

LEGAL ALERT

ISBE Issues Guidance for School Year 2020-2021

The ISBE has issued guidance for returning to in-person learning for the upcoming 2020-2021 school year as Illinois moves into Phase 4. Resources for School Districts include:

- **ISBE Guidance:** <https://www.isbe.net/Documents/Part-3-Transition-Planning-Phase-4.pdf>
- **ISBE FAQ on the Guidance:** <https://www.isbe.net/Documents/FAQ-Part-3-Transition-Guidance.pdf>
- **ISBE Fall Reopening Toolkit:** <https://www.isbe.net/layouts/Download.aspx?SourceUrl=https://www.isbe.net/Documents/School-District-Fall-Reopening-Toolkit.docx>
- **Executive Order 44:** <https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-44.pdf>

The ISBE Guidance strongly encourages Districts to provide in-person learning, but also points out the ability for flexibility by provided blended learning (in-person and remote). The Guidance further emphasizes that providing in-person learning should be a high priority for students with IEPs, with 504 Plans or with English learning supports as well as students under 13 years of age.

As there are many changes to the upcoming school year, we wanted to highlight some areas that will require further thought, review and policy updates from the legal perspective. These include:

- Updating policies to address masks, face shields and health screening. KTJ has drafted a face coverings policy, please contact one of the KTJ if you are interested in receiving a copy of this policy.
 - Include consideration of the role the parents and school will play in health screening

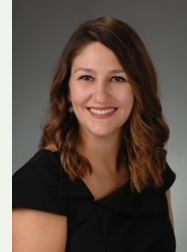
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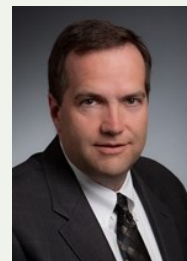
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- Review cleaning/green cleaning policies
- Considering collective bargaining requests or demands surrounding Guidance
- Create and adopt a plan for possible remote learning or blended learning
 - This includes consideration of students who are medically fragile or compromised or live with at risk individuals, students who are exposed to a person testing positive and have to quarantine and parents who want to opt-in to full remote instruction (this is a local decision to consider and discuss)
- Create a plan/procedure for if a student, teacher, or staff member tests positive or becomes symptomatic while at school

Please contact your KTJ attorney for assistance with preparing for the 2020-2021 school year. KTJ attorneys are here to help you prepare for this unique school year and will assist you in any way possible.