

1 AN ACT regarding school students.

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 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
3 procedures that constitute a health examination and may
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
8 examination included under this Section if the child resides
9 in an area designated by the Department of Public Health as
10 having a high incidence of tuberculosis.

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

1 used in this Section, shall be conducted in accordance with
2 rules and regulations of the Department of Public Health, and
3 by individuals whom the Department of Public Health has
4 certified. In these rules and regulations, the Department of
5 Public Health shall require that individuals conducting
6 vision screening tests give a child's parent or guardian
7 written notification, before the vision screening is
8 conducted, that states, "Vision screening is not a substitute
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
13 administered within the previous 12 months."

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.

21 (4) The individuals conducting the health examination
22 shall record the fact of having conducted the examination,
23 and such additional information as required, on uniform forms
24 which the Department of Public Health and the State Board of
25 Education shall prescribe for statewide use. The examiner
26 shall summarize on the report form any condition that he or
27 she suspects indicates a need for special services. The
28 individuals confirming the administration of required
29 immunizations shall record as indicated on the form that the
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.
3 To establish a date before October 15 of the current school
4 year for the health examination or immunization as required,
5 a school district must give notice of the requirements of
6 this Section 60 days prior to the earlier established date.
7 If for medical reasons one or more of the required
8 immunizations must be given after October 15 of the current
9 school year, or after an earlier established date of the
10 current school year, then the child shall present, by October
11 15, or by the earlier established date, a schedule for the
12 administration of the immunizations and a statement of the
13 medical reasons causing the delay, both the schedule and the
14 statement being issued by the physician, advanced practice
15 nurse, physician assistant, registered nurse, or local health
16 department that will be responsible for administration of the
17 remaining required immunizations. If a child does not comply
18 by October 15, or by the earlier established date of the
19 current school year, with the requirements of this
20 subsection, then the local school authority shall exclude
21 that child from school until such time as the child presents
22 proof of having had the health examination as required and
23 presents proof of having received those required
24 immunizations which are medically possible to receive
25 immediately. During a child's exclusion from school for
26 noncompliance with this subsection, the child's parents or
27 legal guardian shall be considered in violation of Section
28 26-1 and subject to any penalty imposed by Section 26-10.

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

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

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

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

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.)