

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 adding Section
5 2-3.142 and by changing Sections 3-9, 3-14.3, 3-14.12, 6-2.1,
6 10-21.4, 14C-8, 18-9, 18-11, 27-8.1, and 34-8 as follows:

7 (105 ILCS 5/2-3.142 new)

8 Sec. 2-3.142. Community college enrollments. The State
9 Board of Education shall annually assemble all data reported to
10 the State Board of Education under Section 10-21.4 or 34-8 of
11 this Code by district superintendents, relating to the number
12 of high school students in the educational service region who
13 are enrolled in accredited courses at any community college,
14 together with the name and number of the course or courses that
15 each such student is taking, assembled both by individual
16 school district and by educational service region totals.

17 (105 ILCS 5/3-9) (from Ch. 122, par. 3-9)

18 Sec. 3-9. School funds; apportionment and payment.
19 Whenever the regional superintendent receives amounts due to
20 local school districts, the regional superintendent shall
21 apportion and distribute the moneys to the appropriate local
22 school districts as directed. No part of the State or other

1 school funding, however, shall be paid to any school treasurer
2 or other persons authorized to receive it unless such treasurer
3 has filed the required bond, or if reelected, has renewed the
4 bond and filed it as required by law ~~and unless the publication~~
5 ~~of the annual fiscal statement required in Section 10-17 has~~
6 ~~been made and properly certified.~~

7 (Source: P.A. 92-121, eff. 7-20-01.)

8 (105 ILCS 5/3-14.3) (from Ch. 122, par. 3-14.3)

9 Sec. 3-14.3. Township fund lands. To sell township fund
10 lands, issue certificates of purchase, report to the county
11 board and the Secretary of State ~~Comptroller~~ in the manner
12 provided in Article 15 of this Code Act, and perform all other
13 duties pertaining thereto.

14 (Source: P.A. 78-592.)

15 (105 ILCS 5/3-14.12) (from Ch. 122, par. 3-14.12)

16 Sec. 3-14.12. Examine evidences of indebtedness. In Class
17 II county school units with respect to townships wherein
18 trustees of schools maintain jurisdiction and in which township
19 funds have not heretofore been liquidated and distributed, to
20 ~~To~~ examine all notes, bonds, mortgages, and other evidences of
21 indebtedness which the township or school treasurer holds
22 officially with respect to such fund or funds, and if he or she
23 finds that the papers are not in proper form or that the
24 securities are insufficient, he or she shall so state, in

1 writing, to the trustees of schools or school board.

2 (Source: P.A. 86-1441.)

3 (105 ILCS 5/6-2.1) (from Ch. 122, par. 6-2.1)

4 Sec. 6-2.1. On and after the effective date of this
5 amendatory Act, the provisions of Sections 6-3, 6-4, 6-5, 6-10,
6 6-11 (now repealed), 6-12, 6-17, 6-18, 6-19, 6-20, and 6-21 of
7 this School Code shall have no application in any educational
8 service region having a population of 2,000,000 or more
9 inhabitants.

10 (Source: P.A. 87-969.)

11 (105 ILCS 5/10-21.4) (from Ch. 122, par. 10-21.4)

12 Sec. 10-21.4. Superintendent - Duties. Except in districts
13 in which there is only one school with less than four teachers,
14 to employ a superintendent who shall have charge of the
15 administration of the schools under the direction of the board
16 of education. In addition to the administrative duties, the
17 superintendent shall make recommendations to the board
18 concerning the budget, building plans, the locations of sites,
19 the selection, retention and dismissal of teachers and all
20 other employees, the selection of textbooks, instructional
21 material and courses of study. However, in districts under a
22 Financial Oversight Panel pursuant to Section 1A-8 for
23 violating a financial plan, the duties and responsibilities of
24 the superintendent in relation to the financial and business

1 operations of the district shall be approved by the Panel. In
2 the event the Board refuses or fails to follow a directive or
3 comply with an information request of the Panel, the
4 performance of those duties shall be subject to the direction
5 of the Panel. The superintendent shall also notify the State
6 Board of Education, the board and the chief administrative
7 official, other than the alleged perpetrator himself, in the
8 school where the alleged perpetrator serves, that any person
9 who is employed in a school or otherwise comes into frequent
10 contact with children in the school has been named as a
11 perpetrator in an indicated report filed pursuant to the Abused
12 and Neglected Child Reporting Act, approved June 26, 1975, as
13 amended. The superintendent shall keep or cause to be kept the
14 records and accounts as directed and required by the board, aid
15 in making reports required by the board, and perform such other
16 duties as the board may delegate to him.

17 In addition, in January of each year, ~~beginning in 1990,~~
18 each superintendent shall report to the State Board of
19 Education ~~regional superintendent of schools of the~~
20 ~~educational service region in which the school district served~~
21 ~~by the superintendent is located,~~ the number of high school
22 students in the district who are enrolled in accredited courses
23 (for which high school credit will be awarded upon successful
24 completion of the courses) at any community college, together
25 with the name and number of the course or courses which each
26 such student is taking.

1 The provisions of this section shall also apply to board of
2 director districts.

3 Notice of intent not to renew a contract must be given in
4 writing stating the specific reason therefor by April 1 of the
5 contract year unless the contract specifically provides
6 otherwise. Failure to do so will automatically extend the
7 contract for an additional year. Within 10 days after receipt
8 of notice of intent not to renew a contract, the superintendent
9 may request a closed session hearing on the dismissal. At the
10 hearing the superintendent has the privilege of presenting
11 evidence, witnesses and defenses on the grounds for dismissal.
12 The provisions of this paragraph shall not apply to a district
13 under a Financial Oversight Panel pursuant to Section 1A-8 for
14 violating a financial plan.

15 (Source: P.A. 89-572, eff. 7-30-96.)

16 (105 ILCS 5/14C-8) (from Ch. 122, par. 14C-8)

17 Sec. 14C-8. Teacher certification - Qualifications -
18 Issuance of certificates. No person shall be eligible for
19 employment by a school district as a teacher of transitional
20 bilingual education without either (a) holding a valid teaching
21 certificate issued pursuant to Article 21 of this Code and
22 meeting such additional language and course requirements as
23 prescribed by the State Board of Education or (b) meeting the
24 requirements set forth in this Section. The Certification Board
25 shall issue certificates valid for teaching in all grades of

1 the common school in transitional bilingual education programs
2 to any person who presents it with satisfactory evidence that
3 he possesses an adequate speaking and reading ability in a
4 language other than English in which transitional bilingual
5 education is offered and communicative skills in English, and
6 possessed within 5 years previous to his or her applying for a
7 certificate under this Section a valid teaching certificate
8 issued by a foreign country, or by a State or possession or
9 territory of the United States, or other evidence of teaching
10 preparation as may be determined to be sufficient by the
11 Certification Board, or holds a degree from an institution of
12 higher learning in a foreign country which the Certification
13 Board determines to be the equivalent of a bachelor's degree
14 from a recognized institution of higher learning in the United
15 States; provided that any person seeking a certificate under
16 this Section must meet the following additional requirements:

17 (1) Such persons must be in good health;

18 (2) Such persons must be of sound moral character;

19 (3) Such persons must be legally present in the United
20 States and possess legal authorization for employment;

21 (4) Such persons must not be employed to replace any
22 presently employed teacher who otherwise would not be replaced
23 for any reason.

24 Certificates issuable pursuant to this Section shall be
25 issuable only during the 5 years immediately following the
26 effective date of this Act and thereafter for additional

1 periods of one year only upon a determination by the State
2 Board of Education that a school district lacks the number of
3 teachers necessary to comply with the mandatory requirements of
4 Sections 14C-2.1 and 14C-3 of this Article for the
5 establishment and maintenance of programs of transitional
6 bilingual education and said certificates issued by the
7 Certification Board shall be valid for a period of 6 years
8 following their date of issuance and shall not be renewed,
9 except that one renewal for a period of two years may be
10 granted if necessary to permit the holder of a certificate
11 issued under this Section to acquire a teaching certificate
12 pursuant to Article 21 of this Code. Such certificates and the
13 persons to whom they are issued shall be exempt from the
14 provisions of Article 21 of this Code except that Sections
15 21-12, 21-13, 21-16, 21-17, ~~21-19~~, 21-21, 21-22, 21-23 and
16 21-24 shall continue to be applicable to all such certificates.

17 After the effective date of this amendatory Act of 1984, an
18 additional renewal for a period to expire August 31, 1985, may
19 be granted. The State Board of Education shall report to the
20 General Assembly on or before January 31, 1985 its
21 recommendations for the qualification of teachers of bilingual
22 education and for the qualification of teachers of English as a
23 second language. Said qualification program shall take effect
24 no later than August 31, 1985.

25 Beginning July 1, 2001, the State Board of Education shall
26 implement a test or tests to assess the speaking, reading,

1 writing, and grammar skills of applicants for a certificate
2 issued under this Section in the English language and in the
3 language of the transitional bilingual education program
4 requested by the applicant and shall establish appropriate fees
5 for these tests. The State Board of Education, in consultation
6 with the Certification Board, shall promulgate rules to
7 implement the required tests, including specific provisions to
8 govern test selection, test validation, determination of a
9 passing score, administration of the test or tests, frequency
10 of administration, applicant fees, identification requirements
11 for test takers, frequency of applicants taking the tests, the
12 years for which a score is valid, waiving tests for individuals
13 who have satisfactorily passed other tests, and the
14 consequences of dishonest conduct in the application for or
15 taking of the tests.

16 If the qualifications of an applicant for a certificate
17 valid for teaching in transitional bilingual education
18 programs in all grades of the common schools do not meet the
19 requirements established for the issuance of that certificate,
20 the Certification Board nevertheless shall issue the applicant
21 a substitute teacher's certificate under Section 21-9 whenever
22 it appears from the face of the application submitted for
23 certification as a teacher of transitional bilingual education
24 and the evidence presented in support thereof that the
25 applicant's qualifications meet the requirements established
26 for the issuance of a certificate under Section 21-9; provided,

1 that if it does not appear from the face of such application
2 and supporting evidence that the applicant is qualified for
3 issuance of a certificate under Section 21-9 the Certification
4 Board shall evaluate the application with reference to the
5 requirements for issuance of certificates under Section 21-9
6 and shall inform the applicant, at the time it denies the
7 application submitted for certification as a teacher of
8 transitional bilingual education, of the additional
9 qualifications which the applicant must possess in order to
10 meet the requirements established for issuance of (i) a
11 certificate valid for teaching in transitional bilingual
12 education programs in all grades of the common schools and (ii)
13 a substitute teacher's certificate under Section 21-9.

14 (Source: P.A. 91-370, eff. 7-30-99.)

15 (105 ILCS 5/18-9) (from Ch. 122, par. 18-9)

16 Sec. 18-9. Requirement for special equalization and
17 supplementary State aid.

18 ~~(a) Any school district claiming an equalization quota may~~
19 ~~not increase its annual net cash balance in the educational~~
20 ~~fund for the fiscal school year by failing to expend for~~
21 ~~educational purposes the total of (1) the general grant, (2)~~
22 ~~the equalization quota, and (3) the amount determined by~~
23 ~~applying the qualifying rate to the equalized assessed~~
24 ~~valuation of the district. Any district which increases such~~
25 ~~annual net cash balance by failing to expend the amount~~

1 ~~received from the sum of (1) the general grant, (2) the~~
2 ~~equalization quota, and (3) the amount determined by applying~~
3 ~~the qualifying rate to the equalized assessed valuation of the~~
4 ~~district, shall have its next claim for an equalization quota~~
5 ~~reduced in an amount equal to the difference between its~~
6 ~~expenditures for educational purposes and that sum.~~

7 ~~Current expenditures made in any district receiving a~~
8 ~~special equalization quota and governed by a board of directors~~
9 ~~must be approved in advance by the regional superintendent.~~

10 ~~If, as a result of tax objections based on inequities of~~
11 ~~assessment, a final decision of any court, entered not more~~
12 ~~than one year before or 3 years after August 26, 1963, reduces~~
13 ~~the taxes received by the educational fund of a school~~
14 ~~district, for any given year, in an amount equal to or more~~
15 ~~than 3% of the total amount of taxes extended for educational~~
16 ~~purposes of the district, that district may amend its claim for~~
17 ~~equalization aid for that year by adding thereto an amount~~
18 ~~determined by multiplying the deficiency in tax receipts by a~~
19 ~~percentage computed by dividing the tax rate required in~~
20 ~~Section 18-8 to receive an equalization quota by the tax rate~~
21 ~~originally extended for educational purposes. The amended~~
22 ~~claim including any additional monies to which the district may~~
23 ~~be entitled shall be filed within three years of the date of~~
24 ~~such decision and the additional amount paid as supplementary~~
25 ~~state equalization aid.~~

26 ~~(b) Any elementary, high school or unit district which for~~

1 ~~the year 1971, as compared to the year 1970, has a decrease of~~
2 ~~more than 40% in the value of all its taxable property as~~
3 ~~equalized or assessed by the Department of Revenue, shall be~~
4 ~~entitled to file a claim for supplementary State aid with the~~
5 ~~Office of the State Superintendent of Education. The amount of~~
6 ~~such aid shall be determined by multiplying the amount of the~~
7 ~~decrease in the value of the district's taxable property times~~
8 ~~the total of the 1972 tax rates for school purposes less the~~
9 ~~sum of the district's qualifying tax rates for educational and~~
10 ~~transportation purposes extended by such district. Such claims~~
11 ~~shall be filed on forms prescribed by the Superintendent, and~~
12 ~~the Superintendent upon receipt of such claims shall adjust the~~
13 ~~claim of each such district in accordance with the provisions~~
14 ~~of this Section.~~

15 ~~(c) Where property comprising an aggregate assessed~~
16 ~~valuation equal to 3% or more of the total assessed valuation~~
17 ~~of all taxable property in the district is owned by a person or~~
18 ~~corporation who is the subject of bankruptcy proceedings or has~~
19 ~~been adjudged a bankrupt and, as a result thereof, has not paid~~
20 ~~taxes on that property for 2 or more years, that district may~~
21 ~~amend its claim back to the inception of such bankruptcy, not~~
22 ~~to exceed 6 years, in which time such taxes were not paid and~~
23 ~~for each succeeding year that such taxes remain unpaid by~~
24 ~~adding to that claim an amount determined by multiplying the~~
25 ~~assessed valuation of the property on which taxes have not been~~
26 ~~paid due to bankruptcy by the tax rate required in Section 18 8~~

1 ~~to receive an equalization quota or after July 1, 1973, by the~~
2 ~~district's operating tax rate for general state aid purposes.~~
3 ~~If at any time a district which receives additional State aid~~
4 ~~under the provisions of this paragraph receives tax revenue~~
5 ~~from such property for the years that taxes were not paid, its~~
6 ~~next claim for State aid shall be reduced in an amount equal to~~
7 ~~the taxes paid on such property, not to exceed the additional~~
8 ~~State aid received under the provisions of this subsection (c).~~
9 ~~Such claims shall be filed on forms prescribed by the~~
10 ~~Superintendent, and the Superintendent upon receipt of such~~
11 ~~claims shall adjust the claim of each such district in~~
12 ~~accordance with the provisions of this subsection (e).~~

13 ~~(d)~~ If property comprising an aggregate assessed valuation
14 equal to 6% or more of the total assessed valuation of all
15 taxable property in a school district is owned by a person or
16 corporation that is the subject of bankruptcy proceedings or
17 that has been adjudged bankrupt and, as a result thereof, has
18 not paid taxes on the property, then the district may amend its
19 general State aid claim (i) back to the inception of the
20 bankruptcy, not to exceed 6 years, in which time those taxes
21 were not paid and (ii) for each succeeding year that those
22 taxes remain unpaid, by adding to the claim an amount
23 determined by multiplying the assessed valuation of the
24 property on which taxes have not been paid due to the
25 bankruptcy by the lesser of the total tax rate for the district
26 for the tax year for which the taxes are unpaid or the

1 applicable rate used in calculating the district's general
2 State aid under paragraph (3) of subsection (D) of Section
3 18-8.05 of this Code. If at any time a district that receives
4 additional State aid under this Section ~~subsection (d)~~ receives
5 tax revenue from the property for the years that taxes were not
6 paid, the district's next claim for State aid shall be reduced
7 in an amount equal to the taxes paid on the property, not to
8 exceed the additional State aid received under this Section
9 ~~subsection (d)~~. Claims under this Section ~~subsection (d)~~ shall
10 be filed on forms prescribed by the State Superintendent of
11 Education, and the State Superintendent of Education, upon
12 receipt of a claim, shall adjust the claim in accordance with
13 the provisions of this Section ~~subsection (d)~~. Supplementary
14 State aid for each succeeding year under this Section
15 ~~subsection (d)~~ shall be paid beginning with the first general
16 State aid claim paid after the district has filed a completed
17 claim in accordance with this Section ~~subsection (d)~~.

18 (Source: P.A. 92-661, eff. 7-16-02.)

19 (105 ILCS 5/18-11) (from Ch. 122, par. 18-11)

20 Sec. 18-11. Payment of claims.

21 (a) ~~As Except as provided in subsection (b) of this~~
22 ~~Section, and except as provided in subsection (c) of this~~
23 ~~Section with respect to payments made under Sections 18-8~~
24 ~~through 18-10 for fiscal year 1994 only, as soon as may be~~
25 after the 10th and 20th days of each of the months of August

1 through the following July if moneys are available in the
2 common school fund in the State treasury for payments under
3 Sections 18-8.05 ~~18-8~~ through 18-9 ~~18-10~~ the State Comptroller
4 shall draw his warrants upon the State Treasurer as directed by
5 the State Board of Education pursuant to Section 2-3.17b and in
6 accordance with the transfers from the General Revenue Fund to
7 the Common School Fund as specified in Section 8a of the State
8 Finance Act.

9 Each such semimonthly warrant shall be in an amount equal
10 to 1/24 of the total amount to be distributed to school
11 districts for the fiscal year. The amount of payments made in
12 July of each year shall be considered as payments for claims
13 covering the school year that commenced during the immediately
14 preceding calendar year. If the payments provided for under
15 Sections 18-8.05 ~~18-8~~ through 18-9 ~~18-10~~ have been assigned as
16 security for State aid anticipation certificates pursuant to
17 Section 18-18, the State Board of Education shall pay the
18 appropriate amount of the payment, as specified in the
19 notification required by Section 18-18, directly to the
20 assignee.

21 (b) (Blank). ~~As soon as may be after the 10th and 20th days~~
22 ~~of each of the months of June, 1982 through July, 1983, if~~
23 ~~moneys are available in the Common School Fund in the State~~
24 ~~treasury for payments under Sections 18-8 through 18-10, the~~
25 ~~State Comptroller shall draw his warrants upon the State~~
26 ~~Treasurer proportionate for the various counties payable to the~~

1 ~~regional superintendent of schools in accordance with the~~
2 ~~transfers from the General Revenue Fund to the Common School~~
3 ~~Fund as specified in Section 8a of the State Finance Act.~~

4 ~~Each such semimonthly warrant for the months of June and~~
5 ~~July, 1982 shall be in an amount equal to 1/24 of the total~~
6 ~~amount to be distributed to school districts by the regional~~
7 ~~superintendent for school year 1981-1982.~~

8 ~~Each such semimonthly warrant for the months of August,~~
9 ~~1982 through July, 1983 shall be in an amount equal to 1/24 of~~
10 ~~the total amount to be distributed to school districts by the~~
11 ~~regional superintendent for school year 1982-1983.~~

12 ~~The State Superintendent of Education shall, from monies~~
13 ~~appropriated for such purpose, compensate districts for~~
14 ~~interest lost arising from the change in payments in June, 1982~~
15 ~~to payments in the months of June and July, 1982, for claims~~
16 ~~arising from school year 1981-1982. The amount appropriated for~~
17 ~~such purpose shall be based upon the Prime Commercial Rate in~~
18 ~~effect May 15, 1982. The amount of such compensation shall be~~
19 ~~equal to the ratio of the district's net State aid entitlement~~
20 ~~for school year 1981-1982 divided by the total net State aid~~
21 ~~entitlement times the funds appropriated for such purpose.~~
22 ~~Payment in full of the amount of compensation derived from the~~
23 ~~computation required in the preceding sentence shall be made as~~
24 ~~soon as may be after July 1, 1982 upon warrants payable to the~~
25 ~~several regional superintendents of schools.~~

26 ~~The State Superintendent of Education shall, from monies~~

1 ~~appropriated for such purpose, compensate districts for~~
2 ~~interest lost arising from the change in payments in June, 1983~~
3 ~~to payments in the months of June and July, 1983, for claims~~
4 ~~arising from school year 1982-1983. The amount appropriated for~~
5 ~~such purpose shall be based upon an interest rate of no less~~
6 ~~than 15 per cent or the Prime Commercial Rate in effect May 15,~~
7 ~~1983, whichever is greater. The amount of such compensation~~
8 ~~shall be equal to the ratio of the district's net State aid~~
9 ~~entitlement for school year 1982-1983 divided by the total net~~
10 ~~State aid entitlement times the funds appropriated for such~~
11 ~~purpose. Payment in full of the amount of compensation derived~~
12 ~~from the computation required in the preceding sentence shall~~
13 ~~be made as soon as may be after July 1, 1983 upon warrants~~
14 ~~payable to the several regional superintendents of schools.~~

15 ~~The State Superintendent of Education shall, from monies~~
16 ~~appropriated for such purpose, compensate districts for~~
17 ~~interest lost arising from the change in payments in June, 1992~~
18 ~~and each year thereafter to payments in the months of June and~~
19 ~~July, 1992 and each year thereafter. The amount appropriated~~
20 ~~for such purpose shall be based upon the Prime Commercial Rate~~
21 ~~in effect June 15, 1992 and June 15 annually thereafter. The~~
22 ~~amount of such compensation shall be equal to the ratio of the~~
23 ~~district's net State aid entitlement divided by the total net~~
24 ~~State aid entitlement times the amount of funds appropriated~~
25 ~~for such purpose. Payment of the compensation shall be made as~~
26 ~~soon as may be after July 1 upon warrants payable to the~~

1 ~~several regional superintendents of schools.~~

2 ~~The regional superintendents shall make payments to their~~
3 ~~respective school districts as soon as may be after receipt of~~
4 ~~the warrants unless the payments have been assigned as security~~
5 ~~for State aid anticipation certificates pursuant to Section~~
6 ~~18-18. If such an assignment has been made, the regional~~
7 ~~superintendent shall, as soon as may be after receipt of the~~
8 ~~warrants, pay the appropriate amount of the payment as~~
9 ~~specified in the notification required by Section 18-18,~~
10 ~~directly to the assignee.~~

11 ~~As used in this Section, "Prime Commercial Rate" means such~~
12 ~~prime rate as from time to time is publicly announced by the~~
13 ~~largest commercial banking institution in this State, measured~~
14 ~~in terms of total assets.~~

15 ~~(c) (Blank). With respect to all school districts but for~~
16 ~~fiscal year 1994 only, as soon as may be after the 10th and~~
17 ~~20th days of August, 1993 and as soon as may be after the 10th~~
18 ~~and 20th days of each of the months of October, 1993 through~~
19 ~~July, 1994 if moneys are available in the Common School Fund in~~
20 ~~the State treasury for payments under Sections 18-8 through~~
21 ~~18-10, the State Comptroller shall draw his warrants upon the~~
22 ~~State Treasurer as directed by the State Board of Education in~~
23 ~~accordance with transfers from the General Revenue Fund to the~~
24 ~~Common School Fund as specified in Section 8a of the State~~
25 ~~Finance Act. The warrant for the 10th day of August, 1993 and~~
26 ~~each semimonthly warrant for the months of October, 1993~~

1 ~~through July, 1994 shall be in an amount equal to 1/24 of the~~
2 ~~total amount to be distributed to that school district for~~
3 ~~fiscal year 1994, and the warrant for the 20th day of August,~~
4 ~~1993 shall be in an amount equal to 3/24 of that total. The~~
5 ~~amount of payments made in July of 1994 shall be considered as~~
6 ~~payments for claims covering the school year that commenced~~
7 ~~during the immediately preceding calendar year.~~

8 (Source: P.A. 87-14; 87-887; 87-895; 88-45; 88-89; 88-641, eff.
9 9-9-94.)

10 (105 ILCS 5/27-8.1) (from Ch. 122, par. 27-8.1)

11 Sec. 27-8.1. Health examinations and immunizations.

12 (1) In compliance with rules and regulations which the
13 Department of Public Health shall promulgate, and except as
14 hereinafter provided, all children in Illinois shall have a
15 health examination as follows: within one year prior to
16 entering kindergarten or the first grade of any public,
17 private, or parochial elementary school; upon entering the
18 fifth and ninth grades of any public, private, or parochial
19 school; prior to entrance into any public, private, or
20 parochial nursery school; and, irrespective of grade,
21 immediately prior to or upon entrance into any public, private,
22 or parochial school or nursery school, each child shall present
23 proof of having been examined in accordance with this Section
24 and the rules and regulations promulgated hereunder.

25 A tuberculosis skin test screening shall be included as a

1 required part of each health examination included under this
2 Section if the child resides in an area designated by the
3 Department of Public Health as having a high incidence of
4 tuberculosis. Additional health examinations of pupils,
5 including vision examinations, may be required when deemed
6 necessary by school authorities. Parents are encouraged to have
7 their children undergo vision examinations at the same points
8 in time required for health examinations.

9 (1.5) In compliance with rules adopted by the Department of
10 Public Health and except as otherwise provided in this Section,
11 all children in kindergarten and the second and sixth grades of
12 any public, private, or parochial school shall have a dental
13 examination. Each of these children shall present proof of
14 having been examined by a dentist in accordance with this
15 Section and rules adopted under this Section before May 15th of
16 the school year. If a child in the second or sixth grade fails
17 to present proof by May 15th, the school may hold the child's
18 report card until one of the following occurs: (i) the child
19 presents proof of a completed dental examination or (ii) the
20 child presents proof that a dental examination will take place
21 within 60 days after May 15th. The Department of Public Health
22 shall establish, by rule, a waiver for children who show an
23 undue burden or a lack of access to a dentist. Each public,
24 private, and parochial school must give notice of this dental
25 examination requirement to the parents and guardians of
26 students at least 60 days before May 15th of each school year.

1 (2) The Department of Public Health shall promulgate rules
2 and regulations specifying the examinations and procedures
3 that constitute a health examination, which shall include the
4 collection of data relating to obesity, ~~(including at a~~
5 ~~minimum, date of birth, gender, height, weight, blood pressure,~~
6 ~~and date of exam),~~ and a dental examination and may recommend
7 by rule that certain additional examinations be performed. The
8 rules and regulations of the Department of Public Health shall
9 specify that a tuberculosis skin test screening shall be
10 included as a required part of each health examination included
11 under this Section if the child resides in an area designated
12 by the Department of Public Health as having a high incidence
13 of tuberculosis. The Department of Public Health shall specify
14 that a diabetes screening as defined by rule shall be included
15 as a required part of each health examination. Diabetes testing
16 is not required.

17 Physicians licensed to practice medicine in all of its
18 branches, advanced practice nurses who have a written
19 collaborative agreement with a collaborating physician which
20 authorizes them to perform health examinations, or physician
21 assistants who have been delegated the performance of health
22 examinations by their supervising physician shall be
23 responsible for the performance of the health examinations,
24 other than dental examinations and vision and hearing
25 screening, and shall sign all report forms required by
26 subsection (4) of this Section that pertain to those portions

1 of the health examination for which the physician, advanced
2 practice nurse, or physician assistant is responsible. If a
3 registered nurse performs any part of a health examination,
4 then a physician licensed to practice medicine in all of its
5 branches must review and sign all required report forms.
6 Licensed dentists shall perform all dental examinations and
7 shall sign all report forms required by subsection (4) of this
8 Section that pertain to the dental examinations. Physicians
9 licensed to practice medicine in all its branches, or licensed
10 optometrists, shall perform all vision exams required by school
11 authorities and shall sign all report forms required by
12 subsection (4) of this Section that pertain to the vision exam.
13 Vision and hearing screening tests, which shall not be
14 considered examinations as that term is used in this Section,
15 shall be conducted in accordance with rules and regulations of
16 the Department of Public Health, and by individuals whom the
17 Department of Public Health has certified. In these rules and
18 regulations, the Department of Public Health shall require that
19 individuals conducting vision screening tests give a child's
20 parent or guardian written notification, before the vision
21 screening is conducted, that states, "Vision screening is not a
22 substitute for a complete eye and vision evaluation by an eye
23 doctor. Your child is not required to undergo this vision
24 screening if an optometrist or ophthalmologist has completed
25 and signed a report form indicating that an examination has
26 been administered within the previous 12 months."

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

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

22 (5) If a child does not submit proof of having had either
23 the health examination or the immunization as required, then
24 the child shall be examined or receive the immunization, as the
25 case may be, and present proof by October 15 of the current
26 school year, or by an earlier date of the current school year

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

1 examinations.

2 (6) Every school shall report to the State Board of
3 Education by November 15, in the manner which that agency shall
4 require, the number of children who have received the necessary
5 immunizations and the health examination (other than a dental
6 examination) as required, indicating, of those who have not
7 received the immunizations and examination as required, the
8 number of children who are exempt from health examination and
9 immunization requirements on religious or medical grounds as
10 provided in subsection (8). Every school shall report to the
11 State Board of Education by June 30, in the manner that the
12 State Board requires, the number of children who have received
13 the required dental examination, indicating, of those who have
14 not received the required dental examination, the number of
15 children who are exempt from the dental examination on
16 religious grounds as provided in subsection (8) of this Section
17 and the number of children who have received a waiver under
18 subsection (1.5) of this Section. This reported information
19 shall be provided to the Department of Public Health by the
20 State Board of Education.

21 (7) Upon determining that the number of pupils who are
22 required to be in compliance with subsection (5) of this
23 Section is below 90% of the number of pupils enrolled in the
24 school district, 10% of each State aid payment made pursuant to
25 Section 18-8.05 to the school district for such year may ~~shall~~
26 be withheld by the State Board of Education ~~regional~~

1 ~~superintendent~~ until the number of students in compliance with
2 subsection (5) is the applicable specified percentage or
3 higher.

4 (8) Parents or legal guardians who object to health or
5 dental examinations or any part thereof, or to immunizations,
6 on religious grounds shall not be required to submit their
7 children or wards to the examinations or immunizations to which
8 they so object if such parents or legal guardians present to
9 the appropriate local school authority a signed statement of
10 objection, detailing the grounds for the objection. If the
11 physical condition of the child is such that any one or more of
12 the immunizing agents should not be administered, the examining
13 physician, advanced practice nurse, or physician assistant
14 responsible for the performance of the health examination shall
15 endorse that fact upon the health examination form. Exempting a
16 child from the health or dental examination does not exempt the
17 child from participation in the program of physical education
18 training provided in Sections 27-5 through 27-7 of this Code.

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

23 (Source: P.A. 92-703, eff. 7-19-02; 93-504, eff. 1-1-04;
24 93-530, eff. 1-1-04; 93-946, eff. 7-1-05; 93-966, eff. 1-1-05;
25 revised 12-1-05.)

1 (105 ILCS 5/34-8) (from Ch. 122, par. 34-8)

2 Sec. 34-8. Powers and duties of general superintendent. The
3 general superintendent of schools shall prescribe and control,
4 subject to the approval of the board and to other provisions of
5 this Article, the courses of study mandated by State law,
6 textbooks, educational apparatus and equipment, discipline in
7 and conduct of the schools, and shall perform such other duties
8 as the board may by rule prescribe. The superintendent shall
9 also notify the State Board of Education, the board and the
10 chief administrative official, other than the alleged
11 perpetrator himself, in the school where the alleged
12 perpetrator serves, that any person who is employed in a school
13 or otherwise comes into frequent contact with children in the
14 school has been named as a perpetrator in an indicated report
15 filed pursuant to the Abused and Neglected Child Reporting Act,
16 approved June 26, 1975, as amended.

17 The general superintendent may be granted the authority by
18 the board to hire a specific number of employees to assist in
19 meeting immediate responsibilities. Conditions of employment
20 for such personnel shall not be subject to the provisions of
21 Section 34-85.

22 The general superintendent may, pursuant to a delegation of
23 authority by the board and Section 34-18, approve contracts and
24 expenditures.

25 Pursuant to other provisions of this Article, sites shall
26 be selected, schoolhouses located thereon and plans therefor

1 approved, and textbooks and educational apparatus and
2 equipment shall be adopted and purchased by the board only upon
3 the recommendation of the general superintendent of schools or
4 by a majority vote of the full membership of the board and, in
5 the case of textbooks, subject to Article 28 of this Act. The
6 board may furnish free textbooks to pupils and may publish its
7 own textbooks and manufacture its own apparatus, equipment and
8 supplies.

9 In addition, in January of each year, ~~beginning in 1990,~~
10 the general superintendent of schools shall report to the State
11 Board of Education ~~regional superintendent of schools of the~~
12 ~~educational service region in which the school district~~
13 ~~organized under this Article is located,~~ the number of high
14 school students in the district who are enrolled in accredited
15 courses (for which high school credit will be awarded upon
16 successful completion of the courses) at any community college,
17 together with the name and number of the course or courses
18 which each such student is taking.

19 The general superintendent shall also have the authority to
20 monitor the performance of attendance centers, to identify and
21 place an attendance center on remediation and probation, and to
22 recommend to the board that the attendance center be placed on
23 intervention and be reconstituted, subject to the provisions of
24 Sections 34-8.3 and 8.4.

25 The general superintendent, or his or her designee, shall
26 conduct an annual evaluation of each principal in the district

1 pursuant to guidelines promulgated by the Board and the Board
2 approved principal evaluation form. The evaluation shall be
3 based on factors, including the following: (i) student academic
4 improvement, as defined by the school improvement plan; (ii)
5 student absenteeism rates at the school; (iii) instructional
6 leadership; (iv) effective implementation of programs,
7 policies, or strategies to improve student academic
8 achievement; (v) school management; and (vi) other factors,
9 including, without limitation, the principal's communication
10 skills and ability to create and maintain a student-centered
11 learning environment, to develop opportunities for
12 professional development, and to encourage parental
13 involvement and community partnerships to achieve school
14 improvement.

15 (Source: P.A. 91-622, eff. 8-19-99.)

16 (105 ILCS 5/3-14.4 rep.)

17 (105 ILCS 5/3-14.5 rep.)

18 (105 ILCS 5/3-14.11 rep.)

19 (105 ILCS 5/3-14.19 rep.)

20 (105 ILCS 5/3-14.27 rep.)

21 (105 ILCS 5/3-15.11 rep.)

22 (105 ILCS 5/6-11 rep.)

23 (105 ILCS 5/18-14 rep.)

24 (105 ILCS 5/21-19 rep.)

25 (105 ILCS 5/26-3a rep.)

1 (105 ILCS 5/29-17 rep.)

2 Section 10. The School Code is amended by repealing
3 Sections 3-14.4, 3-14.5, 3-14.11, 3-14.19, 3-14.27, 3-15.11,
4 6-11, 18-14, 21-19, 26-3a, and 29-17.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.