

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 Department of Public Health Powers and
5 Duties Law of the Civil Administrative Code of Illinois is
6 amended by adding Section 2310-705 as follows:

7 (20 ILCS 2310/2310-705 new)

8 Sec. 2310-705. In-person instruction at schools. The
9 Department shall establish requirements by rule for providing
10 in-person instruction at nonpublic schools and public schools
11 that include, but are not limited to, personal protective
12 equipment, cleaning and hygiene, social distancing, occupancy
13 limits, symptom screening, and on-site isolation protocols and
14 shall disseminate information about those requirements to
15 nonpublic schools and public schools with the assistance of
16 the Illinois State Board of Education. The authority to
17 enforce the rules adopted pursuant to this Section lies with
18 the Department and local departments of public health. Upon
19 receipt of a complaint that a school cannot or is not complying
20 with the Department's rules under this Section, the Department
21 or local public health department shall investigate the
22 complaint within 45 days after receiving the complaint. If
23 upon investigation, a school is found to be in violation of the

1 rules adopted under this Section, the Department has the
2 authority to take the appropriate action necessary to promote
3 the health or protect the safety of students, staff, and the
4 public, including, but not limited to, closure of a classroom,
5 gym, library, lunch room, or any other school space until such
6 time that the Department determines that the violation or
7 violations have been remedied. Nothing in this Section limits
8 the authority or requirements of the Department or local
9 public health departments. All complaints and related
10 documents shall be maintained and are subject to applicable
11 disclosure requirements under the Freedom of Information Act.

12 Section 10. The School Code is amended by adding Section
13 22-92 as follows:

14 (105 ILCS 5/22-92 new)

15 Sec. 22-92. In-person instruction. In order to provide
16 in-person instruction, nonpublic schools and public schools
17 must follow the requirements adopted by rule by the Department
18 of Public Health under Section 2310-705 of the Department of
19 Public Health Powers and Duties Law of the Civil
20 Administrative Code.

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.