**Section 1.422 Electronic Learning (E-Learning) Days Program**

Section 10-20.56 of the Code authorizes a program for the use of e-learning days by school districts to provide instruction while the students are not in attendance at the school to which they have been assigned. An e-learning day may be used only in lieu of using one or more emergency days required under Section 10-19 of the Code, when used during remote learning days and blended remote learning days under Section 10-30 or 34-18.66 of the Code, or *because a school was selected to be a polling place under Section 11-4.1 of the Election Code* (Section 10-20.56 of the School Code). This Section sets forth the process to apply for approval to participate in the E-Learning Days Program (hereinafter, referred to as the "e-learning program") and the terms and conditions for the use of e-learning days by participating districts.

a) An "approvable e-learning day":

1) is a day of instruction provided for students who are not physically present at the school and that is accessible to all students, including students with disabilities and English learners;

2) consists of a minimum of five clock hours of instruction; and

3) is provided through electronic means, such as the *Internet, telephones, text messages, chat rooms,* *or other similar means of electronic communication for instruction and interaction between teachers and students that meets the needs of all learners*. (Section 10-20.56(b) of the Code)

b) "All mandates", as used in Section 10-20.56(b) of the Code, means mandates specific to academic goals and learning objectives, content areas of instruction, and instructional and other school support services. "All mandates" does not include the provision of transportation, school lunch and breakfast, after-school care or other services not directly related to the provision of instruction.

c) Once an e-learning day is used, a school district approved under this Section shall electronically submit a request to its regional office of education or intermediate service center to amend its calendar not later than 30 days from the date on which an e-learning day was taken. The request shall include a signed assurance that the district complied with each of the requirements of Section 10-20.56 of the Code and Section 1.420(f)(5)(D) of this Part.

d) If a school district used the e-learning day pursuant to Section 18-12 of the Code, the district also shall submit the information required under Section 1.420(f)(4) of this Part.

e) A school district wishing to participate in the E-Learning Days Program shall submit an application to the State Board of Education that addresses each of the components listed in Section 10-20.56 of the School Code and subsection (f) of this Section.

1) Each application for the e-learning program shall be submitted in a format specified by the State Superintendent by September 1 annually.

2) Each application shall include a cover page that is signed by the school district superintendent; each of the district's exclusive collective bargaining representatives; and, as applicable, the district's regional superintendent of education or chief administrative officer of the district's intermediate service center.

3) Each application shall include a description of the public hearing held by the school board to take testimony from the public, including from school district employees and parents, about the request.

4) Each application shall include a dated copy of the notice of the public hearing that was published in a newspaper of general circulation and a dated copy of the written or electronic notifications about the public hearing that meet the requirements of Section 10-20.56(c) of the Code.

f) In addition to addressing each of the components in Section 10-20.56(d) of the Code, each applicant shall:

1) describe the process to be used to verify that five clock-hours of "instruction" under the direct supervision of educator licensed teachers will be provided;

2) present a plan for addressing technology problems and providing other technical support, as applicable to its e-learning delivery system;

3) detail how instruction and other services and programs provided by the e-learning program will:

A) address all the instructional mandates contained in Article 27 of the Code (i.e., language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health) and this Part, as applicable;

B) comply with Article 14 of the Code, 23 Ill. Adm. Code 226 (Special Education), and the Individuals with Disabilities Education Act (also referred to as IDEA) (20 U.S.C. 1400 et seq.) and its implementing regulations (34 CFR 300, as amended by 71 Fed. Reg. 46540 (August 14, 2006) and 73 Fed. Reg. 73027 (December 1, 2008), no later amendments or editions included), and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), regarding the provision of services for students with disabilities;

C) comply with Article 14C of the Code and 23 Ill. Adm. Code 228 (Transitional Bilingual Education), regarding services for English learners;

D) address the varying learning needs of students enrolled in general education coursework to include, as applicable, how the district will meet the instructional needs of students participating in, or receiving services from, programs under the Elementary and Secondary Education Act (20 U.S.C. 6301 et seq.) or McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);

E) align to the district's curriculum and address the specific learning objectives of the course of instruction being provided; and

F) meet the requirements of Section 27-6 of the Code, regarding the provision of physical education, subject to any waiver of the requirement approved pursuant to Section 2-3.25g of the Code;

4) describe the process it will use to monitor Internet access or other electronic participation of individual students on an e-learning day (also see Section 1.420(f)(5)(D)); the description shall provide sufficient evidence of how students will actively participate in the program and any contingencies to be considered for students who are unable to access instruction due to computer problems, power outages or other circumstances beyond a student's control; and

5) describe how expectations for e-learning coursework and other activities will be communicated to students and parents in advance of the school district's use of an e-learning day, as well as how feedback will be gathered from staff, students and parents about the successes and challenges of the e-learning program.

g) Each application for an e-learning program that meets the requirements of Section 10-20.56 of the Code and this Section shall be evaluated according to the criteria set forth in this subsection (g). The three highest ranked applications will be approved.

1) Delivery System (up to 25 points)

A robust system has been proposed to manage the e-learning system, ensuring accurate identification of students, reliable management of student attendance and provision of effective remedies for technical issues that may arise during the e-learning day that limit or block a student's or staff member's access to online participation.

2) Instructional Program (up to 25 points)

The proposed program:

A) is built upon research about effective distance learning approaches;

B) includes a curriculum with high-quality learning experiences aligned to the learning objectives of the course or grade (including addressing the applicable instructional mandates identified in Article 27 of the Code); organized lesson plans or other documentation of the instruction to be provided; and sequence and pacing to allow students to be successful; and

C) contains no penalties for students who encounter technical difficulties, providing a process for students to submit school work for credit that they were unable to complete during the e-learning day.

3) Special Populations (up to 25 points)

Provisions for providing services for students with disabilities and English learners are appropriate and comply with State and federal laws and regulations. The program also is likely to meet the varying learning needs of the students enrolled in general education coursework by adequately considering ability, grade level, at-risk status and/or demographic diversity.

4) Notification and Training (up to 25 points)

The proposed process for both involving staff, students and parents in the program design and for notifying and orienting them about the e-learning program to be implemented will sufficiently prepare staff, students and parents to fully participate in and navigate the e-learning system effectively and efficiently. A detailed plan is included for collecting feedback from staff, students and parents after an e-learning day is used.

5) Priority Consideration

Priority consideration may be given to proposals with specific areas of emphasis, such as to ensure geographic distribution or the participation of school districts with varying demographic characteristics, as identified by the State Superintendent of Education in a particular Request for Applications.

h) The State Superintendent will notify school districts approved for participation in the e-learning program no later than 45 days following the close of the application period.

i) Approval to participate in the e-learning program will be for three years (see Section 10-20.56(d) of the Code), except that approval in the second and third years shall be based on a review of the continuation application required under this subsection (i).

1) By September 1 of each year following initial approval, each participating school district shall submit a continuation application to the State Superintendent that:

A) provides a summary of how the applicant will meet each of the program components listed in Section 10-20.56 of the Code and this Section;

B) describes any changes in the program delivery model to be implemented for the school year;

C) identifies any problems encountered in the previous school year related to the provision or monitoring of the program; and

D) proposes remedies to be implemented during the next school year to resolve the problems identified.

2) The continuation application shall be submitted electronically through the Illinois Web-based Application Security (IWAS) System (see https://sec1.isbe.net/iwas/asp/login.asp?js=true) according to the timelines established by the State Superintendent.

3) Approval during any continuation period shall be contingent upon sufficient evidence that the e-learning program to be implemented in the continuation period meets each of the requirements of Section 10-20.56 of the Code and the application approved under this Section and that any deficiencies identified have been resolved.

j) Terms and Conditions of Approval

1) A school district that receives approval to participate in the e-learning program shall notify all educator licensed personnel and other employees, students and parents that it will be implementing an e-learning program no later than 10 school days after receiving notification of approval from the State Board of Education.

2) An e-learning day shall be implemented on a districtwide basis, except as otherwise authorized under Section 18-12 of the Code.

3) A school district that is approved to use e-learning days may choose to use an emergency day instead of an e-learning day; that is, the school district's participation in the e-learning program does not compel it to use only e-learning days. Further, the school district is not required to exhaust all of its emergency days before using an e-learning day.

4) A school district using an e-learning day shall use only educator licensed personnel under contract with the school district to deliver instruction, except that a person holding a substitute teaching license issued under Section 21B-20 of the Code may be used in cases of illness or leaves of absence.

5) The school district shall assign one or more school administrators to monitor the program, to include, but not be limited to, verifying attendance, providing instruction should a teacher be unavailable, and overseeing student participation and the technical aspects of the e-learning program.

6) The State Superintendent may withdraw approval of the e-learning program when evidence is presented that the school district violated the requirements, terms and conditions set forth in Section 10-20.56 of the Code, or the application approved under this Section.

7) A student unable to participate in an e-learning day due to computer problems, power outages or other circumstances beyond the student's control shall not be penalized (e.g., unexcused absences, lowering of grades) for the student's inability to participate in the e-learning instruction if the student later completes and submits the required school work within a timeframe specified by the district. A school district, however, shall not count the student as being in attendance on the e-learning day for purposes of determining average daily attendance when computing General State Aid.

8) A school district shall compute General State Aid in accordance with the requirements of Section 18-8.05(F) of the Code and Section 1.420(f) of this Part.

(Source: Amended at 46 Ill. Reg. 18472, effective November 7, 2022)