

Illinois State Board of Education



RESOLUTION

Supporting
In-Person Learning

May 2021

WHEREAS, the hard work of our health care professionals and the conscientious diligence of all Illinoisans who altered their lives and daily habits to contain the spread of COVID-19 have allowed Illinois to transition into the Bridge Phase of the Restore Illinois plan; and

WHEREAS, barring any unforeseen setbacks and changes in public health conditions, the State of Illinois will, on June 11, enter Phase 5 of the Restore Illinois plan, allowing businesses to resume normal operations and public gatherings of all sizes to proceed; and

WHEREAS, students and school staff now have meaningful protection from COVID-19, with three highly effective vaccines widely available to all Illinoisans age 12 and older and trials underway to determine if younger children can benefit from COVID-19 vaccines; and

WHEREAS, our schools have the capability to rapidly identify new cases to prevent COVID-19 outbreaks and reduce the risk of further transmission, thanks to the State of Illinois providing schools free access to Abbott's BinaxNOW rapid test and offering all middle and high schools use of covidSHIELD tests at a reduced or no cost; and

WHEREAS, multiple studies show that – although online classes are a far better option than no classes at all – students, particularly students who struggle academically, still learn better while in person alongside their teachers; and

WHEREAS, reconnecting with teachers and peers in-person is essential for students' mental health and social-emotional development, especially after the prolonged isolation of the pandemic; and

WHEREAS, Illinois schools are receiving \$7.8 billion in federal pandemic relief funds for the safe return to in-person learning and to address learning gaps caused by the pandemic through strategies, such as tutoring, summer school, and community partnerships for mental health; and

WHEREAS, nearly all Illinois public school districts are offering partial or fully in-person learning; and

WHEREAS, guidance from the Illinois Department of Public Health is forthcoming regarding updated mitigations for schools in Phase 5 of the Restore Illinois plan;

THEREFORE, BE IT RESOLVED that the Illinois State Board of Education supports Illinois State Superintendent of Education Dr. Carmen I. Ayala in making the following declaration after the conclusion of the current academic school year, subject to favorable public health conditions at that time: Beginning with the 2021-22 school year, 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 be made available for students who are not eligible for a COVID-19 vaccine **and** are under a quarantine order by a local public health department or the Illinois Department of Public Health.

Darren Reisberg, Board Chair

Dr. Donna S. Leak, Vice Chair

Dr. Christine Benson, Member

Dr. David R. Lett, Member

Susie Morrison, Member

Roger Eddy, Member

Jaime Guzman, Member



Illinois State Board of Education

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Darren Reisberg
Chair of the Board

Dr. Carmen I. Ayala
State Superintendent of Education

Resolution Supporting In-Person Instruction

Questions and Answers

Updated: May 24, 2021

On May 19, 2021, the Illinois State Board of Education unanimously adopted a [Resolution Supporting In-Person Learning](#) that supports the Illinois State Superintendent of Education Dr. Carmen I. Ayala in making the following declaration after the conclusion of the current academic school year, subject to favorable public health conditions at that time: Beginning with the 2021-22 school year, 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 be made available for students who are not eligible for a COVID-19 vaccine and are under a quarantine order by a local public health department or the Illinois Department of Public Health.

This document is intended to provide additional guidance and support pertaining to this resolution for the 2021-22 school year.

Q-1 Is this resolution currently in effect?

No. This resolution expresses support for the State Superintendent and does not itself have any effect on policy. The policy will change when the State Superintendent makes the declaration requiring in-person learning. The State Superintendent currently is planning to finalize this declaration after the conclusion of the current academic school year, subject to favorable public health conditions at that time.

Q-2 When would the declaration take effect?

The State Superintendent's declaration, which has not yet occurred, would take effect at the beginning of the 2021-22 school year. It would not apply to this year's summer school programs.

Q-3 If a student is fully vaccinated and does not exhibit any symptoms, would they be required to quarantine if they are identified as a close contact to a known case of COVID-19?

Fully vaccinated and asymptomatic persons are not required to quarantine if named as a close contact to a known case of COVID-19, which is consistent with Centers for Disease Control and Prevention (CDC) and Illinois Department of Public Health (IDPH) guidance. Individuals should self-monitor for symptoms for 14 days after their last exposure to the case during the case's infectious period. [Refer to the IDPH decision tree for further guidance.](#)

Q-4 Once the declaration takes effect, under what circumstances would a student receive remote instruction under Sections [10-30](#) or [34-18.66](#) of the School Code?

Sections [10-30](#) and [34-18.66](#) of the School Code state that "[i]f the Governor has declared a disaster due to a public health emergency pursuant to Section 7 of the Illinois Emergency Management Agency Act, the State Superintendent of Education may declare a requirement

to use remote learning days or blended remote learning days for a school district, multiple school districts, a region, or the entire State.”

Once the Superintendent makes the declaration and it takes effect, school districts would only be required to provide remote learning to students who meet both of the following conditions:

1. Are not eligible for the COVID-19 vaccine; **and**
2. Are under a quarantine order by a local public health department or the Illinois Department of Public Health.

School districts would be required to provide remote learning to students who meet both of those conditions. The bulk of this population would be students under age 12.

Q-5 What qualifies as a “quarantine order by a local public health department or the Illinois Department of Public Health”?

A quarantine order means that the student meets the requirements for quarantining under guidance from IDPH or the appropriate public health department that is in effect at that time.

Q-6 For purposes of this resolution, when is a student considered “eligible” for the COVID-19 vaccine?

Students are eligible for a COVID-19 vaccine pursuant to CDC guidance at that time. Please see the [CDC website for the most updated eligibility guidance](#).

Q-7 Once the declaration takes effect, would a school district be able to offer remote learning pursuant to Sections [10-30](#) or [34-18.66](#) of the School Code to students who do not meet the criteria in the declaration?

No. Remote learning under Sections [10-30](#) or [34-18.66](#) of the School Code must only be provided as detailed in the declaration. (See Q-4.)

However, flexibility exists in other parts of the law for school districts to provide remote learning to students whom the school district determines will best be served through remote learning. (See Q-8.)

Q-8 Are there other provisions of law that allow for remote instruction of students?

Yes. Flexibility exists in other parts of the law for school districts to continue to provide remote learning to individual students beyond those required in the Superintendent’s declaration, if that best meets the student’s learning needs. For example, districts could permit remote learning for families that include students who are ineligible to be vaccinated and live in a household with an immunocompromised individual.

School districts may choose to create local policies to provide remote learning to individual students beyond those required in the Superintendent’s declaration, if that best meets the student’s learning needs, through [105 ILCS 5/10-29](#) or create blended programs consisting of a combination of face-to-face and online learning through [105 ILCS 5/10-19.05\(k\)\(4\)](#).

Additionally, depending on the circumstances, students who do not meet the criteria for remote learning in the declaration may meet the criteria for home/hospital instruction

pursuant to [105 ILCS 5/14-13.01](#), [23 Ill Admin. Code 1.520](#), and [23 Ill Admin. Code 226.300](#). Please see [ISBE's Home and Hospital Q and A Document](#) for additional assistance.

Q-9 Are children of parents who choose to keep them home from school when those children do not meet the criteria for remote learning in the declaration – and the district has not established a remote learning policy under another section of the School Code – considered truant?

The Board of Education of each district may determine whether a child in this situation has “valid cause” for not attending school. A “truant” is defined in [105 ILCS 5/26-2a](#) as “a child who is subject to compulsory school attendance and who is absent without valid cause, as defined under this Section, from such attendance for more than 1% but less than 5% of the past 180 school days. ‘Valid cause’ for absence shall be illness, observance of a religious holiday, death in the immediate family, family emergency, and shall include such other situations beyond the control of the student as determined by the board of education in each district, or such other circumstances which cause reasonable concern to the parent for the mental, emotional, or physical health or safety of the student.”

Q-10 Are students required to receive the COVID-19 vaccination?

No. Students are not currently required to receive the COVID-19 vaccine.

ISBE encourages families to use the summer months to ensure that eligible children get vaccinated. The vaccines are safe, effective, and proven to protect recipients from getting sick. Vaccines are widely available throughout the state. ISBE is also encouraging school districts to host vaccination clinics for eligible students and families. Find information and resources for hosting a vaccination event at www.isbe.net/covid19 under the Back to School tab.

Q-11 May a student who is eligible for the vaccination – but has not received it – still attend school in-person?

Yes. Students are not currently required to receive the COVID-19 vaccine; therefore, students who do not receive the vaccine are not required to be excluded. Students may be required to quarantine. Once the Superintendent makes the declaration and it takes effect, only students who are not eligible for the vaccine would be provided remote learning during a quarantine, unless the school district has established a remote learning policy under another part of the School Code or the student qualifies for hospital/homebound instruction. (See Q-8.)

Q-12 Are masks still required for the 2021-22 school year?

Yes. As stated in the Governor’s [announcement](#) on May 17, “In line with CDC guidance, the Illinois State Board of Education and Illinois Department of Public Health require masks in schools. The Illinois Department of Children and Family Services requires masks in daycare.”

ISBE will continue to work closely with the Governor’s Office and the Illinois Department of Public Health to stay consistent with CDC guidance.

For additional information, please visit www.isbe.net/covid19 or email questions to COVID19@isbe.net.