



Sen. Linda Holmes

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10200HB2778sam001

LRB102 14280 CMG 27041 a

1 AMENDMENT TO HOUSE BILL 2778

2 AMENDMENT NO. _____. Amend House Bill 2778 by replacing
3 everything after the enacting clause with the following:

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

1 participation in an e-learning program adopted by a school
2 board and verified by the regional office of education or
3 intermediate service center for the school district under
4 Section 10-20.56 of this Code shall be considered as full days
5 of attendance under this Section.

6 (b) A pupil regularly enrolled in a public school for only
7 a part of the school day may be counted on the basis of
8 one-sixth of a school day for every class hour of instruction
9 of 40 minutes or more attended pursuant to such enrollment,
10 unless a pupil is enrolled in a block-schedule format of 80
11 minutes or more of instruction, in which case the pupil may be
12 counted on the basis of the proportion of minutes of school
13 work completed each day to the minimum number of minutes that
14 school work is required to be held that day.

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

20 (d) A session of 3 or more clock hours may be counted as a
21 day of attendance (1) when the remainder of the school day or
22 at least 2 hours in the evening of that day is utilized for an
23 in-service training program for teachers, up to a maximum of
24 10 days per school year, provided that a district conducts an
25 in-service training program for teachers in accordance with
26 Section 10-22.39 of this Code, or, in lieu of 4 such days, 2

1 full days may be used, in which event each such day may be
2 counted as a day required for a legal school calendar pursuant
3 to Section 10-19 of this Code; (2) when, of the 5 days allowed
4 under item (1), a maximum of 4 days are used for parent-teacher
5 conferences, or, in lieu of 4 such days, 2 full days are used,
6 in which case each such day may be counted as a calendar day
7 required under Section 10-19 of this Code, provided that the
8 full-day, parent-teacher conference consists of (i) a minimum
9 of 5 clock hours of parent-teacher conferences, (ii) both a
10 minimum of 2 clock hours of parent-teacher conferences held in
11 the evening following a full day of student attendance and a
12 minimum of 3 clock hours of parent-teacher conferences held on
13 the day immediately following evening parent-teacher
14 conferences, or (iii) multiple parent-teacher conferences held
15 in the evenings following full days of student attendance in
16 which the time used for the parent-teacher conferences is
17 equivalent to a minimum of 5 clock hours; and (3) when days in
18 addition to those provided in items (1) and (2) are scheduled
19 by a school pursuant to its school improvement plan adopted
20 under Article 34 or its revised or amended school improvement
21 plan adopted under Article 2, provided that (i) such sessions
22 of 3 or more clock hours are scheduled to occur at regular
23 intervals, (ii) the remainder of the school days in which such
24 sessions occur are utilized for in-service training programs
25 or other staff development activities for teachers, and (iii)
26 a sufficient number of minutes of school work under the direct

1 supervision of teachers are added to the school days between
2 such regularly scheduled sessions to accumulate not less than
3 the number of minutes by which such sessions of 3 or more clock
4 hours fall short of 5 clock hours. Instead of school
5 improvement days with students in attendance a minimum of 3
6 clock hours, a school district may opt to have a school
7 improvement day without students in attendance for up to 4
8 times in a given school year. Each such day may be counted as a
9 day of attendance, provided that a sufficient number of clock
10 hours have been accumulated beyond the 5 clock hours per day
11 that students would have been in session. For any school
12 improvement day utilized without students in attendance, a
13 school district shall pay to its contractors who provide
14 educational support services to the district, including, but
15 not limited to, custodial, transportation, or food service
16 providers, their daily, regular rate of pay or billings
17 rendered, except that this requirement does not apply to
18 contractors who are paid under contracts that are entered
19 into, amended, or renewed on or after March 15, 2022. Days
20 scheduled for in-service training programs, staff development
21 activities, or parent-teacher conferences may be scheduled
22 separately for different grade levels and different attendance
23 centers of the district.

24 (e) A session of not less than one clock hour of teaching
25 hospitalized or homebound pupils on-site or by telephone to
26 the classroom may be counted as a half day of attendance;

1 however, these pupils must receive 4 or more clock hours of
2 instruction to be counted for a full day of attendance.

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

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

15 (h) A recognized kindergarten that provides for only a
16 half day of attendance by each pupil shall not have more than
17 one half day of attendance counted in any one day. However,
18 kindergartens may count 2 and a half days of attendance in any
19 5 consecutive school days. When a pupil attends such a
20 kindergarten for 2 half days on any one school day, the pupil
21 shall have the following day as a day absent from school,
22 unless the school district obtains permission in writing from
23 the State Superintendent of Education. Attendance at
24 kindergartens that provide for a full day of attendance by
25 each pupil shall be counted the same as attendance by first
26 grade pupils. Only the first year of attendance in one

1 kindergarten shall be counted, except in the case of children
2 who entered the kindergarten in their fifth year whose
3 educational development requires a second year of kindergarten
4 as determined under rules of the State Board of Education.

5 (i) On the days when the State's final accountability
6 assessment is administered under subsection (c) of Section
7 2-3.64a-5 of this Code, the day of attendance for a pupil whose
8 school day must be shortened to accommodate required testing
9 procedures may be less than 5 clock hours and shall be counted
10 toward the 176 days of actual pupil attendance required under
11 Section 10-19 of this Code, provided that a sufficient number
12 of minutes of school work in excess of 5 clock hours are first
13 completed on other school days to compensate for the loss of
14 school work on the examination days.

15 (j) Pupils enrolled in a remote educational program
16 established under Section 10-29 of this Code may be counted on
17 the basis of a one-fifth day of attendance for every clock hour
18 of instruction attended in the remote educational program,
19 provided that, in any month, the school district may not claim
20 for a student enrolled in a remote educational program more
21 days of attendance than the maximum number of days of
22 attendance the district can claim (i) for students enrolled in
23 a building holding year-round classes if the student is
24 classified as participating in the remote educational program
25 on a year-round schedule or (ii) for students enrolled in a
26 building not holding year-round classes if the student is not

1 classified as participating in the remote educational program
2 on a year-round schedule.

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

12 (k) Pupil participation in any of the following activities
13 shall be counted toward the calculation of clock hours of
14 school work per day:

15 (1) Instruction in a college course in which a student
16 is dually enrolled for both high school credit and college
17 credit.

18 (2) Participation in a Supervised Career Development
19 Experience, as defined in Section 10 of the Postsecondary
20 and Workforce Readiness Act, in which student
21 participation and learning outcomes are supervised by an
22 educator licensed under Article 21B.

23 (3) Participation in a youth apprenticeship, as
24 jointly defined in rules of the State Board of Education
25 and Department of Commerce and Economic Opportunity, in
26 which student participation and outcomes are supervised by

1 an educator licensed under Article 21B.

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

6 (Source: P.A. 101-12, eff. 7-1-19; 101-643, eff. 6-18-20.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".