (the effective date of Public  
6 Act 102-647) ~~this amendatory Act of the 102nd General Assembly~~  
7 if the employee or contractor did not receive pay or was  
8 required to use earned paid time off, except this requirement  
9 does not apply if the day is rescheduled and the employee will  
10 be paid their daily, regular rate of pay and benefits for the  
11 rescheduled day when services are rendered.

12 (d-25) A school or school district that offers e-learning  
13 days may not use any real property owned or leased by a school  
14 or school district to house migrants while students are not  
15 present at a school.

16 (d-30) A school or school district may not utilize an  
17 e-learning day to house migrants on any real property owned or  
18 leased by the school or school district due to a mandate by a  
19 unit of local government that the school or school district  
20 house migrants on any real property owned or leased by the  
21 school or school district.

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

24 (f) For purposes of subsections (d-10), (d-15), and (d-20)  
25 of this Section:

26 "Employee" means anyone employed by a school district on

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

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 (Source: P.A. 102-584, eff. 6-1-22; 102-697, eff. 4-5-22;  
7 103-780, eff. 8-2-24.)