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AN ACT regarding school students.

- Be it enacted by the People of the State of Illinois,represented in the General Assembly:
- Section 5. The School Code is amended by changing
 Section 27-8.1 as follows:
- 6 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)
- 7 Sec. 27-8.1. Health examinations and immunizations.

8 (1) In compliance with rules and regulations which the Department of Public Health shall promulgate, and except as 9 hereinafter provided, all children in Illinois shall have a 10 health examination as follows: within one year prior to 11 entering kindergarten or the first grade of any public, 12 13 private, or parochial elementary school; upon entering the fifth and ninth grades of any public, private, or parochial 14 15 school; prior to entrance into any public, private, or 16 parochial nursery school; and, irrespective of grade, immediately prior to or upon entrance into any public, 17 private, or parochial school or nursery school, each child 18 19 shall present proof of having been examined in accordance 20 with this Section and the rules and regulations promulgated 21 hereunder.

22 A tuberculosis skin test screening shall be included as a required part of each health examination included under this 23 Section if the child resides in an area designated by the 24 Department of Public Health as having a high incidence of 25 26 tuberculosis. Additional health examinations of pupils, 27 including dental and vision examinations, may be required when deemed necessary by school authorities. Parents are 28 29 encouraged to have their children undergo dental and vision 30 examinations at the same points in time required for health 31 examinations.

1 (2) The Department of Public Health shall promulgate 2 rules and regulations specifying the examinations and procedures that constitute a health examination and may 3 4 recommend by rule that certain additional examinations be 5 performed. The rules and regulations of the Department of 6 Public Health shall specify that a tuberculosis skin test 7 screening shall be included as a required part of each health examination included under this Section if the child resides 8 9 in an area designated by the Department of Public Health as having a high incidence of tuberculosis. 10

11 Physicians licensed to practice medicine in all of its branches, advanced practice nurses who have a written 12 collaborative agreement with a collaborating physician which 13 authorizes them to perform health examinations, or physician 14 assistants who have been delegated the performance of health 15 16 examinations by their supervising physician shall be responsible for the performance of the health examinations, 17 other than dental examinations and vision and 18 hearing 19 screening, and shall sign all report forms required by subsection (4) of this Section that pertain to those portions 20 21 of the health examination for which the physician, advanced 22 practice nurse, or physician assistant is responsible. If a 23 registered nurse performs any part of a health examination, then a physician licensed to practice medicine in all of its 24 25 branches must review and sign all required report forms. Licensed dentists shall perform all dental examinations and 26 shall sign all report forms required by subsection (4) of 27 Section that pertain to the dental examinations. 28 this Physicians licensed to practice medicine in all its branches, 29 30 or licensed optometrists, shall perform all vision exams required by school authorities and shall sign all report 31 32 forms required by subsection (4) of this Section that pertain Vision and hearing screening tests, 33 to the vision exam. which shall not be considered examinations as that term is 34

1 used in this Section, shall be conducted in accordance with 2 rules and regulations of the Department of Public Health, and by individuals whom the Department of Public Health has 3 4 certified. In these rules and regulations, the Department of Public Health shall require that individuals conducting 5 vision screening tests give a child's parent or guardian б written notification, before the vision screening is 7 conducted, that states, "Vision screening is not a substitute 8 9 for a complete eye and vision evaluation by an eye doctor. 10 Your child is not required to undergo this vision screening 11 if an optometrist or ophthalmologist has completed and signed 12 a report form indicating that an examination has been administered within the previous 12 months." 13

14 (3) Every child shall, at or about the same time as he 15 or she receives a health examination required by subsection 16 (1) of this Section, present to the local school proof of 17 having received such immunizations against preventable 18 communicable diseases as the Department of Public Health 19 shall require by rules and regulations promulgated pursuant 20 to this Section and the Communicable Disease Prevention Act.

(4) The individuals conducting the health examination 21 22 shall record the fact of having conducted the examination, 23 and such additional information as required, on uniform forms which the Department of Public Health and the State Board of 24 25 Education shall prescribe for statewide use. The examiner shall summarize on the report form any condition that he or 26 she suspects indicates a need for special services. 27 The individuals confirming the administration of required 28 immunizations shall record as indicated on the form that the 29 30 immunizations were administered.

31 (5) If a child does not submit proof of having had 32 either the health examination or the immunization as 33 required, then the child shall be examined or receive the 34 immunization, as the case may be, and present proof by

1 October 15 of the current school year, or by an earlier date 2 of the current school year established by a school district. To establish a date before October 15 of the current school 3 4 year for the health examination or immunization as required, a school district must give notice of the requirements of 5 this Section 60 days prior to the earlier established date. 6 7 medical reasons one or more of the required Τf for immunizations must be given after October 15 of the current 8 9 school year, or after an earlier established date of the current school year, then the child shall present, by October 10 11 15, or by the earlier established date, a schedule for the administration of the immunizations and a statement of the 12 13 medical reasons causing the delay, both the schedule and the statement being issued by the physician, advanced practice 14 15 nurse, physician assistant, registered nurse, or local health 16 department that will be responsible for administration of the remaining required immunizations. If a child does not comply 17 by October 15, or by the earlier established date of the 18 19 current school year, with the requirements of this subsection, then the local school authority shall exclude 20 21 that child from school until such time as the child presents proof of having had the health examination as required and 22 23 proof of having received those presents required immunizations which are medically possible 24 to receive 25 immediately. During a child's exclusion from school for noncompliance with this subsection, the child's parents or 26 legal guardian shall be considered in violation of Section 27 26-1 and subject to any penalty imposed by Section 26-10. 28

29 (6) Every school shall report to the State Board of 30 Education by November 15, in the manner which that agency 31 shall require, the number of children who have received the 32 necessary immunizations and the health examination as 33 required, indicating, of those who have not received the 34 immunizations and examination as required, the number of

children who are exempt from health examination and
 immunization requirements on religious or medical grounds as
 provided in subsection (8). This reported information shall
 be provided to the Department of Public Health by the State
 Board of Education.

(7) Upon determining that the number of pupils who are 6 7 required to be in compliance with subsection (5) of this Section is below 90% of the number of pupils enrolled in 8 the 9 school district, 10% of each State aid payment made pursuant to Section 18-8 to the school district for such year shall be 10 11 withheld by the regional superintendent until the number of students in compliance with subsection (5) is the applicable 12 specified percentage or higher. 13

(8) Parents or legal guardians who object to health 14 examinations or any part thereof, or to immunizations, on 15 16 religious grounds shall not be required to submit their children or wards to the examinations or immunizations to 17 which they so object if such parents or legal guardians 18 19 present to the appropriate local school authority a signed statement of objection, detailing the grounds for 20 the 21 objection. If the physical condition of the child is such 22 that any one or more of the immunizing agents should not be 23 administered, the examining physician, advanced practice nurse, or physician assistant responsible for the performance 24 25 of the health examination shall endorse that fact upon the health examination form. Exempting a child from the health 26 examination does not exempt the child from participation in 27 the program of physical education training provided in 28 Sections 27-5 through 27-7 of this Code. 29

30 (9) For the purposes of this Section, "nursery schools" 31 means those nursery schools operated by elementary school 32 systems or secondary level school units or institutions of 33 higher learning.

34 (Source: P.A. 91-357, eff. 7-29-99; 92-703, eff. 7-19-02.)