March 27, 2020 Executive Order 2020-15

**EXECUTIVE ORDER IN RESPONSE TO COVID-19**
**(COVID-19 EXECUTIVE ORDER NO. 13)**

**WHEREAS**, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 ("Gubernatorial Disaster Proclamation") in response to the outbreak of Coronavirus Disease 2019 ("COVID-19"); and,

**WHEREAS**, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19; and,

**WHEREAS,** social distancing, which consists of maintaining at least a six-foot distance between people, is the paramount strategy for minimizing the spread of COVID-19 in our communities; and,

**WHEREAS**, on March 13, 2020, I issued Executive Order 2020-05 ordering the closure of public and private pre-K-12 schools for educational purposes from March 17, 2020 through March 30, 2020; and,

**WHEREAS**, on March 20, 2020, I issued Executive Order 2020-10 requiring individuals to stay in their home or place of residence, except to conduct essential activities, essential governmental functions, or to operate essential businesses, and ordering all public and private pre-K-12 schools closed through April 7, 2020 while allowing for distance learning; and,

**WHEREAS**, day care centers granted an emergency license to care for children of employees permitted to work under Executive Order 2020-10 are categorized as Essential Businesses and Operations, as that term is defined in the Executive Order; and,

**WHEREAS**, it is in the interest of the people of the State of Illinois to ensure that employees performing essential work have access to high quality child care for the duration of this public health emergency; and,

**WHEREAS**, the Illinois State Board of Education has received a waiver for the 2019-2020 school year from the U.S. Department of Education of the assessment requirements in Section 1111(b)(2) of the Elementary and Secondary Education Act of 1965, 20 U.S.C. § 7861, the accountability and school identification requirements in Sections 111(c)(4) and 1111(d)(2)(C)-(D), and certain reporting requirements related to assessments and accountability in Section 111(h); and,

**WHEREAS**, it is necessary and appropriate for the State of Illinois to ensure that critical demands for continuity of education are met for all public and private pre-K-12 students for the duration of the Gubernatorial Disaster Proclamation; and,

**WHEREAS**, schools throughout Illinois have a range of school construction projects and capital improvements that must be timely bid, awarded and initiated in order to ensure completion of projects within deadlines dictated by school calendars;

**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. During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Illinois School Code, 105 ILCS 5/2-3.64a-5 and 105 ILCS 5/27-3, requiring the administration of assessments, are suspended.

Section 2. During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Illinois School Code, 105 ILCS 5/10-19, specifying the school term and requiring certain approvals for changes to the school term, are suspended. Nothing in this Executive Order shall be construed as relieving school districts of the requirement pursuant to 105 ILCS 5/10-19 to provide a minimum term of at least 185 days to insure 176 days of actual pupil attendance. Nothing in this Executive Order shall prohibit school employees from receiving compensation, on the basis of their regular contracts, for additional time worked as a result of an extension of the school term.

Section 3. During the Duration of the Gubernatorial Disaster Proclamation, the provisions of the Illinois School Code, 105 ILCS 5/10-19.05(a)-(j), providing the method for the calculation of daily pupil attendance, are suspended.

Section 4. The Illinois State Board of Education may implement rules allowing the State Superintendent of Education to: (a) address the minimum requirements of the school calendar and school day; (b) create, define and determine the use of "Remote Learning Planning Days"; (c) create, define and determine the use of "Remote Learning Days"; and (d) provide additional guidance consistent with the terms of this Executive Order.

Section 5. Beginning March 27, 2020, and for the duration of the Gubernatorial Disaster Proclamation, all public school districts and eligible entities that receive funding from the Illinois State Board of Education to implement and administer a grant program for preschool education programs under 105 ILCS 5/2-3.71 or an early childhood block grant under 105 ILCS 5/1C-2 may provide child care services to the children of employees exempted from Executive Order 2020-10 who are aged 0-12 years old. This use of grant funds does not affect the ability of public school districts or eligible entities from continuing to serve students already identified and enrolled in a preschool education program or early childhood block grant programs.

Section 6. During the duration of the Gubernatorial Disaster Proclamation, the following provisions of the Illinois School Code, 105 ILCS 5/2-3.71, are suspended: (1) requirements regarding the age of children to be served; (2) the selection process giving first priority to qualified programs serving primarily at-risk children and second priority to qualified programs serving primarily children with a family income of less than 4 times the poverty guidelines updated periodically in the Federal Register by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2); and (3) the licensure requirements in relation to providing child care services to the children of employees exempted from Executive Order 2020-10.

Section 7. During the duration of the Gubernatorial Disaster Proclamation, the provision of the Illinois School Code, 105 ILCS 5/1C-2(c), containing requirements regarding the specific programs and age of the children to be served are suspended as they relate to the provision of child care services to the children of employees exempted from Executive Order 2020-10.

Section 8. The requirements pursuant to Title 23, Section 235.10(a)(1-3) of the Illinois Administrative Code are suspended in relation to providing child care services to the children of employees exempted from Executive Order 2020-10 for the duration of the Gubernatorial Disaster Proclamation.

Section 9. During the duration of the Gubernatorial Disaster Proclamation, the provision of the Illinois School Code, 105 ILCS 5/10-20.21, prohibiting bids for construction purposes from being communicated, accepted, or opened electronically, is suspended. Any bids received by a school district for construction purposes may be communicated, accepted, or opened electronically.

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**JB Pritzker, Governor**

Issued by the Governor March 27, 2020
Filed by the Secretary of State March 27, 2020