



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4162

by Rep. Sue Scherer

SYNOPSIS AS INTRODUCED:

105 ILCS 5/24-5

from Ch. 122, par. 24-5

Amends the School Code. Provides that a school board may require of new substitute teachers evidence of physical fitness to perform duties assigned and shall require of new substitute teachers evidence of freedom from communicable disease, and provides that evidence may consist of a physical examination by a health care provider (instead of treating substitute teachers like other new employees who are required to provide evidence of physical fitness to perform duties assigned and freedom from communicable disease through a physical examination by a health care provider). Effective immediately.

LRB100 15472 NHT 30738 b

1 AN ACT concerning 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 Section
5 24-5 as follows:

6 (105 ILCS 5/24-5) (from Ch. 122, par. 24-5)

7 (Text of Section before amendment by P.A. 100-513)

8 Sec. 24-5. Physical fitness and professional growth.

9 (a) In this Section, "employee" means any employee of a
10 school district, a student teacher, an employee of a contractor
11 that provides services to students or in schools, or any other
12 individual subject to the requirements of Section 10-21.9 or
13 34-18.5 of this Code.

14 (b) This subsection (b) does not apply to substitute
15 teacher employees. School boards shall require of new employees
16 evidence of physical fitness to perform duties assigned and
17 freedom from communicable disease. Such evidence shall consist
18 of a physical examination by a physician licensed in Illinois
19 or any other state to practice medicine and surgery in all its
20 branches, a licensed advanced practice nurse, or a licensed
21 physician assistant not more than 90 days preceding time of
22 presentation to the board, and the cost of such examination
23 shall rest with the employee. A new or existing employee may be

1 subject to additional health examinations, including screening
2 for tuberculosis, as required by rules adopted by the
3 Department of Public Health or by order of a local public
4 health official. The board may from time to time require an
5 examination of any employee by a physician licensed in Illinois
6 to practice medicine and surgery in all its branches, a
7 licensed advanced practice nurse, or a licensed physician
8 assistant and shall pay the expenses thereof from school funds.

9 (b-5) School boards may require of new substitute teacher
10 employees evidence of physical fitness to perform duties
11 assigned and shall require of new substitute teacher employees
12 evidence of freedom from communicable disease. Evidence may
13 consist of a physical examination by a physician licensed in
14 Illinois or any other state to practice medicine and surgery in
15 all its branches, a licensed advanced practice nurse, or a
16 licensed physician assistant not more than 90 days preceding
17 time of presentation to the board, and the cost of such
18 examination shall rest with the substitute teacher employee. A
19 new or existing substitute teacher employee may be subject to
20 additional health examinations, including screening for
21 tuberculosis, as required by rules adopted by the Department of
22 Public Health or by order of a local public health official.
23 The board may from time to time require an examination of any
24 substitute teacher employee by a physician licensed in Illinois
25 to practice medicine and surgery in all its branches, a
26 licensed advanced practice nurse, or a licensed physician

1 assistant and shall pay the expenses thereof from school funds.

2 (c) School boards may require teachers in their employ to
3 furnish from time to time evidence of continued professional
4 growth.

5 (Source: P.A. 98-716, eff. 7-16-14; 99-173, eff. 7-29-15.)

6 (Text of Section after amendment by P.A. 100-513)

7 Sec. 24-5. Physical fitness and professional growth.

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19 branches, a licensed advanced practice registered nurse, or a
20 licensed physician assistant not more than 90 days preceding
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22 examination shall rest with the employee. A new or existing
23 employee may be subject to additional health examinations,
24 including screening for tuberculosis, as required by rules
25 adopted by the Department of Public Health or by order of a

1 local public health official. The board may from time to time
2 require an examination of any employee by a physician licensed
3 in Illinois to practice medicine and surgery in all its
4 branches, a licensed advanced practice registered nurse, or a
5 licensed physician assistant and shall pay the expenses thereof
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13 all its branches, a licensed advanced practice nurse, or a
14 licensed physician assistant not more than 90 days preceding
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16 examination shall rest with the substitute teacher employee. A
17 new or existing substitute teacher employee may be subject to
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19 tuberculosis, as required by rules adopted by the Department of
20 Public Health or by order of a local public health official.
21 The board may from time to time require an examination of any
22 substitute teacher employee by a physician licensed in Illinois
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24 licensed advanced practice nurse, or a licensed physician
25 assistant and shall pay the expenses thereof from school funds.

26 (c) School boards may require teachers in their employ to

1 furnish from time to time evidence of continued professional
2 growth.

3 (Source: P.A. 99-173, eff. 7-29-15; 100-513, eff. 1-1-18.)

4 Section 95. No acceleration or delay. Where this Act makes
5 changes in a statute that is represented in this Act by text
6 that is not yet or no longer in effect (for example, a Section
7 represented by multiple versions), the use of that text does
8 not accelerate or delay the taking effect of (i) the changes
9 made by this Act or (ii) provisions derived from any other
10 Public Act.

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.