

**IN THE CIRCUIT COURT  
FOR THE SEVENTH JUDICIAL CIRCUIT  
SANGAMON COUNTY, ILLINOIS**

GOVERNOR JB PRITZKER, in his official capacity; DR. NGOZI EZIKE, in her official capacity as Director of the Illinois Department of Public Health; and DR. CARMEN I. AYALA, in her official capacity as the State Superintendent of Education,

Plaintiffs,

v.

BOARD OF EDUCATION OF HUTSONVILLE CUSD #1; CHRISTIAN CHILD DEVELOPMENT CORPORATION, an Illinois not-for-profit corporation, doing business as FAMILIES OF FAITH CHRISTIAN ACADEMY; and PARKVIEW CHRISTIAN ACADEMY, Inc., an Illinois not-for-profit corporation,

Defendants.

Case No. \_\_\_\_\_

**VERIFIED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

Plaintiffs Governor JB Pritzker, in his official capacity; Dr. Ngozi Ezike, in her official capacity as Director of the Illinois Department of Public Health; and Dr. Carmen I. Ayala, in her official capacity as State Superintendent of Education (collectively, the “State”), bring this complaint for declaratory and injunctive relief against school systems in three Illinois counties (the “Schools”) that have announced their refusal to follow public health guidance that the Governor, the Illinois State Board of Education (“ISBE”), and the Illinois Department of Public Health (“IDPH”) are requiring schools to follow to allow public and nonpublic schools to resume in person instruction during the ongoing COVID-19 pandemic.

## NATURE OF THE ACTION

1. COVID-19, the disease caused by the novel coronavirus, has claimed more than 7,200 lives in Illinois. More than 156,000 cases have been confirmed throughout the State. In response to this unprecedented and ongoing public health emergency, the Governor has taken a number of steps to prevent the spread of COVID-19 and protect Illinois residents, including those who work in and attend Illinois schools. These actions include issuing Executive Order 2020-05 (“EO5”) on March 13, 2020 to close preK–12 schools, and then later issuing Executive Orders 2020-40 (“EO40”) and 2020-44 (“EO44”) (collectively the “executive orders”) to allow schools to resume in-person instruction subject to the public health measures issued by IDPH and ISBE.

2. As directed in the Governor’s executive orders, IDPH and ISBE developed and issued the Transition Joint Guidance (“Guidance”) to make the reopening of Illinois schools for in-person instruction for the 2020–2021 school year as safe as possible. Exhibit 1. The Guidance includes mandatory health and safety protocols that public and nonpublic schools must implement in order to reopen, including requiring everyone over the age of two who is medically able to wear a face covering to do so at all times in a school facility.

3. Despite the ongoing health crisis caused by the COVID-19 pandemic and the public health measures contained in the Guidance as part of the effort to combat that crisis, the Schools have announced their refusal to comply with the Governor’s executive orders and the Guidance.

4. The Defendant Schools are represented by the same attorney, Thomas G. DeVore, who sent Dr. Ezike and Dr. Ayala essentially the same form letter on behalf each of the Schools (the “Letter”), contending that the Guidance is unlawful, is arbitrary and unreasonable, and was issued without legal authority. (The Letters on behalf of the Schools are attached as Group Exhibit 2.) In the Letter, the Schools announce their intention to refuse to comply with the Guidance. (*Id.*)

The Letter states that the Schools alone will determine what, if any, health and safety protocols they might choose to add to their current guidelines for the upcoming school year. (*Id.*)

5. By refusing to follow the Guidance, the Schools are also refusing to follow the Governor's applicable executive orders.

6. The Letter has no valid legal basis. The Illinois Constitution and the Illinois Emergency Management Agency Act (the "Emergency Management Act" or the "Act"), 20 ILCS 3305/1 *et seq.*, provide the Governor with broad powers, including the power to protect the State when faced with a disaster and to utilize the services of state agencies, such as IDPH and ISBE, to do so.

7. The State seeks a judicial declaration confirming the legality of the Governor's executive orders and the Guidance, and injunctive relief to require the Schools to stop refusing to comply with the executive orders and Guidance.

### **PARTIES**

8. Governor Pritzker is an elected constitutional officer of the State of Illinois. Ill. Const. Art. V, § 1. The Illinois Constitution provides that the Governor shall have "supreme executive power, and shall be responsible for the faithful execution of the laws." Ill. Const. Art. V, § 8. Under this constitutional authority and under the powers the General Assembly granted to him under the Emergency Management Act, the Governor issued disaster proclamations and executive orders in response to the COVID-19 pandemic.

9. Dr. Ngozi Ezike is the Director of IDPH. Dr. Ezike administers, oversees, and executes all duties and functions of IDPH. 20 ILCS 5/5-20. As directed by the Governor's executive orders, IDPH jointly developed and issued the Guidance with ISBE as part of the services offered by IDPH.

10. Dr. Carmen I. Ayala is the State Superintendent of Education. Dr. Ayala administers, oversees, and executes all duties and functions of ISBE. 105 ILCS 5/1A-4. As directed by the Governor’s executive orders, ISBE jointly developed and issued the Guidance with IDPH as part of the services offered by ISBE.

11. The Board of Education of the Hutsonville Community Unit School District #1 is the governing body of the Hutsonville Community Unit School District #1 (the “Hutsonville School District”), a public school district organized under the Illinois Constitution that operates pursuant to the laws of the State of Illinois. Ill. Const. Art. VII, § 8. The Hutsonville Board of Education consists of seven members duly elected pursuant to the general election laws of the State. 105 ILCS 5/10-1, 9-1. For the 2018–2019 school year, the Hutsonville School District enrolled approximately 313 students in its high school, middle school, elementary school, and preK school, while employing approximately 31 teachers and additional staff.

12. Christian Child Development Corporation, doing business as Families of Faith Christian Academy, is an Illinois not-for-profit corporation providing private education to students in daycare, pre-school, and kindergarten through high school in Channahon, Illinois.

13. Parkview Christian Academy, Inc., is an Illinois not-for-profit corporation providing private education to students in pre-school through high school in Yorkville, Illinois. Parkview Christian Academy currently has approximately 363 students enrolled from 196 families and 39 teachers.

## **JURISDICTION AND VENUE**

14. This action is filed pursuant to section 2-701 of the Illinois Code of Civil Procedure, 735 ILCS 5/2-701, which allows a party, on application to the Court, to seek a binding declaration of rights that has the force of a final judgment.

15. Venue is proper in the Circuit Court of Sangamon County, Illinois, pursuant to 735 ILCS 5/2-101 *et seq.*, because the acts giving rise to the Complaint occurred in Sangamon County. Plaintiffs developed and issued the executive orders and the Guidance from their official offices in Cook and Sangamon County. The executive orders were filed with the Secretary of State in Sangamon County. The executive orders and Guidance affect all public and nonpublic preK–12 schools in Illinois.

## **FACTUAL ALLEGATIONS**

### **The COVID-19 Pandemic Ravages the World and the State of Illinois**

16. COVID-19 has spread invisibly and indiscriminately throughout the world. On January 30, 2020, the World Health Organization (“WHO”) declared the global outbreak of COVID-19 to be a public health emergency of international concern.

17. On March 11, 2020, the WHO elevated COVID-19 to a pandemic.

18. As of July 15, 2020, the WHO reported more than 13 million confirmed cases of COVID-19 and more than 570,000 confirmed deaths across 216 countries or territories.

19. The United States has by far the most COVID-19 cases of any country. As of July 15, 2020, the WHO reported more than 3 million confirmed cases of COVID-19 in the United States and over 135,000 confirmed deaths.

20. There is no vaccine or cure for COVID-19. The Centers for Disease Control and Prevention (“CDC”) cautions that “[e]veryone is at risk of getting COVID-19” and “[t]he best way to protect yourself is to avoid being exposed to the virus that causes COVID-19.”

21. The CDC therefore has urged Americans to stay home as much as possible and avoid close contact with others, to practice social distancing, and to limit in-person contact as much as possible.

22. The CDC also advises individuals to wear a cloth face covering in public settings because COVID-19 can be spread through respiratory droplets when an infected person coughs, sneezes, or talks.

23. COVID-19 is spread by people who have the virus, regardless of whether an individual is exhibiting any symptoms.

24. IDPH confirmed the first death of a COVID-19 patient in Illinois on March 17, 2020. By March 30, 2020, the number of confirmed deaths from COVID-19 in Illinois had reached 99, and as of July 15, 2020, IDPH reported more than 7,200 confirmed deaths and more than 155,000 confirmed cases of COVID-19 in the State.

25. COVID-19 outbreaks may begin with just one infected person. For example, Randolph County in southwestern Illinois has one of the highest COVID-19 infection rates in the State. Public health officials traced its surge of cases to a single event in mid-March.

26. COVID-19 cases are occurring throughout the State at the same frequency as cases in Chicago. For example, as of July 3, 2020, an average of 202 cases were added outside the Chicago area compared with Chicago’s average of 217.

**The Illinois Constitution and the Emergency Management Act  
Provide the Governor with Emergency Powers During Disasters**

27. The Illinois Constitution grants the Governor “supreme executive power.” Ill. Const. Art. V, § 8. This power gives the Governor constitutional authority to order immediate measures necessary to protect the public health in the event of a public health emergency like the one currently sweeping this State.

28. In addition, the General Assembly passed the Emergency Management Act to provide the Governor with the tools necessary to combat public health emergencies like COVID-19. The Act’s purpose is to ensure “that this State will be prepared to and will adequately deal with any disasters, preserve the lives and property of the people of this State and protect the public peace, health, and safety in the event of a disaster.” 20 ILCS 3305/2(a).

29. The Act provides broad emergency management powers to the Governor. Section 7 authorizes the Governor to “utilize all available resources of the State government as reasonably necessary to cope with the disaster” and to “suspend the provisions of any regulatory statute prescribing procedures for conduct of State business, or the orders, rules and regulations of any State agency, if strict compliance ... would in any way prevent, hinder or delay necessary action ... in coping with the disaster.” 20 ILCS 3305/7(1), (2).

30. Section 7 authorizes the Governor to “control ingress and egress to and from a disaster area, the movement of the persons within the area, and the occupancy of the premises therein” and to “[c]ontrol, restrict, and regulate ... the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods, or services; and perform and exercise any other functions, powers, and duties as may be necessary to promote and secure the safety and protection of the civilian population.” 20 ILCS 3305/7(8), (12).

31. Section 19 directs the Governor “to utilize the services, equipment, supplies and facilities of existing departments, offices and agencies of the State and of the political subdivisions of this State, to the maximum extent practicable, and the officers and personnel of all such departments, offices and agencies are directed, upon request, to cooperate with and extend such services and facilities to the Governor, the Director and the emergency services and disaster agencies.” 20 ILCS 3305/19.

### **The Governor Responds to the COVID-19 Pandemic**

32. In response to the ongoing COVID-19 public health emergency, the Governor has taken a number of steps to prevent the spread of COVID-19 in Illinois and to protect those who work in and attend Illinois schools.

33. On March 9, 2020, in response to the exponential spread of COVID-19, the Governor found that a disaster existed in all 102 Illinois counties and issued a disaster proclamation pursuant to his power under the Illinois Constitution and Section 7 of the Act, 20 ILCS 3305/7. Exhibit 3, March 9, 2020 Disaster Proclamation.

34. On March 13, 2020, based on his constitutional authority as Governor of Illinois and under Sections 7(1), 7(8), and 7(12) of the Act, the Governor issued EO5, closing all Illinois preK–12 schools for educational purposes until March 30, 2020. Exhibit 4. The closure was extended by subsequent executive orders until June 27, 2020.

35. After the Governor issued EO5, the State made progress against the virus. Recognizing this progress, as well as its fragility, the Governor developed a comprehensive plan (the “plan” or “Restore Illinois”) for a careful, phased reopening of the economic, social, and educational activities of the State consistent with public health guidance. *See* Exhibit 5, Restore Illinois.



36. Restore Illinois initially divided the State into four independent health regions: Northeast Illinois, North-Central Illinois, Central Illinois, and Southern Illinois. Each of the four regions could independently move through the plan's five phases based upon certain health metrics. But the Governor has also recognized that these health metrics may require regions to return to a prior phase.

37. On June 4, 2020, the Governor issued EO40. Exhibit 6. Noting that "all four health regions have moved into Phase 3 of the Restore Illinois plan" and that "Phase 3 allows for schools to reopen and provide limited in-person instruction, in accordance with Illinois Department of Public Health (IDPH) guidance" the Governor allowed preK–12 schools to reopen following the completion of the 2019–20 school year.

38. EO40 required schools to "follow IDPH guidance during Phase 3," and to limit gatherings to 10 people and require the use of face coverings by students and staff.

39. The Governor directed this reopening to be carried out under guidance and recommendations issued by ISBE and IDPH.

40. On June 26, 2020, the Governor issued EO44, which amended EO40 to accommodate the transition to Phase 4, under which gatherings of up to 50 people are permitted. Exhibit 7.

41. EO44 provides that "Schools must follow IDPH guidance."

42. EO44 also requires schools to "[l]imit[] the number of people in one space to fifty or fewer, consistent with public health guidance [and] . . . [r]equire the use of appropriate personal protective equipment, including the use of face coverings by students, staff, and visitors who are over age two and able to medically tolerate a face covering."

43. On July 15, 2020, the Governor issued an updated mitigation plan as part of Restore Illinois. The updated plan divides the State into 11 health regions. This updated mitigation plan does not change the Guidance or executive orders applicable to preK–12 schools.

**IDPH and ISBE Issue the Joint Guidance**

44. As directed by the Governor in EO40 and EO44, and consistent with Section 19 of the Act allowing the Governor to utilize the services of state agencies, ISBE and IDPH collaborated to produce the Guidance for the 2020–21 school year. Exhibit 1.

45. The Guidance mandates that schools must require all individuals over the age of 2 to wear face coverings in school buildings unless they are medically unable to do so, conduct temperature and symptom screenings (or obtain self-certifications) for students, staff, and visitors, and prohibit gatherings of more than 50 people. Exhibit 1, Guidance, at 3, 32, and 34.

46. The Guidance applies to “All public and nonpublic schools in Illinois serving prekindergarten through 12th grade students.” *Id.* at 3.

47. The Guidance calls on schools and districts to “proactively prepare staff and students to prevent the spread of COVID-19 or any other infectious disease.” *Id.* at 30.

48. Implementing the Guidance requires schools and school districts to allocate staff and other resources to carry out the safety protocols required by the Guidance. The Guidance also advises that “[a]ll employees should be trained on health and safety protocols related to COVID-19 prior to resuming in-person instruction.” *Id.* (emphasis added). And schools and school districts will need to communicate their new practices to parents in advance of the start of school.

49. Without adequate preparation, schools, including the Defendant Schools, will not be able to implement the Guidance on day one of the new school year, and students and teachers will be at risk as a result.

50. The Schools have each sent Dr. Ezike and Dr. Ayala a letter contending that the Guidance that ISBE and IDPH issued is unlawful, is arbitrary and unreasonable, and was issued without legal authority. *See* Group Exhibit 2. The Schools have further stated that they are “declining to implement the health and safety protocols as outlined in the [G]uidance.”

51. The Schools have informed IDPH and ISBE that they alone will determine what, *if any*, additional health and safety protocols they might choose to add to their current guidelines for the upcoming year.

### **BASIS FOR DECLARATORY RELIEF**

52. The purpose of the Act is to ensure that the “State will be prepared to and will adequately deal with any disasters, *preserve the lives* and property of the people of this State and protect the public peace, *health*, and safety in the event of a disaster.” 20 ILCS 3305/2 (emphasis added).

53. The Act grants the Governor broad statutory authority to respond to an emergency. 20 ILCS 3305/7. This statutory authority applies to the entire area of the declared disaster. *Id.*

54. The Act does not exempt the Schools from abiding by the Governor’s executive orders or the Guidance issued as a result of the COVID-19 pandemic.

55. Despite the Act’s clear grant of authority, the Schools are refusing to comply with the Guidance and the executive orders.

56. The State and the Schools are at an impasse over the Schools’ mistaken insistence that the Act and the Illinois Constitution do not authorize the State to require them to comply with the executive orders and the Guidance.

57. This dispute is appropriate for the entry of declaratory relief. Illinois law authorizes a court to “make binding declarations of rights . . . having the force of final judgments . . . including

the determination, at the instance of anyone interested in the controversy, of the construction of any statute.” 735 ILCS 5/2–701(a).

### **BASIS FOR INJUNCTIVE RELIEF**

58. The Schools’ refusal to comply with the Governor’s executive orders and the Guidance will cause immediate and irreparable harm, including by undermining Plaintiffs’ ability to cohesively respond to the COVID-19 pandemic.

59. If the Schools are not enjoined from refusing to comply with the executive orders and Guidance, the result would undermine the Governor’s constitutional authority and statutory authority under the Act and ISBE’s and IDPH’s authority to assist the Governor, and would threaten the health of the students and families within the Schools, as well as every Illinoisan alike.

60. The State has no adequate remedy at law to prevent the Schools from refusing to comply with the executive orders and the Guidance.

61. The State has a likelihood of success on the merits because the Governor’s executive orders and the Guidance were issued under the Governor’s authority granted in the Illinois Constitution and the Act.

62. Based on this constitutional and statutory authority, the State has the right to the statewide unified implementation and enforcement of the Governor’s executive orders and the Guidance. The State also has a vital interest in regulating the response to COVID-19 and setting minimum public health standards.

63. The benefits of granting an injunction outweigh any possible injury the Schools might suffer as a result of the injunction. The executive orders and Guidance embody public health measures necessary to protect every person in the State and particularly students and school staff when they return to in-person instruction. An injunction would help support and protect the public

interest by allowing the State to exercise the powers granted under the Illinois Constitution and the Act to cohesively address the health concerns faced by everyone within this State during public health emergencies.

64. When a court enters a declaratory judgment, it may also grant other appropriate relief, including injunctive relief. Such injunctive relief is appropriate in this case to protect the State's unified response to COVID-19.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs pray that this Court:

- A. Declare that the Governor lawfully issued EO5, EO40, and EO44.
- B. Declare that IDPH and ISBE lawfully issued the Guidance.
- C. Declare that the Schools, their officers, employees, agents, and all persons acting in active concert with them, are not exempt from the public health measures required under the executive orders and the Guidance.
- D. Enjoin the Schools, their officers, employees, agents, and all persons acting in active concert with them, from refusing to comply with the requirements of the executive orders and the Guidance.
- E. Grant such other relief as is warranted in the circumstances.

Dated: July 16, 2020

KWAME RAOUL  
*Attorney General*  
*State of Illinois*  
Atty. Code 99000

By: /s/ R. Douglas Rees  
Deputy Attorney General, Civil Division

R. Douglas Rees  
Thomas J. Verticchio  
Gretchen Helfrich  
Maggie Jones  
Office of the Illinois Attorney General  
100 West Randolph Street, 11th Floor  
Chicago, Illinois 60601  
Phone: (312) 814-3000  
*drees@atg.state.il.us*

Laura Bautista  
Assistant Attorney General  
Office of the Illinois Attorney General  
500 South Second Street  
Springfield, Illinois 62701  
(217) 782-9075

*Attorneys for Plaintiffs*

**VERIFICATION BY CERTIFICATION**

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned certifies that the statements set forth in this Verified Complaint for Declaratory and Injunctive Relief are true and correct.

Dated: July 16, 2020

By:



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Ann Spillane  
General Counsel  
Office of the Governor

# EXHIBIT 1

Transition Joint Guidance



# STARTING THE 2020-21 SCHOOL YEAR

JUNE 23, 2020

PART 3 - TRANSITION JOINT GUIDANCE



**Illinois**  
State Board of Education



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## Executive Summary

This document is Part Three of the Transition Advisory Workgroup's recommendations for transitioning to in-person instruction. This document has been developed in partnership with the Illinois State Board of Education (ISBE) and the Illinois Department of Public Health (IDPH).

On May 5, 2020, Governor JB Pritzker announced the [Restore Illinois](#) plan, which lays out a public health approach to safely reopen our state. This document focuses on considerations during Phase 4 of the plan. As the plan notes, the four public health regions of the state may reach Phase 4 on different dates and possibly must return independently to an earlier phase if necessitated by public health indicators. See Appendix A for a map of the four public health regions in Illinois.

[Executive Order 2020-40](#), filed on June 4, 2020, allowed schools to reopen for in-person instruction in Phase 3. In-person instruction is strongly encouraged in Phase 4; however, it is critical to note that this does not signify a return to pre-pandemic operations. Appropriate social distancing, face coverings, enhanced sanitation measures, and other accommodations will be necessary to ensure the safety of students, staff, and their families. During Phase 4, IDPH guidelines will:

- Require use of appropriate personal protective equipment (PPE), including face coverings;
- Prohibit more than 50 individuals from gathering in one space;
- Require social distancing be observed, as much as possible;
- Require that schools conduct symptom screenings and temperature checks or require that individuals self-certify that they are free of symptoms before entering school buildings; and
- Require an increase in schoolwide cleaning and disinfection.

All public and nonpublic schools in Illinois serving prekindergarten through 12th grade students must follow these guidelines.

It is important to note that these requirements are subject to change pursuant to updated public health guidance and changing public health conditions. School leaders should remain alert for any updates.

Schools and districts should also prepare for a return to remote instruction in the event of a resurgence of the virus or a second wave of it in the fall.

ISBE recommends clear communication with students, families, and staff about expectations and protocols for all schools. ISBE also recommends collecting information from students and families via an intake survey/needs assessment to help guide school and district planning and to connect students and families with resources in advance of the start of the school year.

Each child will return to school having had a unique experience with remote learning. This document includes instructional recommendations for all schools and districts for the start of the

2020-21 school year, paying close attention to assessing and addressing learning loss. This document recommends shifts in instructional practice to help maintain social distancing, especially for our youngest learners, who may struggle to understand and comply with social distancing and PPE usage. This document also provides considerations for students with disabilities and English Learners. ISBE will release an updated Remote Learning Recommendations document in the coming weeks to further support districts.

Governor JB Pritzker recently signed Public Act 101-0643; the education omnibus legislation passed during the abbreviated special session. This Public Act addresses multiple education-related issues, including many important provisions to provide relief to schools and districts during public health emergencies. The legislation suspends clock hour requirements during a disaster declaration and allows the State Superintendent to establish minimum clock hour requirements. The State Superintendent has determined that Remote and Blended Remote Learning Days must ensure at least 5 clock hours of instruction or school work for each student. Districts can be flexible in determining how to best meet the requirement in their own context by counting all learning activities toward the 5 clock hour expectation.

Meaningful professional development will be critical for teachers and staff to be able to meet the diverse academic and social-emotional needs of students returning to school under the current circumstances. PA 101-0643 allows every school and district to utilize up to five total Remote and Blended Remote Learning Planning Days, in addition to normal Teacher Institute Days. ISBE recommends identifying the grade-level standards that students did not cover in the previous school year and providing time for vertical articulation to ensure a smooth transition, especially for students entering new grade bands or schools. ISBE recommends dedicating professional learning and collaboration time to developing reintegration assessments; preparing to address students' mental health needs; evaluating the successes and challenges of remote learning; and training on recognizing and affirming the socio-economic, cultural, religious, ethnic, racial, sexual orientation, gender identity/expression, and language diversity of the population within each district. Teachers and students also will need training on any new technology devices or programs if the school utilizes Blended Remote Learning Days and/or in preparation for intermittent returns to Remote Learning Days. ISBE recommends utilizing teacher leaders, statewide coaching networks, and teacher mentors for ongoing support during the school year.

Regarding grading, ISBE recommends school districts return to traditional grading policies and make modifications as necessary. ISBE strongly recommends that any return to traditional grading policies ensures that students have all the necessary tools, technology, and teacher supports at school and at home to complete all assignments, take assessments, and complete projects in a timely manner. Per the School Code, grading policies are the exclusive responsibilities of local districts (105 ILCS 5/10-20.9a).

Lastly, this document provides guidance from IDPH regarding health and safety protocols for specific activities and areas of the school. Please note that some of the guidance has been updated from the Part 2 document released on June 4, 2020, and includes new recommendations regarding illness and diagnoses monitoring, mental health, nap time, libraries, auditoriums and multi-purpose rooms, self-contained classrooms, related services, before- and after-care

programs, health offices, extracurriculars, playgrounds, dual credit and career and technical education, and field trips.

# Acknowledgements

The Illinois State Board of Education extends its deepest thanks to the members of the Transition Advisory Workgroup. The team gave generously of their time and talents, working long hours with short breaks and during early mornings, late evenings, weekends, and holidays. Each and every member of the workgroup showed remarkable dedication to producing guidance that would support fellow educators and serve the best interest of students. The spirit of the workgroup encapsulated the values of service leadership - that of selflessness, collaboration, and shared vision. We publicly acknowledge and appreciate the contributions of the practitioners listed below. Your efforts provided direction in a time of crisis, and we thank you sincerely.

**Dr. Carmen I. Ayala**  
State Superintendent of Education  
Illinois State Board of Education

**Dr. Brenda M. Dixon**  
Research and Evaluation Officer  
Illinois State Board of Education

Craig Anderson  
Executive Director of IHSA  
Illinois High School Association

Jeff Aranowski  
Executive Director of Safe and Healthy  
Climate  
Illinois State Board of Education

Elaine Barlos  
7th Grade Science Teacher  
Oak Lawn-Hometown Middle School  
Oak Lawn-Hometown SD 123

Kimberly Barnes-Cummins, RN  
Illinois Association of School Nurses  
Principal Consultant  
Illinois State Board of Education

John Benish, Jr.  
Chief Operating Officer  
Cook-Illinois Corporation

Shanell Bowden  
Assistant Legal Counsel  
Illinois State Board of Education

Mark Brown  
6<sup>th</sup> Grade Science Teacher  
Leman Middle School  
West Chicago District 33

Brenda Calvin  
Principal  
Sauk Elementary School  
Matteson SD 162

Claudia Castro  
Assistant Legal Counsel  
Illinois State Board of Education

Patricia Chamberlain  
Instructor  
Erikson Institute, Chicago

Dr. Sean Clayton  
Director of Assessment  
Illinois State Board of Education

Patrice Cogar  
5<sup>th</sup> Grade Teacher  
Indiana Elementary School  
Matteson SD 162

Eric Combs  
2020 Illinois Teacher of the Year  
Richland County Middle School  
Richland County SD 1

Michelle Coriasco, MSW, MSED  
School Social Worker  
Herrin Elementary School  
Herrin CUSD 4

David Crouthers, LCSW  
School Social Worker  
Belleville West High School  
Belleville SD 201

David del Pozo  
5<sup>th</sup> grade Dual Language Teacher  
Lincoln School  
Peoria Public SD 150

Marek Dron  
English/ELL Teacher  
Lemont High School  
Lemont Township HSD 210

Mackenzie Eisen  
Education Analyst  
Office of the Governor

Amanda Elliott  
Executive Director of Legislative Affairs  
Illinois State Board of Education

Steven Elza  
Illinois Teacher of the Year  
Fremd High School Teacher  
School District 211

Michelle Garlick  
Assistant Principal  
Woodlawn Middle School  
School District 96

Dr. Jennifer Garrison  
Superintendent  
Vandalia CUSD #203

Raul Gaston  
Principal  
Jefferson Middle School  
DuPage County SD 45

Timothy Imler  
Director of Funding and Disbursements  
Illinois State Board of Education

Lindsey Jensen High School English Teacher Dwight Township High School School District 230	Kathy Knawa MS, RN, PEL-SN, NCSN Certified School Nurse Illinois Association of School Nurses Flossmoor School District 161	Dr. Daniel Krause Principal Willowbrook High School DuPage HSD 88
Heidi Lensing Principal Eagle Ridge School Carbon Cliff-Barstow SD 36	Joy Lewis, MSN, RN, CSN-PEL Vandalia CUSD #203 Illinois Association of School Nurses	Michael Lubelfeld, Ed.D. Superintendent North Shore SD 112
Dr. Ernesto Matias Education Officer Illinois State Board of Education	Jackie Matthews Director of External Communications Illinois State Board of Education	Diana Mikelski Director of Transportation Township High School District 211
Dr. Paul O'Malley Superintendent Butler SD 53	Kimberly Onak Special Education Teacher Amos Alonzo Stagg High School Consolidated HSD 230	Narishea Parham Principal Richton Square School School District 162
Shelby Raney MPH, RN, PEL-CSN, NCSN Certified School Nurse Lagrange School District 105 Illinois Association of School Nurses	Michael Reinders Transportation Director Winnebago School District 323	Kimberly Rentner Industry Engagement Consultant Tyler Technologies
David Richards Director of Transportation Valley View School District 365U	Pilar Rocha 7th Grade Dual Language Arts Leman Middle School West Chicago SD 33	Hector Rodriguez Director of Government Relations Illinois State Board of Education
Hannah Rosenthal, LMSW East St. Louis School District 189	Spencer Saal, IFT High School Science Teacher Madison High School Madison CUSD 12	Carter Shockey 12th Grade Student Freeport High School Freeport SD 145
Jennifer Smith 8 <sup>th</sup> Grade Science Teacher Monticello Middle School School District 25	Mike Stier Principal Consultant Illinois State Board of Education	Linda Stone Teacher Special Education, LBS1 Skokie School Winnetka SD 36
Nichole Stone First Grade teacher Ridgewood Elementary School East Moline SD 37	Michelle Strater Gunderson 1 <sup>st</sup> Grade Teacher Nettelhorst Elementary School Chicago Public SD 299	Dylan Swank, IEA English Teacher Hoopeston Area High School HACUSD 11
Adis Terzic Dunn Fellow Office of the Governor	Barbara Thomas, Ph.D. Research Director Illinois State Board of Education	Brenda T. Thompson, LSCW Founder/CEO The Branch Family Institute
Bridget Westlove School Social Worker Eastview Elementary School District 300	Julie Wollerman Regional Superintendent of Schools for Bond, Christian, Effingham, Fayette, and Montgomery Counties	



# Introduction

“Education is the passport to the future, for tomorrow belongs to those who prepare for it today.”  
-- **Malcolm X**

The COVID-19 pandemic wrought a drastic and unexpected upheaval on Illinois schools and districts. But with creativity, adaptability, and dedication, Illinois’ leaders, educators, families, and students rose to the challenge.

This Part Three of the Transition Advisory Workgroup’s recommendations follows Part One, which focused on closing out the 2019-20 school year, and Part Two, which focused on summer school and other allowable activities. Part Three now addresses the start of the 2020-21 school year and the return to in-person instruction.

Since March 17, 2020, Illinois schools and districts have provided students with remote learning opportunities and continuity of education to the greatest extent possible. However, no amount of technology can replicate the effect of face-to-face interactions and instruction between teachers and students. This Part Three document endeavors to guide schools and districts in transitioning back to in-person learning, while holding paramount the health and safety of students and communities.

ISBE urges schools and districts to plan for and implement the transition to in-person instruction through the lens of equity. As described in ISBE’s equity statement, “Illinois has an urgent and collective responsibility to achieve educational equity by ensuring that all policies, programs, and practices affirm the strengths that each and every child brings within their diverse backgrounds and life experiences, and by delivering the comprehensive supports, programs, and educational opportunities they need to succeed.”

This collective responsibility has never been more salient, with the COVID-19 pandemic exacerbating economic inequalities, heightening the digital divide, and worsening conditions for students whose mental and physical health and safety was already at risk. The brutal death of George Floyd and the days of nationwide protests in its wake call upon us as educators to recommit to eliminating all forms of racism in our school policies. We must be available and open to hearing students’ concerns. We must root our curricula in the context of what students see in the world around them. We must value difference.

This is the spirit in which we are providing this Phase 4 guidance. The COVID-19 crisis shook our structures of teaching and learning to the core, but we have now an opportunity to emerge stronger and to make lasting changes in the ways we support, teach, connect with, and value each of the 2 million students in our care. This return to school is not “business as usual” but rather the convergence of a new reality in educational excellence in Illinois.

# Phase 4 Overview

In-person instruction may resume as regions transition to Phase 4. Districts must follow IDPH guidelines, which provide the following:

- Require use of appropriate personal protective equipment (PPE), including face coverings;
- Prohibit more than 50 individuals from gathering in one space;
- Require social distancing be observed, as much as possible;
- Require that schools conduct symptom screenings and temperature checks or require that individuals self-certify that they are free of symptoms before entering school buildings; and,
- Require an increase in schoolwide cleaning and disinfection.

All public and nonpublic schools in Illinois serving prekindergarten through 12th grade students must follow these guidelines.

It is important to note that these requirements are subject to change pursuant to updated public health guidance and changing public health conditions. School leaders should remain alert for any updates.

Schools and districts should also prepare for a return to remote instruction in the event of a resurgence of the virus or a second wave of it in the fall.

On June 18, 2020, Governor JB Pritzker signed PA 101-0643, the education omnibus legislation passed during the abbreviated special session. This Public Act addresses many education-related issues, including many important provisions to provide relief to schools and districts during public health emergencies. The legislation waives and modifies licensure requirements, graduation and coursework requirements, educator evaluations, and submission of dental and vision exams; allows early childhood grantees to serve as emergency child care centers; and waives state assessment requirements when the state receives a waiver from the U.S. Department of Education. PA 101-0643 also creates a new important tool schools and districts can utilize when IDPH requirements cannot be met in a completely in-person learning environment. Schools and districts can now utilize Remote and Blended Remote Learning Days “when the Governor has declared a disaster due to a public health emergency pursuant to 15 ILCS 30/1,” such as the COVID-19 crisis Illinois and the world are currently experiencing.

A region entering Phase 5 requires that a vaccine be developed to prevent additional spread of COVID-19, a treatment option be readily available that ensures health care capacity is no longer a concern, or no new cases reported over a sustained period.

Schools and districts are encouraged to provide completely in-person instruction for all students in Phase 4, provided that the school is able to comply with capacity limits and implement social distancing measures.

# Planning

PA 101-0643 requires that school districts “adopt a Remote and Blended Remote Learning Day Plan approved by the district superintendent.” Furthermore, the legislation stipulates that “Remote Learning Day or Blended Remote Learning Day may be met through a district's implementation of an e-learning program under Section 10-20.56.”

We recognize the impact COVID-19 has had on each aspect of our education system and the great potential for the crisis to deepen inequities students face; therefore, we recommend that schools and districts create a diverse Transition Planning Team in preparation for a return to in-person instruction under IDPH-approved guidance. Planning Teams (or if a Planning Team is not established, district administrators) are encouraged to follow the recommendations below.

The Planning Team should consider gathering data on student attendance, engagement, and academic success, as well as feedback from all stakeholders to assess the effectiveness of the Remote Learning Day Plan implemented following the suspension of in-person instruction. This information may be used when developing a revised plan for Remote and Blended Remote Learning Days. Special consideration should be given to seeking data and feedback regarding the social-emotional needs of students, parents, and staff as they return to in-person instruction. Data and feedback should be analyzed through an equity lens to determine what student groups may need greater supports to meet high standards in a Remote or Blended Remote Learning environment.

Planning Teams may develop a Remote and Blended Remote Learning Day Plan that is articulated, clear, and accessible to all stakeholders. We recommend that Planning Teams include key stakeholders and staff that, at a minimum, may represent the following categories, where applicable: administrators; educators; school support personnel, including nurses, counselors, social workers, psychologists, and speech-language pathologists; paraprofessionals; non-licensed staff; students; and families. Teams should also regularly consult with local public health officials.

PA 101-0643 requires each Remote and Blended Remote Learning Day Plan to address the following:

- A) Accessibility of the remote instruction to all students enrolled in the district;
- B) When applicable, a requirement that the Remote Learning Day and Blended Remote Learning Day activities reflect the Illinois Learning Standards;
- C) Means for students to confer with an educator, as necessary;
- D) The unique needs of students in special populations, including, but not limited to, students eligible for special education under Article 14; students who are English Learners, as defined in Section 14C-2; students experiencing homelessness under the Education for Homeless Children Act [105 ILCS 45]; or vulnerable student populations;
- E) How the district will take attendance and monitor and verify each student's remote participation; and

- F) Transitions from remote learning to on-site learning upon the State Superintendent's declaration that Remote Learning Days and Blended Remote Learning Days are no longer deemed necessary.

Ensuring all students have access to remote instruction, as required above, includes ensuring all students have the necessary technology, training, support, and internet connectivity to engage in the instruction the school is providing and to meet the school's expectations regarding grades. Accessibility also includes regular communication with teachers, such as via text, email, phone call, or an online learning platform.

PA 101-0643 requires that "The district superintendent shall periodically review and amend its Remote and Blended Remote Learning Day Plan, as needed, to ensure the plan meets the needs of all students."

The law also requires that "Each Remote and Blended Remote Learning Day Plan," including an e-learning plan, "shall be posted on the school's or district's internet website where other policies, rules, and standards of conduct are posted and shall be provided to students and faculty."

The law explicitly states that "This Section does not add any new bargaining rights and does not remove any established bargaining rights."

The law states that "Statutory and regulatory curricular mandates and offerings may be administered via a district's Remote and Blended Remote Learning Day Plan, except that a school district may not offer individual behind-the-wheel instruction required by Section 27-24.2 of this Code via a district's Remote Learning Plan. This section does not relieve schools and districts from completing all statutory and regulatory curricular mandates and offerings." Accordingly, districts' plans should ensure teachers are able to engage in required trainings and students are able to complete graduation and other statutory requirements, such as the Constitution exam. These requirements can be administered and completed remotely.

Lastly, the law waives the daily minimum clock hour requirement but allows the State Superintendent to institute clock hour requirements: "(j-5) The clock hour requirements of Subsections (a) through (j) of this Section shall not be in effect when the Governor has declared a disaster due to a public health emergency pursuant to 15 ILCS 30/1. The State Superintendent may establish minimum clock hour under 10-30 and 34-18.66 requirements when the Governor has declared a disaster due to a public health emergency pursuant to 15 ILCS 30/1."

The State Superintendent has determined that days of instruction during a public health emergency must include at least 5 clock hours. Remote and Blended Remote Learning Plans must ensure that at least 5 clock hours of a combination of instruction and school work for each student participating in Remote or Blended Remote Learning Days occurs. Schools and districts should include as much face-to-face or synchronous instruction as possible. Districts can be flexible in determining how to best meet the requirement in their own context by counting all learning activities toward the 5 clock hour expectation. Learning activities may include, but are not limited to, in-person instruction, the teacher delivering instruction via recorded video or synchronous platform, remote small group work via breakout room or conference call,

independent/flexible student work time, and virtual/telephone teacher-student check-ins. *If using non-interactive platforms, students must have means to confer with an educator and receive feedback before assignments are graded or assessments are administered.* **ISBE will release updated Remote Learning Recommendations in the coming weeks to further support districts.**

ISBE strongly recommends grounding your plan in equity by providing each student the additional individual supports and resources they need to address learning loss and make academic gains to meet grade-level standards. Consider available resources, including Coronavirus Aid, Relief, and Economic Security (CARES) Act funds; Federal Emergency Management Agency Public Assistance Program grants, when available; federal Title funds; and state funding sources. Keep in mind the waiver of the 15% carryover limitation for school districts' fiscal year 2020 Title I, Part A funds and ISBE's extension of all FY 2020 state grants to June 30, 2021.

Schools and districts should prepare for a return to remote instruction in the event of a resurgence of the virus or a second wave of it in the fall.

The [National Institute for Excellence in Teaching Planning Guide](#) includes a section on taking school- and district-level inventories of students; staff, including available substitutes; facilities, including available buses; technology, etc. that may be useful to planning teams.

Regarding meal service, the U.S. Department of Agriculture (USDA) [extended several key flexibilities](#) in the Summer Food Service Program and Summer Seamless Option through Aug. 31, 2020, to allow school districts to continue to provide non-congregate meals to meet the needs of their communities. Currently, such flexibilities do not extend to the National School Lunch program, which begins for participating districts at the start of the 2020-21 school year. ISBE is monitoring developments and will request any available flexibilities and waivers offered by the USDA to support districts in providing meals to students during the 2020-21 school year.

Please see Appendix B for a Phase 4 Transition Guide.

## Communication with Families

It is imperative that communication with students and families becomes even more consistent and frequent as the transition to in-person instruction and/or Blended Remote Learning Days occurs.

The return to in-person instruction will involve new health and safety protocols and potentially new schedules, so that means that all schools and districts should “over-communicate” with parents about what the return to school will look like. Communicate with families about how they can reinforce and help explain safety protocols at home. Provide families with ample opportunities to ask questions. Communicate to the greatest extent possible with families in their native languages and ensure your transition plan and other important information and documents are translated.

Schools have an opportunity at this unique moment in history to strengthen relationships with families. Despite facing significant challenges, parents are engaging deeply in their children's education. Parents are and will be critical partners in helping students to recover lost learning and make academic gains over the course of the school year.

Schools should endeavor to collect current contact information from families and to frequently ask for updated contact information, especially as changing financial circumstances during the pandemic may have required a move or a new phone or phone plan.

## **Child Care**

ISBE strongly encourages schools and districts to provide in-person instruction for all students, especially those under the age of 13, to avoid the need for child care and exposure to additional individuals. Leaders of schools and districts that decide to implement Remote or Blended Remote Learning Days, are strongly advised to take these child care needs into account as they develop their reopening plans. Districts should consider, for example, whether their plan for serving students in person in smaller groups may lead to many children needing to be in other settings -- with other groups of children -- for parts of their day and/or week. Such mixing of children between groups may substantially lessen the effectiveness of districts' strategies for limiting children's contacts to minimize potential virus transmission. Accounting for children's entire days and weeks outside of the home when developing plans is advised.

Districts are encouraged to work with partners in their communities, including child care centers, other before- and after-school child care providers, park districts, churches, and other community-based organizations, to develop plans that comprehensively address families' needs for care before, during, and after school hours and on any days that children will not be able to attend school in person.

Child care assistance is available for low-income families through the Illinois Department of Human Services; this is a potential funding source to help with the cost of child care programs. Districts should also consider exploring community partnerships to ensure educators who are also parents have access to affordable child care. For more information on child care availability and guidelines, please visit the [COVID-19 resource hub for the Governor's Office of Early Childhood Development](#).

## **Signs and Messages**

The Centers for Disease Control and Prevention (CDC) recommends posting signs and messages in highly visible locations that reinforce safety precautions and promote every day protective measures (e.g., proper handwashing and appropriate face coverings). Place signage in multiple languages outside of main entryways noting a.) that persons may not enter the building if they have any currently known [symptoms of COVID-19](#), such as fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle and body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea, vomiting, or diarrhea; b.) a 6-foot distance from others must be maintained as much as possible; c.) face covering must be

worn at all times; and d.) shaking hands or engaging in any other physical contact is prohibited in school buildings.

The CDC further recommends that schools and districts broadcast regular [announcements](#) about reducing the spread of COVID-19 on public address systems and share [videos](#) about behaviors that prevent the spread of COVID-19 when communicating with staff and families (such as on school websites, in emails, and on school [social media accounts](#)).

Find free CDC print and digital resources on the CDC's [communications resources](#) main page.

## **Intake Survey and Community Partnerships**

The Planning Team may develop an intake form in each student's native language that assesses the social and emotional needs of each individual student. Distribute to all students and families to help educators know of any changes that have taken place in recent months (e.g., loss, illness, financial need/changes) that may need to be addressed by those who interact with the student daily. Please see Appendix C for a sample intake survey provided by the Missouri School Boards' Association's Center for Education Safety.

The intake form can include items that ask about changes in the family, including questions that relate to the National School Lunch Program, areas for growth and strengths of the child, shelter concerns, student employment, academic concerns, quality of the experience with remote learning in spring 2020, and trauma history. The information gathered will help the school to provide appropriate support to students and families. Consider collecting this information before the 2020-21 school year starts or during a beginning of the year orientation so that school personnel may proactively address students' needs to support their return to in-person instruction. Schools should follow all federal and state privacy laws for storing and releasing any information that is gathered.

The intake form could also ask families about transportation in order to help the school prioritize transportation needs for students who would absolutely not be able to engage in in-person instruction without school-provided transportation. Schools and districts should strongly encourage families to provide transportation for students, when possible.

Surveys also could be distributed to teachers and school staff to determine their support needs, address concerns, and guide transition planning.

Analyze survey data as soon as feasibly possible and notify the appropriate personnel (e.g., teacher, nurse, school counselor, school social worker, school psychologist, food service director, or administrator) of necessary follow-up prior to the start of the school year. This will allow personnel to plan and support the needs of students and provide a pathway to connect students and families with the appropriate, necessary services.

Where possible, establish and enhance school and community partnerships during this time. Indeed, the transition to in-person instruction may be an especially opportune moment to strengthen school and community ties to marshal collective resources and develop innovative

solutions to support student, family, and community success. Consider exploring community partnerships during the summer to expand the number and types of services available to students and families, following a community school model. Consider the following:

- Organizations coming in to support with counseling - What are the recommendations for their engagement?
- Tele-mental health services and other telehealth services - How can social workers still serve students and make sure their needs are met?
- Food pantries, school gardens, school-based closets for students, laundry machines - Can those operate as normal?
- Computer resources for parents/families – Can parents/families be allowed to safely use computers at schools to find jobs?
- If truancy workers are making more home visits – What are the rules for home visit engagement (especially if students/families are hard to reach, have changing phone numbers, addresses, etc.)?
- Churches – How can local churches support a school’s needs?
- Child care – ISBE recognizes that changes to the school calendar or school schedule may result in additional child care needs for some families. Consider exploring community partnerships to ensure educators who are also parents have access to affordable child care. For more information on child care availability and guidelines, please visit the [COVID-19 resource hub for the Governor’s Office of Early Childhood Development](#).

## Blended Remote Learning Days

Schools and districts are strongly encouraged to provide in-person instruction to students. However, schools and districts that are unable to adhere to IDPH requirements may choose to implement Blended Remote Learning Days, which are authorized by PA 101-0643. During these days, schools and districts may utilize hybrid models of in-person and remote instruction.

## Student Scheduling Considerations

A **high priority** should be placed on providing in-person instruction for students who have Individualized Education Programs (IEPs), 504 Plans, and/or who receive English language supports when building an equitable schedule for Blended Remote Learning Days. These students should be in attendance in-person daily during Blended Remote Learning Days. In addition, schools should consider prioritizing in-person instruction for students under the age of 13 and those who have had greater difficulty learning remotely, as evidenced by the intake form and attendance rates from spring 2020.

IEP teams should consider appropriate in-person instruction for special education students. The U.S. Department of Education's guidance states, “Where, due to the global emergency and resulting closures of schools, there has been an inevitable delay in providing services – or even making decisions about how to provide services - Individualized Education Program (IEP) teams must make an individualized determination whether and to what extent compensatory services may be needed when schools resume normal operations.” Students with 504 Plans or who



receive English language services may also have a school-based team consider individualized transition plans to support the transition to in-person learning. Consider holding a reintegration meeting with school staff, parents/guardians/caregivers, and students to address any specific health concerns or learning needs or gaps identified during remote learning.

Schools and districts should review the [Centers for Disease Control and Prevention's](#) list of those who are at higher risk of severe illness if they are exposed to the coronavirus. Administration should work closely with school nurses and/or other health officials, as well as the student's medical provider, to determine safe alternatives to in-person instruction. Schools and districts should consider continuing remote instruction for medically fragile students, students at a higher risk of severe illness, and students who live with individuals at higher risk of severe illness for the duration of Phase 4. Considerations should include:

- Whether the student's medical condition is conducive to in-person attendance or if needs would best be met remotely.
- The student's behavior and capacities, including to control secretions, cover mouth/nose when sneezing and coughing, ability to maintain distance from other classmates, ability to tolerate wearing a face covering (may consider option of face shield instead), ability to wash hands with/without assistance, and ability/safety of use of hand sanitizer.
- Number of students per classroom and ability to maintain 6-foot distance, when possible.
- Consult with individual student health care providers, if applicable, and IEP teams to determine the best modality to meet students' needs on an individualized basis. Appropriate consents must be obtained for communication with outside providers. Review IEPs, 504 Plans, asthma action plans, or Individualized Health Plans to determine if these plans will need to be amended or modified.

Provide dedicated time for nurses to meet with individual teachers and staff members prior to the start of student attendance to review health concerns for medically high-risk students who will attend school in-person to ensure students will receive prompt treatment of health-related concerns (e.g., asthma action plans, diabetes care plans, and/or other emergency action plans for conditions that may be exacerbated by chronic medical conditions). Information shall be provided on a need-to-know basis and not through a health condition list that is distributed across the building, in accordance with the Family Educational Rights and Privacy Act, the Illinois School Student Records Act, the Health Insurance Portability and Accountability Act, and the Americans with Disabilities Act, as applicable.

When planning for students to return to in-person instruction, priority may also be placed on students under the age of 13 who may not have adequate child care or supports at home or with other agencies. Schools may also consider whether and when students have employment, as many more students may have needed to take jobs to help support their families. These students should be identified prior to the development of schedules and structures to allow for maximum attendance.

For the remainder of the student population, schools and districts should develop a blended learning schedule that includes accommodating small groups of students in blocks of time to adhere to capacity requirements with adequate social distancing.

The CDC also recommends, where possible, that teachers rather than students move between classes. See <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>. Consider livestreaming class lessons using virtual meeting programs (Zoom, Google Meets, etc.) to provide students in different classrooms or at home with synchronous access to the lesson. Similarly, the synchronous lesson could be recorded and used for asynchronous learning opportunities. Synchronous remote learning should be thoughtfully structured and scheduled at the building/district level to eliminate an overlap in scheduled student meetings to ensure that students are able to actively participate in scheduled courses.

Schools and districts may also consider prioritizing in-person instruction for subjects that students are less able to engage in independently from home, such as classes that require a lab or hands-on component. The Maryland State Department of Education notes, “Research on summer slide shows that a break or slowdown in instruction has a greater negative impact on math as compared to English Language Arts. This suggests that, if school systems cannot teach all subjects in person, it may be beneficial to prioritize the teaching of math in person (or at least synchronously via distance learning). Additionally, students are more likely to receive help at home in reading than in math.”

## **Sample Schedules and Child Care**

In-person instruction should be prioritized for students with IEPs, English Learners, and students under the age of 13. Sample schedules for schools and districts that choose to implement Blended Remote Learning Days or phase in in-person instruction at the beginning of the school year are included in Appendix D and Appendix E. The examples are meant to serve as a starting point for individual districts as they create schedules in preparation for the transition back to in-person instruction, blended remote instruction, or both. ISBE strongly encourages in-person instruction for students to the greatest extent possible while keeping health and safety as the number one priority.

When crafting student schedules, it is important to keep child care needs of your community in mind. It is estimated that 700,000 school age children (ages 6-12) in Illinois reside in households where all parents work and likely require some form of out-of-school child care. When children aged 0-6 are included, an estimated 1-1.2 million parents rely on child care to return to work. Blended remote learning will likely increase the rate of infection and the demand for center-based and non-relative care, increasing the number of different people that children are in contact with each week and, thereby, their probability of exposure to the virus.

## **Student Attendance**

Daily attendance and engagement of students should be expected whether students are participating in classes in-person or remotely. Districts, schools, and teachers should make daily contact with all students and families, especially those who are not in attendance or not engaging in classes, whether in-person or remotely. Districts must discontinue practices or rewards that

encourage perfect attendance or would discourage individuals from staying at home when they are ill.

View ISBE’s recommendations for how to collect attendance remotely at [www.isbe.net/Documents/Student-Attendance-Guidance-5-4-20.pdf](http://www.isbe.net/Documents/Student-Attendance-Guidance-5-4-20.pdf).

All teachers and school staff should keep in mind state laws mandating the reporting of child abuse and neglect and the Children’s Advocacy Centers of Illinois’ helpful tips for protecting students at [www.isbe.net/Documents/CACI-Essential4kids-Schools.pdf](http://www.isbe.net/Documents/CACI-Essential4kids-Schools.pdf). View joint guidance from ISBE and the Department of Children and Family Services (DCFS) for further outreach if a school has not made contact with a student for more than five days at [www.isbe.net/Documents/DCFS-ISBE-Student-Wellness-Visit.pdf](http://www.isbe.net/Documents/DCFS-ISBE-Student-Wellness-Visit.pdf).

## Staff Attendance

Schools should endeavor to support staff attendance by providing sufficient planning and collaboration time and supports, communicating frequently, and engaging staff in planning processes and decision-making.

School districts should prepare to mitigate the effects of potential increases in teacher absenteeism with the following considerations: 1) hiring additional subs (e.g., cadre subs, nurse subs, permanent subs, long-term subs), 2) providing professional development to improve blended learning or online learning or both, and 3) implementing team teaching or co-teaching models. Again, school districts should prepare for a rise in absenteeism and a corresponding increase in necessary spending.

Consider exploring community partnerships to ensure educators who are also parents have access to affordable child care, especially for Blended Remote Learning Day schedules.

## Calendar Considerations

Calendar considerations for local districts need to be thorough and thoughtful. Districts may consider amending school calendars to include earlier start dates so the first term can be completed by the end of November in the event there is a second wave of the virus. Many colleges and universities are pursuing this model. ISBE encourages structuring the school day and school year to add necessary instructional time for students with learning loss and the largest academic gaps, if resources are available. Summer programming likely will not fully compensate for learning losses students have experienced. High and consistent student attendance, intensive planning, and robust programming that may not be possible in the current remote environment are necessary for summer programs to have a significant positive impact on student achievement. See [https://www.rand.org/pubs/research\\_reports/RR366-1.html](https://www.rand.org/pubs/research_reports/RR366-1.html).

Districts that have a Calendar Committee will need to create pathways to have a discussion on what works best to create calendars to ensure teachers can be present and students can engage in

the learning process. Some additional considerations to keep in mind when creating school calendars include:

- Once declared, Remote Learning Days or Blended Remote Learning Days will be implemented in any of grades prekindergarten through 12 as days of attendance and shall be deemed pupil attendance days for calculation of the length of a school term under Section 10-19 of this Code.
- Four Teacher Institute Days are available to support the transition from remote learning at the beginning of the year.
- PA 101-0643 allows every school and district to utilize up to five total Remote and Blended Remote Learning Planning Days.
- A return to full Remote Learning Days may be necessary in a region if the region returns to a lower phase by declaration of the Governor due to public health indicators.
- Integrating periodic School Improvement Days may provide the necessary time to “review and amend its Remote and Blended Remote Learning Day Plan, as needed, to ensure the plan meets the needs of all students,” as required by PA 101-0643, and adjust accordingly.
- A year-round school year with the 2021 summer break instead dispersed in smaller increments throughout the school year, using research-based models, may reduce the risk of students experiencing further learning loss.
- School districts may choose to provide a longer school year that starts earlier so that higher-need students can receive additional instructional time to address learning loss, social and emotional needs, and academic gaps.

## Instructional Recommendations

Teachers are vitally important in increasing the cognitive abilities of all students during this unprecedented time (Marzano, 1993; Vandembrouke et. al, 2018). It will take ingenuity, insight, and discipline during in-person instruction and Remote and Blended Remote Learning Days to deliver high-quality instruction. This section of the document includes recommendations on how to address early childhood education, special education, English Learners, students with 504 Plans, and other related classroom topics. This document is intended to provide guidance for transitioning into in-person instruction. **It is imperative that educators review the Health and Safety Protocols provided later in this document to ensure they can help support schools as safe and healthy learning environments.** Please note that a 2.0 version of the Remote Learning Guidance will be forthcoming. It will provide specific details and ideas regarding grade-specific instructional guidance.

## Back-to-School Events

Typical introductory events, such as visit days and orientations designed to allow students and parents to tour building facilities and meet teachers, may not have occurred at the end of the 2019-20 school year as they have historically. While parent programs, such as back-to-school nights, open houses, and parent-teacher conferences, etc. may occur during Phase 4 in accordance with IDPH guidelines, schools are strongly encouraged to hold these events virtually.

Schools may consider implementing virtual tours and meet-the-teacher sessions in areas where families and teachers have internet access and devices. Schools may consider providing welcome-to-school packets, including teachers' pictures and bios; class information; and school maps in areas where families and teachers do not have the necessary technology.

## **Vertical Grade Level Articulation**

Students likely will not return to the teacher or teachers to which they were assigned prior to the implementation of remote learning. Educational support staff, administrators, and classrooms may not be the same, either. Students who are transitioning from fifth to sixth grade, from eighth to ninth grade, or from one school building to the next may need additional time to adjust once in-person instruction resumes. Junior high/middle school staff are encouraged to communicate with their high school counterparts to ensure a seamless transition for eighth-grade students moving to high school and for sixth-grade students entering a junior high/middle school setting for the first time. Virtual articulation sessions may include information about specific students, scheduling recommendations, or curriculum needs, as referenced in the Planning section.

Teachers or curriculum teams composed of current grade-level representatives and previous grade-level representatives may consider meeting to determine any standards that must be reviewed with students upon moving to the next grade level. This review may or may not be graded since it would be a review for some students who engaged in remote learning and new for others. Addressing students' standards gaps attends to equity principles and supports students as they return to school.

Districts may consider allowing the first day(s) of in-person instruction to be spent with the previous year's teacher and classmates to allow time for closure. Consider holding small group closure activities. The current teacher could take students to meet their new teacher and see their new classroom if they are staying in the same building.

## **Assessing Students' Skill Levels**

Teachers should identify the standards that were not covered during remote learning. When making determinations to fill in learning gaps, consider the following questions:

- Which standards were missed or partially covered?
- What are the aligned standards at the current grade level?
- What are the skills required to master the missed or partially covered standards?
- Will the standard stand alone in instruction or can it be layered in the current grade-level standard?
- What is the timeline in which the standard will be covered?

Each student will have had a unique remote learning experience. Students will enter the 2020-21 school year with various levels of mastery of prior coursework. For this reason, schools may consider assessing students in each content area to inform teachers of current student achievement and needs. Reintegration assessments can be teacher-developed "quick checks" to

help inform vertical articulation and help teachers identify focus areas in specific standards for individual students. The recommendation to assess is not meant to replace existing screening or placement assessments that schools and districts normally administer at the local level.

[The American Federation of Teachers](#) recommends that “An extensive review of all assessment programs should be conducted to prioritize assessments that provide teachers with critical information and to decrease the amount of teaching/learning time lost to assessments. Ideally, diagnostics should be teacher-friendly and accompanied by access to relevant instructional resources and supports to fill gaps.” Consider test stress and burnout in scheduling assessments.

Information from reintegration assessments should be used to determine student learning gaps and target individual student needs. Additionally, data can be used to modify the anticipated curriculum and inform instruction to support students. These reintegration assessments should not be determinants in identifying changes in services for students with IEPs or 504 Plans or for English Learners. Note that assessments may need to be modified or accommodations made as necessary for students to engage in them.

The 2020 ACCESS scores can be used for English Learner student placement because the ACCESS testing was completed prior to the implementation of remote learning. Administrators should provide ACCESS scores to the teachers.

## **Addressing Learning Loss**

As educators, we have an opportunity to leverage our current situation around what we want our students to know and be able to do. Teacher collective efficacy is necessary to address learning loss and develop an instructional plan moving each grade level, teacher, and student forward with his/her learning.

Students may enter the upcoming school year with academic knowledge that varies more greatly between students than in previous school years. Teachers should use targeted interventions and differentiated instruction to help individual students reach their learning goals.

The upcoming school year will not pick up where the previous year left off. Employing curriculum grounded in best practices and pedagogy is more essential now than ever. All teachers should be afforded the resources and opportunity to meet the needs of their students in their classrooms, whether virtual or in person. Teachers will assess individual student learning and deficits within their classes by administering assessments and working closely with teachers at previous and subsequent grade levels to determine the standards that may need review. The knowledge gained through these activities will enable teachers to design supports to meet students’ individual needs. Individualized supports can include, but are not limited to, tutoring, extended school days, support personnel, and technology.

Designing curriculum around students’ lived experiences can provide opportunities for students to engage more deeply with content while providing the time and space for students to process recent events. Care should be taken to ensure that these curricular experiences are appropriate for and respectful of students’ experiences.

While advancing student learning, schools should develop plans to bring students up to grade level. They must provide time for students to address incompletes while not falling further behind. Students must have the opportunity to recover from skill deficits that resulted from remote learning. The creation of curriculum in remote learning should be grounded in best practices/pedagogy so that it will be utilized in both remote and in-person learning environments.

Some regression during remote learning is expected. Consider the following suggestions to address the loss of academic skills and knowledge during the school closure:

- During the first several weeks of school, prioritize a strong review and infusion of the critical standards and key skills that were not addressed or mastered from the previous year.
- Provide and/or expand intervention time within the school day to help fill learning gaps for individual students.
- Incorporate before-, during, and after- school tutoring programs if they do not currently exist.
- Meet (virtually, if possible) with students' families to have evidence-based discussions regarding a student's skill levels and academic and social-emotional needs, how the school will support the student's individualized goals and needs, and how families can support the student at home.

## **Instructional Best Practices for Maintaining Social Distancing**

Educators are at the center of teaching and learning. We want to acknowledge we are experiencing an unprecedented event in our lifetimes and that more supports for educators are needed in order to meet the unique challenges schools face today. The next part of ISBE's transition guidance will go deeper into specific opportunities to support one another so that we can deal with the reality of social distancing in our classrooms.

To help students comply with social distancing as much as possible, consider revising activities that combine classes or grade levels or require travel to other buildings. Consider synchronously broadcasting in-class instruction to multiple rooms to allow students to spread out. Implement a home-room stay, meaning the teachers rotate instead of the students. Consider moving class activities outdoors if weather and safety considerations permit.

Using manipulatives and models can be critical in helping students internalize concepts that are abstract, such as the concepts students encounter in math and science classrooms. The use of digital manipulatives is encouraged, when possible. Schools must ensure to the greatest extent possible that students have access to their own set of non-digital manipulatives or that shared sets are sanitized between uses.

Students and teachers rely on facial cues from each other. Consider using face shields or signs with different facial expressions or colors to help convey emotion, social norms, and feelings.

Maximizing face-to-face time in classrooms is essential. When possible, content area teachers at the same grade level should work together to explore ways to integrate information from different content areas in multidisciplinary learning experiences. For example, science and social studies teachers can review the Common Core Language Arts Standards for Grades 6-12 Literacy in History/Social Studies, Science, and Technical Subjects and meaningfully incorporate language arts instruction into their courses, in addition to covering their content area standards.

## **Social Distancing in Early Childhood Education**

Attention to our youngest learners is especially important when considering social events that prepare and orient this group of learners to the routines, schedules, and patterns of their school environment that may not be possible as usual. Young students may struggle more than other students with understanding and complying with social distancing and wearing face coverings.

Students should remain in small groups with the same students and remain 6 feet apart as much as possible. Having instruction outside may help with social distancing requirements. Arrange developmentally appropriate activities for smaller group activities.

Teachers should rearrange furniture and play spaces to meet social distancing requirements, when possible. Find creative ways to allow students to create their own space using yarn, masking tape, or other materials.

Teachers should implement strategies to model and reinforce social and physical distancing and movement. Suggestions include:

- Use carpet squares, mats, trays, or other visuals for spacing.
- Model social distancing when interacting with children, families, and staff.
- Create and develop a scripted story/role play around social distancing, as well as handwashing, proper etiquette for sneezes, coughs, etc.
- Give frequent verbal reminders to children.
- Hang pictures within the school building to give constant reminders.
- Send home a tip sheet to parents and caregivers so they can also learn about social distancing.
- Offer more opportunities for individual play and solo activities, such as fine motor activities (e.g., drawing, coloring, cutting, puzzles, and other manipulatives).
- Plan activities that do not require close physical contact between multiple children. Keep groups separate for special activities, such as art, music, and exercising.
- Stagger indoor and outdoor play and adjust schedules to reduce the number of children in the same area.

Teach, model, and reinforce healthy hygiene habits and social skills. Suggestions include:

- Explain to students why it's not healthy to share drinks or food.
- Practice frequent hand hygiene by teaching a child-friendly song or counting to 20.
- Teach students to use tissue to wipe their nose and to cough inside their elbow.



- Model and practice hand hygiene before and after eating, coughing, sneezing, playing outside, and using the restroom.

Create a classroom environment that promotes positive teacher and student relationships that support student social-emotional well-being and self-esteem. Suggestions include:

- Promote empathy through conversations about other people’s feelings and perspectives. Talk about responsibilities.
- Build a coping toolbox that includes body- and mind-calming strategies.
- Read children’s books to help support the children when they may be feeling anxious or sad (e.g., “Grumpy Monkey,” which explains that it’s OK to be sad or have unexplained feelings).

## **Special Education Considerations**

Districts remain responsible for ensuring that special education students receive a free appropriate public education. They are required to address the individual needs of students eligible for special education services. Blended Remote Learning Plans must address the unique needs of students eligible for special education services. Conversations at the district level should include the type of training that should be provided to the classroom teacher and, when applicable, the paraprofessional; the planning time that should be provided; and collaboration for Blended Remote Learning Days. It is important to utilize paraprofessionals in the general education classroom during the transition from remote learning.

Districts must adhere to timelines for annual IEP meetings and required evaluations. There continues to be limited flexibility from complying with federal and state laws. All Individuals with Disabilities Education Act and Section 504 timelines remain in effect. IEP teams should meet to determine whether any amendments to students IEPs are necessary to address students’ current levels of performance.

IEP teams must make individualized determinations regarding placement and where special education students receive services. Students must receive education in their least restrictive environment, according to federal and state laws. Staff, therapists, and paraprofessionals may be able to work in person with students if appropriate safety measures are in place.

Additional guidance may be provided on transition and special education services.

## **English Learner Considerations**

Language development is an interactive and socially driven process. Any support that can be provided to English Learners to facilitate interactive dialogue with native English-speaking peers or adults, especially on academic topics, is essential. It is also essential that our students in a bilingual program dialogue with peers and adults on academic topics in their home languages, as well as English, to ensure that their development does not stall. Language use and expectations must be targeted and authentic and activities must be meaningful to ensure students achieve

linguistic and academic growth, whether English or native language instruction is online, in-person, or a hybrid.

In-person instruction should be prioritized for English Learners. We recommend that in addition to more traditional native language materials, consideration should be given to utilizing native language television, radio, and social media to help students continue their native language learning. Other scaffolds for English or native language instruction may include an extension of time for assignments, videos with captioning or embedded interpreting, accessible or translated reading materials, or other technological solutions. Authentic, targeted lessons utilizing technology that encourages verbal interaction will help students better prepare for online ACCESS testing. Additionally, we encourage educators to strategically utilize resources for English Learners identified on ISBE’s [Continuing Education #KeepLearning](#) page.

Language learners often require instruction on how to properly pronounce phonemes, syllables, and words. This is typically done through direct observation of the teacher’s mouth or tongue position. Such demonstrations will be impeded by traditional face coverings. We recommend using face coverings with clear windows or face shields during instruction or pre-recording these demonstrations.

When developing instruction for English Learners, educators must continue to apply the [Illinois English Language Development Standards](#) and utilize the [WIDA Can-Do Descriptors](#) for listening, speaking, reading, and writing. Keeping these two documents in mind and differentiating instruction based on each student’s English proficiency level will help ensure that lessons are scaffolded appropriately for students. Additionally, early learning educators have language acquisition tools to drive supports of young language learners. [The Early Learning Development Standards](#) are central in providing guidance with an emphasis of parental involvement, which is so important to a young child’s language development. More resources for educators of young English Learners, including online learning modules for educators, can be found through [WIDA Early Years](#).

Keep in mind that multilingual students and families may have difficulty navigating online platforms and resources that require an understanding of English. When possible, schools and districts should provide language support to help students and families to access the resources used for remote instruction. Schools, districts, and educators are encouraged to harness the strengths of their parent organizations to build supports and scaffolds for families. Such supports and scaffolds could include “Virtual Parent Universities” or “Parent PD” to help parents and other family members understand how best to support their bilingual students’ language development and learning at home. We encourage stakeholders to collaborate creatively to continue to meet the needs of English Learners.

## Grading

ISBE’s original recommendations for grading during remote learning considered the sudden, drastic, and unexpected impact of the COVID-19 pandemic on all districts and the necessity of beginning the suspension of in-person instruction with non-instructional Act of God Days.

Students and districts needed every available flexibility regarding grading in order to navigate these uncharted waters without deepening existing inequities and without knowing when in-person instruction might resume. The recommendation that grading “do no harm” to students sought to accommodate the vastly different physical, mental, economic, technological, and social-emotional experiences of Illinois’ 2 million students, most of whom were engaging in remote school day learning for the first time.

Schools and districts should re-evaluate and modify traditional grading policies, as necessary, as we plan for a return to in-person or blended remote instruction. This may mean a return to traditional grades for completion of assignments, assessments, and other classroom instructional strategies. ISBE strongly recommends that any return to traditional grading policies ensures that students have all the necessary tools, technology, and teacher supports at school and at home to complete all assignments, take assessments, and complete projects in a timely manner. This may mean ensuring that all students have devices and connectivity opportunities at their homes before resuming traditional grading practices.

Per the School Code, grading policies are the exclusive responsibilities of local districts (105 ILCS 5/10-20.9a). ISBE does not require any specific grading practice, policy, or philosophy, but we suggest that you may want to include any successful strategies or modifications implemented during remote learning as part of the planning and transition to in-person instruction and/or blended remote learning.

## **Professional Learning and Staffing**

Schools should thoroughly and thoughtfully consider what the transition from the home environment (flexible schedules, increased screen time, extended time with parents/caregivers) to the school environment (in-school schedule, decreased screen time, increased interaction with school staff and peers) means for all learners. Schools and districts are encouraged to use professional development days to prepare evidence-based instructional methods and materials, to plan to attend to students’ social-emotional and mental health needs, and for training on new health and safety protocols. Optional summer learning opportunities may be considered for educators to hone their remote learning craft and discuss best instructional strategies for a blended learning environment.

Districts should consider, but not be limited to, the following with regard to professional learning:

- Providing staff training recognizing and affirming the unique socio-economic, cultural, religious, ethnic, racial, sexual orientation, gender identity/expression, and language diversity of the population within each district.
- Developing student and staff mental health and counseling plans and training on offering social-emotional supports, including bullying prevention.
- Identifying the successes and barriers for students, staff, and the community during remote learning, including enhancements to prepare for a blended learning environment or in preparation for intermittent/rolling school closures.

- Reviewing student progress during remote learning, identifying gaps, and planning for the appropriate continuation of learning transitioning to our “new normal” for the 2020-21 school year.
- Preparing local assessments to determine current skill level, including, but not limited to:
  - Formative assessments.
  - Alignment conversations and planning with prior teachers.
  - Discussions with parents/guardians/caregivers about student progress and additional supports needed at home.
  - Modifying and adjusting of curriculum and instruction.
  - Communicating learning expectations to parents in a blended learning model.
  - Modifying or taking into consideration extending time for all students with a specific equity lens on identified gaps and appropriate interventions to close the gaps.

## **New Teacher Mentorship Program**

ISBE encourages schools and districts to sponsor new teacher mentorship programs to support new teachers entering the profession at a time where there are many unknowns.

These programs can provide meaningful support via one-on-one coaching, weekly/monthly check-ins, and someone to call in the case of needing extra support. Online video support can be considered, but is not required, where the teacher videos self and the mentor watches and gives feedback and support.

The mentorship should be an adaptable and individualized process in which the new teacher brings to the table what they need assistance in or are struggling with. The process will look different from teacher to teacher.

The mentoring process should not be time-consuming or work-intensive, but be reflective in nature.

## **Professional Learning**

Provide options for asynchronous/synchronous professional learning by creating or utilizing existing online options and forms of completion for credit hours.

It may be possible to structure the school day during which a small number of teachers are receiving professional learning in the morning while teaching in the afternoon. Those teaching in the morning would receive professional learning in the afternoon.

Informal as well as formal professional learning can be implemented. Informal could be a “Coffee with the Coaches” type format online or even a quick conversation with teachers in person before or after school.

Formal professional learning pertaining to analyzing and utilizing data, implementing technology, or improving instructional methods could be conducted via Zoom, Google Meet, or in person during Remote Learning Planning Days or School Improvement Days.

## **Utilizing Teacher Leaders**

We must take this opportunity to honor and leverage our teacher leaders without overwhelming them with additional tasks/responsibilities.

Identify teacher leaders who believe and will invest in the vision of the district by having conversations and building relationships and teams. Teachers are and should be treated as an integral part of the planning process.

Providing opportunities for teachers to grow and contribute professionally serves to enhance engagement and motivation toward accomplishing goals aligned to the district vision. Staff are more likely to come forward and express their thoughts and talents when they see teachers receiving feedback.

Teacher autonomy (to an extent) as well as administrative and board support is paramount in creating a desired “opportunity culture.”

Teacher leaders would:

- Create goals followed by action steps that correlate with the vision/mission of the district.
- Work with coaches and administrators on recommendations regarding professional development.
- Work with teachers as mentors and help provide meaningful feedback regarding blended learning, e-learning, or socially distanced in-person learning.
- Create opportunities for other teachers to lead.
- Serve as mentors to teachers new to the district as well as those new to the profession.
- With assistance from administrators and coaches, work with mentees and other teachers to utilize research-based methods, best practices, and data analysis to improve student learning.
- Have the opportunity to seek out and receive teacher leadership professional development in addition to basic training on technology, instructional methods, etc.

## **Statewide Coaches**

Not every school district has access to in-house coaching for instructional staff, so consider leveraging professional organizations that have coaches and instructional leaders. They can contribute to the professional learning of teachers in need of innovative instructional practices for student learning and growth in every part of the state.

Consider developing a network of instructional leaders at the regional and statewide level for virtual office hours in order to support the needs of teachers in a remote learning or blended learning delivery system, depending on the needs of the district or school.

Capacity building especially helps the teacher who could not complete their student teaching and is possibly entering into service in a new district with few contacts or connections. Capacity building also supports the field of educators as whole as we all adjust to a new normal.

Elements of capacity building for districts and schools interested in participating include:

- School districts willing to share coaches with their “neighbors” throughout Illinois.
- Good connectivity of the teacher’s home or school - the same with the coach.
- Common platforms (Google, IOS, Microsoft, Zoom) and common programs (FlipGrid, WeVideo, etc.).
- Time and coordination.
- A focus on instruction and student growth in coaching sessions (technology is a “side dish”); utilization of a student-centered model.
- Analysis of existing conditions in the school to help the teacher address the needs of students with IEPs and English Learners.

## **Technology**

Schools and districts should make every effort to provide students and families with the technology devices and internet access necessary to successfully participate in remote learning. Schools and districts must be prepared for a return to full remote instruction in the event of a resurgence of the virus or a second wave of it in the fall.

Some students and families may still lack internet access at home despite districts’ best efforts. Consider providing students who have a device -- but not internet access -- with coursework loaded on a flash drive or other similar file storage device. Implement a system to provide students with the necessary videos, worksheets, and other resources to complete their work at home, turn in their assignments, and obtain new work.

During in-person instruction, incorporate activities that help familiarize students with the technology devices and programs they will utilize during remote learning. Individual technology devices can also be useful in the classroom, given the restrictions in Phase 4 on sharing items such as pencils. Consider meaningful integration of technology tools during daily instruction to facilitate learning and provide students with opportunities to become familiar with the features of online programs and technology devices.

Teach students how to maintain their devices, guidelines for basic device function, internet safety, as well as problem-solving techniques that can be utilized if the student has technology difficulties during remote learning. Provide instructions for accessing technology assistance. These skills can be taught and reinforced during face-to-face instruction. Consider providing brief instructional videos or written instructions to students and families to facilitate troubleshooting at home.

Consider utilizing a virtual boot camp for students who are learning remotely to walk them through the use of different technology programs. Video conferencing programs could provide

synchronous training on programs, which would enable students and families to ask questions and receive feedback in real time. Including interactive experiences by having students actively use the online program during the boot camp will increase motivation, engagement, and student understanding of the program. Consider recording synchronous sessions to use later as asynchronous training tools.

Students also will need regular access to technology support, whether through an email address, online form, or video bank. Consider teaching students how to troubleshoot common technology problems.

Schools should take stock of the technologies and lessons learned during remote learning to provide a plan for the 2020-21 school year. As a reminder, teachers and students will need a clear schedule with appropriate breaks to avoid burnout and confusion.

## **Health and Safety Protocols IDPH Guidance**

Districts should proactively prepare staff and students to prevent the spread of COVID-19 or any other infectious disease. All employees should be trained on health and safety protocols related to COVID-19 prior to resuming in-person instruction. Consider referring to recommendations and strategies from the CDC: Guidance for Businesses and Employers and [Considerations for Schools for guidance](#). Sections of this guidance were previously published in Part 2 and may be updated.

### **Preparing for When a Student or Staff Member Becomes Sick**

School districts need to be prepared and able to respond effectively when there is a case within the school community, whether it be a student or staff member participating in allowable activities. Schools and districts should communicate with families and staff that any individual who tests positive for COVID-19 or who shows any signs or symptoms of illness should stay home. Families and staff should also report possible cases to the school where the individual attends school or works to initiate contact tracing.

Currently known symptoms of [COVID-19](#) are fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle and body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea, vomiting, or diarrhea.

Attendance personnel should request specific symptom reporting when absences are reported along with COVID-19 diagnoses and COVID-19 exposure. Information should be documented and shared with the health staff or other appropriate personnel and the local health department.

In accordance with state and federal guidance, school community members who are sick should not return to school until they have met criteria to return. Schools may wish to consider a symptom checklist for families and staff to use to determine if they are well enough to attend that day. CDC and IDPH guidelines for students who were suspected of having COVID-19, whether

they were tested or not, state that 72 hours must elapse from resolution of fever without fever-reducing medication and 10 days must pass after symptoms first appeared. It is recommended that medically fragile and immunocompromised students consult their medical provider prior to attending school.

Students or staff returning from illness related to COVID-19 should call to check in with the school nurse or building administrator (if a nurse is unavailable) following quarantine.

Any individual within the school environment who shows symptoms should be immediately separated from the rest of the school population. Individuals who are sick should be sent home. If emergency services are necessary, call 911. When interacting with students or staff who may be sick, school nurses and personnel should follow CDC guidance on [standard and transmission-based precautions](#).

Schools hosting allowable activities should designate a safe area to quarantine any individuals who are experiencing COVID-19-like symptoms and may be awaiting pickup/evaluation. Students should never be left alone and must always be supervised while maintaining necessary precautions.

Close off any areas of the school used by a sick person and do not use these areas until after proper cleaning and disinfection procedures have been completed. Open windows to increase air circulation in the area. It is advised by the CDC to wait at least 24 hours before cleaning and disinfecting; if 24 hours are not possible, wait as long as is possible. Clean and disinfect all areas, such as offices, bathrooms, common areas, shared electronic equipment, etc., used by the person who is sick. Vacuum the space, if needed, with a high-efficiency particulate air (HEPA) filter, if available. Do not vacuum a room or space that has people in it. Wait until the room or space is empty to vacuum, such as at night, and temporarily turn off room fans and the central HVAC system that services the room or space, so that particles that escape from vacuuming will not circulate throughout the facility. The area can be opened for use once it has been appropriately disinfected. Ensure cleaning products are stored and used a safe distance away from children and staff.

Individuals who did not have close contact with the person who is sick can return to work immediately after disinfection. Those who had contact with someone who tested positive for COVID-19 or is suspected of having COVID-19 infection should isolate at home and monitor for symptoms for 14 days. Close contact means the individual was within 6 feet of the individual with symptoms for more than 15 minutes. Additional cleaning and disinfection is not necessary if more than seven days have elapsed since the person who is sick visited or used the school. Continue routine cleaning and disinfection. This includes everyday practices that schools normally use to maintain a healthy environment.

## **Hand Hygiene**

Districts should encourage frequent and proper handwashing. Ensure availability of supplies, such as soap and paper towels, hand sanitizer, tissues, etc., for all grade levels and in all common areas of the building. Cloth towels should not be used. Handwashing with soap and water is



always the first recommended line of defense, but where this is not feasible or readily accessible, the use of hand sanitizer with at least 60% alcohol may be used. Districts should be cognizant of any students or staff members with sensitivities or allergies to hand sanitizer or soap and ensure easy access to alternative handwashing stations.

Hands should be washed often with soap and water for 20 seconds. It is recommended that hand hygiene is performed upon arrival to and departure from school; after blowing one's nose, coughing, or sneezing; following restroom use; before food preparation or before and after eating; before/after routine care for another person, such as a child; after contact with a person who is sick; upon return from the playground/physical education; and following glove removal. Districts should determine any "hot spots" where germ transmission may easily occur and ensure hand sanitation/handwashing supplies are readily available.

Additionally, districts should adhere to recommendations for safe hand sanitizer use, including:

- Alcohol-based hand sanitizers should be used under adult supervision with proper child safety precautions and stored out of reach of young children to reduce unintended, adverse consequences. It will be necessary to ensure that students do not ingest hand sanitizer or use it to injure another person.
- Alcohol-based hand sanitizers must be properly stored – which includes away from high temperatures or flames – in accordance with National Fire Protection Agency recommendations.
- Hand sanitizers are not effective when hands are visibly dirty.
- Alcohol-based hand sanitizers do not remove allergenic proteins from the hands.
- Staff preparing food in the cafeteria/kitchen should ALWAYS wash their hands with soap and water. The IDPH Food Service Sanitation Code does not allow persons who work in school cafeteria programs to use hand sanitizers as a substitute for handwashing.
- The Food and Drug Administration controls sanitizers as over-the-counter drugs because they are intended for topical antimicrobial use to prevent disease in humans.

Educate staff and students on healthy hygiene and handwashing to prevent the spread of infection. Schools may wish to post handwashing posters in the bathrooms, hallways, classrooms, and other areas, as appropriate. See [Centers for Disease Control and Prevention: Handwashing: Clean Hands Save Lives](#) for free resources. Ensure availability of resources for teachers, nurses, and other staff members, so they can appropriately train students or review handwashing procedures. Various [classroom lesson, activities, and resources](#) are available. Districts should also consider additional signage to display on the correct methods for sneezing and coughing.

Staff and students should be directed and encouraged to avoid touching the face (eye, nose, mouth) to decrease the transmission of COVID-19 or other infectious diseases.

## Face Coverings

All individuals in school buildings, including all public and nonpublic schools that serve students in prekindergarten through grade 12, must wear face coverings at all times unless they are younger than 2 years of age; have trouble breathing; or are unconscious, incapacitated, or

otherwise unable to remove the cover without assistance. Face coverings must be worn at all times in school buildings even when social distancing is maintained. Face coverings do not need to be worn outside if social distance is maintained. It is recommended that schools require physicians notes for students and staff who are not able to wear a face covering due to trouble breathing. It is recommended that schools and districts update policies to require the wearing a face covering while on school grounds and handle violations in the same manner as other policy violations.

Teachers may use face shields in lieu of masks. Face shields may be useful in situations where it is important for students to see how a teacher pronounces words (e.g., English Learners, early childhood, foreign language, etc.).

There is significant evidence that face coverings provide protection and decrease the spread of COVID-19. Ensure that the face covering fully covers the mouth and nose, and that the covering fits snugly against the sides of the face with no gaps. Reusable face coverings should be machine washed or washed by hand and allowed to dry completely after each use. Districts may wish to maintain a supply of disposable face coverings in the event that a staff member, student, or visitor does not have one for use. For additional information, visit [CDC: Coronavirus Disease 2019 \(COVID-19\)-Cloth Face Covers](https://www.cdc.gov/coronavirus/2019-ncov/downloads/cloth-face-covering.pdf). Additionally, pay special attention to putting on and removing face coverings for purposes such as eating. After use, the front of the face covering is considered contaminated and should not be touched during removal or replacement. Hand hygiene should be performed immediately after removing and after replacing the face covering. See <https://www.cdc.gov/hai/pdfs/ppe/PPE-Sequence.pdf> <https://www.cdc.gov/coronavirus/2019-ncov/downloads/cloth-face-covering.pdf>.



## Social Distancing

Districts should develop procedures to ensure 6-foot physical distance from other persons as much as possible. The expectation pertains to students and staff members in all areas and settings to the greatest extent possible. Districts may wish to post visual reminders throughout school buildings and lay down tape or other indicators of safe distances in areas where students congregate or line up (e.g., arrival and departure, lunchroom lines, hallways, recess lines, libraries, cafeterias).

Districts may wish to consider “staggering” schedules for arrivals/dismissals, hall passing periods, mealtimes, bathroom breaks, etc. to ensure student and staff safety. Staff and students should abstain from physical contact, including, but not limited to, handshakes, high fives, hugs, etc.

Staff break areas should be arranged to facilitate social distancing. Break times should be staggered to minimize eating with mask off near others.

## Symptom Screenings

Schools and districts must conduct temperature and symptom screenings or require self-certification and verification for all staff, students, and visitors entering school buildings. Individuals who have a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius or currently known [symptoms of COVID-19](#), such as fever, cough, shortness of breath or difficulty breathing, chills, fatigue, muscle and body aches, headache, sore throat, new loss of taste or smell, congestion or runny nose, nausea, vomiting, or diarrhea, may not enter buildings. Individuals who exhibit symptoms should be referred to a medical provider for evaluation, treatment, and information about when they can return to school.

## Personal Protective Equipment

Ensure that appropriate personal protective equipment (PPE) is made available to and used by staff, as needed, based on exposure risk. Provide training to staff prior to the start of student attendance on the proper use of PPE, including putting on and removing PPE. In addition, training should also include directions on the proper disposal of PPE since inappropriate application or removal of PPE can increase the transmission. Employers are required to comply with Occupational Safety and Health Administration [standards](#) on bloodborne pathogens, including the [proper disposal of PPE and regulated waste](#). See Appendix F for examples and uses of PPE and [CDC](#) guidelines.

# Schoolwide Cleaning and Disinfection to Prevent the Spread of Infection

Districts should develop sanitation procedures per recommendations of the CDC, IDPH, and local health departments. More frequent cleaning and disinfection is necessary to reduce exposure. Visibly dirty areas should be scrubbed to remove visible dirt/soilage and then an approved disinfectant should be used to *kill* germs.

Clean frequently touched surfaces (e.g., door handles/knobs, desktops/tabletops, countertops, light switches, pencil sharpeners, computer keyboards, hands-on learning items, phones, toys, cubbies/coat and backpack areas, sinks and faucets, buses/vans) on a daily basis. Cloth toys or other cloth material items that cannot be disinfected should not be used.

Determine means to sanitize soft surfaces, such as carpeted areas, rugs and curtains. Clean with an approved soap/disinfectant for the surface area. Launder at high temperatures, if possible, and dry. If cleaning with soap and water is not feasible, disinfect with a household disinfectant that has been registered with the Environmental Protection Agency (EPA) and follow contact times on the label. Districts may wish to revisit and revise any green cleaning policies. Vacuum as usual.

Districts may wish to consider posting scheduled cleaning times and maintain appropriate documentation upon the completion of cleaning.

Ensure that [EPA-approved disinfectants](#) for use against the coronavirus are available to staff responsible for cleaning. If not available, consult your local health department for guidance on alternative disinfectants.

- Gloves and other appropriate [Personal Protective Equipment](#) must be used during cleaning and disinfection. Ensure that appropriate PPE is made available to and used by staff, as appropriate, based on job-specific duties and risk of exposure.
- Always follow label directions.
- Allow the required wet contact time.
- Keep all disinfectants out of the reach of children.
- Do not mix bleach or other cleaning products and disinfectants together.
- Ensure that cleaning supplies brought by staff and students are approved by the EPA.

## Infection Control Procedures for Specific Areas

### Classrooms

It is recommended that teachers provide assigned seating for students and require students to remain in these seats to the greatest extent possible. Teachers may also develop a marked path of travel inside the classroom to maintain social distancing from the entry point of the classroom to

the student's assigned seat. If possible, rearrange desks so that there is a 6-foot distance in all directions between the desks and face desks in the same direction. Open windows, if possible, for increased ventilation.

Only allow supervisors and staff who are required for instruction to be in the classrooms. Build in time for hand hygiene and/or schedule hand hygiene breaks, including before/after eating snacks/meals and upon exiting and returning to the classroom. Ensure adequate hygiene supplies, including tissues, hand sanitizer, extra face coverings, handwashing supplies if sinks are present, soap, paper towels, and gloves for staff, are present in the classroom.

Consider assigning classroom computers to minimize disease transmission. Computer keyboards and/or touchscreens can be difficult to clean, so consider utilizing keyboard covers to facilitate cleaning. Shared computers should have signs posted instructing proper hand hygiene before and after computer use, with handwashing facilities or hand sanitizers readily accessible.

Communicate with parents of younger students to discourage their children from bringing any toys from home to school. Consider labeling students' personal items and keeping them in a separate bag to ensure they remain separate from the belongings of other students.



## Shared Objects

Restrict or discourage the borrowing or sharing of any items. The [CDC](#) recommends that electronic devices, toys, books, and other games or learning aids not be shared.

Electronics, including, but not limited to, tablets, touchscreens, keyboards, remote controls, lunchroom keypads, door entry systems, etc., should be cleaned before and after use. Consider using a wipeable cover on electronics and clean per the manufacturer's instructions or use wipes or sprays of at least 70% alcohol and dry completely.

It is recommended that items that must be shared or communally used be cleaned after each use - at a minimum -- and that the individuals perform hand hygiene between use.

Note that the use of liquid disinfectants is harmful to library and archives materials and is not recommended. Ultraviolet ray exposure as a means of sterilization is also not recommended. Utilization of hand sanitizer before and after use of books or library material is recommended.

Be mindful of items like play food, dishes, and utensils that are more likely to be placed in a younger child's mouth. Use materials that can be thrown out, cleaned after one use, or labeled for individual child use. Machine-washable cloth toys should be used by one individual at a time and cleaned in between uses or not be used at all.

## **Driver's Education Behind-the-Wheel Instruction**

In order to provide behind-the-wheel training to students in driver's education in compliance with all Secretary of State and IDPH safety requirements, the following procedures must be followed:

- Allow only two students and one instructor per vehicle.
- Face coverings must be worn, unless medically contraindicated.
- Prohibit eating and drinking in the vehicle.
- Open the windows whenever possible.
- Do not make any stops during the training that are not applicable to driver's education to reduce the amount of time in the vehicle.
- Complete hand hygiene with soap and water or hand sanitizer, as appropriate, before and after driving and, at the minimum, upon completion. Hand sanitizer should be placed in each vehicle.
- Clean and disinfect the steering wheel, door handles, seatbelt fastener, controls/dials that the driver would come in contact with, keys, etc. in between each behind-the-wheel session.
- Conduct regular routine cleaning and disinfecting of the seats.

## **Music-Related Courses**

There is [documented evidence](#) of substantial spreading of the coronavirus during musical events caused by the possibility of droplet and fomite (objects or materials likely to carry infections) transmission. Indoor rehearsals are discouraged. Consider moving music and band-related courses outside. It is recommended that music and band classes be organized into smaller classes, minimizing the number of students for sectional or group rehearsal to provide for social distancing. Where possible, use separate partitions in open spaces; utilize markings on classroom floor/wall/practice field.

Students should wear face coverings while singing and avoid touching, choreography, and singing/playing in circles. Students should sanitize hands prior to handling instruments. Instruments should not be shared at any time. Sanitize hands after using instruments. It is permissible for band members to remove their masks during the time they are

playing, but only if necessary. Students should provide their own equipment for class; sharing of equipment between students should be prohibited. Long-term rentals are permitted; however, instruments should be properly cleaned and sanitized between rentals. Students should disinfect musical instruments between classes, if possible. Instruments should be cleaned using approved disinfectant and recommended cleaning guidelines (National Federation of State High School Associations, National Association of Music Merchants, National Association for Music Education [instrument cleaning](#)). Special care shall be taken with instrument mouthpieces; it is recommended that reed players use plastic instead of cane reeds.

Conductors should face students from more than 10 feet away from the first row of singers/band members. Where possible, conductors are encouraged to wear glasses/goggles or install a plexiglass shield.

Consider blended/flipped classrooms, as well as individualized self-management programs, to reduce the risk of exposure and allow for personal choice/director choice with recording or practice performance.

Provide virtual learning opportunities or record class rehearsals and share recordings with students who are unable to attend school in-person.

## **Traffic Flow, Hallways, and Lockers**

Face coverings must be worn at all times. Consider the following hallway procedures to adhere to social distancing requirements and IDPH limitations on gathering sizes, when possible:

- Limit number of persons within hallways at any given time to the greatest extent possible.
- Limit required movement of students between classes. Consider having staff rotate through classes rather than requiring movement/mixing of student groups.
- Provide hallway supervision using hall and bathroom monitors to ensure a limited number of persons enter bathrooms at one time.
- Hallways could have marked one-way paths and certain staircases could be designated one-way only, as possible.
- Place floor markings to delineate 6-foot distance between students in locations where they line up.
- Remove furniture or other items that may encourage congregating in certain areas.
- Limit number of riders in elevators to one or two students with an additional adult (when student needs continuous support or supervision).
- Suspend the use of lockers, if possible. Sharing lockers should be prohibited. If lockers must be used, consider staggering locker assignments and create schedules to stagger locker access to allow for 6-foot distancing between students. For example, students could be assigned to every other or every third locker depending on their width.



## Restrooms

Districts should consider means to maintain social distancing in restroom areas. Schools may wish to consider scheduling restroom breaks and escorting individual classrooms to the restroom area to monitor social distancing, as appropriate. Districts may wish to add physical barriers, such as plastic flexible screens, between bathroom sinks and urinals. Appropriate sanitation of restrooms should be completed as scheduled. Post signs encouraging hand hygiene procedures in the bathrooms, hallways, classrooms, and other areas, as appropriate. See [Centers for Disease Control and Prevention: Handwashing](#): Clean Hands Save Lives for free resources. Encourage students to properly wash hands following restroom use, as age appropriate. Ensure availability of supplies, such as soap and paper towels.

## Drinking Fountains

The temporary shutdown or reduced operation of a building and reductions in normal water use can create hazards for returning occupants. Follow [CDC guidance](#) on flushing water systems and other measures to prevent the spread of mold and Legionella. Promote the use of reusable water bottles and train students and staff on appropriate use of drinking fountains:

- Do not place your mouth on the spout of the fountain or allow your water bottle to come into contact with the nozzle when refilling.
- Ensure the appropriate water flow height to discourage students placing the mouths on the spout.
- Test the water flow and let the water flow for 10 seconds to allow for fresh, clean water to come through prior to drinking.
- If the fountain requires you to push a button or lever, clean the surface before and after or use your elbow.
- Clean your hands afterward with an alcohol-based rub or wash them with soap and water.



Develop procedures to maintain social distancing during drinking fountain use by placing floor markers and signage around fountains. Take steps to ensure that all water systems and features (e.g., sink faucets, drinking fountains, decorative fountains) are safe to use after a prolonged facility shutdown. Drinking fountains should be cleaned and sanitized, and districts should determine how to maintain infection control between student use.

## **Cafeterias/Food Service**

Schools should consider the number of students and adults in the cafeteria during each breakfast and lunch period and ensure that it does not exceed that maximum gathering size per the Restore Illinois plan (no more than 10 individuals during Phase 3 and no more than 50 individuals during Phase 4, if possible). Alternate scheduling or add meal service times to adhere to capacity limits. Stagger the release of classrooms to the cafeteria to help ensure social distancing while students wait in line. If possible, consider delivering meals to classrooms or having students eat outdoors while ensuring social distancing is implemented. If students eat in the classroom, consider how an allergy-free area will be provided, as needed. Additionally, the room should be disinfected after eating prior to resuming classroom activities.

Meals should be individually plated. Buffets, salad bars, and the sharing of food and utensils should be prohibited. Ensure that students are served all items, including items such as milk and fresh fruits, rather than having students help themselves. Consider using disposable food service items (e.g., utensils, dishes). Ensure regular precautions are taken regarding [food allergies](#) and dietary needs. If disposable items are not available, ensure that all non-disposable food service items are handled with gloves and washed with dish soap and hot water or in a dishwasher.

Areas where students consume meals should be thoroughly cleaned and disinfected between groups and after meals. Food service personnel must use appropriate PPE, including gloves and face coverings, while preparing and distributing food. Frequent hand hygiene should be required. Individuals should [wash their hands](#) after removing their gloves or after directly handling food service items that have been used.

Hand hygiene must be performed prior to and after eating a meal or consuming any food items. Face coverings must be removed during eating, so it is important to ensure 6-foot distance between individuals as much as possible. Considerations also should be given to food consumed during times other than mealtimes, such as by preschool students.

Communicate clear mealtime expectations with students and staff.

## **Administrative Offices and Staff Workspaces/Lounges**

Limit any nonessential visitors, volunteers, and activities involving external groups or organizations, as possible. Restrict any visitors (if allowed) to the main office area, when possible. Hand hygiene facilities or hand sanitizer should be readily available for visitors to use upon entry.

Keep accurate records of visitors, including the individual's reason for visit, contact information, and all locations visited, in case contact tracing is needed.

Consider an outdoor drop box for material drop-off. Encourage electronic submission of documents and electronic payment of any fees. Any discipline meetings, IEP and 504 meetings, and other meetings between staff and visitors/families should be held remotely, to the greatest extent possible. However, if parents/guardians are unable to engage in a required meeting remotely, socially distanced in-person meetings may be held.

Employee workstations should be properly distanced so that employees may maintain a 6-foot distance from one another, when possible. Consider installing physical barriers within main offices, as needed. Consider using plastic rather than glass as the coronavirus has been shown to survive on glass for 96 hours and for 72 hours on plastic (CCDPH Partner Call 5/14/2020).

Provide readily accessible cleaning and disinfecting supplies, access to handwashing facilities or hand sanitizer, and gloves for employees, as appropriate. Maintain a regular cleaning and disinfection schedule of frequently touched items, which may include phones, desktops, fax machines or copiers, door handles, etc.

Where possible, provide each employee with a personal supply of office supplies, such as staplers, tape dispensers, pens, and pencils, to eliminate transmission through shared items. Any shared office supplies should be disinfected after each use. Staff workrooms and lounges also must adhere to 6-foot distancing. Consider capacity limitations, depending on the size of the space and availability of seating. Make cleaning supplies available and establish protocols for cleaning frequently touched items, such as copy machines, table surfaces, refrigerator door handles, microwaves, coffee makers, etc. Consider removing any items that cannot be properly cleaned and disinfected for reuse. Consider providing disposable plastic utensils. Post signs regarding proper hand hygiene, capacity limits, and other protocols.

## **Student Transportation**

Schools and districts should create procedures to assure compliance with all applicable expectations under state and federal guidelines. All individuals on a bus must wear a face covering, no more than 50 individuals should be on a bus at one time, and social distancing must be maintained to the greatest extent possible. Students must undergo symptom and temperature checks, which may include self-certification, before boarding a bus. These procedures may need to be updated regularly. Students and families should be aware of procedures and expectations regarding transportation.

Drivers and monitors must wear approved and appropriate PPE and perform regular hand hygiene. See Appendix F for information regarding PPE. Drivers and monitors must undergo symptom and temperature checks or self-certify and verify that they are free of symptoms before the start of each workday. Drivers and monitors who have a temperature greater than 100.4 degrees Fahrenheit/38 degrees Celsius or symptoms of COVID-19 may not work. Drivers and monitors who become ill during their route should contact their supervisor immediately.

All individuals on a bus must wear a face covering. Student transportation should apply the most feasible social distancing guidelines. The [CDC recommends](#) that entities should “create distance between children on school buses ...when possible.” No more than 10 individuals may be on a vehicle at any one time during Phase 3. No more than 50 individuals may be on a vehicle at any one time during Phase 4. All physical changes to school transportation vehicles must meet Illinois Department of Transportation (IDOT) and Secretary of State rules and regulations.

Districts are encouraged to provide visual guides to ensure that students comply with expectations set forth by the IDPH (e.g., floor decals, colored tape, or signs to indicate where students should not sit or stand may be used to assist in compliance).

Seating charts are also recommended. Seating arrangements with respect to social distancing can be adjusted for students who live in a household with other students. Schools and districts are encouraged to monitor students at school loading and unloading zones. IEP or 504 teams should meet to determine individual transportation needs for students who require special accommodations.

Considerations should be given to the provision of appropriate supplies to prevent the spread of COVID-19 (e.g., hand sanitizers, gloves, face coverings, tissues, and trash receptacles).

All required IDOT inspections should occur. In addition, sanitization should be completed daily or between use on all vehicles used for student transportation. Individuals should disinfect vehicles using only products that meet the EPA criteria and manufacturers’ guidelines.

## **Physical Education, Gymnasiums, Pools, and Locker Rooms**

Physical activity can support students’ overall health and well-being and help reduce stress and anxiety. Face coverings must be worn. No more than 10 individuals may be in one space at any one time during Phase 3. No more than 50 individuals may be in one space at any one time during Phase 4. Activities must allow for 6-foot distance between students as much as possible. Games and sport activities that require close guarding and any potential physical contact with another player must be avoided in order to comply with IDPH requirements. Whenever feasible and weather permitting, educators should select outdoor physical education activities that allow natural social distancing.

If physical education must be taught inside, consider using separate partitions in open spaces, utilizing markings on the gymnasium floor/wall/field to maintain distance between participants. Hand shaking, high fives, or other physical contact is prohibited. It is recommended that educators have access to technology to broadcast instruction to maximize social distancing (e.g., megaphone or microphone).

Schools and districts with pools must follow [IDPH guidance](#) on swimming facilities.

Districts should consider eliminating the need for use of locker rooms, as well as allowing students to participate in activities without changing clothing. Shoe changes can be

done in the classroom prior to arrival in PE. Lockers that are used should not be shared, and showers should not be required for activities.

The use of shared equipment is not recommended. Any shared equipment must be cleaned between each student use and disinfected at the end of each class. Fitness center equipment, such as treadmills, ellipticals, stationary bicycles, weights, etc., should be cleaned and sanitized before and after each class. Focus on frequently touched surfaces, such as keypads, hand weights, handles, etc. Maintaining 6-foot distance between participants may include using only every other treadmill/bicycle or installing dividers between each machine or equipment piece.

Students and staff should perform hand hygiene at the start and end of each class period or when hands are visibly dirty. Students should also perform hand hygiene after the use of each piece of equipment.

## **Illness and Diagnoses Monitoring**

Schools should institute a tracking process to maintain ongoing monitoring of individuals excluded from school because they have COVID-19-like symptoms, have been diagnosed with COVID-19, or have been exposed to someone with COVID-19 and are in quarantine. Tracking ensures CDC and local health authority criteria for discontinuing home isolation or quarantine are met before a student or staff member returns to school. Tracking methods include checking in with the school nurse upon return to school to verify resolution of symptoms and that any other criteria for discontinuation of quarantine have been met. Tracking should take place prior to a return to the classroom. Schools should communicate this process to all members of the school community prior to the resumption of in-person learning. This communication should be translated into the languages appropriate for the communities served.

Continual communicable disease diagnosis monitoring and the monitoring of student and staff absenteeism should occur through collaboration of those taking absence reports and school nurses/school health staff. Employees and families must be encouraged to report specific symptoms, COVID-19 diagnoses, and COVID-19 exposures when reporting absences. Districts should maintain a current list of community testing sites to share with staff, families, and students. Districts must be prepared to offer assistance to local health departments when contact tracing is needed after a confirmed case of COVID-19 is identified. This may include activities such as identifying the individual's assigned areas and movement throughout the building.

Confirmed cases of COVID-19 should be reported to the local health department by the school nurse or designee as required by the Illinois Infectious Disease Reporting requirements issued by IDPH. Districts should inform the school community of outbreaks per local and state health department guidelines while maintaining student and staff confidentiality rights.

## **Mental Health**

Considerations should be given to the impact that COVID-19 has had on the mental health of faculty, staff, students, and their families. Consider monitoring the mental and emotional well-

being of students and staff members. Districts are encouraged to provide training to staff to increase awareness of the impact of COVID-19. Access to school counselors and supports should be as readily available as possible and communicated to students. Consider developing and implementing a crisis management team to provide supports, as needed, to staff and students. Provide support services to staff members (e.g., employee assistance programs).

## **Napping/Rest Time**

Ensure that children's naptime mats and cots are spaced at least [6 feet apart](#) as much as possible. Consider placing children head to toe to further reduce the potential for viral spread. Use bedding (sheets, pillows, blankets, sleeping bags) that can be washed [weekly](#). Keep each child's bedding separate and stored in individually labeled bins, cubbies, or bags. Label cots and mats individually for each child.

## **Instructional (Self-Contained) Classrooms Housing Students Who Are Medically Fragile or May Have Behavioral, Developmental, or Emotional Challenges**

The risk of infectious disease exposure may be much higher for staff providing care for medically fragile students. Districts should provide appropriate PPE for continuous wear and during procedures (e.g., gowns and face shields during aerosolizing procedures). Maintaining strict social distancing will not likely be feasible due to the personal nature of common care and services, including feeding, toileting, suctioning, position changes, diaper changing, hand-over-hand assistance, physical therapy, occupational therapy. Appropriate PPE should be used in conjunction with appropriate hand hygiene and [standard precautions](#).

Consider locations where specialized procedures (such as suctioning and tube feedings) currently occur, which may be in the classroom. Evaluate if this is safe to continue or should be moved to a clean area of the health office.

Plan for acute respiratory treatment care using up-to-date standards of care. Nebulizer treatments and suctioning are identified by the CDC as aerosol-generating procedures and require an N95 mask fitted to the health care worker. See [CDC Guidance for Aerosol Generating Procedures](#).

## **Related Services for Students (OT/PT, Speech, Social Work Services, etc.)**

Consider telehealth visits, if possible. Limit the number of therapists in the therapy room if on-site visits are needed or consider an alternative space for movement. Face coverings must be worn and social distance must be maintained, when possible. Add visual markers on the floor to aid in social distancing. Materials (e.g., Lycra tunnel or other porous materials, sensory swing, carpet squares, foam items) must be cleaned and sanitized between uses with enough time to let the material properly dry.

In-person instruction at home is allowed for medically homebound students. Find additional information on homebound instruction [here](#).

## **Before- and After-Care and Other Programs**

Many schools house before- and after-school programs administered by school districts or external entities. Visitors and the use of school facilities by external parties should be discouraged as much as possible, but some programs, such as child care, are critical to the communities they serve. Child care programs in schools, even if deemed license-exempt, should follow the IDPH and DCFS guidance for licensed child care facilities. Child care should be available for all families that need it in Phases 3 and 4 (not restricted to only families of essential workers as it was in Phases 1 and 2), according to the Restore Illinois Plan for Reopening Child Care in Illinois. Child care programs in schools will be required to follow all infection control measures that are used during the school day (e.g., social distancing when possible, face coverings, cleaning, and sanitation).

Once requirements are determined, organizations and groups that wish to access a school's facilities should submit a plan that addresses procedures for program implementation during the public health emergency. The school district and school nurse and/or other health-related officials should review such plans to ensure conformance with school district procedures. School districts may consider limiting or suspending non-critical in-person before- or after-school programs (e.g., leisure-based programs, social clubs, etc.) or offer remote opportunities for engagement.

## **Library Areas**

Consider using the library space as a regular classroom if the school needs additional classroom space to adhere to capacity limits and social distancing requirements. A district could also stagger use of the library and disinfect it in between use. Consider delivering library items to classrooms or having library staff visit classrooms or provide video presentations, such as library instruction and read-a-louds.

## **Health Offices**

Consider an appropriate health office space that allows for 6-foot distancing between students, separation area for sick students, sink for hygiene, appropriate lighting, and proper ventilation. A bathroom within or near the space is also recommended. Consider proper ventilation; open windows for fresh air, when possible. Consider use of plastic barriers around staff desks and between student care areas or curtains and the implementation of two separate entrances to the health office space to allow one to be used by students without illness symptoms and one to be used by students with illness symptoms.

Provide a supervised quarantine space for students/staff who are experiencing COVID-19-like symptoms and may be awaiting evaluation and/or pickup. Students must never be left alone and must be supervised at all times while maintaining necessary precautions within the quarantine space. Judgment of nursing professionals or administrator/designee (in the absence of a nurse) must determine who is placed in the quarantine space and the level of supervision (e.g., supervised by nurse or unlicensed personnel) required for persons within the quarantine space. Nursing documentation would reflect student placement in the quarantine space.

Evaluate the current school health office space and determine if there is space for quarantine. If space is not available, consider moving the school health work area to another larger location. Consider restroom access for persons in the quarantine space and ensure cleaning of the restroom is consistent with the quarantine space. Give preference to a room/space with an exterior door to avoid the need for an ill person to move throughout the building on exit. The quarantine space must be disinfected after it is occupied by a student and deep cleaned daily. Only essential staff and students assigned to the space may enter. Students exhibiting COVID-19-like symptoms must wear a face covering unless medically contraindicated. Per [CDC Guidance](#), close off areas used by a sick person; do not use these areas until after [cleaning and disinfecting](#). Wait at least 24 hours before cleaning and disinfecting. If 24 hours is not feasible, wait as long as possible.

Supply school nurses and/or the administrator/designee working with individuals with illness symptoms with appropriate PPE. School nurses should use PPE, including gloves and face coverings, when interacting with students and staff. Appropriate PPE should be used in conjunction with appropriate hand hygiene and [standard precautions](#). Personal care aides working with medically fragile students should wear PPE (e.g., face shields, face masks, and gloves).

Implement strategies to reduce unnecessary visits from students, staff, and visitors; reduce health office congestion; reduce exposure to infection; and allow for separation. Consider asking school staff to call ahead or implement a pass or an online appointment process to ensure the capacity of the health office can handle additional visits in areas of social distancing and separation. Persons with common health conditions or those who need basic first aid should not report to the health office but may be managed in the classroom/alternate setting. Provide staff with first aid supplies, such as bandages and gauze, in the classrooms. In certain situations, students may need to stay in place for an in-person evaluation by the school nurse.

Healthy students reporting to the health office for medical management, such as medications, tube feeding, assessment of injury, or first aid, must be treated in a separate clean designated area inside or outside the health office to prevent contact with potentially ill children. Plan for medication/treatment schedules if students will not be present for in-person learning each day to ensure students have adequate supplies at home and at school and that health office staff are clear on student schedules to ensure medications and treatments are completed. Consider locations where specialized procedures, such as suctioning and tube feedings, currently occur (which may be in the classroom). Evaluate if these procedures are safe to continue in that space or should be moved to a clean area of the health office.

Plan for acute respiratory treatment care using up-to-date standards of care. See [CDC Guidance for Aerosol Generating Procedures](#). Nebulizer treatments should be administered at home. Consult with health care provider for alternate asthma medication delivery systems. Any asthma action plans should be reviewed prior to student arrival at school. Staff should review the signs and symptoms of respiratory distress, as well as how to respond to respiratory distress. The health office must be routinely cleaned. High-touch surfaces in the health office must be cleaned daily with a disinfectant noted to *kill* the coronavirus. Require hand hygiene between each student encounter.

Parents, guardians, or other authorized individuals should pick up ill students within a reasonable amount of time; students should not be allowed to utilize the school bus or public transportation for the return to home.

Districts are encouraged to maintain a nurse in each building, if possible. Districts are encouraged to maintain a list of substitute nurses to provide nursing services in case of nurse absence, including prolonged absence due to COVID-19 diagnosis or exposure. In the absence of a nurse, each school district's administrators must determine who will be responsible for meeting the health-related needs of students and staff.

## **Extracurriculars**

Extracurricular activities must follow the IDPH requirements set forth for the school setting, which include social distancing, appropriate use of PPE, limiting the number of individuals in one space to 10 individuals during Phase 3 and to 50 or fewer in Phase 4, and cleaning and disinfecting to prevent the spread of COVID-19.

## **Playgrounds**

Playgrounds are closed during Phase 3. Playgrounds may be utilized during Phase 4; however, districts may want to consider not allowing the use of playground equipment due to social distancing requirements. Playground equipment that is to be used should be monitored, and the number of students using each piece of equipment should be limited. Consider staggering playground times to allow one class in a playground space at one time rather than multiple classes playing together. Maintain appropriate cleaning of playground equipment. Any equipment/items that cannot be cleaned should not be utilized. Discourage the sharing of toys. High-touch surfaces made of plastic/metal, such as swings/slides, railings, and other play structures, should be cleaned routinely and disinfected as per the most recent [CDC guidance](#).

Students should perform hand hygiene prior to touching playground equipment and upon return from the playground.

## **Auditorium/Multi-Purpose Rooms**

Schools must limit the number of individuals in one space to 10 or fewer in fewer during Phase 3 or 50 or fewer during Phase 4. Limit the mixing of different classes of students in the space at one time. Consider using auditoriums/multi-purpose rooms as regular classroom spaces to reduce the number of students in regular classrooms and maximize social distancing. Ensure auditoriums and multi-purpose rooms that are used are cleaned and sanitized daily and in between groups as much as possible.

## **Career and Technical Education and Dual Credit**

Develop procedures and protocols to properly clean and disinfect career and technical education (CTE) equipment and workspaces. It may be impractical to individually disinfect all CTE



materials, such as nails, wires, clay, etc., so consider having CTE students wear disposable gloves when working with equipment. Individuals should wash their hands after removing their gloves.

Some CTE students take courses at both the high school and a career center or community college. When implementing modified schedules or Blended Remote Learning Days, consider the needs of CTE and other dually enrolled students. Consider exposure risks when traveling to a different school site and coming into contact with other groups. The CDC advises allowing minimal mixing between groups. Districts should maintain a log of the sites that students visit.

Districts are advised seek legal consultation if students are participating in medically related coursework, which requires clinical fieldwork experience.

If students are absent from school due to illness related to COVID-19, schools should take into consideration the requirements for certifications/credentialing and obtainment of early college credit. Districts should consider how a student's coursework could be modified due to illness or how field experience hours could be obtained when the student has recovered from COVID-19 illness and is cleared to return to school.

Districts should prohibit or limit the self-serving or sharing of food products in classes during which students prepare food. Outside food/food products should not be brought in from home. Districts are encouraged to seek guidance from their local health departments regarding guidelines for food handling/consumption. Students should use disposable items whenever possible and follow protocols in line with those of food service/cafeteria staff, which also provides an additional in-context learning opportunity.

## **Field Trips**

Field trips are discouraged until state and local health officials have determined that it is safe to resume them. The CDC recommends pursuing virtual activities and events in lieu of field trips. When safe to resume, allow minimal interaction of different groups of students. Ensure IDPH requirements for social distancing, capacity limits, hand hygiene, and PPE both at the field trip destination and during travel to and from the location are met.

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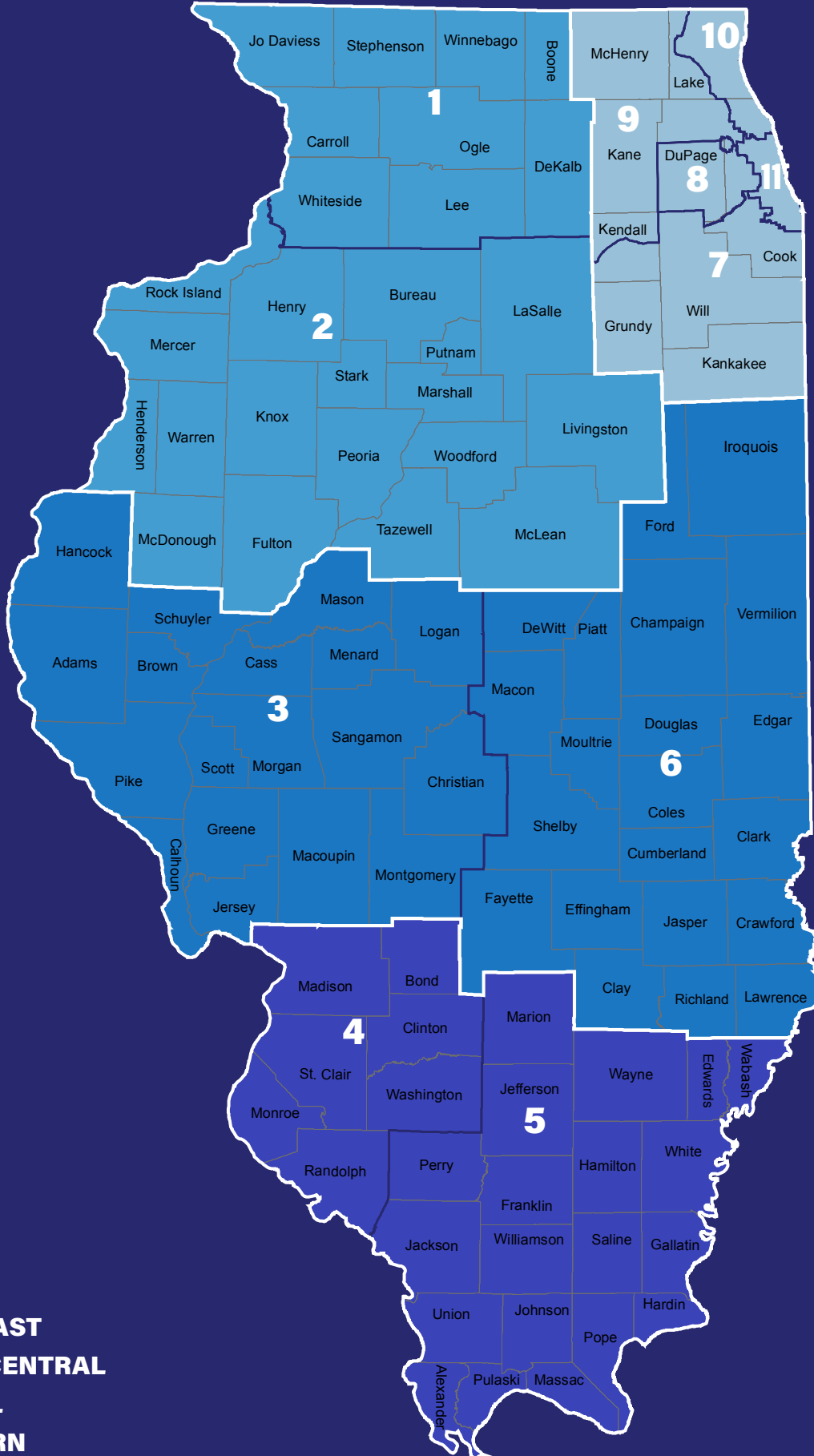
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# RESTORE ILLINOIS HEALTH REGIONS



- NORTHEAST**
- NORTH-CENTRAL**
- CENTRAL**
- SOUTHERN**



## Phase 4 Transition Guide

Facilities	Staff	Students	Parents/Community
<b>1st week of preparation for in-person, teacher attendance, prior to instruction</b>			
<ul style="list-style-type: none"> <li>Communicate new safety protocols to all staff in advance.</li> <li>Food service logistical preparation of kitchens and food service in classroom vs. in cafeteria as IDPH/CDC recommends.</li> </ul>	<ul style="list-style-type: none"> <li>Consider the location of institute days for the start of year professional development, if social distancing is still required.</li> <li>Professional development should address topics congruent with district needs based on the intake survey.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that an adequate closure to the 2019-20 year has taken place or is scheduled.</li> <li>Conduct intake assessment survey.</li> </ul>	<ul style="list-style-type: none"> <li>Communicate new safety protocols to include health related attendance and exclusionary criteria and any new schedules to all staff in advance.</li> <li>Share Transition Plans with the community through direct communications, including phone call, text message, and email.</li> </ul>
<b>Prior to student and teacher arrival</b>			
<ul style="list-style-type: none"> <li>Implement appropriate cleaning of facilities over summer and prepare schedule for the year.</li> <li>Train building and grounds staff on any new sanitation protocols.</li> <li>Train food service staff on serving guidelines.</li> <li>Move in staff, relocate furniture, assess building preparedness for student arrival.</li> <li>Prepare bus service to comply with IDPH/CDC requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure all staff receive any relevant training, including any OSHA training or hygiene training.</li> <li>Vertical articulation time for teachers to meet.</li> <li>Staff time for teachers to prepare their classroom and close out any items from last year.</li> <li>Coordinating comprehensive professional development opportunities with all employees.</li> </ul>	<ul style="list-style-type: none"> <li>Ensure that an adequate closure to the 2019-20 year has taken place or is scheduled.</li> <li>Conduct intake assessment survey.</li> </ul>	<ul style="list-style-type: none"> <li>Communicate new safety protocols to include health related attendance and exclusionary criteria and any new schedules to all staff in advance.</li> <li>Share Transition Plans with the community through direct communications, including phone call, text message, and email.</li> </ul>
<b>1st week of in-person instruction</b>			
<ul style="list-style-type: none"> <li>All service providers, cleaning personnel, food service staff are all back to in-person work with fully established new structures and protocols</li> </ul>	<ul style="list-style-type: none"> <li>Consider the location of institute days for the start of year professional development, if social distancing is still required.</li> <li>Professional development should address topics of:               <ul style="list-style-type: none"> <li>- Assessing learning</li> <li>- Assessing learning gaps</li> <li>- Supporting SEL initiatives</li> <li>- Addressing Incomplete grades from 2019-20</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Ensure that an adequate closure to the 2019-20 year has taken place or is scheduled.</li> <li>The typical spring time "Step Up Day" to meet the new teacher, school, and classmates should be considered as a back to in-person instruction event for students entering a new building, following IDPH requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Continue parent education and communications for start of the year information.</li> </ul>
<b>2nd week of in-person instruction</b>			
<ul style="list-style-type: none"> <li>Assess effectiveness of school service protocols and make any necessary revisions.</li> </ul>	<ul style="list-style-type: none"> <li>Focus early institute days and early dismissals to provide staff time to focus on:               <ul style="list-style-type: none"> <li>- Unit planning for 1st quarter/semester.</li> <li>- Adjust Pacing Guides for rest of year based on standards</li> <li>- Re-engagement of teaching and learning</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Majority of students are in full grade level routines and structures.</li> <li>Students who are not regularly attending should be identified and provided additional supports.</li> <li>Schools may consider a rolling entry for populations of students such as half days or modified schedules.</li> </ul>	<ul style="list-style-type: none"> <li>Update families and communities on the start of the year experiences and events that have taken place.</li> <li>Focus on reassuring parents, offering resources, and moving forward through the rest of the 1st quarter/semester</li> </ul>
<b>3rd week of in-person instruction</b>			
<ul style="list-style-type: none"> <li>Routines are established and regularly reviewed based on IDPH requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Expand on supporting students through relationship building as content and instruction is provided to greater degrees.</li> <li>All Incomplete grades from 2019-20 should be resolved or nearly resolved.</li> </ul>	<ul style="list-style-type: none"> <li>Students know where to get help as needed, but almost all are fully integrated into the school routine.</li> </ul>	<ul style="list-style-type: none"> <li>Individual meetings with parents to discuss student achievement and individualized plans to support student learning and socio-emotional growth in school and at home.</li> </ul>

# Sample Student Intake/Needs Assessment

Student: \_\_\_\_\_

Parent/Guardian who was contacted:  
\_\_\_\_\_

Verify address: \_\_\_\_\_

Verify preferred contact information: \_\_\_\_\_

Verify preferred contact language in which to receive school communications:  
\_\_\_\_\_

Verify emergency contacts or persons to contact in case of student illness:  
\_\_\_\_\_

Reminder: If immunizations are due, students cannot attend unless there are immunizations on file or an appropriate exemption by \_\_\_\_\_.

What impact has the pandemic had on the family?

- Illness: \_\_\_\_\_
- Death: \_\_\_\_\_
- Economic: \_\_\_\_\_
- Other: \_\_\_\_\_

Are the parents/guardians employed?  Yes  No

- Medical service provider?
- First responder?

Is the student employed?  Yes  No

If so, what schedule? \_\_\_\_\_

What educational activities has the student been engaged in since school was last in session?

\_\_\_\_\_

Is there access to reliable internet in the home?  Yes  No

Is there access to a reliable computer in the home?  Yes  No

Does the family have access to reliable transportation (not school-provided) to bring the student to and from school?  Yes  No

Does the family have any specific needs that the district might be able to assist?

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Are there any concerns regarding the student returning to school?

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Verify possession of district property and remind them to return.

Follow-Up Contact by/for:

Free and Reduced-Lunch Eligibility

Nurse

Homeless Coordinator

Counselor

Other: -----

*Adapted from Missouri School Boards' Association's Center for Education Safety sample survey form developed by the School-Based Health Alliance of Missouri.*

# Schedules to Begin the School Year

## Phase-In with Professional Learning

	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Group 1:</b> <b>9th-12th Blue Team</b>	In-person Planning for Teachers	<i>Remote learning</i>	In-person Planning for Teachers	<i>Remote learning</i>	In-person Planning for Teachers
<b>Group 2:</b> <b>9th-12th Gold Team</b>	<i>Remote learning</i>	In-person Planning for Teachers	<i>Remote learning</i>	In-person Planning for Teachers	<i>Remote learning</i>

## Full In-Person Instruction with Phase-In

	Week 1	Week 2	Week 3
<b>In-Person Instruction</b>	Elementary School	Elementary and Middle School	Elementary, Middle, High School
<b>Remote Learning</b>	Middle and High School	High School	

You may choose to prioritize in-person instruction for transitional grades

	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Week 1</b>	PreK-1st Grade 6th Grade 9th Grade	PreK-1st Grade 6th Grade 9th Grade	PreK-1st Grade 6th Grade 9th Grade	PreK-3rd Grade 6th-7th Grade 9th-10th Grade	PreK-3rd Grade 6th-7th Grade 9th-10th Grade
<b>Week 2</b>	PreK-3rd Grade 6th-7th Grade 9th-10th Grade	All students returned			

# Blended Remote Learning Schedules

## Blended Remote Learning with Alternating Weeks

	Week 1	Week 2
<b>In-Person Instruction</b>	Student Grouping #1 Prioritized IEP, 504, EL Students	Student Grouping #2 Prioritized IEP, 504, EL Students
<b>Remote Learning</b>	Student Group #2	Student Group #1

## Blended Remote Learning with AM/PM

	8 a.m. - 11 a.m.	12 p.m. - 3 p.m.
<b>Student Grouping 1</b>	In-Person Instruction	Remote Learning
<b>Student Grouping 2</b>	Remote Learning	In-Person Instruction
<b>Prioritized IEP, 504, EL Students</b>	In-Person Instruction	In-Person Instruction

## Blended Remote Learning with Alternative Dates

	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Prek-1st Grade</b>	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction
<b>2nd-3rd Grade</b>	In-Person Instruction	Remote Learning	In-Person Instruction	Remote Learning	In-Person Instruction
<b>4th-6th Grade</b>	Remote Learning	In-Person Instruction	Remote Learning	In-Person Instruction	Remote Learning
<b>Prioritized IEP, 504, EL Students</b>	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction

## Elementary Face-to-Face and Secondary Remote Learning

	Monday	Tuesday	Wednesday	Thursday	Friday
<b>Elementary</b>	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction
<b>Prioritized IEP, 504, EL Students</b>	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction	In-Person Instruction
<b>Secondary</b>	Remote Learning	Remote Learning	Remote Learning	Remote Learning	Remote Learning

## Full In-Person Instruction with Staggered A/B Schedules

	Group 1 – A Schedule	Group 2 – B Schedule
<b>1st Period</b>	8-9 a.m.	8:30-9:30 a.m.
<b>2nd Period</b>	9-10 a.m.	9:30-10:30 a.m.
<b>3rd Period</b>	10-11 a.m.	10:30-11:30 a.m.
<b>Lunch</b>	11 a.m. - Noon (in classrooms)	11:30 a.m. - 12:30 p.m. (in classrooms)
<b>4th Period</b>	Noon-1 p.m.	12:30-1:30 p.m.
<b>5th Period</b>	1-2 p.m.	1:30-2:30 p.m.
<b>Dismissal</b>	2-2:30 p.m.	1:30-2:30 p.m.

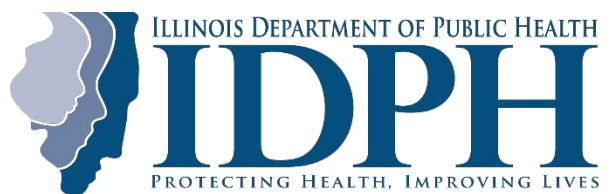
# Personal Protective Equipment

Ensure that appropriate PPE is made available to and used by staff, based on job-specific duties and risk of exposure.

Item	Examples
<p><b>Face Coverings</b></p> 	<p>Types:  <a href="https://www.cdc.gov/coronavirus/2019-ncov/hcp/using-ppe.html">https://www.cdc.gov/coronavirus/2019-ncov/hcp/using-ppe.html</a></p> <ol style="list-style-type: none"> <li>1. N95 masks</li> <li>2. Surgical masks</li> <li>3. Homemade masks/face coverings. The Illinois Department of Public Health has provided guidance on when to where a mask, how to construct a mask and how to care for masks. <a href="https://www.dph.illinois.gov/covid19/community-guidance/mask-use">https://www.dph.illinois.gov/covid19/community-guidance/mask-use</a> The U.S. Centers for Disease Control and Prevention (CDC) now recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission. CDC also advises the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others.</li> </ol>
<p><b>Eye and Face Protective Tools</b></p>	<p>Types:  <a href="https://www.cdc.gov/niosh/topics/eye/eye-infectious.html">https://www.cdc.gov/niosh/topics/eye/eye-infectious.html</a></p> <ol style="list-style-type: none"> <li>1. Face Shields</li> <li>2. Safety Goggles</li> <li>3. Safety Glasses</li> </ol>
<p><b>Gloves</b></p>	<p>Types:</p> <ol style="list-style-type: none"> <li>1. Surgical gloves</li> <li>2. Nitrile gloves</li> <li>3. Food service gloves</li> <li>4. Plastic gloves</li> </ol>
<p><b>Isolation Gown</b></p>	<p>Guidance for Schools  <a href="https://dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus/schools-guidance">https://dph.illinois.gov/topics-services/diseases-and-conditions/diseases-a-z-list/coronavirus/schools-guidance</a></p>
<p><b>Cleaning Supplies/Disinfectant</b></p>	<p>Normal janitorial cleaning and disinfectant supplies probably are sufficient, but preference should be given to items on USEPA's List N: Disinfectants for use against SARS CoV 2.  <a href="https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2">https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2</a></p>
<p><b>Soap</b></p>	<p>Regular soap is sufficient provided individuals washes their hands for twenty seconds using soap and warm water.</p>
<p><b>Thermometers</b></p>	<p>Non-contact thermometers preferred.</p>
<p><b>Hand Sanitizer</b></p>	<p>Hand sanitizer should contain at least 60 to 95% alcohol</p>



**Illinois  
State Board of  
Education**



# GROUP EXHIBIT 2

June 26, 2020, June 29, 2020, and July 1, 2020 Letters from T. DeVore to C. Ayala and N. Ezike on behalf of Parkview Christian Academy, Families of Faith Christian Academy, and Hutsonville CUSD #1





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OPERATIONS

JUL - 1 2020

RECEIVED BY:

June 26, 2020

Dr. Carmen I. Ayala  
Illinois State Board of Education  
100 N. 1st Street  
Springfield, IL 62777

Dr. Ngozi Ezike  
Illinois Department of Health  
525-535 West Jefferson Street  
Springfield, IL 62761

**IN RE: PARKVIEW CHRISTIAN ACADEMY**

Dear Dr. Ayala & Dr. Ezike,

Please be advised I represent Parkview Christian Academy which is a private educational institution located in Yorkville, IL. My client is in receipt of the 63-page "Part 3-Transition Joint Guidance" which was released by your respective agencies on June 23, 2020. For the following reasons, my client is respectfully advising your agencies it is declining to implement the health and safety protocols as outlined in the guidance document.

- 1) I have reviewed the six pages of resources you cite as substantive authority supporting the basis for promulgating these guidelines. Nowhere in those six pages do I see any citation to the United States Constitution, Illinois Constitution, Illinois Department of Health Act, Illinois School Code, or any legitimate legal source for that matter, which purports to delegate your administrative agencies any lawful authority to mandate such rules upon private or public schools, or more directly, the parents and school children of our state.
- 2) While on page 3 of your promulgated guidance document you declare all public and non-public schools serving pre-kindergarten through 12th grade students must follow these guidelines, you again fail to reference any legislative act which delegated to each of your agencies the authority to place such demands upon schools, parents or our children.

Legally your administrative authority is limited to that which has been delegated to you by the people's branch of government, being the legislature. To that end, I would direct your attention to the Illinois School Code. In the 1,359 pages of the School Code, the Department of Public Health is mentioned exactly 29 times; however, in none of those references can it be found where the legislature requires any school, private or public, to enforce these health and safety protocols without question.

- 3) In numerous places within the guidelines your agencies make it clear the purpose is to allegedly "prevent the spread of COVID-19". A noble concept no doubt, but notwithstanding the questionable efficacy of the proposed guidelines, such generalized health regulations have for almost a century been deemed beyond your authority by our Illinois Supreme Court. "Health authorities cannot promulgate and enforce rules which merely have a tendency to prevent the spread of contagious and infectious diseases." See *Barmore v. Robertson*, 134 N.E. 815, 819 (Ill. 1922).
- 4) In *Barmore*, the Illinois Supreme Court also acknowledged health regulations cannot be arbitrary and unreasonable. To that end, a school building is no different than a church building as it relates to these health and safety protocols. Within the past few weeks, the Illinois Department of Health promulgated recommendations wherein a variety of similar health and safety protocols were merely recommended within church buildings. It defies all bounds of reason as to how recommendations are sufficient inside a church building but somehow the same recommendations would be ineffective inside a school building, especially when the latter is filled with children who are far less at risk than older individuals according to your suggested facts and science. Such inconsistencies by your agencies meet the very definition of arbitrary and unreasonable.
- 5) The Governor in his most recent press conference acknowledged the dubious nature of these guidelines wherein he all but admitted to a reporter that no enforcement mechanism exists. To that extent, I agree with the Governor. As such, reasonable and intelligent people must conclude that a purported "rule", which has no cognizable enforcement mechanism, is in fact not a rule, but merely a recommendation.

For these reasons, my client will respectfully consider the recommendations your agencies have provided but cannot in good conscious, given their legal and moral obligations to those they

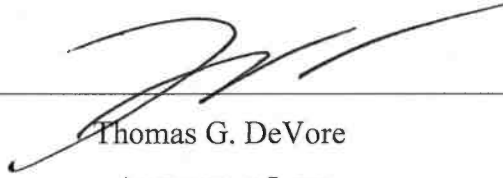
serve, fully implement them. After thoughtful consideration, and upon discussion with local agencies, school administrators, teachers and parents, my client will determine what additional health and safety protocols it might choose to add to its current guidelines for the upcoming year. With all due respect to your recommendations, my client is inclined to advise your agencies they are reasonably certain such additional protocols will not include a mandate that staff, parents or children be required to wear any type face coverings at all times.

Should you have any questions or need further information, please do not hesitate to contact my office directly at (618)-664-9439.

---

Very truly yours,

**Silver Lake Group, Ltd.**

A handwritten signature in black ink, appearing to read 'T. DeVore', is written over a horizontal line.

Thomas G. DeVore

Attorney at Law

Copy: Mr. Jed Davis, Board President (*via email*)



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OPERATIONS

June 29, 2020

JUL - 7 2020

Dr. Carmen I. Ayala  
Illinois State Board of Education  
100 N. 1st Street  
Springfield, IL 62777

RECEIVED BY:

Dr. Ngozi Ezike  
Illinois Department of Health  
525-535 West Jefferson Street  
Springfield, IL 62761

IN RE: FAMILIES OF FAITH CHRISTIAN ACADEMY

Dear Dr. Ayala & Dr. Ezike,

Please be advised I represent Families of Faith Christian Academy which is a private educational institution located in Channahon, IL. My client is in receipt of the 63-page "Part 3-Transition Joint Guidance" which was released by your respective agencies on June 23, 2020. For the following reasons, my client is respectfully advising your agencies it is declining to implement the health and safety protocols as outlined in the guidance document.

- 1) I have reviewed the six pages of resources you cite as substantive authority supporting the basis for promulgating these guidelines. Nowhere in those six pages do I see any citation to the United States Constitution, Illinois Constitution, Illinois Department of Health Act, Illinois School Code, or any legitimate legal source for that matter, which purports to delegate your administrative agencies any lawful authority to mandate such rules upon private or public schools, or more directly, the parents and school children of our state.
- 2) While on page 3 of your promulgated guidance document you declare all public and non-public schools serving pre-kindergarten through 12th grade students must follow these guidelines, you again fail to reference any legislative act which delegated to each

of your agencies the authority to place such demands upon schools, parents or our children.

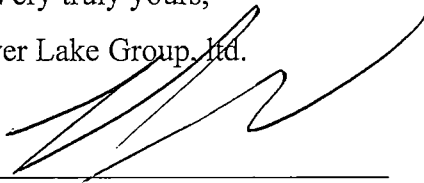
Legally your administrative authority is limited to that which has been delegated to you by the people's branch of government, being the legislature. To that end, I would direct your attention to the Illinois School Code. In the 1,359 pages of the School Code, the Department of Public Health is mentioned exactly 29 times; however, in none of those references can it be found where the legislature requires any school, private or public, to enforce these health and safety protocols without question.

- 3) In numerous places within the guidelines your agencies make it clear the purpose is to allegedly "prevent the spread of COVID-19". A noble concept no doubt, but notwithstanding the questionable efficacy of the proposed guidelines, such generalized health regulations have for almost a century been deemed beyond your authority by our Illinois Supreme Court. "Health authorities cannot promulgate and enforce rules which merely have a tendency to prevent the spread of contagious and infectious diseases." See *Barmore v. Robertson*, 134 N.E. 815, 819 (Ill. 1922).
- 4) In *Barmore*, the Illinois Supreme Court also acknowledged health regulations cannot be arbitrary and unreasonable. To that end, a school building is no different than a church building as it relates to these health and safety protocols. Within the past few weeks, the Illinois Department of Health promulgated recommendations wherein a variety of similar health and safety protocols were merely recommended within church buildings. It defies all bounds of reason as to how recommendations are sufficient inside a church building but somehow the same recommendations would be ineffective inside a school building, especially when the latter is filled with children who are far less at risk than older individuals according to your suggested facts and science. Such inconsistencies by your agencies meet the very definition of arbitrary and unreasonable.
- 5) The Governor in his most recent press conference acknowledged the dubious nature of these guidelines wherein he all but admitted to a reporter that no enforcement mechanism exists. To that extent, I agree with the Governor. As such, reasonable and intelligent people must conclude that a purported "rule", which has no cognizable enforcement mechanism, is in fact not a rule, but merely a recommendation.

For these reasons, my client will respectfully consider the recommendations your agencies have provided but cannot in good conscious, given their legal and moral obligations to those they serve, fully implement them. After thoughtful consideration, and upon discussion with local agencies, school administrators, teachers and parents, my client will determine what additional health and safety protocols it might choose to add to its current guidelines for the upcoming year. With all due respect to your recommendations, my client is inclined to advise your agencies they are reasonably certain such additional protocols will not include a mandate that staff, parents or children be required to wear any type face coverings at all times.

Should you have any questions or need further information, please do not hesitate to contact my office directly at (618)-664-9439.

Very truly yours,  
Silver Lake Group, Ltd.



---

Thomas G. DeVore  
Attorney at Law

Copy: Pastor Randy Blan, Headmaster (*via email*)



**silver lake group, Ltd.**

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July 1, 2020

Dr. Carmen I. Ayala  
Illinois State Board of Education  
100 N. 1st Street  
Springfield, IL 62777

Dr. Ngozi Ezike  
Illinois Department of Health  
525-535 West Jefferson Street  
Springfield, IL 62761

**IN RE: HUTSONVILLE CUSD #1**

Dear Dr. Ayala & Dr. Ezike,

Please be advised I represent Hutsonville CUSD #1 which is a public school district located in Crawford County. My client is in receipt of the 63-page "Part 3-Transition Joint Guidance" which was released by your respective agencies on June 23, 2020. For the following reasons, my client is respectfully advising your agencies it is declining to implement the health and safety protocols as outlined in the guidance document.

- 1) I have reviewed the six pages of resources you cite as substantive authority supporting the basis for promulgating these guidelines. Nowhere in those six pages do I see any citation to the United States Constitution, Illinois Constitution, Illinois Department of Health Act, Illinois School Code, or any legitimate legal source for that matter, which purports to delegate your administrative agencies any lawful authority to mandate such rules upon private or public schools, or more directly, the parents and school children of our state.
- 2) While on page 3 of your promulgated guidance document you declare all public and non-public schools serving pre-kindergarten through 12th grade students must follow these guidelines, you again fail to reference any legislative act which delegated to each

of your agencies the authority to place such demands upon schools, parents or our children.

While recent events within the executive branch might have emboldened you to believe otherwise, your administrative authority is limited to that which has been delegated to you by the people's branch of government, being the legislature. To that end, I would direct your attention to the Illinois School Code and would respectfully ask that you read every page of it if you have not already. In the 1,359 pages of the Illinois School Code, the Department of Public Health is mentioned exactly 29 times; however, in none of those references can it be found where the legislature requires any school, private or public, to enforce these health and safety protocols without question.

- 3) In numerous places within the guidelines your agencies make it clear the purpose is to allegedly "prevent the spread of COVID-19". A noble concept no doubt, but notwithstanding the questionable efficacy of the proposed guidelines, such generalized health regulations have for almost a century been deemed beyond your authority by our Illinois Supreme Court. "Health authorities cannot promulgate and enforce rules which merely have a tendency to prevent the spread of contagious and infectious diseases." See *Barmore v. Robertson*, 134 N.E. 815, 819 (Ill. 1922).
- 4) In *Barmore*, the Illinois Supreme Court also acknowledged health regulations cannot be arbitrary and unreasonable. To that end, a school building is no different than a church building as it relates to these health and safety protocols. Within the past few weeks, the Illinois Department of Health promulgated recommendations wherein a variety of similar health and safety protocols were merely recommended within church buildings. It defies all bounds of reason as to how recommendations are sufficient inside a church building but somehow the same recommendations would be ineffective inside a school building, especially when the latter is filled with children who are far less at risk than older individuals according to your suggested facts and science. Such inconsistencies by your agencies meet the very definition of arbitrary and unreasonable.
- 5) The Governor in his most recent press conference acknowledged the dubious nature of these guidelines wherein he all but admitted to a reporter that no enforcement mechanism exists. To that extent, I agree with the Governor. As such, reasonable and



intelligent people must conclude that a purported "rule", which has no cognizable enforcement mechanism, is in fact not a rule, but merely a recommendation.

For these reasons, my client will respectfully consider the recommendations your agencies have provided but cannot in good conscious, given their legal and moral obligations to those they serve, blindly acquiesce to them. After thoughtful consideration, and upon discussion with local agencies, school administrators, teachers and parents, my client alone will determine what, if any, additional health and safety protocols it might choose to add to its current guidelines for the upcoming year. With all due respect to your recommendations, my client is inclined to advise your agencies they are reasonably certain such additional protocols, if any, will not include a mandate that staff, parents or children be required to wear any type face coverings.

Should you have any questions or need further information, please do not hesitate to contact my office directly at (618)-664-9439.

Very truly yours,  
**Silver Lake Group, Ltd.**



---

Thomas G. DeVore  
Attorney at Law

Copy: Ms. Julie L. Kramer, Superintendent (*via email*)

# EXHIBIT 3

Governor JB Pritzker's March 9, 2020 Disaster Proclamation

## **GUBERNATORIAL DISASTER PROCLAMATION**

**WHEREAS**, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in China; and,

**WHEREAS**, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

**WHEREAS**, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

**WHEREAS**, we are continuing our efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and,

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared that COVID-19 presents a public health emergency on January 27, 2020; and,

**WHEREAS**, the World Health Organization has reported 109,578 confirmed cases of COVID-19 and 3,809 deaths attributable to COVID-19 globally as of March 9, 2020; and,

**WHEREAS**, in response to the recent COVID-19 outbreaks in China, Iran, Italy and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and,

**WHEREAS**, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel, and has advised all travelers to exercise enhanced precautions; and,

**WHEREAS**, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and,

**WHEREAS**, a vaccine or drug is currently not available for COVID-19; and,

**WHEREAS**, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including staying at home when sick, when a household

member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider and keeping away from others who are sick; and,

**WHEREAS**, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to spread; and,

**WHEREAS**, there are currently 11 confirmed cases of COVID-19 and an additional 260 persons under investigation in Illinois; and,

**WHEREAS**, one of the confirmed cases of COVID-19 in Illinois has not been linked to any travel activity or to an already-confirmed COVID-19 case, which indicates community transmission in Illinois; and,

**WHEREAS**, based on the foregoing, the circumstances surrounding COVID-19 constitute a public health emergency under Section 4 of the Illinois Emergency Management Agency Act; and,

**WHEREAS**, it is the policy of the State of Illinois that the State will be prepared to address any disasters and, therefore, it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure; and,

**WHEREAS**, this proclamation will assist Illinois agencies in coordinating State and Federal resources, including the Strategic National Stockpile of medicines and protective equipment, to support local governments in preparation for any action that may be necessary related to the potential impact of COVID-19 in the State of Illinois; and,

**WHEREAS**, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Agency Act for the issuance of a proclamation of disaster;

**NOW, THEREFORE**, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, JB Pritzker, Governor of the State of Illinois, hereby proclaim as follows:

**Section 1.** Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare all counties in the State of Illinois as a disaster area.

**Section 2.** The Illinois Department of Public Health and the Illinois Emergency Management Agency are directed to coordinate with each other with respect to planning for and responding to the present public health emergency.

**Section 3.** The Illinois Department of Public Health is further directed to cooperate with the Governor, other State agencies and local authorities, including local public health authorities, in the development of strategies and plans to protect the public health in connection with the present public health emergency.

**Section 4.** The Illinois Emergency Management Agency is directed to implement the State Emergency Operations Plan to coordinate State resources to support local governments in disaster response and recovery operations.

**Section 5.** To aid with emergency purchases necessary for response and other emergency powers as authorized by the Illinois Emergency Management Agency Act, the provisions of the Illinois Procurement Code that would in any way prevent, hinder or delay necessary action in coping with the disaster are suspended to the extent they are not required by federal law. If necessary, and in accordance with Section 7(1) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(1), the Governor may take appropriate executive action to suspend additional statutes, orders, rules, and regulations.

**Section 6.** Pursuant to Section 7(3) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(3), this proclamation activates the Governor's authority, as necessary, to transfer the direction, personnel or functions of State departments and agencies or units thereof for the purpose of performing or facilitating emergency response programs.

**Section 7.** The Illinois Department of Public Health, Illinois Department of Insurance and the Illinois Department of Healthcare and Family Services are directed to recommend, and, as appropriate, take necessary actions to ensure consumers do not face financial barriers in accessing diagnostic testing and treatment services for COVID-19.

**Section 8.** The Illinois State Board of Education is directed to recommend, and, as appropriate, take necessary actions to address chronic absenteeism due to transmission of COVID-19 and to alleviate any barriers to the use of e-learning during the effect of this proclamation that exist in the Illinois School Code, 105 ILCS 5/1-1 et. seq.

**Section 9.** Pursuant to Section 7(14) of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(14), increases in the selling price of goods or services, including medical supplies, protective equipment, medications and other commodities intended to assist in the prevention of or treatment and recovery of COVID-19, shall be prohibited in the State of Illinois while this proclamation is in effect:

**Section 10.** This proclamation can facilitate a request for Federal emergency and/or disaster assistance if a complete and comprehensive assessment of damage indicates that effective recovery is beyond the capabilities of the State and affected local governments.

**Section 11.** This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor March 9, 2020  
Filed by the Secretary of State March 9, 2020

# EXHIBIT 4

Governor JB Pritzker's Executive Order 2020-05

➕ View up to date information on how Illinois is handling the Coronavirus Disease 2019 (COVID-19) from the [State of Illinois Coronavirus Response Site \(https://coronavirus.illinois.gov/\)](https://coronavirus.illinois.gov/).

Illinois.gov (/)

# Executive Order 2020-05

EXECUTIVE ORDER 2020-05

March 13, 2020

## EXECUTIVE ORDER IN RESPONSE TO COVID-19

### (COVID-19 EXECUTIVE ORDER NO. 3)

**WHEREAS**, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

**WHEREAS**, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

**WHEREAS**, despite efforts to contain COVID-19, the World Health Organization and the Center for Disease Control (CDC) indicate that it is expected to spread; and,

**WHEREAS**, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick; and,

**WHEREAS**, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 ("Gubernational Disaster Proclamation"); and,

**WHEREAS**, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and,

**WHEREAS**, it is necessary and appropriate for the State of Illinois to immediately take measures to protect the public's health in response to this COVID-19 outbreak;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following:

Section 1. Beginning on March 17, 2020, all public and private schools in Illinois serving pre-kindergarten through 12th grade students must close for educational purposes through March 30, 2020. This requirement does not affect the availability of school buildings for the provision of food or other non-educational services, nor does it affect the availability of school buildings to serve as election polling locations.

Section 2. The definition of "chronic absence" pursuant to 105 ILCS 5/26-18 is suspended, and student absences due to school closures and absences connected to the transmission of COVID-19 during the effect of the Gubernational Disaster Proclamation will not contribute to the calculation of chronic absence.

Section 3. The requirement pursuant to 10 ILCS 5/10-20.56(b) for Illinois school districts to receive approval by the school board before establishing and maintaining a program for the use of electronic-learning (e-learning) is suspended during the effect of the Gubernational Disaster Proclamation. Further, any e-learning program implemented pursuant to this Executive Order need not comply with the requirement to hold a public hearing to 10 ILCS 5/10-20.56(c) or the requirement to communicate protocol to teachers, staff, and students 30 days prior to implementation pursuant to 10 ILCS 5/10-20.56(d)(10). However, any e-learning program adopted pursuant to this Executive Order must be verified by the regional office of education or intermediate service center for the school district, which must ensure that the specific needs of students are met, including special education students and English learners, as required by the 105 ILCS 5/10-20.56(b). Regional offices of education and intermediate service centers are not to deny e-learning plan approvals based solely on the 5 clock hours of instruction or school work required by the 105 ILCS 5/10-19.05 so long as the regional offices of education or intermediate service centers determines that the plan provides substantial student learning opportunities, notwithstanding 105 ILCS 10-20.56(d)(1). E-earning programs adopted pursuant to this Executive Order may exceed the number of emergency days in the approved school calendar notwithstanding 105 ILCS 5/10-20.56(b).

Issued by the Governor March 13, 2020

Filed by the Secretary of State March 13, 2020

GOVERNMENT (/GOVERNMENT)

Executive Branch (/government/executive-branch)

Executive Orders (/government/executive-orders)

Judicial Branch (/government/judicial-branch)

Legislative Branch (/government/legislative-branch)

Resources & Records (/government/resources-records)



# EXHIBIT 5

Restore Illinois

## An Introduction



From the beginning of the new coronavirus pandemic, Illinois' response has been guided by data, science, and public health experts. As community spread rapidly increased, Governor Pritzker moved quickly to issue a Disaster Proclamation on March 9, restrict visitors to nursing homes on March 11, close bars and restaurants for on-site consumption on March 16, move schools to remote learning on March 17, and issue a Stay at Home order on March 21. This virus has caused painful, cascading consequences for everyone in Illinois, but the science has been clear: in the face of a new coronavirus with unknown characteristics and in the absence of widespread testing availability and contact tracing, mitigation and maintaining a 6-foot social distance have been the only options to reduce the spread and save as many lives as possible.

Millions of Illinoisans working together by staying at home and following experts' recommendations have proven these mitigation and social distancing measures effective so far. The result has been a lower infection rate, fewer hospitalizations, and lower number of fatalities than projected without these measures. Our curve has begun to flatten. Nevertheless, the risk of spread remains, and modeling and data point to a rapid surge in new cases if all mitigation measures were to be immediately lifted.

Now that Illinois is bending the curve, it is vitally important that we follow a safe and deliberate path forward to get our Illinois economy moving. That path forward is not what everyone wants or hopes for, but it will keep Illinoisans as safe as possible from this virus as our economy is reopening.

**Restore Illinois is about saving lives and livelihoods.** This five-phased plan will reopen our state, guided by health metrics and with distinct business, education, and recreation activities characterizing each phase. This is an initial framework that will likely be updated as research and science develop and as the potential for treatments or vaccines is realized. The plan is based upon regional healthcare availability, and it recognizes the distinct impact COVID-19 has had on different regions of our state as well as regional variations in hospital capacity. The Illinois Department of Public Health (IDPH) has 11 Emergency Medical Services Regions that have traditionally guided its statewide public health work and will continue to inform this reopening plan. For the purposes of this plan, from those 11, four health regions are established, each with the ability to independently move through a phased approach: Northeast Illinois; North-Central Illinois; Central Illinois; and Southern Illinois.

## Phase 1 Rapid Spread

Strict stay at home and social distancing guidelines are put in place, and only essential businesses remain open.

Every region has experienced this phase once already and could return to it if mitigation efforts are unsuccessful.

## Phase 2 Flattening

Non-essential retail stores reopen for curbside pickup and delivery.

Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating & fishing while practicing social distancing.

## Phase 3 Recovery

Manufacturing, offices, retail, barbershops, and salons can reopen to the public with capacity and other limits and safety precautions.

Gatherings of 10 people or fewer are allowed.



Face coverings and social distancing are the norm.

## Phase 4 Revitalization

Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health.

Face coverings and social distancing are the norm.

## Phase 5 Illinois Restored

The economy fully reopens with safety precautions continuing.

Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures.

The five phases for each health region are as follows:

**Phase 1 – Rapid Spread:** The rate of infection among those tested and the number of patients admitted to the hospital is high or rapidly increasing. Strict stay at home and social distancing guidelines are put in place and only essential businesses remain open. Every region has experienced this phase once already, and could return to it if mitigation efforts are unsuccessful.

**Phase 2 – Flattening:** The rate of infection among those tested and the number of patients admitted to the hospital beds and ICU beds increases at an ever slower rate, moving toward a flat and even a downward trajectory. Nonessential retail stores reopen for curb-side pickup and delivery. Illinoisans are directed to wear a face covering when outside the home and can begin enjoying additional outdoor activities like golf, boating and fishing while practicing social distancing. To varying degrees, every region is experiencing flattening as of early May.

**Phase 3 – Recovery:** The rate of infection among those surveillance tested, the number of patients admitted to the hospital, and the number of patients needing ICU beds is stable or declining. Manufacturing, offices, retail, barbershops and salons can reopen to the public with capacity and other limits and safety precautions. Gatherings limited to 10 people or fewer are allowed. Face coverings and social distancing are the norm.

**Phase 4 – Revitalization:** The rate of infection among those surveillance tested and the number of patients admitted to the hospital continues to decline. Gatherings of 50 people or fewer are allowed, restaurants and bars reopen, travel resumes, child care and schools reopen under guidance from the Illinois Department of Public Health. Face coverings and social distancing are the norm.

**Phase 5 – Illinois Restored:** With a vaccine or highly effective treatment widely available or the elimination of any new cases over a sustained period, the economy fully reopens with safety precautions continuing. Conventions, festivals and large events are permitted, and all businesses, schools and places of recreation can open with new safety guidance and procedures in place reflecting the lessons learned during the COVID-19 pandemic.

Until COVID-19 is defeated, this plan also recognizes that just as health metrics will tell us it is safe to move forward, health metrics may also tell us to return to a prior phase. With a vaccine or highly effective treatment not yet available, IDPH will be closely monitoring key metrics to immediately identify trends in cases and hospitalizations to determine whether a return to a prior phase may become necessary.

***All public health criteria included in this document are subject to change. As research and data on this novel coronavirus continue to develop, this plan can and will be updated to reflect the latest science and data.***

Introduction

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Regional Phase Dashboard

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Phase 1

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Phase 2

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Phase 3

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Phase 4

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Phase 5

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# EXHIBIT 6

Governor JB Pritzker's Executive Order 2020-40

➕ View up to date information on how Illinois is handling the Coronavirus Disease 2019 (COVID-19) from the [State of Illinois Coronavirus Response Site \(https://coronavirus.illinois.gov/\)](https://coronavirus.illinois.gov/).

Illinois.gov (/)

# Executive Order 2020-40

June 4, 2020

Executive Order 2020-40

## **EXECUTIVE ORDER IN RESPONSE TO COVID-19** **(COVID-19 EXECUTIVE ORDER NO. 38)**

**WHEREAS**, Coronavirus 2019 (COVID-19), a novel severe acute respiratory illness, has rapidly spread throughout Illinois in a short period of time, necessitating stringent guidance from federal, state, and local public health officials and significant measures to respond to the increasing public health disaster; and,

**WHEREAS**, COVID-19 can spread among people through respiratory transmissions, asymptomatic people can transit the virus, and there is currently no effective treatment or vaccine; and,

**WHEREAS**, on March 9, 2020, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area in response to the outbreak of COVID-19; and,

**WHEREAS**, on April 1, 2020, I declared all counties in the State of Illinois as a disaster area due to the exponential spread of COVID-19; and,

**WHEREAS**, on April 30, 2020, due to the expected continuing spread of COVID-19, the resulting health impacts across the State, and the need to address the potential shortages of hospital beds, ICU beds, ventilators, personal protective equipment and materials for testing for the virus, I declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, on May 29, 2020, due to the thousands of lives lost to COVID-19 in Illinois, the continued increase of cases, the continued threat of shortages of hospital beds, ER beds, and ventilators, the improved but still insufficient testing capacity, and the economic devastation caused by the virus, I again declared all counties in the State of Illinois as a disaster area (together with the previous proclamations identified in this Executive Order, the Gubernatorial Disaster Proclamations); and,

**WHEREAS**, it is necessary and appropriate for the State of Illinois to continue to take immediate and significant measures to prevent or slow the spread of COVID-19 and protect public health during the COVID-19 outbreak; and,

**WHEREAS**, Restore Illinois is a five-phased plan to reopen Illinois, guided by health metrics and involving the cautious resumption of distinct business, education, and recreation activities in each phase; and,

**WHEREAS**, the Restore Illinois plan establishes four health regions in Illinois, each with the ability to independently move through the phased approach; and,

**WHEREAS**, as of June 4, 2020, all four health regions have moved into Phase 3 of the Restore Illinois plan; and,

**WHEREAS**, Phase 3 allows for schools to reopen and provide limited in-person instruction, in accordance with Illinois Department of Public Health (IDPH) guidance; and,

**WHEREAS**, Executive Order 2020-38 mandates the practice of social distancing, wearing face coverings in public spaces and whenever a six-foot social distance cannot consistently be maintained, and limiting gatherings to ten people or less; and,

**WHEREAS**, the Illinois State Board of Education and IDPH are issuing guidance and recommendations for schools that choose to transition to limited in-person instruction during Phase 3; and,

**WHEREAS**, the Child Labor Law, 820 ILCS 205/1 et seq., authorizes the City or County Superintendent of Schools, or their duly authorized agents, to issue employment certificates for minors desiring employment; and,

**WHEREAS**, the Child Labor Law, 820 ILCS 205/12, requires an application for an employment certificate to be submitted in person by the minor desiring employment; and,

**WHEREAS**, school and office closures resulting from the COVID-19 outbreak have made it difficult, and sometimes impossible, to submit and process employment certificate applications while ensuring the safety of students, families, and employees;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective June 4, 2020:

Section 1. All public and nonpublic schools in Illinois serving pre-kindergarten through 12th grade students may open for limited in-person educational purposes, such as summer school, following the completion of the regular 2019-2020 school term. All public and nonpublic schools may continue to provide food and other non-educational services. Schools must follow IDPH guidance during Phase 3 and take proactive measures to ensure the safety of students, staff, and visitors, including, but not limited to:

- a. Limiting the number of people in one space to ten or fewer, consistent with public health guidance.



- b. Ensuring compliance with social distancing requirements to the greatest extent possible. For purposes of this Executive Order, social distancing includes maintaining at least six-foot distance from other individuals and discouraging physical contact between individuals.
- c. Ensuring appropriate hygienic practices, including washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), discouraging the sharing of personal items, and regularly cleaning high-touch surfaces.
- d. Requiring the use of appropriate personal protective equipment, including the use of face coverings by students, staff, and visitors who are over age two and able to medically tolerate a face covering. Schools must provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times and, to the extent possible, make disposable face coverings available for all students.

Section 2. During the duration of the Gubernatorial Disaster Proclamations, the provision in the Child Labor Law, 820 ILCS 205/12, requiring an applications for an employment certificate to be submitted in person by the minor desiring employment, is suspended. This statutory provision is suspended only with respect to the requirement that applications be submitted in person. The Illinois Department of Labor shall implement emergency rules to provide an alternative process for the submission and approval of applications for employment certificates issued pursuant to 820 ILCS 205/12.

Section 3. This Executive Order supersedes any contrary provision of any other prior Executive Order. Any provisions that are not contrary to those in this Executive Order shall remain in full force and effect.

Section 4. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

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JB Pritzker, Governor

Issued by the Governor June 4, 2020

Filed by the Secretary of State June 4, 2020

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# EXHIBIT 7

Governor JB Pritzker's Executive Order 2020-44

➕ View up to date information on how Illinois is handling the Coronavirus Disease 2019 (COVID-19) from the [State of Illinois Coronavirus Response Site \(https://coronavirus.illinois.gov/\)](https://coronavirus.illinois.gov/).

Illinois.gov (/)

# Executive Order 2020-44

June 26, 2020

## EXECUTIVE ORDER 2020-44 (COVID-19 EXECUTIVE ORDER NO. 42)

**WHEREAS**, since early March 2020, Illinois has faced a pandemic that has caused extraordinary sickness and loss of life, infecting over 140,000 and growing, and taking the lives of thousands of residents; and,

**WHEREAS**, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

**WHEREAS**, as Illinois enters the fifth month of responding to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that spreads rapidly through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

**WHEREAS**, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming months extremely difficult; and,

**WHEREAS**, in addition to causing the tragic loss of more than 6,800 Illinoisans and wreaking havoc on the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

**WHEREAS**, on June 26, 2020, due to the continuing burden on hospital resources, the expected continuing spread of COVID-19, and the ongoing health and economic impacts that will be felt over the coming month by people across the State, I again declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, in response to the epidemic emergency and public health emergency described above, I find it necessary to re-issue Executive Orders 2020-03, 2020-04, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-31, 2020-34, 2020-35, 2020-36, 2020-40, 2020-41, and 2020-42 and hereby incorporate the WHEREAS clauses of those Executive Orders;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective June 26, 2020:

**Part 1: Re-Issue of Executive Orders.**

Executive Orders 2020-03, 2020-04, 2020-07, 2020-08, 2020-09, 2020-11, 2020-12, 2020-13, 2020-15, 2020-16, 2020-17, 2020-20, 2020-21, 2020-22, 2020-23, 2020-24, 2020-25, 2020-26, 2020-27, 2020-28, 2020-29, 2020-30, 2020-31, 2020-34, 2020-35, 2020-36, 2020-40, 2020-41, and 2020-42 hereby are re-issued by this Executive Order 2020-44 as follows:

**Executive Order 2020-04 (Closure of James R. Thompson Center; waiver of sick leave requirement for State employees):**

Sections 2 and 3 of Executive Order 2020-04 are re-issued and extended through **July 26, 2020**.

**Executive Order 2020-07 (In-person meeting requirements):**

Section 6 of Executive Order 2020-07, as amended by Executive Order 2020-33 and as further amended and revised below, is re-issued and extended through **July 26, 2020**.

Section 6. The provision of the Illinois Finance Authority Act that "[a]ll meetings shall be conducted at a single location within the State with a quorum of members physically present at this location," 20 ILCS 3501/801-25, is suspended through July 26, 2020. The provision of the Illinois Administrative Code that a meeting of the Concealed Carry Licensing Review Board that a requires a "quorum is in attendance at a meeting" as a condition for when "Commissioners may attend telephonically or electronically," 20 Ill. Admin. Code 2900.110(c), is suspended through July 26, 2020.

Public bodies, including those listed specifically above, are encouraged to ensure that at least one member is physically present at the location of the meeting if others are attending telephonically or electronically. Public bodies must take steps to provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting, and

to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well their activities relating to COVID-19.

**Executive Order 2020-08 (Secretary of State operations):**

Sections 3 and 4 of Executive Order 2020-08, as amended by Executive Order 2020-39, are re-issued and extended through **July 26, 2020**.

Executive Order 2020-08 is further amended and revised as follows:

Section 5: During the duration of and for no more than thirty days following the termination of the Gubernatorial Disaster Proclamations, the requirements setting forth the time periods in which the Secretary must conduct hearings and issue final orders pursuant to Sections 2-118, 2-118.1 and 2-118.2 of the Illinois Vehicle Code are suspended.

**Executive Order 2020-09 (Telehealth):**

Executive Order 2020-09 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-11 (Revisions to prior Executive Orders; Department of Corrections notification period):**

Section 4 of Executive Order 2020-11 is re-issued and extended through **July 26, 2020**.

**Executive Order 2020-12 (Health care worker background checks; Department of Juvenile Justice notification period; Coal Mining Act):**

Sections 1, 2, and 3 of Executive Order 2020-12 are re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-13 (Suspending Illinois Department of Corrections admissions from county jails):**

Executive Order 2020-13 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-15 (Suspending provisions of the Illinois School Code):**

Sections 5, 6, 7, 8, and 9 of Executive Order 2020-15 are re-issued and extended through **July 26, 2020**.

**Executive Order 2020-16 (Repossession of vehicles; suspension of classroom training requirement for security services):**

Executive Order 2020-16 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Orders 2020-03 and 2020-17 (Cannabis deadlines and applications):**

Executive Orders 2020-03 and 2020-17, as modified by Executive Order 2020-18, are re-issued and shall remain in effect as specified by Executive Order 2020-18.

**Executive Order 2020-20 (Public assistance requirements):**

Executive Order 2020-20 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-21 (Furlough of Illinois Department of Corrections inmates):**

Executive Order 2020-21 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-22 (Township meetings; Funeral Directors and Embalmers Licensing Code; placements under the Child Care Act of 1969; fingerprint submissions under Health Care Worker Background Check Act):**

Sections 2, 3, 4, 5 and the Savings Clause of Executive Order 2020-22 are re-issued and extended through **July 26, 2020**.

**Executive Order 2020-23 (Actions by the Illinois Department of Financial and Professional Regulation for licensed professionals engaged in disaster response):**

Executive Order 2020-23 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-24 (Illinois Department of Human Services Forensic Treatment Program; investigations of Illinois Department of Human Services employees):**

Executive Order 2020-24 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-25 (Garnishment and wage deductions):**

Executive Order 2020-25 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-26 (Hospital capacity):**

Executive Order 2020-26 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-27 (Cadavers testing positive for COVID-19):**

Executive Order 2020-27 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-28 (Industrial radiography certifications):**

Executive Order 2020-28 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-29 (In-person education or exams for professional insurance licenses):**

Executive Order 2020-29 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-30 (Filing of residential eviction actions; enforcement of non-residential eviction orders; expired consular identification documents; electronic filings for the Illinois Human Rights Commission):**

Executive Order 2020-30, as amended by Executive Order 2020-33, is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-31 (Educator licensure and student graduation requirements):**

Executive Order 2020-31 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-34 (Cannabis requirements):**

Executive Order 2020-34 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-35 (IDPH regulatory activities):**

Executive Order 2020-35 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-36 (Marriage licenses):**

Executive Order 2020-36 is re-issued in its entirety and extended through **July 26, 2020**.

**Executive Order 2020-40 (Resumption of limited in-person instruction at schools):**

Executive Order 2020-40, as amended below, is re-issued in its entirety and extended through **July 26, 2020**.

Section 1. All public and nonpublic schools in Illinois serving pre-kindergarten through 12th grade students may open for in-person educational purposes, such as summer school, following the completion of the regular 2019-2020 school term. All public and nonpublic schools may continue to provide food and other non-educational services. Schools must follow IDPH guidance during Phase 4 and take proactive measures to ensure the safety of students, staff, and visitors, including, but not limited to:

1. Limiting the number of people in one space to fifty or fewer, consistent with public health guidance.
2. Ensuring compliance with social distancing requirements to the greatest extent possible. For purposes of this Executive Order, social distancing includes maintaining at least six-foot distance from other individuals and discouraging physical contact between individuals.
3. Ensuring appropriate hygienic practices, including washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), discouraging the sharing of personal items, and regularly cleaning high-touch surfaces.
4. Requiring the use of appropriate personal protective equipment, including the use of face coverings by students, staff, and visitors who are over age two and able to medically tolerate a face covering. Schools must provide face coverings to all employees who are not able to maintain a minimum six-foot social distance at all times and, to the extent possible, make disposable face coverings available for all students.

**Executive Order 2020-41 (Sports wagering):**

Executive Order 2020-41 is re-issued in its entirety and extended through **July 26, 2020**.

## **Executive Order 2020-42 (State Fairs):**

Executive Order 2020-42 is re-issued in its entirety and extended through **July 26, 2020**.

**Part 2: Savings Clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

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**JB Pritzker, Governor**

Issued by the Governor June 26, 2020

Filed by the Secretary of State June 26, 2020

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