**Section 1.421 Remote and Blended Remote Learning Days**

a) Notwithstanding the provisions of this Part, *if the Governor has declared a disaster due to a public health emergency under Section 7 of the IEMA Act, the State Superintendent may declare a requirement to use remote learning days or blended remote learning days for a district, multiple districts, a region, or the entire State.* The State Superintendent, when determining the use of remote learning days, will consider, but is not limited to, the following:

1) Centers for Disease Control guidance;

2) The impact remote learning days would have on students and school districts; and

3) The effect the public health emergency has on specific areas of the State.

b) *During remote learning days, schools shall conduct instruction remotely. During blended remote learning days, schools may utilize hybrid models of in-person and remote instruction. Once declared, remote learning days or blended remote learning days will be implemented in any of grades pre-kindergarten through 12 as days of attendance, and shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19 of the Code.*

c) *For purposes of this Section, a remote learning day or blended remote learning day may be met through a district's implementation of an e-learning program under Section 10-20.56 of the Code.*

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

1) *Each remote and blended learning day plan shall address the following:*

A) *Accessibility of the remote instruction to all students enrolled in the district.*

B) *If applicable, a requirement that the remote learning day and blended remote learning day activities reflect State learning standards.*

C) *A means for students to confer with an educator, as necessary.*

D) *The unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14 of the Code, students who are English learners, as defined in Section 14C-2 of the Code, and students experiencing homelessness under the Education for Homeless Children Act* [105 ILCS 45], *or vulnerable student populations.*

E) *How the district will take attendance and monitor and verify each student's remote participation.*

F) *Transitions from remote learning to on-site learning upon the State Superintendent's declaration that remote learning days or blended remote learning days are no longer deemed necessary.*

2) *The district superintendent shall periodically review and amend the district's remote and blended remote learning day plan, as needed, to ensure the plan meets the needs of all students.*

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

4) *This Section does not create any additional employee bargaining rights and does not remove any employee bargaining rights*.

5) *Statutory and regulatory curricular mandates and offerings may be administered via a district's remote and blended remote learning day plan, except that a district may not offer individual behind-the-wheel instruction required by Section 27-24.2 of the Code via a district's remote and blended remote learning day plan. This Section does not relieve schools and districts from completing all statutory and regulatory curricular mandates and offerings.* (Section 34-18.66 of the Code)

(Source: Added at 45 Ill. Reg. 1644, effective January 22, 2021)