

1 AN ACT relating to education.

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 that which
9 the Department of Public Health shall promulgate, and except
10 as hereinafter provided, all children in Illinois shall have
11 a 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 registered nurse performs any
17 part of a health examination, then a physician licensed to
18 practice medicine in all of its branches must review and sign
19 all required report forms. Licensed dentists shall perform
20 all dental examinations and shall sign all report forms
21 required by subsection (4) of this Section that pertain to
22 the dental examinations. Physicians licensed to practice
23 medicine in all its branches, or licensed optometrists, shall
24 perform all vision exams required by school authorities and
25 shall sign all report forms required by subsection (4) of
26 this Section that pertain to the vision exam. Vision and
27 hearing screening tests, which shall not be considered
28 examinations as that term is used in this Section, shall be
29 conducted in accordance with rules and regulations of the
30 Department of Public Health, and by individuals whom the
31 Department of Public Health has certified.

32 (3) Every child shall, at or about the same time as he
33 or she receives a health examination required by subsection
34 (1) of this Section, present to the local school proof of

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

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

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

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

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

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

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

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

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

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