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**LEGAL ALERT**

## Updated Guidance from Illinois State Board of Education on School Closures

The Illinois State Board of Education (“ISBE”) updated portions of its guidance this week that advises Illinois school districts during the COVID-19 State Emergency. The areas that were updated included (1) assessments and accountability; (2) school calendars; and (3) the impact of closure on prekindergarten and nonpublic schools. A copy of the guidance can be found [here](#).

Regarding state-mandated assessments, the Guidance is updated to reflect that ISBE has submitted a waiver application to the U.S. Department of Education to waive assessments, summative designations, and reporting on accountability metrics for the 2019-20 school year. ISBE has received direction from the US Department of Education that the waiver application appears sufficient and that ISBE can start implementing waivers. This waiver would also apply to Invest in Kids scholarship recipients.

The Guidance clarifies that the mandated closure extends to early childhood programs and nonpublic schools, and that the Guidance can be useful to nonpublic schools. The Guidance also clarifies that personnel who are preparing and distributing learning materials to students and providing janitorial services are performing essential functions and are exempt from the stay at home mandate. Finally, the Guidance clarifies that school calendar revisions do not need to be made at this time. KTJ has issued additional guidance on school calendars, which can be found at [coronavirus updates page](#).

KTJ attorneys will keep you updated as to any new changes in this Guidance.

*This newsletter is not to be construed as legal advice or a legal opinion under any circumstance. The contents are solely intended for general informative purposes, and the readers of this newsletter are strongly urged to contact their attorney with regard to any concepts discussed herein.*

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