



Regional Services Q&A Index

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Volume 8 – April 7, 2023

Q1: A student is suspended or expelled from a public school within the boundaries of ROE X but is transferred to a Regional Safe School Program (RSSP) in lieu of serving the suspension or expulsion at home. The student then moves to a new school district within the boundaries of ROE Y during the period of suspension or expulsion. What are the obligations of the new school district to admit the student into one of its schools? What are the obligations of ROE Y to admit the student into an RSSP that it operates?

A1: Whether or not the new district must enroll the student and allow them to begin attending classes prior to the expiration of the suspension or expulsion period depends on the offense the student committed in their prior district and the district's policy on admission of transfer students.* ROE Y has no obligation to admit the student under any circumstances.

A student who has been suspended or expelled from a public school in Illinois or any other state for certain enumerated offenses (possession of a weapon on school grounds, drugs, or battering of a staff member) cannot begin attending classes in a new district into which the student is transferring until the student has served the entire period of suspension or expulsion. Districts also can adopt policies that are even more restrictive and specify that a student who has been suspended or expelled for any reason from any public or private school in this or any other state must complete the entire term of their suspension or expulsion before being admitted into the school district. [105 ILCS 5/2-3.13a](#).

In either case, the new school district **may** approve the placement of the student in a Regional Safe School Program pursuant to policies and procedures adopted by the Regional Office of Education for the identification and placement of students in their alternative programs. See [105 ILCS 5/2-3.13a](#) and [5/13A-3\(c\)](#).

Given that a district is not required to transfer a student to an alternative placement in lieu of suspension/expulsion and that alternative program transfer policies and procedures must be established locally by the Regional Office of Education in consultation with its districts, it follows that the new home district and ROE Y are not bound by the prior alternative placement to enroll this student in ROE Y's RSSP. Instead, this must be a decision made by the new district in consultation with ROE Y and pursuant to its transfer policies.

*If the student has an Individualized Education Program (IEP), the student must continue to be offered services while removed from their regular education program per [Section 1415\(k\)\(1\)\(D\) of IDEA](#).

Q2: Is it possible to give access/permission to a third party that would allow that third party to verify employment history, lookup teachers by their Illinois Educator Identification Number (IEIN), etc.?

A2: ISBE already has a publicly accessible way to verify an educator's employment. ISBE's [Administrator Access](#) portal within the Educator Licensure Information System (ELIS) can be

used by anyone who has the educator's name, IEIN, and DOB. This information is pulled from the Employment Information System (EIS).

Q3: Must a student be automatically disenrolled from their school on their 21st birthday?

A3: No, but a school district may choose to do so.

A person over the age of 21 has no legal right to attend the free schools of Illinois.* However, the School Code explicitly permits school boards to establish classes for the instruction of persons over 21 years of age and to pay the necessary expenses of such classes out of a district's school funds. This can include courses of instruction regularly accepted for graduation from high school and high school equivalency testing review classes. See [105 ILCS 5/10-22.20\(a\)](#). Pursuant to Section 10-22.20(a), a district may permit a student who turns 21 during the school year to continue their education through the end of the school year and beyond, but may not claim Evidence-Based Funding for them after they have turned 21. The benefits of allowing a student in this situation to remain enrolled for the remainder of the school year should be considered, as should the safety implications of allowing an adult student over the age of 21 to be in the same building as much younger children. The district should consult with its own legal counsel on these various considerations.

*Pursuant to [105 ILCS 5/14-1.02](#), a student with an IEP who requires continued public school educational experience to facilitate their transition and integration into adult life is eligible for such services until the day before the student's 22nd birthday. If their 22nd birthday occurs during the school year, the student is eligible for such services through the end of the school year.

Q4: What are some of the key data resources published by ISBE?

A4: Please see the resources listed below for a variety of data points and information:

1. The [Report Card Data Library](#) webpage contains a Report Card Public Data Set for each school year. Content includes student demographics, teacher demographics, state test scores, and much more.
2. The [Directory of Educational Entities](#) has a list of every open school in Illinois that is updated from ISBE's Entity Profile System (EPS) every night. Content includes addresses, RCDT codes, and National Center for Education Statistics IDs.
3. [My Data Dashboard](#), accessible through MyIRC, is available to district administrators and Regional Offices of Education (ROEs) and provides critical information tailored specifically for the user accessing the system rather than general statewide data (like the first two resources). New enhancements to My Data Dashboard include student-level Report Card data deep-dives!
4. [Data Collection Key Dates](#) helps districts plan for upcoming data collection deadlines. Collections include SIS, EIS, and much more.
5. [Data Quality Dashboard](#), accessible through IWAS, is an interactive tool designed to provide feedback to districts on the accuracy of their submitted data.
6. The [Illinois Report Card](#) provides information on school districts and their individual schools on a range of topics including student attendance, demographics, finances, and more.

Q5: Can a parent/guardian opt their child out from receiving instruction under Erin's Law (i.e., instruction in recognizing and avoiding sexual abuse)?

A5: Parents/guardians have a right to opt their children out of Erin's Law instruction in Grades K through 8. There is no opt-out right for students in Grades 9 through 12.

[Erin's Law](#) [105 ILCS 5/10-23.13] requires districts to provide age-appropriate and evidence-informed curriculum addressing sexual abuse of children for students in pre-K through 12th grades. However, per [105 ILCS 5/27-13.2](#), no student in any of the Grades kindergarten through 8 shall be required to take or participate in any class or course providing instruction in recognizing and avoiding sexual abuse if the parent or guardian of the pupil submits a **written** objection to the child's participation. This would include Erin's Law instruction. A district may not fail, suspend, or expel a student for their refusal to take or participate in a class or course providing instruction in recognizing and avoiding sexual abuse after a written objection is submitted by the student's parent or guardian. Parents or guardians of students in Grades K through 8 must be given not fewer than five days written notice by the district before it commences a class or course of instruction addressing sexual abuse of children.

Volume 7 – Feb. 3, 2023

Q1: Is a district that follows a block schedule still required to offer physical education at least three days per week?

A1: No. A public school that is engaged in block scheduling may deviate from the general requirement that PE be provided at least three days out of every five-day week.

Statute does not provide further direction as to how frequently PE must be offered in districts engaged in block scheduling, but we encourage districts to ensure students receive coursework in physical education as much as possible and commensurate with their health and developmental needs. Effective coursework in physical education correlates directly to the health and well-being of students and has cognitive benefits, making students more receptive to learning.

Q2: Some [instructional mandates](#) must be offered in all elementary schools, but the grade level is not specified. An example of this is safety education. How is the mandate fulfilled in a school district that splits its K-8 grades into multiple buildings (e.g., a K-5 building and a 6-8 building)? Must the instructional mandate be offered in both buildings or does the district have discretion as to which building will offer it?

A2: In this example, the district must offer the instructional mandate in both schools. All of Grades K-8 are considered elementary grades under Illinois law. Therefore, both the K-5 school and the 6-8 school are technically considered elementary schools, even if the 6-8 school is referred to as a middle school in common parlance.

Q3: Can ROEs share the results of criminal background checks with other ROEs?

A3: In general, no. However, it may be possible to devise a form to obtain prior consent from the prospective employee that would allow the results of a criminal background check to be shared. ISBE recommends working with an independent legal counsel and checking with the Illinois State Police for any restrictions that may prohibit the sharing of information.

Q4: If a district's absenteeism and truancy policy already allows for students to be absent for 10 days without a doctor's note, must the policy allow for an additional five mental health days (for a total of 15) without a doctor's note to meet the requirements of [Public Act 102-0321](#)?

A4: As long as the district allows for a temporary absence for cause to include up to five mental health days without the need for a doctor's note, then its policy is in compliance with Public Act 102-0321. The board's absenteeism and truancy policy can be referenced as to whether or not those five days are in addition to other "call off days" (where no doctor's note is required) or included within them.

Q5: What are the procedural requirements for a district to close a school building?

A5: A school board that seeks to close a school building must hold “at least 3 public hearings, the sole purpose of which shall be to discuss the decision to close a school building and to receive input from the community,” unless the building is deemed unsafe, unsanitary, or unfit for occupancy, according to [PA 102-204](#). The board must provide notice of each hearing on its website at least 10 days prior to that hearing. The notice must include the time, date, place, and name or description of the school building subject to closure.

PA 102-204 does not define the term “public hearing” but, in general, public hearings provide an opportunity for members of the public to provide testimony and receive information on a proposed issue or action. Note that PA 102-204 requires that the three hearings be held “for the sole purpose” of discussing the building closure and receiving input; therefore, the hearings must make dedicated time available for community members to provide feedback on that topic only. Thus, the open comment period during a regular or special board meeting would not satisfy legal requirements. However, the Act does not appear to prohibit a district from scheduling the hearing as part of one its regular or special meetings, provided the hearing portion of the meeting receives dedicated time and is distinguished from regular board business. It is the clear intention of PA 102-204 that the public hearings occur prior to any final board decision on building closure.

Public hearings required by PA 102-204 are subject to the [Illinois Open Meetings Act](#) if a majority of a quorum of the board attends the hearings.

Volume 6 – December 16, 2022

Q1: What criminal convictions bar an individual from serving as an elected school board member?

A1: An elected official of any school district who is convicted in any court of the state of Illinois or the United States of a felony, bribery, perjury, or other infamous crime is ineligible to continue in their office upon conviction. See [Section 1 of the Officials Convicted of Infamous Crimes Act; 10 ILCS 5/25-2\(5\); 105 ILCS 5/10-11\(5\)](#).

Not all felonies qualify as “infamous crimes” (defined below), and an individual who is convicted of a felony that is not an “infamous crime” could potentially have their eligibility to hold elected office restored upon completion of their sentence. See [730 ILCS 5/5-5-5\(b\)](#).

In contrast, conviction for an infamous crime renders a person permanently ineligible for public office as stipulated in [10 ILCS 5/29-15](#). A now repealed section of the Illinois Code of Criminal Procedure defined infamous crime as “[t]he offenses of arson, bigamy, bribery, burglary, deviate sexual assault, forgery, incest or aggravated incest, indecent liberties with a child, kidnapping or aggravated kidnapping, murder, perjury, rape, robbery, sale of narcotic drugs, subornation of perjury, and theft if the punishment imposed is imprisonment in the penitentiary.” Courts have held that despite this definition of “infamous crimes” being repealed, the legislative intent remained to prevent people convicted of those crimes from holding public office.

Q2: What steps must a district take to adopt the updated Danielson Framework for Teaching as its teacher evaluation instrument?

A2: The district can update its teacher evaluation instrument at any time to conform to the updated Danielson Framework for Teaching as long as the district’s Joint Committee, established pursuant to [105 ILCS 5/24A-4\(b\)](#), agrees on the change. The district does not need approval from ISBE to make this change.

Q3: Is this [guidance document](#) on Section 24-14 of the School Code (Termination of contractual continued service by teacher) still current?

A3: That guidance document was created in October 2019 and is still accurate. However, it does not contain a relatively minor change made to this section of Code by [Public Act 102-552](#). PA 102-552 added new requirements for what a district must submit to ISBE with its referral for an alleged violation of Section 24-24. Specifically, the district must submit (i) a dated copy of the teacher's resignation letter, (ii) a copy of the reporting district's current school year calendar, (iii) proof of employment for the school year at issue, (iv) documentation showing that the district's board did not accept the teacher's resignation, and (v) evidence that the teacher left the district in order to accept another teaching assignment. When ISBE receives a referral that

does not include all required components, we simply notify the district of the deficiency and ask that it submit the outstanding item(s) as soon as possible.

ISBE is updating the October 2019 guidance document now to incorporate these submission requirements. In addition, ISBE is creating a supplemental FAQ document to assist districts and ROEs with analyzing common resignation scenarios and whether they qualify for referral to ISBE. ROEs will be notified as soon as these resources become available. In the meantime, if you have teacher resignation questions that are not addressed in the current guidance, you can reach out to Colette McCarty, ISBE's educator misconduct attorney, at cmccarty@isbe.net.

Q4: Is COVID-19 paid administrative leave still available?

A4: Yes. House Bill 1167 (now [Public Act 102-0697](#)) went into effect on April 5, 2022. Under HB 1167, COVID-19 paid administrative leave is available during any time when the governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Act. The most recent statewide Gubernatorial Disaster Proclamation connected with COVID-19 was issued on Dec. 8, 2022, and expires 30 days thereafter. See [Proclamation](#).

The Act outlines the conditions and eligibility criteria that must be met for an employee to access COVID-19 paid administrative leave. It provides that “[an] employee of the school district shall receive as many days of administrative leave *as required to abide by the public health guidance, mandates, and requirements issued by the Department of Public Health*, unless a longer period of paid administrative leave has been negotiated with the exclusive bargaining representative if any.” The Act further provides that for eligible employees “such leave shall also be provided to an employee for any days for which the employee *was required to be excluded from school property* prior to the effective date [April 5, 2022].” (emphasis added). The paid administrative leave available under HB 1167 should be distinguished from sick leave reinstatement under the Act, which was limited to reinstatement of **qualifying sick leave taken during the 2021-22 school year only**.

We note that the factors that determine employee eligibility for paid administrative leave and restoration of sick leave are best evaluated at the local level.

Q5: What requirements must a district follow to switch from full-day kindergarten to half-day kindergarten only?

A5: There are no specific requirements in statute for a district changing from offering full-day kindergarten to half-day kindergarten only. The district can determine when to convert from a full-day to a half-day program. With that said, the district should be mindful of how disruptive this change may be for some families and is advised to provide significant notice and an opportunity to be heard before the change is implemented. It would also be advisable for the

district to make this change at a natural break period (e.g., end of a semester or end of school year).

Volume 5 – Nov. 18, 2022

Q1: A student seeks to be excused from a single class on an as needed basis for mental health reasons. Is a doctor's note required for these absences to be excused, and if so, what type of medical professionals can provide it?

A1: This response is dependent on the district's own attendance policy and its application of such policy to the underlying facts presented.

All school districts in Illinois are required to maintain an absenteeism and truancy policy that includes a definition of valid cause of absence in accordance with Section 26-2a of the School Code. See [105 ILCS 5/22-92](#). The definition of "valid cause" for absence in Section 26-2a includes "illness, including the mental or behavior health of the student", "attendance at a verified medical or therapeutic appointment," and "such other circumstances which cause reasonable concern to the parent for the mental, emotional, or physical health or safety of the student." See [105 ILCS 5/26-2a](#). A student's request to miss a single class on an as-needed basis for mental health reasons could potentially qualify under any of these categories for valid cause for absence, subject to the district's application of its own policy.

Nothing in the School Code definition of valid cause for absence requires a note from a particular type of medical professional, but a district's own absenteeism and truancy policy can incorporate such a requirement. It is not advised under any circumstances that a district refuse to honor a medical note excusing a student from attendance that is issued by a physician licensed to practice medicine in all its branches, an Advanced Practice Registered Nurse, or a Physician Assistant.

[Public Act 102-0266](#) requires districts to allow students to take up to five mental or behavioral health days as excused absences without the need to produce a medical note. These are contemplated as full-day absences from school, so a child missing a single class for mental health reasons would not count as one of the five days.

Q2: What are the requirements for a student to participate in a 10-29 remote learning plan? For example, do they need a specific GPA?

A2: Section 10-29 of the School Code specifies that any school district may (but is not required to) establish a remote educational program policy by resolution of its board. Districts that adopt such a policy can allow a student to participate in a remote educational program when there is a determination by the school district and the parent/guardian that the program will best serve the student's individual learning needs and the student meets the criteria for participation as defined in the board policy. The criteria for participation must be outlined in the policy. Per statute, the criteria must include consideration of, at a minimum, a student's prior attendance, disciplinary record, and academic history. How these criteria are used to

qualify or disqualify a student is dependent on the individual district's policy. For example, one district could have a policy that students must maintain a certain GPA to participate in a remote educational program. Another district's policy could prioritize students who are struggling academically based upon a determination that a remote educational program will better meet their educational needs.

Q3: Can a student's name or gender be changed in SIS?

A3: A district can change a student's first name and/or gender in the Student Information System (SIS) to something different than what is listed on the child's birth certificate. ISBE now keeps a historical record of student demographics by enrollment. It is not possible to change last name or date of birth.

Please be advised that ISBE's non-regulatory guidance on supporting transgender, nonbinary, and gender nonconforming students states that "records should be adjusted to reflect a student's affirmed name and pronouns" and that "schools may not require a legal name change or change of a gender marker on a birth certificate before the school addresses a student by their affirmed name and pronouns or before updating most school records to properly reflect the student's identity."

Please see [here](#) and [here](#) for additional information.

Q4: Can students still receive remote instruction when they are out of school for COVID-19 reasons? What about for other illnesses?

A4: All schools must continue to provide fully in-person learning for all student attendance days, provided that, pursuant to [105 ILCS 5/10-30](#) and [105 ILCS 5/34-18.66](#), during a gubernatorial disaster declaration due to a public health emergency, remote instruction: 1) may be made available for individual students who are excluded from school pursuant to 77 Ill. Admin. Code 690.30 consistent with guidance from the Illinois Department of Public Health or a local public health department, and 2) must be made available for students whose entire classroom or entire school is placed on an adaptive pause entered into in consultation with a local public health department. A student who receives remote instruction under these conditions can be coded for attendance purposes as Remote Learning. Remote learning under [105 ILCS 5/10-30](#) and [105 ILCS 5/34-18.66](#) is not available for students who are absent from school due to illnesses that are not subject to a gubernatorial disaster declaration due to a public health emergency.

Q5: What are the qualifications for a Title I teacher, and must parents still be notified if the teacher is not “highly qualified”?

A5: The Every Student Succeeds Act (ESSA) eliminates the federal “highly qualified” teacher mandate established under No Child Left Behind (NCLB). ESSA specifies that educators employed in schools supported with Title I funds must meet state certification requirements.

As an example, a reading teacher in Illinois must have an Illinois Professional Educators License (PEL) with a reading teacher, reading specialist, elementary education, early childhood education, or language arts endorsement. Therefore, a teacher in a focused Title I reading program must have a PEL with one of these endorsements.

Under ESSA, districts that receive Title I funds are required to notify parents that they can request specific information about a teacher's qualifications. Districts must also notify parents about an unqualified teacher who has been teaching their children for four or more consecutive weeks. (See Elementary and Secondary Education Act of 1965 as Amended Section 1112 (e)(1)(A)(iii).) As noted above, ESSA eliminates the federal mandate that all teachers of core subjects be “highly qualified,” but defers to each state’s individual certification requirements as to the required qualifications for Title I teachers.

Volume 4 – Sept. 30, 2022

Q1: Does [Public Act 102-0302](#) change any reporting requirements for school support personnel?

A1: All of the information that must be reported as specified by the Act is already collected by ISBE. Thus, there are no new requirements in the legislation in terms of what information must be reported by districts to ISBE.

However, please be advised that the legislation requires each school district to post this information on its website by December 1, 2022, and annually thereafter by December 1. The posting should reflect the data as it exists as of October 1 for that school year.

Q2: We have students who leave the country for extended periods of time. Can a district remove a student from its enrollment roster in these situations, and if so, under what conditions?

A2: The School Code restricts when a truant minor may be dropped from the enrollment roster for nonattendance. Specifically, “[A] truant minor may not be expelled for nonattendance unless he or she has accrued 15 consecutive days of absences without valid cause and the student cannot be located by the school district or the school district has located the student but cannot, after exhausting all available supportive services, compel the student to return to school.”

In the scenario you have described, the district must determine if the absences are considered excused or unexcused. If considered excused, the district should provide resources for the student to remain on pace with their peers for the duration of the time out of school, and the student may remain on the district’s enrollment roster. If deemed unexcused, and the child cannot be compelled to return to school after exhausting all available supportive services, the district can drop the child from its enrollment roster after 15 consecutive days of absences, provided the district has first provided some notification/due process. If the Regional Office of Education has not been engaged, this would call into question whether or not all supportive services have been offered, though ISBE is not the arbiter of that.

Upon the child’s return to the country, the district must always re-enroll the child, provided they remain a resident of the district. The only exception to that would be if the child is 19 years of age or older and will not be able to graduate before their 21st birthday. See [105 ILCS 5/26-2\(b\)](#).

Q3: A school offers full-day kindergarten and understands that it needs to offer a half-day option as well. Is the school responsible for bus transportation to and from school for the half-day option?

A3: First, it must be determined if the district is required to provide free transportation. Per [Section 29-3](#) of the School Code, only certain types of school districts are required by law to provide free transportation services. Specifically, the requirement applies to community consolidated districts, community unit districts, consolidated districts and consolidated high school districts, and combined school districts (if the combined school district includes any district that was previously required to provide transportation). See [District Transportation Requirements – Summary](#); see also [Pupil Transportation Requirements FAQs](#) (Q&A No. 1).

Assuming the district is required to provide free transportation, it would be obligated to provide transportation to all kindergarten students, including students attending the half-day program, residing 1.5 miles or more from the attendance center.

Q4: May educators count mandated trainings toward licensure renewal?

A4: Some mandated trainings can count for professional development, but it depends on if they meet specified standards. A provider should use page 2 of this [form](#) to determine if the mandated training can or cannot count as PD for license renewal.

Volume 3 – Sept. 9, 2022

Q1: Can ROEs/ICSs apply for the School Maintenance Grant for their Alternative Learning Opportunities Program and/or Regional Safe School?

A1: No. Under the [School Construction Law](#), “The State Board of Education is authorized to make grants to school districts and special education cooperatives established by school districts.” The list of eligible applicants is further defined in [Section 151.100](#) as, “Any school district, cooperative high school, Type 40 area vocational center or special education cooperative.” ROE/ISC programs are not included in these definitions of eligible applicants.

Q2: Are scores on college entrance examinations (e.g., SAT/ACT) required to be listed on a student’s transcript?

A2: No. There is no requirement that these scores be included on a high school transcript, but they may be included if the district has a policy that allows it and the parent/guardian requests it. See the outlined components of academic transcript included under definition of “Student Permanent Record” in [23 Ill. Admin Code 375.10](#).

However, certain assessments must be retained in a student’s permanent record. Specifically, Section [375.10](#) of the Part 23 administrative rules requires “scores received on all State assessment tests administered at the high school level (i.e., grades 9 through 12)” [pursuant to 105 ILCS 5/2-3.64a-5] to be kept as part of the student’s permanent record. The “State assessment tests administered at the high school level” are limited to the following:

- PSAT 8/9
- PSAT 10
- SAT
- Illinois Science Assessment
- DLM-AA (if applicable)

All other high school assessments/scores may be included in the student temporary record.

Q3: What resources are available for a district that is interested in learning more about a four-day school week?

A3: First, it is important to remember that the calendar requirements are based on a minimum number of instructional days for the entire year, not per week. The School Code requires that each school board “annually prepare a calendar for the school term, specifying the opening and closing dates and providing a minimum term of at least 185 days to ensure 176 days of actual pupil attendance, computable under [Section 10-19.05](#).” [105 ILCS 5/10-19](#) (emphasis added).

A district interested in implementing a four-day school week would likely need to move to a balanced calendar approach to satisfy the minimum instructional day requirements. The districts listed [here](#) were reported as utilizing a balanced/year-round calendar as of July 2014.

ISBE does not maintain any current resources for districts who might be interested in exploring a four-day school week. However, the following third-party resources may be helpful:

1. Website maintained by the National Association for Year-Round Education: <https://www.nayre.org/>
2. FAQ from Peoria School District 150 that includes an example of such a calendar: <https://www.peoriapublicschools.org/cms/lib/IL01001530/Centricity/Domain/8016/FAQ-balanced%20calendar.pdf>

We cannot verify the accuracy or completeness of these websites since they are not ones that ISBE has created or maintains.

Q4: I'm not receiving newsletters and other communications from ISBE. How can I make sure I'm on the listserv for outgoing messages?

A4: Please make sure we have the correct e-mail address on file in the Entity Profile System (EPS) and the Employment Information System (EIS) through IWAS. In addition, if you are a regional/district/school admin in EPS, please be sure to add additional contacts such as assistant administrators. ISBE's e-mail system pulls contacts and e-mail addresses from these systems, so it is important that EPS and EIS have up-to-date contact information. Please remind your school districts as well to submit their EIS and EPS information as soon as possible for the current school year so that ISBE has current contact information on file.

If the steps above have already been completed, please make sure that "hello@isbe.net" is not being sent to your spam folder or blocked by your firewall. Try adding hello@isbe.net and press@isbe.net to your safe senders list.

Contact your IT department about "whitelisting" these IP addresses: <https://support.clickdimensions.com/hc/en-us/articles/115001162113-Email-Server-IP-Addresses>

Lastly, if you would like to sign up for additional newsletters, please [visit this ISBE page](#) to sign up. The page includes a Captcha to prevent spam submissions, so please ensure you do not have a pop-up blocker enabled.

Volume 2 – August 26, 2022

Q1: If a student opts out of comprehensive personal health and safety and comprehensive sexual health education, is the health requirement for graduation also waived?

A1: If a district opts out of teaching comprehensive personal health and safety and comprehensive sexual health education, topics that fall under a separate instructional [mandate](#), such as Health Education, must continue to be taught. Learn more in the [sexual health FAQ](#). Health education is similar to physical education in that [the district must offer it](#) and students must take it, but there is no requirement that a student earn credit in the course in order to graduate since neither course is a [state graduation requirement](#). Districts can adopt their own graduation requirements that exceed the state minimum requirements and could include health education as a local graduation requirement.

Q2: A district's e-learning plan was verified by an ROE after Sept. 1. Is the e-learning plan valid for three calendar years from the date of verification or for three school years starting with the school year in which it was approved?

A2: An e-learning plan is valid for three school years starting with the school year in which it was approved.

The e-learning statute stipulates that “the school board's approval of a school district's initial e-learning program and renewal of the e-learning program shall be for a term of 3 years.” [105 ILCS 5/10-20.56\(d\)](#) While the statute doesn't define a start and end point for e-learning programs, the clear legislative intent was to set a fixed, three-year program term that generally coincides with the school year calendar. So, if an ROE verified a district's e-learning plan in December 2020, the plan was valid for the 2019-20, 2020-21, and 2021-22 school years. ISBE permitted ROE verifications to occur after the Sept. 1 deadline in 2019 (the effective date of the Public Act that expanded e-learning to all school districts), which explains why some districts have e-learning plans that were first verified by ROEs in the winter or spring of the 2019-20 school year.

All procedural requirements must be followed at the time of renewal of an e-learning program (e.g., public hearing, board resolution, proper notices, 30-day implementation timeline). The ROE verification process must occur annually. For this school year (2022-23), ISBE will not take any regulatory action against a district or school that implements an e-learning plan that is verified by the ROE after the Sept. 1 deadline, provided the plan is adopted in accordance with all other procedural requirements set forth in [105 ILCS 5/10-20.56](#). ROEs have discretion to determine the process they will follow to annually verify that an e-learning program meets the requirements of Section 10-20.56 of the School Code and provides access to all the students. Whatever process is followed should be documented.

Q3: Are short-term approvals for paraprofessional and substitute teacher licenses currently available?

A3: Yes, short-term approvals for both paraprofessional and substitute teacher licenses are both currently available.

- Short-Term Approval for Paraprofessional (STA-PARA) – Per [rules effective July 13, 2022](#), the new short-term approval for paraprofessional is now available for application in ELIS. This approval is for educators who do not yet meet the full requirements for the permanent ELS-PARA and need to work as a paraprofessional (teacher's aide) in the classroom. Educators can qualify with a high school diploma or its equivalent. It is valid for three full fiscal years and is non-renewable. There are no registration fees required once the approval is issued. Educators must meet remaining requirements to earn the full license during the validity of the approval. This approval will be available for application through June 30, 2025. While working on this approval, the educator shall be issued the ELS-PARA if they apply and meet requirements in [Section 25.510](#) of the 23 Illinois Administrative Rules.
- Short-Term Substitute (STS) License – Per [rules effective Dec. 4, 2019](#), the STS license is available for application in ELIS. This approval is for educators who do not yet meet the requirements for the substitute license. Educators can qualify with an associate's degree or higher or completion of 60 semester hours of coursework at the 100 level or higher. The degree or coursework must have been completed at a regionally accredited institution of higher education. This license is valid through June 30, 2023, and cannot be renewed, so licensees must meet the requirements for the substitute license to continue subbing after the expiration date. The STS license limits teachers to work no more than five consecutive days per licensed teacher, unless the state has declared a disaster proclamation in which the STS may serve 15 consecutive days per licensed teacher. STS license holders must complete a training program provided by the school board before being in the classroom.

Q4: Are there any remote learning options available to districts in the 2022-23 school year *other than* e-learning?

A4: Current Section [10-30](#) remote learning guidelines specify that all schools must resume fully in-person learning for all student attendance days, provided that, pursuant to 105 ILCS 5/10-30 and 105 ILCS 5/34-18.66, remote instruction *must be made available* for students who are excluded by a school pursuant to 77 Ill. Admin. Code 690.30 or students who are under isolation, quarantine, or adaptive pause consistent with guidance or requirements from a local health department or the Illinois Department of Public Health. Remote learning under Section 10-30 must be offered consistent with a remote learning day plan adopted by the district and posted on its website. This also can be the district's e-learning plan adopted under Section [10-20.56](#) of the School Code.

Outside of the remote learning available under Section 10-30 of the School Code, a student may receive remote instruction under [Home Hospital Instruction](#) or a Remote Education Program under Section [10-29](#) of the School Code. Section 10-29 specifies that any school district may (but is not required to) adopt a Remote Educational Program policy by resolution of its board. With such a policy, a district can allow individual students to participate in a Remote Educational Program when it best serves the student's individual learning needs and the student meets the criteria for participation defined in the board policy. Districts that adopt a Remote Educational Program policy under Section-29 are required to submit such policy to ISBE.

Q5: Is there any required process for approval of a blended learning program?

A5: Illinois law requires all public school students to learn in-person, with certain limited exceptions as set forth in more detail in Q&A No. 4. [Section 10-19.05\(k\)\(4\)](#) of the School Code stipulates that a pupil's participation in a "blended learning program approved by the school district in which course content, student evaluation, and instructional methods are supervised by an educator licensed under Article 21B" will be counted toward the calculation of required clock hours. However, "blended learning program" is not defined.

We define the term as an instructional program that enhances a student's academic program through *supplemental* coursework that combines classroom learning with online learning, in which students can, in part, control the time, pace, and place of their learning. The key word is "supplemental." The program should not supplant regular instruction.

A blended learning program that meets ISBE's definition can be implemented without any formal approval process through ISBE. But it should, at a minimum:

1. Include a description of why a blended learning program is in the best interests of the participating student;
2. State the specific goals for student learning that shall be assessed bimonthly, at a minimum;
3. Include a description of learning formats that will be employed, including in-person instruction and, as applicable, remote instruction, and the amount of time, per academic subject, that will be devoted to each format;
4. Detail specific supports available for the participating student or the parent;
5. Include a description of how a parent may unilaterally terminate a student's participation in the blended learning program;
6. Provide for a parental signature that authorizes implementation of the blended learning program;
7. Be pre-approved for the student by the school district and the parent prior to student participation;
8. Align to the Illinois Learning Standards;

9. Be sufficiently rigorous to prepare the student for postsecondary success; and
10. Be supervised by an educator licensed under Article 21B of the School Code.

Q6: Does a district need to conduct background checks for a current student who is hired as a student worker for a catered event, custodial work, cafeteria work, etc.?

A6: Yes, a student who is employed by the school district must go through the background check process. Statute states that “licensed and nonlicensed applicants for employment with a school district ... are required as a condition of employment to authorize a fingerprint-based criminal history records check ...” and further requires checks of the Statewide Sex Offender Database and the Statewide Murderer and Violent Offender Against Youth Database. See 105 ILCS 5/10-21.9. There is no exception for minors or students currently enrolled in the district. The parent or legal guardian will need to sign a consent form for a minor student to be fingerprinted.

Volume 1 – August 16, 2022

Q1: ISBE provided [this letter](#) for teacher evaluation flexibility for the 2021-22 school year. Do these flexibilities remain in effect for the 2022-23 school year or must all teachers now be evaluated this year?

A1: [Per Public Act 102-0729](#) - for the 2022-23 school year only - if the governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, a school district may waive the evaluation requirement of all teachers in contractual continued service whose performances were rated as either "excellent" or "proficient" during the last school year in which the teachers were evaluated under this Section.

Q2: Where can we access the updated compliance information for school year 2022-23?

A2: Up-to-date compliance information can be found in the following places:

1. [Illinois Instructional Mandates](#) (formerly Mandated Units of Study)
2. [Mandated Trainings](#)
3. [Graduation Requirements](#)

Updates are still being made to the Illinois Association of Regional School Superintendents (IARSS) Compliance System for the 2022-23 school year. A training webinar of changes to the IARSS Compliance System will be recorded and shared with the field soon.

Q3: Per [Public Act 102-0157](#), where, when, and how will Absenteeism and Truancy Policies be submitted?

A3: We are developing a system in IWAS that will allow users to upload their Absenteeism and Truancy Policies. The system will also allow ROEs and ISCs to view the submissions by districts in their region.

ISBE has administrative rules pending final approval that establish a Sept. 30 due date. You can [view the proposed rules here](#).

Q4: Are threat assessment teams required to meet? If so, when?

A4: Although [Public Act 102-0791](#) does not explicitly state that a threat assessment team must have a meeting, in order to best facilitate the intention of the law we believe that threat assessment teams would need to have a meeting to discuss topics of school safety.

[The School Safety Drill Act](#) requires districts to have an Annual School Safety Meeting to discuss various topics of school safety, including the district's threat assessment procedure. Ideally, the

threat assessment team will have met prior to the annual meeting so that its procedure can be properly discussed and/or reviewed at the Annual School Safety Meeting.

Q5: If a district cannot provide all the required members for a threat assessment team, is there any room for substitution?

A5: We do not believe that the statute permits a district to have a team member from an outside agency on its own threat assessment team, with one exception: The statute states explicitly that employees of special education cooperatives that serve the district may serve on a district's threat assessment team to fulfill the required composition. That is the only substitution by an outside agency permitted for district-created threat assessment teams.

Per statute, "a school district [that] is unable to establish a threat assessment team with school district staff and resources ... may utilize a regional behavioral threat assessment and intervention team that includes mental health professionals and representatives from the State, county, and local law enforcement agencies." The statute is not as prescriptive on composition requirements for a regional team. If a district is utilizing a regional behavioral threat assessment and intervention team, that team is not required to have all of the members outlined in 105 ILCS 128/45(a)(1-6).

Q6: When submitting a list of threat assessment members, is it sufficient to only include titles or roles?

A6: No, titles or roles only are not sufficient. The law requires that districts submit "a list *identifying the members* of the school district's threat assessment team ..." The roles that are required are already outlined in 105 ILCS 128/45(a)(1-6); thus, the legislative intent appears to require more individual details about team members. Names also allow for individuals to be more quickly contacted should there be a threat to the district.