



Sen. Deanna Demuzio

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1 AMENDMENT TO SENATE BILL 1165

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1165 as follows:

3 on page 1, line 4, after "amended", by inserting "by adding  
4 Section 2-3.142 and"; and

5 on page 1, by replacing line 5 with the following:

6 "3-9, 3-14.3, 3-14.12, 6-2.1, 10-21.4, 14C-8, 18-9, 18-11,  
7 27-8.1, and 34-8 as follows:"; and

8 on page 1, immediately above line 6, by inserting the  
9 following:

10 "(105 ILCS 5/2-3.142 new)

11 Sec. 2-3.142. Community college enrollments. The State  
12 Board of Education shall annually assemble all data reported to  
13 the State Board of Education under Section 10-21.4 or 34-8 of  
14 this Code by district superintendents, relating to the number

1 of high school students in the educational service region who  
2 are enrolled in accredited courses at any community college,  
3 together with the name and number of the course or courses that  
4 each such student is taking, assembled both by individual  
5 school district and by educational service region totals.

6 (105 ILCS 5/3-9) (from Ch. 122, par. 3-9)

7 Sec. 3-9. School funds; apportionment and payment.  
8 Whenever the regional superintendent receives amounts due to  
9 local school districts, the regional superintendent shall  
10 apportion and distribute the moneys to the appropriate local  
11 school districts as directed. No part of the State or other  
12 school funding, however, shall be paid to any school treasurer  
13 or other persons authorized to receive it unless such treasurer  
14 has filed the required bond, or if reelected, has renewed the  
15 bond and filed it as required by law ~~and unless the publication~~  
16 ~~of the annual fiscal statement required in Section 10-17 has~~  
17 ~~been made and properly certified.~~

18 (Source: P.A. 92-121, eff. 7-20-01.)

19 (105 ILCS 5/3-14.3) (from Ch. 122, par. 3-14.3)

20 Sec. 3-14.3. Township fund lands. To sell township fund  
21 lands, issue certificates of purchase, report to the county  
22 board and the Secretary of State ~~Comptroller~~ in the manner  
23 provided in Article 15 of this Code Act, and perform all other  
24 duties pertaining thereto.

1 (Source: P.A. 78-592.)

2 (105 ILCS 5/3-14.12) (from Ch. 122, par. 3-14.12)

3 Sec. 3-14.12. Examine evidences of indebtedness. In Class  
4 II county school units with respect to townships wherein  
5 trustees of schools maintain jurisdiction and in which township  
6 funds have not heretofore been liquidated and distributed, to  
7 ~~To~~ examine all notes, bonds, mortgages, and other evidences of  
8 indebtedness which the township or school treasurer holds  
9 officially with respect to such fund or funds, and if he or she  
10 finds that the papers are not in proper form or that the  
11 securities are insufficient, he or she shall so state, in  
12 writing, to the trustees of schools or school board.

13 (Source: P.A. 86-1441.)"; and

14 on page 1, immediately below line 13, by inserting the  
15 following:

16 "(105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

17 Sec. 10-21.4. Superintendent - Duties. Except in districts  
18 in which there is only one school with less than four teachers,  
19 to employ a superintendent who shall have charge of the  
20 administration of the schools under the direction of the board  
21 of education. In addition to the administrative duties, the  
22 superintendent shall make recommendations to the board  
23 concerning the budget, building plans, the locations of sites,

1 the selection, retention and dismissal of teachers and all  
2 other employees, the selection of textbooks, instructional  
3 material and courses of study. However, in districts under a  
4 Financial Oversight Panel pursuant to Section 1A-8 for  
5 violating a financial plan, the duties and responsibilities of  
6 the superintendent in relation to the financial and business  
7 operations of the district shall be approved by the Panel. In  
8 the event the Board refuses or fails to follow a directive or  
9 comply with an information request of the Panel, the  
10 performance of those duties shall be subject to the direction  
11 of the Panel. The superintendent shall also notify the State  
12 Board of Education, the board and the chief administrative  
13 official, other than the alleged perpetrator himself, in the  
14 school where the alleged perpetrator serves, that any person  
15 who is employed in a school or otherwise comes into frequent  
16 contact with children in the school has been named as a  
17 perpetrator in an indicated report filed pursuant to the Abused  
18 and Neglected Child Reporting Act, approved June 26, 1975, as  
19 amended. The superintendent shall keep or cause to be kept the  
20 records and accounts as directed and required by the board, aid  
21 in making reports required by the board, and perform such other  
22 duties as the board may delegate to him.

23 In addition, in January of each year, ~~beginning in 1990,~~  
24 each superintendent shall report to the State Board of  
25 Education ~~regional superintendent of schools of the~~  
26 ~~educational service region in which the school district served~~

1 ~~by the superintendent is located,~~ the number of high school  
2 students in the district who are enrolled in accredited courses  
3 (for which high school credit will be awarded upon successful  
4 completion of the courses) at any community college, together  
5 with the name and number of the course or courses which each  
6 such student is taking.

7 The provisions of this section shall also apply to board of  
8 director districts.

9 Notice of intent not to renew a contract must be given in  
10 writing stating the specific reason therefor by April 1 of the  
11 contract year unless the contract specifically provides  
12 otherwise. Failure to do so will automatically extend the  
13 contract for an additional year. Within 10 days after receipt  
14 of notice of intent not to renew a contract, the superintendent  
15 may request a closed session hearing on the dismissal. At the  
16 hearing the superintendent has the privilege of presenting  
17 evidence, witnesses and defenses on the grounds for dismissal.  
18 The provisions of this paragraph shall not apply to a district  
19 under a Financial Oversight Panel pursuant to Section 1A-8 for  
20 violating a financial plan.

21 (Source: P.A. 89-572, eff. 7-30-96.)"; and

22 on page 5, immediately below line 15, by inserting the  
23 following:

24 "(105 ILCS 5/18-9) (from Ch. 122, par. 18-9)

1           Sec. 18-9. Requirement for special equalization and  
2 supplementary State aid.

3           ~~(a) Any school district claiming an equalization quota may~~  
4 ~~not increase its annual net cash balance in the educational~~  
5 ~~fund for the fiscal school year by failing to expend for~~  
6 ~~educational purposes the total of (1) the general grant, (2)~~  
7 ~~the equalization quota, and (3) the amount determined by~~  
8 ~~applying the qualifying rate to the equalized assessed~~  
9 ~~valuation of the district. Any district which increases such~~  
10 ~~annual net cash balance by failing to expend the amount~~  
11 ~~received from the sum of (1) the general grant, (2) the~~  
12 ~~equalization quota, and (3) the amount determined by applying~~  
13 ~~the qualifying rate to the equalized assessed valuation of the~~  
14 ~~district, shall have its next claim for an equalization quota~~  
15 ~~reduced in an amount equal to the difference between its~~  
16 ~~expenditures for educational purposes and that sum.~~

17           ~~Current expenditures made in any district receiving a~~  
18 ~~special equalization quota and governed by a board of directors~~  
19 ~~must be approved in advance by the regional superintendent.~~

20           ~~If, as a result of tax objections based on inequities of~~  
21 ~~assessment, a final decision of any court, entered not more~~  
22 ~~than one year before or 3 years after August 26, 1963, reduces~~  
23 ~~the taxes received by the educational fund of a school~~  
24 ~~district, for any given year, in an amount equal to or more~~  
25 ~~than 3% of the total amount of taxes extended for educational~~  
26 ~~purposes of the district, that district may amend its claim for~~

1 ~~equalization aid for that year by adding thereto an amount~~  
2 ~~determined by multiplying the deficiency in tax receipts by a~~  
3 ~~percentage computed by dividing the tax rate required in~~  
4 ~~Section 18-8 to receive an equalization quota by the tax rate~~  
5 ~~originally extended for educational purposes. The amended~~  
6 ~~claim including any additional monies to which the district may~~  
7 ~~be entitled shall be filed within three years of the date of~~  
8 ~~such decision and the additional amount paid as supplementary~~  
9 ~~state equalization aid.~~

10 ~~(b) Any elementary, high school or unit district which for~~  
11 ~~the year 1971, as compared to the year 1970, has a decrease of~~  
12 ~~more than 40% in the value of all its taxable property as~~  
13 ~~equalized or assessed by the Department of Revenue, shall be~~  
14 ~~entitled to file a claim for supplementary State aid with the~~  
15 ~~Office of the State Superintendent of Education. The amount of~~  
16 ~~such aid shall be determined by multiplying the amount of the~~  
17 ~~decrease in the value of the district's taxable property times~~  
18 ~~the total of the 1972 tax rates for school purposes less the~~  
19 ~~sum of the district's qualifying tax rates for educational and~~  
20 ~~transportation purposes extended by such district. Such claims~~  
21 ~~shall be filed on forms prescribed by the Superintendent, and~~  
22 ~~the Superintendent upon receipt of such claims shall adjust the~~  
23 ~~claim of each such district in accordance with the provisions~~  
24 ~~of this Section.~~

25 ~~(c) Where property comprising an aggregate assessed~~  
26 ~~valuation equal to 3% or more of the total assessed valuation~~

1 ~~of all taxable property in the district is owned by a person or~~  
2 ~~corporation who is the subject of bankruptcy proceedings or has~~  
3 ~~been adjudged a bankrupt and, as a result thereof, has not paid~~  
4 ~~taxes on that property for 2 or more years, that district may~~  
5 ~~amend its claim back to the inception of such bankruptcy, not~~  
6 ~~to exceed 6 years, in which time such taxes were not paid and~~  
7 ~~for each succeeding year that such taxes remain unpaid by~~  
8 ~~adding to that claim an amount determined by multiplying the~~  
9 ~~assessed valuation of the property on which taxes have not been~~  
10 ~~paid due to bankruptcy by the tax rate required in Section 18-8~~  
11 ~~to receive an equalization quota or after July 1, 1973, by the~~  
12 ~~district's operating tax rate for general state aid purposes.~~  
13 ~~If at any time a district which receives additional State aid~~  
14 ~~under the provisions of this paragraph receives tax revenue~~  
15 ~~from such property for the years that taxes were not paid, its~~  
16 ~~next claim for State aid shall be reduced in an amount equal to~~  
17 ~~the taxes paid on such property, not to exceed the additional~~  
18 ~~State aid received under the provisions of this subsection (c).~~  
19 ~~Such claims shall be filed on forms prescribed by the~~  
20 ~~Superintendent, and the Superintendent upon receipt of such~~  
21 ~~claims shall adjust the claim of each such district in~~  
22 ~~accordance with the provisions of this subsection (c).~~

23 ~~(d)~~ If property comprising an aggregate assessed valuation  
24 equal to 6% or more of the total assessed valuation of all  
25 taxable property in a school district is owned by a person or  
26 corporation that is the subject of bankruptcy proceedings or



1 that has been adjudged bankrupt and, as a result thereof, has  
2 not paid taxes on the property, then the district may amend its  
3 general State aid claim (i) back to the inception of the  
4 bankruptcy, not to exceed 6 years, in which time those taxes  
5 were not paid and (ii) for each succeeding year that those  
6 taxes remain unpaid, by adding to the claim an amount  
7 determined by multiplying the assessed valuation of the  
8 property on which taxes have not been paid due to the  
9 bankruptcy by the lesser of the total tax rate for the district  
10 for the tax year for which the taxes are unpaid or the  
11 applicable rate used in calculating the district's general  
12 State aid under paragraph (3) of subsection (D) of Section  
13 18-8.05 of this Code. If at any time a district that receives  
14 additional State aid under this Section ~~subsection (d)~~ receives  
15 tax revenue from the property for the years that taxes were not  
16 paid, the district's next claim for State aid shall be reduced  
17 in an amount equal to the taxes paid on the property, not to  
18 exceed the additional State aid received under this Section  
19 ~~subsection (d)~~. Claims under this Section ~~subsection (d)~~ shall  
20 be filed on forms prescribed by the State Superintendent of  
21 Education, and the State Superintendent of Education, upon  
22 receipt of a claim, shall adjust the claim in accordance with  
23 the provisions of this Section ~~subsection (d)~~. Supplementary  
24 State aid for each succeeding year under this Section  
25 ~~subsection (d)~~ shall be paid beginning with the first general  
26 State aid claim paid after the district has filed a completed

1 claim in accordance with this Section ~~subsection (d)~~.

2 (Source: P.A. 92-661, eff. 7-16-02.)

3 (105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

4 Sec. 18-11. Payment of claims.

5 (a) As ~~Except as provided in subsection (b) of this~~  
6 ~~Section, and except as provided in subsection (c) of this~~  
7 ~~Section with respect to payments made under Sections 18-8~~  
8 ~~through 18-10 for fiscal year 1994 only, as soon as may be~~  
9 after the 10th and 20th days of each of the months of August  
10 through the following July if moneys are available in the  
11 common school fund in the State treasury for payments under  
12 Sections 18-8.05 ~~18-8~~ through 18-9 ~~18-10~~ the State Comptroller  
13 shall draw his warrants upon the State Treasurer as directed by  
14 the State Board of Education pursuant to Section 2-3.17b and in  
15 accordance with the transfers from the General Revenue Fund to  
16 the Common School Fund as specified in Section 8a of the State  
17 Finance Act.

18 Each such semimonthly warrant shall be in an amount equal  
19 to 1/24 of the total amount to be distributed to school  
20 districts for the fiscal year. The amount of payments made in  
21 July of each year shall be considered as payments for claims  
22 covering the school year that commenced during the immediately  
23 preceding calendar year. If the payments provided for under  
24 Sections 18-8.05 ~~18-8~~ through 18-9 ~~18-10~~ have been assigned as  
25 security for State aid anticipation certificates pursuant to

1 Section 18-18, the State Board of Education shall pay the  
2 appropriate amount of the payment, as specified in the  
3 notification required by Section 18-18, directly to the  
4 assignee.

5 (b) (Blank). ~~As soon as may be after the 10th and 20th days~~  
6 ~~of each of the months of June, 1982 through July, 1983, if~~  
7 ~~moneys are available in the Common School Fund in the State~~  
8 ~~treasury for payments under Sections 18-8 through 18-10, the~~  
9 ~~State Comptroller shall draw his warrants upon the State~~  
10 ~~Treasurer proportionate for the various counties payable to the~~  
11 ~~regional superintendent of schools in accordance with the~~  
12 ~~transfers from the General Revenue Fund to the Common School~~  
13 ~~Fund as specified in Section 8a of the State Finance Act.~~

14 ~~Each such semimonthly warrant for the months of June and~~  
15 ~~July, 1982 shall be in an amount equal to 1/24 of the total~~  
16 ~~amount to be distributed to school districts by the regional~~  
17 ~~superintendent for school year 1981-1982.~~

18 ~~Each such semimonthly warrant for the months of August,~~  
19 ~~1982 through July, 1983 shall be in an amount equal to 1/24 of~~  
20 ~~the total amount to be distributed to school districts by the~~  
21 ~~regional superintendent for school year 1982-1983.~~

22 ~~The State Superintendent of Education shall, from monies~~  
23 ~~appropriated for such purpose, compensate districts for~~  
24 ~~interest lost arising from the change in payments in June, 1982~~  
25 ~~to payments in the months of June and July, 1982, for claims~~  
26 ~~arising from school year 1981-1982. The amount appropriated for~~

1 ~~such purpose shall be based upon the Prime Commercial Rate in~~  
2 ~~effect May 15, 1982. The amount of such compensation shall be~~  
3 ~~equal to the ratio of the district's net State aid entitlement~~  
4 ~~for school year 1981-1982 divided by the total net State aid~~  
5 ~~entitlement times the funds appropriated for such purpose.~~  
6 ~~Payment in full of the amount of compensation derived from the~~  
7 ~~computation required in the preceding sentence shall be made as~~  
8 ~~soon as may be after July 1, 1982 upon warrants payable to the~~  
9 ~~several regional superintendents of schools.~~

10 ~~The State Superintendent of Education shall, from monies~~  
11 ~~appropriated for such purpose, compensate districts for~~  
12 ~~interest lost arising from the change in payments in June, 1983~~  
13 ~~to payments in the months of June and July, 1983, for claims~~  
14 ~~arising from school year 1982-1983. The amount appropriated for~~  
15 ~~such purpose shall be based upon an interest rate of no less~~  
16 ~~than 15 per cent or the Prime Commercial Rate in effect May 15,~~  
17 ~~1983, whichever is greater. The amount of such compensation~~  
18 ~~shall be equal to the ratio of the district's net State aid~~  
19 ~~entitlement for school year 1982-1983 divided by the total net~~  
20 ~~State aid entitlement times the funds appropriated for such~~  
21 ~~purpose. Payment in full of the amount of compensation derived~~  
22 ~~from the computation required in the preceding sentence shall~~  
23 ~~be made as soon as may be after July 1, 1983 upon warrants~~  
24 ~~payable to the several regional superintendents of schools.~~

25 ~~The State Superintendent of Education shall, from monies~~  
26 ~~appropriated for such purpose, compensate districts for~~

1 ~~interest lost arising from the change in payments in June, 1992~~  
2 ~~and each year thereafter to payments in the months of June and~~  
3 ~~July, 1992 and each year thereafter. The amount appropriated~~  
4 ~~for such purpose shall be based upon the Prime Commercial Rate~~  
5 ~~in effect June 15, 1992 and June 15 annually thereafter. The~~  
6 ~~amount of such compensation shall be equal to the ratio of the~~  
7 ~~district's net State aid entitlement divided by the total net~~  
8 ~~State aid entitlement times the amount of funds appropriated~~  
9 ~~for such purpose. Payment of the compensation shall be made as~~  
10 ~~soon as may be after July 1 upon warrants payable to the~~  
11 ~~several regional superintendents of schools.~~

12 ~~The regional superintendents shall make payments to their~~  
13 ~~respective school districts as soon as may be after receipt of~~  
14 ~~the warrants unless the payments have been assigned as security~~  
15 ~~for State aid anticipation certificates pursuant to Section~~  
16 ~~18-18. If such an assignment has been made, the regional~~  
17 ~~superintendent shall, as soon as may be after receipt of the~~  
18 ~~warrants, pay the appropriate amount of the payment as~~  
19 ~~specified in the notification required by Section 18-18,~~  
20 ~~directly to the assignee.~~

21 ~~As used in this Section, "Prime Commercial Rate" means such~~  
22 ~~prime rate as from time to time is publicly announced by the~~  
23 ~~largest commercial banking institution in this State, measured~~  
24 ~~in terms of total assets.~~

25 ~~(c) (Blank). With respect to all school districts but for~~  
26 ~~fiscal year 1994 only, as soon as may be after the 10th and~~

1 ~~20th days of August, 1993 and as soon as may be after the 10th~~  
2 ~~and 20th days of each of the months of October, 1993 through~~  
3 ~~July, 1994 if moneys are available in the Common School Fund in~~  
4 ~~the State treasury for payments under Sections 18-8 through~~  
5 ~~18-10, the State Comptroller shall draw his warrants upon the~~  
6 ~~State Treasurer as directed by the State Board of Education in~~  
7 ~~accordance with transfers from the General Revenue Fund to the~~  
8 ~~Common School Fund as specified in Section 8a of the State~~  
9 ~~Finance Act. The warrant for the 10th day of August, 1993 and~~  
10 ~~each semimonthly warrant for the months of October, 1993~~  
11 ~~through July, 1994 shall be in an amount equal to 1/24 of the~~  
12 ~~total amount to be distributed to that school district for~~  
13 ~~fiscal year 1994, and the warrant for the 20th day of August,~~  
14 ~~1993 shall be in an amount equal to 3/24 of that total. The~~  
15 ~~amount of payments made in July of 1994 shall be considered as~~  
16 ~~payments for claims covering the school year that commenced~~  
17 ~~during the immediately preceding calendar year.~~

18 (Source: P.A. 87-14; 87-887; 87-895; 88-45; 88-89; 88-641, eff.  
19 9-9-94.)

20 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

21 Sec. 27-8.1. Health examinations and immunizations.

22 (1) In compliance with rules and regulations which the  
23 Department of Public Health shall promulgate, and except as  
24 hereinafter provided, all children in Illinois shall have a  
25 health examination as follows: within one year prior to

1 entering kindergarten or the first grade of any public,  
2 private, or parochial elementary school; upon entering the  
3 fifth and ninth grades of any public, private, or parochial  
4 school; prior to entrance into any public, private, or  
5 parochial nursery school; and, irrespective of grade,  
6 immediately prior to or upon entrance into any public, private,  
7 or parochial school or nursery school, each child shall present  
8 proof of having been examined in accordance with this Section  
9 and the rules and regulations promulgated hereunder.

10 A tuberculosis skin test screening shall be included as a  
11 required part of each health examination included under this  
12 Section if the child resides in an area designated by the  
13 Department of Public Health as having a high incidence of  
14 tuberculosis. Additional health examinations of pupils,  
15 including vision examinations, may be required when deemed  
16 necessary by school authorities. Parents are encouraged to have  
17 their children undergo vision examinations at the same points  
18 in time required for health examinations.

19 (1.5) In compliance with rules adopted by the Department of  
20 Public Health and except as otherwise provided in this Section,  
21 all children in kindergarten and the second and sixth grades of  
22 any public, private, or parochial school shall have a dental  
23 examination. Each of these children shall present proof of  
24 having been examined by a dentist in accordance with this  
25 Section and rules adopted under this Section before May 15th of  
26 the school year. If a child in the second or sixth grade fails

1 to present proof by May 15th, the school may hold the child's  
2 report card until one of the following occurs: (i) the child  
3 presents proof of a completed dental examination or (ii) the  
4 child presents proof that a dental examination will take place  
5 within 60 days after May 15th. The Department of Public Health  
6 shall establish, by rule, a waiver for children who show an  
7 undue burden or a lack of access to a dentist. Each public,  
8 private, and parochial school must give notice of this dental  
9 examination requirement to the parents and guardians of  
10 students at least 60 days before May 15th of each school year.

11 (2) The Department of Public Health shall promulgate rules  
12 and regulations specifying the examinations and procedures  
13 that constitute a health examination, which shall include the  
14 collection of data relating to obesity, (including at a  
15 minimum, date of birth, gender, height, weight, blood pressure,  
16 and date of exam), and a dental examination and may recommend  
17 by rule that certain additional examinations be performed. The  
18 rules and regulations of the Department of Public Health shall  
19 specify that a tuberculosis skin test screening shall be  
20 included as a required part of each health examination included  
21 under this Section if the child resides in an area designated  
22 by the Department of Public Health as having a high incidence  
23 of tuberculosis. The Department of Public Health shall specify  
24 that a diabetes screening as defined by rule shall be included  
25 as a required part of each health examination. Diabetes testing  
26 is not required.



1           Physicians licensed to practice medicine in all of its  
2 branches, advanced practice nurses who have a written  
3 collaborative agreement with a collaborating physician which  
4 authorizes them to perform health examinations, or physician  
5 assistants who have been delegated the performance of health  
6 examinations by their supervising physician shall be  
7 responsible for the performance of the health examinations,  
8 other than dental examinations and vision and hearing  
9 screening, and shall sign all report forms required by  
10 subsection (4) of this Section that pertain to those portions  
11 of the health examination for which the physician, advanced  
12 practice nurse, or physician assistant is responsible. If a  
13 registered nurse performs any part of a health examination,  
14 then a physician licensed to practice medicine in all of its  
15 branches must review and sign all required report forms.  
16 Licensed dentists shall perform all dental examinations and  
17 shall sign all report forms required by subsection (4) of this  
18 Section that pertain to the dental examinations. Physicians  
19 licensed to practice medicine in all its branches, or licensed  
20 optometrists, shall perform all vision exams required by school  
21 authorities and shall sign all report forms required by  
22 subsection (4) of this Section that pertain to the vision exam.  
23 Vision and hearing screening tests, which shall not be  
24 considered examinations as that term is used in this Section,  
25 shall be conducted in accordance with rules and regulations of  
26 the Department of Public Health, and by individuals whom the

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

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

18 (4) The individuals conducting the health examination or  
19 dental examination shall record the fact of having conducted  
20 the examination, and such additional information as required,  
21 including for a health examination data relating to obesity,  
22 (including at a minimum, date of birth, gender, height, weight,  
23 blood pressure, and date of exam), on uniform forms which the  
24 Department of Public Health and the State Board of Education  
25 shall prescribe for statewide use. The examiner shall summarize  
26 on the report form any condition that he or she suspects

1 indicates a need for special services, including for a health  
2 examination factors relating to obesity. The individuals  
3 confirming the administration of required immunizations shall  
4 record as indicated on the form that the immunizations were  
5 administered.

6 (5) If a child does not submit proof of having had either  
7 the health examination or the immunization as required, then  
8 the child shall be examined or receive the immunization, as the  
9 case may be, and present proof by October 15 of the current  
10 school year, or by an earlier date of the current school year  
11 established by a school district. To establish a date before  
12 October 15 of the current school year for the health  
13 examination or immunization as required, a school district must  
14 give notice of the requirements of this Section 60 days prior  
15 to the earlier established date. If for medical reasons one or  
16 more of the required immunizations must be given after October  
17 15 of the current school year, or after an earlier established  
18 date of the current school year, then the child shall present,  
19 by October 15, or by the earlier established date, a schedule  
20 for the administration of the immunizations and a statement of  
21 the medical reasons causing the delay, both the schedule and  
22 the statement being issued by the physician, advanced practice  
23 nurse, physician assistant, registered nurse, or local health  
24 department that will be responsible for administration of the  
25 remaining required immunizations. If a child does not comply by  
26 October 15, or by the earlier established date of the current

1 school year, with the requirements of this subsection, then the  
2 local school authority shall exclude that child from school  
3 until such time as the child presents proof of having had the  
4 health examination as required and presents proof of having  
5 received those required immunizations which are medically  
6 possible to receive immediately. During a child's exclusion  
7 from school for noncompliance with this subsection, the child's  
8 parents or legal guardian shall be considered in violation of  
9 Section 26-1 and subject to any penalty imposed by Section  
10 26-10. This subsection (5) does not apply to dental  
11 examinations.

12 (6) Every school shall report to the State Board of  
13 Education by November 15, in the manner which that agency shall  
14 require, the number of children who have received the necessary  
15 immunizations and the health examination (other than a dental  
16 examination) as required, indicating, of those who have not  
17 received the immunizations and examination as required, the  
18 number of children who are exempt from health examination and  
19 immunization requirements on religious or medical grounds as  
20 provided in subsection (8). Every school shall report to the  
21 State Board of Education by June 30, in the manner that the  
22 State Board requires, the number of children who have received  
23 the required dental examination, indicating, of those who have  
24 not received the required dental examination, the number of  
25 children who are exempt from the dental examination on  
26 religious grounds as provided in subsection (8) of this Section

1 and the number of children who have received a waiver under  
2 subsection (1.5) of this Section. This reported information  
3 shall be provided to the Department of Public Health by the  
4 State Board of Education.

5 (7) Upon determining that the number of pupils who are  
6 required to be in compliance with subsection (5) of this  
7 Section is below 90% of the number of pupils enrolled in the  
8 school district, 10% of each State aid payment made pursuant to  
9 Section 18-8.05 to the school district for such year ~~may shall~~  
10 be withheld by the State Board of Education ~~regional~~  
11 ~~superintendent~~ until the number of students in compliance with  
12 subsection (5) is the applicable specified percentage or  
13 higher.

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

1 child from participation in the program of physical education  
2 training provided in Sections 27-5 through 27-7 of this Code.

3 (9) For the purposes of this Section, "nursery schools"  
4 means those nursery schools operated by elementary school  
5 systems or secondary level school units or institutions of  
6 higher learning.

7 (Source: P.A. 92-703, eff. 7-19-02; 93-504, eff. 1-1-04;  
8 93-530, eff. 1-1-04; 93-946, eff. 7-1-05; 93-966, eff. 1-1-05;  
9 revised 12-1-05.)

10 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

11 Sec. 34-8. Powers and duties of general superintendent. The  
12 general superintendent of schools shall prescribe and control,  
13 subject to the approval of the board and to other provisions of  
14 this Article, the courses of study mandated by State law,  
15 textbooks, educational apparatus and equipment, discipline in  
16 and conduct of the schools, and shall perform such other duties  
17 as the board may by rule prescribe. The superintendent shall  
18 also notify the State Board of Education, the board and the  
19 chief administrative official, other than the alleged  
20 perpetrator himself, in the school where the alleged  
21 perpetrator serves, that any person who is employed in a school  
22 or otherwise comes into frequent contact with children in the  
23 school has been named as a perpetrator in an indicated report  
24 filed pursuant to the Abused and Neglected Child Reporting Act,  
25 approved June 26, 1975, as amended.

1           The general superintendent may be granted the authority by  
2 the board to hire a specific number of employees to assist in  
3 meeting immediate responsibilities. Conditions of employment  
4 for such personnel shall not be subject to the provisions of  
5 Section 34-85.

6           The general superintendent may, pursuant to a delegation of  
7 authority by the board and Section 34-18, approve contracts and  
8 expenditures.

9           Pursuant to other provisions of this Article, sites shall  
10 be selected, schoolhouses located thereon and plans therefor  
11 approved, and textbooks and educational apparatus and  
12 equipment shall be adopted and purchased by the board only upon  
13 the recommendation of the general superintendent of schools or  
14 by a majority vote of the full membership of the board and, in  
15 the case of textbooks, subject to Article 28 of this Act. The  
16 board may furnish free textbooks to pupils and may publish its  
17 own textbooks and manufacture its own apparatus, equipment and  
18 supplies.

19           In addition, in January of each year, ~~beginning in 1990,~~  
20 the general superintendent of schools shall report to the State  
21 Board of Education ~~regional superintendent of schools of the~~  
22 ~~educational service region in which the school district~~  
23 ~~organized under this Article is located,~~ the number of high  
24 school students in the district who are enrolled in accredited  
25 courses (for which high school credit will be awarded upon  
26 successful completion of the courses) at any community college,

1 together with the name and number of the course or courses  
2 which each such student is taking.

3 The general superintendent shall also have the authority to  
4 monitor the performance of attendance centers, to identify and  
5 place an attendance center on remediation and probation, and to  
6 recommend to the board that the attendance center be placed on  
7 intervention and be reconstituted, subject to the provisions of  
8 Sections 34-8.3 and 8.4.

9 The general superintendent, or his or her designee, shall  
10 conduct an annual evaluation of each principal in the district  
11 pursuant to guidelines promulgated by the Board and the Board  
12 approved principal evaluation form. The evaluation shall be  
13 based on factors, including the following: (i) student academic  
14 improvement, as defined by the school improvement plan; (ii)  
15 student absenteeism rates at the school; (iii) instructional  
16 leadership; (iv) effective implementation of programs,  
17 policies, or strategies to improve student academic  
18 achievement; (v) school management; and (vi) other factors,  
19 including, without limitation, the principal's communication  
20 skills and ability to create and maintain a student-centered  
21 learning environment, to develop opportunities for  
22 professional development, and to encourage parental  
23 involvement and community partnerships to achieve school  
24 improvement.

25 (Source: P.A. 91-622, eff. 8-19-99.)"; and



1 on page 5, by replacing lines 16 through 22 with the following:

2 "(105 ILCS 5/3-14.4 rep.)

3 (105 ILCS 5/3-14.5 rep.)

4 (105 ILCS 5/3-14.11 rep.)

5 (105 ILCS 5/3-14.19 rep.)

6 (105 ILCS 5/3-14.27 rep.)

7 (105 ILCS 5/3-15.11 rep.)

8 (105 ILCS 5/6-11 rep.)

9 (105 ILCS 5/18-14 rep.)

10 (105 ILCS 5/21-19 rep.)

11 (105 ILCS 5/26-3a rep.)

12 (105 ILCS 5/29-17 rep.)

13 Section 10. The School Code is amended by repealing  
14 Sections 3-14.4, 3-14.5, 3-14.11, 3-14.19, 3-14.27, 3-15.11,  
15 6-11, 18-14, 21-19, 26-3a, and 29-17."