

1 immediately prior to or upon entrance into any public, private,
2 or parochial school or nursery school, each child shall present
3 proof of having been examined in accordance with this Section
4 and the rules and regulations promulgated hereunder. Any child
5 who received a health examination within one year prior to
6 entering the fifth grade for the 2007-2008 school year is not
7 required to receive an additional health examination in order
8 to comply with the provisions of Public Act 95-422 when he or
9 she attends school for the 2008-2009 school year, unless the
10 child is attending school for the first time as provided in
11 this paragraph.

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

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

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

13 (1.10) Except as otherwise provided in this Section, all
14 children enrolling in kindergarten in a public, private, or
15 parochial school on or after the effective date of this
16 amendatory Act of the 95th General Assembly and any student
17 enrolling for the first time in a public, private, or parochial
18 school on or after the effective date of this amendatory Act of
19 the 95th General Assembly shall have an eye examination. Each
20 of these children shall present proof of having been examined
21 by a physician licensed to practice medicine in all of its
22 branches or a licensed optometrist within the previous year, in
23 accordance with this Section and rules adopted under this
24 Section, before October 15th of the school year. If the child
25 fails to present proof by October 15th, the school may hold the
26 child's report card until one of the following occurs: (i) the

1 child presents proof of a completed eye examination or (ii) the
2 child presents proof that an eye examination will take place
3 within 60 days after October 15th. The Department of Public
4 Health shall establish, by rule, a waiver for children who show
5 an undue burden or a lack of access to a physician licensed to
6 practice medicine in all of its branches who provides eye
7 examinations or to a licensed optometrist. Each public,
8 private, and parochial school must give notice of this eye
9 examination requirement to the parents and guardians of
10 students in compliance with rules of the Department of Public
11 Health. Nothing in this Section shall be construed to allow a
12 school to exclude a child from attending because of a parent's
13 or guardian's failure to obtain an eye examination for the
14 child.

15 (2) The Department of Public Health shall promulgate rules
16 and regulations specifying the examinations and procedures
17 that constitute a health examination, which shall include an
18 age-appropriate and developmentally appropriate social and
19 emotional screening and the collection of data relating to
20 obesity (including at a minimum, date of birth, gender, height,
21 weight, blood pressure, and date of exam), and a dental
22 examination and may recommend by rule that certain additional
23 examinations be performed. The rules and regulations of the
24 Department of Public Health shall specify that a tuberculosis
25 skin test screening shall be included as a required part of
26 each health examination included under this Section if the

1 child resides in an area designated by the Department of Public
2 Health as having a high incidence of tuberculosis. With respect
3 to the social and emotional screening, the rules must be
4 developed in conjunction with a statewide organization
5 representing school boards, a statewide organization
6 representing pediatricians, and a statewide organization
7 representing children's mental health experts and, at a
8 minimum, recommend the use of a validated screening tool. The
9 rules shall provide that social and emotional screenings are
10 not intended to replace or duplicate health care systems
11 conducting screening and anticipatory guidance consistent with
12 recommendations of the American Academy of Pediatrics and must
13 be consistent with the State Board of Education's social and
14 emotional learning standards. The Department of Public Health
15 shall specify that a diabetes screening as defined by rule
16 shall be included as a required part of each health
17 examination. Diabetes testing is not required.

18 Physicians licensed to practice medicine in all of its
19 branches, licensed advanced practice nurses, or licensed
20 physician assistants shall be responsible for the performance
21 of the health examinations, other than dental examinations, eye
22 examinations, and vision and hearing screening, and shall sign
23 all report forms required by subsection (4) of this Section
24 that pertain to those portions of the health examination for
25 which the physician, advanced practice nurse, or physician
26 assistant is responsible. If a registered nurse performs any

1 part of a health examination, then a physician licensed to
2 practice medicine in all of its branches must review and sign
3 all required report forms. Licensed dentists shall perform all
4 dental examinations and shall sign all report forms required by
5 subsection (4) of this Section that pertain to the dental
6 examinations. Physicians licensed to practice medicine in all
7 its branches or licensed optometrists shall perform all eye
8 examinations required by this Section and shall sign all report
9 forms required by subsection (4) of this Section that pertain
10 to the eye examination. For purposes of this Section, an eye
11 examination shall at a minimum include history, visual acuity,
12 subjective refraction to best visual acuity near and far,
13 internal and external examination, and a glaucoma evaluation,
14 as well as any other tests or observations that in the
15 professional judgment of the doctor are necessary. Vision and
16 hearing screening tests, which shall not be considered
17 examinations as that term is used in this Section, shall be
18 conducted in accordance with rules and regulations of the
19 Department of Public Health, and by individuals whom the
20 Department of Public Health has certified. In these rules and
21 regulations, the Department of Public Health shall require that
22 individuals conducting vision screening tests give a child's
23 parent or guardian written notification, before the vision
24 screening is conducted, that states, "Vision screening is not a
25 substitute for a complete eye and vision evaluation by an eye
26 doctor. Your child is not required to undergo this vision

1 screening if an optometrist or ophthalmologist has completed
2 and signed a report form indicating that an examination has
3 been administered within the previous 12 months."

4 (2.5) With respect to the social and emotional screening
5 portion of the health examination, each child shall present
6 proof of having been examined by a physician licensed to
7 practice medicine in all of its branches within the previous
8 year, in accordance with this Section and rules adopted under
9 this Section, before October 15th of the school year. If the
10 child fails to present proof of the social and emotional
11 screening portion of the health examination by October 15th,
12 the school may hold the child's report card until one of the
13 following occurs: (i) the child presents proof of a completed
14 social and emotional screening or (ii) the child presents proof
15 that a social and emotional screening will take place within 60
16 days after October 15th. The Department of Public Health shall
17 establish, by rule, a waiver for children who show an undue
18 burden or a lack of access to a physician licensed to practice
19 medicine in all of its branches who provides social and
20 emotional screenings. Each public, private, and parochial
21 school must give notice of this social and emotional screening
22 requirement to the parents and guardians of students in
23 compliance with rules of the Department of Public Health.
24 Nothing in this Section shall be construed to allow a school to
25 exclude a child from attending because of a parent's or
26 guardian's failure to obtain a social and emotional screening

1 for the child.

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

9 (4) The individuals conducting the health examination,
10 dental examination, or eye examination shall record the fact of
11 having conducted the examination, and such additional
12 information as required, including for a health examination
13 data relating to obesity (including at a minimum, date of
14 birth, gender, height, weight, blood pressure, and date of
15 exam), on uniform forms which the Department of Public Health
16 and the State Board of Education shall prescribe for statewide
17 use. The examiner shall summarize on the report form any
18 condition that he or she suspects indicates a need for special
19 services, including for a health examination factors relating
20 to obesity. Regarding social and emotional functioning,
21 information must be shared in a manner consistent with laws and
22 policies governing health care confidentiality. The
23 individuals confirming the administration of required
24 immunizations shall record as indicated on the form that the
25 immunizations were administered.

26 (5) If a child does not submit proof of having had either

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

1 from school for noncompliance with this subsection, the child's
2 parents or legal guardian shall be considered in violation of
3 Section 26-1 and subject to any penalty imposed by Section
4 26-10. This subsection (5) does not apply to dental
5 examinations, ~~and~~ eye examinations, or the social and emotional
6 screening portion of the health examination. If the student is
7 an out-of-state transfer student and does not have the proof
8 required under this subsection (5) before October 15 of the
9 current year or whatever date is set by the school district,
10 then he or she may only attend classes (i) if he or she has
11 proof that an appointment for the required vaccinations has
12 been scheduled with a party authorized to submit proof of the
13 required vaccinations. If the proof of vaccination required
14 under this subsection (5) is not submitted within 30 days after
15 the student is permitted to attend classes, then the student is
16 not to be permitted to attend classes until proof of the
17 vaccinations has been properly submitted. No school district or
18 employee of a school district shall be held liable for any
19 injury or illness to another person that results from admitting
20 an out-of-state transfer student to class that has an
21 appointment scheduled pursuant to this subsection (5).

22 (6) Every school shall report to the State Board of
23 Education by November 15, in the manner which that agency shall
24 require, the number of children who have received the necessary
25 immunizations and the health examination (other than a dental
26 examination or eye examination) as required, indicating, of

1 those who have not received the immunizations and examination
2 as required, the number of children who are exempt from health
3 examination and immunization requirements on religious or
4 medical grounds as provided in subsection (8). On or before
5 December 1 of each year, every public school district and
6 registered nonpublic school shall make publicly available the
7 immunization data they are required to submit to the State
8 Board of Education by November 15. The immunization data made
9 publicly available must be identical to the data the school
10 district or school has reported to the State Board of
11 Education.

12 Every school shall report to the State Board of Education
13 by June 30, in the manner that the State Board requires, the
14 number of children who have received the required dental
15 examination, indicating, of those who have not received the
16 required dental examination, the number of children who are
17 exempt from the dental examination on religious grounds as
18 provided in subsection (8) of this Section and the number of
19 children who have received a waiver under subsection (1.5) of
20 this Section.

21 Every school shall report to the State Board of Education
22 by June 30, in the manner that the State Board requires, the
23 number of children who have received the required eye
24 examination, indicating, of those who have not received the
25 required eye examination, the number of children who are exempt
26 from the eye examination as provided in subsection (8) of this

1 Section, the number of children who have received a waiver
2 under subsection (1.10) of this Section, and the total number
3 of children in noncompliance with the eye examination
4 requirement.

5 The reported information under this subsection (6) shall be
6 provided to the Department of Public Health by the State Board
7 of Education.

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

16 (8) Children of parents or legal guardians who object to
17 health, dental, or eye examinations or any part thereof, to
18 immunizations, or to vision and hearing screening tests on
19 religious grounds shall not be required to undergo the
20 examinations, tests, or immunizations to which they so object
21 if such parents or legal guardians present to the appropriate
22 local school authority a signed Certificate of Religious
23 Exemption detailing the grounds for objection and the specific
24 immunizations, tests, or examinations to which they object. The
25 grounds for objection must set forth the specific religious
26 belief that conflicts with the examination, test,

1 immunization, or other medical intervention. The signed
2 certificate shall also reflect the parent's or legal guardian's
3 understanding of the school's exclusion policies in the case of
4 a vaccine-preventable disease outbreak or exposure. The
5 certificate must also be signed by the authorized examining
6 health care provider responsible for the performance of the
7 child's health examination confirming that the provider
8 provided education to the parent or legal guardian on the
9 benefits of immunization and the health risks to the student
10 and to the community of the communicable diseases for which
11 immunization is required in this State. However, the health
12 care provider's signature on the certificate reflects only that
13 education was provided and does not allow a health care
14 provider grounds to determine a religious exemption. Those
15 receiving immunizations required under this Code shall be
16 provided with the relevant vaccine information statements that
17 are required to be disseminated by the federal National
18 Childhood Vaccine Injury Act of 1986, which may contain
19 information on circumstances when a vaccine should not be
20 administered, prior to administering a vaccine. A healthcare
21 provider may consider including without limitation the
22 nationally accepted recommendations from federal agencies such
23 as the Advisory Committee on Immunization Practices, the
24 information outlined in the relevant vaccine information
25 statement, and vaccine package inserts, along with the
26 healthcare provider's clinical judgment, to determine whether

1 any child may be more susceptible to experiencing an adverse
2 vaccine reaction than the general population, and, if so, the
3 healthcare provider may exempt the child from an immunization
4 or adopt an individualized immunization schedule. The
5 Certificate of Religious Exemption shall be created by the
6 Department of Public Health and shall be made available and
7 used by parents and legal guardians by the beginning of the
8 2015-2016 school year. Parents or legal guardians must submit
9 the Certificate of Religious Exemption to their local school
10 authority prior to entering kindergarten, sixth grade, and
11 ninth grade for each child for which they are requesting an
12 exemption. The religious objection stated need not be directed
13 by the tenets of an established religious organization.
14 However, general philosophical or moral reluctance to allow
15 physical examinations, eye examinations, immunizations, vision
16 and hearing screenings, or dental examinations does not provide
17 a sufficient basis for an exception to statutory requirements.
18 The local school authority is responsible for determining if
19 the content of the Certificate of Religious Exemption
20 constitutes a valid religious objection. The local school
21 authority shall inform the parent or legal guardian of
22 exclusion procedures, in accordance with the Department's
23 rules under Part 690 of Title 77 of the Illinois Administrative
24 Code, at the time the objection is presented.

25 If the physical condition of the child is such that any one
26 or more of the immunizing agents should not be administered,

1 the examining physician, advanced practice nurse, or physician
2 assistant responsible for the performance of the health
3 examination shall endorse that fact upon the health examination
4 form.

5 Exempting a child from the health, dental, or eye
6 examination does not exempt the child from participation in the
7 program of physical education training provided in Sections
8 27-5 through 27-7 of this Code.

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

13 (Source: P.A. 98-673, eff. 6-30-14; 99-173, eff. 7-29-15;
14 99-249, eff. 8-3-15; revised 10-21-15.)".