

1 AN ACT concerning schools.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The School Code is amended by changing  
5 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  
9 Department of Public Health shall promulgate, and except as  
10 hereinafter provided, all children in Illinois shall have a  
11 health examination as follows: within one year prior to  
12 entering kindergarten or the first grade of any public,  
13 private, or parochial elementary school; upon entering the  
14 fifth and ninth grades of any public, private, or parochial  
15 school; prior to entrance into any public, private, or  
16 parochial nursery school; and, irrespective of grade,  
17 immediately prior to or upon entrance into any public,  
18 private, or parochial school or nursery school, each child  
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  
23 required part of each health examination included under this  
24 Section if the child resides in an area designated by the  
25 Department of Public Health as having a high incidence of  
26 tuberculosis. Additional health examinations of pupils,  
27 including dental and vision examinations, may be required  
28 when deemed necessary by school authorities. Parents are  
29 encouraged to have their children undergo dental examinations  
30 at the same points in time required for health examinations.

31 (2) The Department of Public Health shall promulgate

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

10 Physicians licensed to practice medicine in all of its  
11 branches shall be responsible for the performance of the  
12 health examinations, other than dental examinations and  
13 vision and hearing screening, and shall sign all report forms  
14 required by subsection (4) of this Section that pertain to  
15 those portions of the health examination for which the  
16 physician is responsible. If a physician assistant, an  
17 advanced practice nurse, or a registered nurse performs any  
18 part of a health examination, then a physician licensed to  
19 practice medicine in all of its branches must review and sign  
20 all required report forms. Licensed dentists shall perform  
21 all dental examinations and shall sign all report forms  
22 required by subsection (4) of this Section that pertain to  
23 the dental examinations. Physicians licensed to practice  
24 medicine in all its branches, or licensed optometrists, shall  
25 perform all vision exams required by school authorities and  
26 shall sign all report forms required by subsection (4) of  
27 this Section that pertain to the vision exam. Vision and  
28 hearing screening tests, which shall not be considered  
29 examinations as that term is used in this Section, shall be  
30 conducted in accordance with rules and regulations of the  
31 Department of Public Health, and by individuals whom the  
32 Department of Public Health has certified.

33 (3) Every child shall, at or about the same time as he  
34 or she receives a health examination required by subsection

1 (1) of this Section, present to the local school proof of  
2 having received such immunizations against preventable  
3 communicable diseases as the Department of Public Health  
4 shall require by rules and regulations promulgated pursuant  
5 to this Section and the Communicable Disease Prevention Act.

6 (4) The individuals conducting the health examination  
7 shall record the fact of having conducted the examination,  
8 and such additional information as required, on uniform forms  
9 which the Department of Public Health and the State Board of  
10 Education shall prescribe for statewide use. The examiner  
11 shall summarize on the report form any condition that he or  
12 she suspects indicates a need for special services. The  
13 individuals confirming the administration of required  
14 immunizations shall record as indicated on the form that the  
15 immunizations were administered.

16 (5) If a child does not submit proof of having had  
17 either the health examination or the immunization as  
18 required, then the child shall be examined or receive the  
19 immunization, as the case may be, and present proof by  
20 October 15 of the current school year, or by an earlier date  
21 of the current school year established by a school district.  
22 To establish a date before October 15 of the current school  
23 year for the health examination or immunization as required,  
24 a school district must give notice of the requirements of  
25 this Section 60 days prior to the earlier established date.  
26 If for medical reasons one or more of the required  
27 immunizations must be given after October 15 of the current  
28 school year, or after an earlier established date of the  
29 current school year, then the child shall present, by October  
30 15, or by the earlier established date, a schedule for the  
31 administration of the immunizations and a statement of the  
32 medical reasons causing the delay, both the schedule and the  
33 statement being issued by the physician, registered nurse, or  
34 local health department that will be responsible for

1 administration of the remaining required immunizations. If a  
2 child does not comply by October 15, or by the earlier  
3 established date of the current school year, with the  
4 requirements of this subsection, then the local school  
5 authority shall exclude that child from school until such  
6 time as the child presents proof of having had the health  
7 examination as required and presents proof of having received  
8 those required immunizations which are medically possible to  
9 receive immediately. During a child's exclusion from school  
10 for noncompliance with this subsection, the child's parents  
11 or legal guardian shall be considered in violation of Section  
12 26-1 and subject to any penalty imposed by Section 26-10.

13 (6) Every school shall report to the State Board of  
14 Education by November 15, in the manner which that agency  
15 shall require, the number of children who have received the  
16 necessary immunizations and the health examination as  
17 required, indicating, of those who have not received the  
18 immunizations and examination as required, the number of  
19 children who are exempt from health examination and  
20 immunization requirements on religious or medical grounds as  
21 provided in subsection (8). This reported information shall  
22 be provided to the Department of Public Health by the State  
23 Board of Education.

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

32 (8) Parents or legal guardians who object to health  
33 examinations or any part thereof, or to immunizations, on  
34 religious grounds shall not be required to submit their

1 children or wards to the examinations or immunizations to  
2 which they so object if such parents or legal guardians  
3 present to the appropriate local school authority a signed  
4 statement of objection, detailing the grounds for the  
5 objection. If the physical condition of the child is such  
6 that any one or more of the immunizing agents should not be  
7 administered, the examining physician responsible for the  
8 performance of the health examination shall endorse that fact  
9 upon the health examination form. Exempting a child from the  
10 health examination does not exempt the child from  
11 participation in the program of physical education training  
12 provided in Sections 27-5 through 27-7 of this Code.

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

17 (Source: P.A. 91-357, eff. 7-29-99.)