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**LEGAL ALERT****Executive Order 2020-15 Suspends Additional Provisions of the School Code and Initiates Start of Remote Learning Days**

On Friday, March 27, 2020 Governor Pritzker issued Executive Order 2020-15, which addressed a number of issues affecting school districts during the Gubernatorial Disaster Proclamation. The primary issues addressed are (1) pupil attendance and school days; (2) school districts providing child care services for essential workers; and (3) construction bids. The Illinois State Board of Education has updated their Guidance document to address this Executive Order, which can be found [here](#), and KTJ will be providing additional E-Notes that address the Guidance and Remote Learning.

The following sections of the Illinois School Code are suspended by Executive Order 2020-15:

- Section 10-19 regarding the school term and procedures for making changes to the school term; however, the minimum number of school days has not changed.
- Section 2-3.64a-5 and 27-3 regarding the administration of assessments.
- Section 10-19.05(a)-(j) regarding method of calculating daily pupil attendance.
- Section 2-3.71 of the School Code regarding various aspects of providing child care services by school districts, including age, selection process and licensure requirements.
- Section 1C-2(c) regarding various aspects of providing child care services by school districts, including programs and age of children.
- Section 10-20.21 regarding electronically communicating, accepting and opening construction bids.

**Construction Bids**

Executive Order 2020-15 suspends Section 10-20.21 of the School Code to allow construction bids to be communicated, accepted or opened electronically.

For any questions or comments you might have regarding this newsletter, please feel free to contact:

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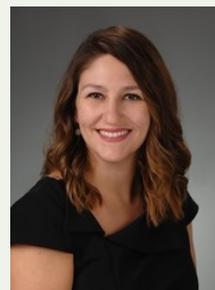
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## **School Term, School Days and Pupil Attendance**

Executive Order 2020-15 does allow some flexibility with calculating pupil attendance and the structure of the school term. However, the Executive Order makes it clear that school districts are still required to provide a minimum term of 185 days to insure 176 days of actual pupil attendance. The Executive Order gives the State Superintendent authority to (a) address the minimum requirements of the school calendar and school day; (b) create, define and determine the use of "Remote Learning Planning Days"; (c) create, define and determine the use of "Remote Learning Days"; and (d) provide additional guidance consistent with the terms of this Executive Order. We have a separate legal update providing more guidance on Remote Learning and School Days.

## **Collective Bargaining Agreements**

The Executive Order additionally states that "nothing in the Order shall prohibit school employees from receiving compensation, on the basis of their regular contracts, for additional time worked as a result of an extension of the school term." As such, anticipate additional communications and negotiations with unions and talk to your District attorney about these issues.

## **Child Care**

The Executive Order suspends numerous provisions of the School Code, the Illinois Administrative Code provisions and the terms of grant funding for preschool education programs and early childhood block grant programs regarding child care requirements for school districts in order for it to be easier for school districts to provide child care for essential workers.