

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

February 7, 2011

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: Policy 7:100- Health Examinations, Immunizations, and Exclusion of Students

This policy is reflective of some wording adjustments due to grade level changes in when physicals are required. There is additional wording on what kinds of exams are required and who is an acceptable provider of the exams. Eye and dental exams have been required under this policy as well. Homeless students are addressed.

We can use this as our first reading and place this on the consent agenda for next time.

## Students

### Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students <sup>1</sup>

#### Required Health Examinations and Immunizations

A student's parent(s)/guardian(s) shall present proof that the student received a health examination and the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health, within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the sixth and ninth grades; and <sup>2</sup>
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, headstart programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country). <sup>3</sup>

As required by State law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician. <sup>4</sup>
2. A diabetes screening must be included as a required part of each health examination; diabetes testing is not required. <sup>5</sup>
3. Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of 6 months and 6 years must provide a statement from a physician that their child was "risk-assessed" or screened for lead poisoning. <sup>6</sup>
4. The Department of Public Health will provide all female students entering sixth grade and their parents/guardians information about the link between human papilloma virus (HPV) and cervical cancer and the availability of the HPV vaccine. <sup>7</sup>

**The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.**

<sup>1</sup> State or federal law controls this policy's content. The policy restates 105 ILCS 5/27-8.1. Immunization requirements are found in 77 Ill.Admin.Code §665.240. A Tuberculosis skin test is required if the student lives in an area designated by the Dept. of Public Health as having a high incidence of Tuberculosis. See also "Questions & Answers Regarding School Health Record Issues," revised 9/15/2009, and available at: [www.dhs.state.il.us/OneNetLibrary/27894/documents/SchoolHealth/FAQ09.doc](http://www.dhs.state.il.us/OneNetLibrary/27894/documents/SchoolHealth/FAQ09.doc).

<sup>2</sup> 105 ILCS 5/27-8.1; 77 Ill.Admin.Code §665.140 *et seq.* For the 2008-2009 school year only, a health examination conducted from August 2006 through September 2007 (for a child who was entering fifth grade for the 2007-2008 school year) was deemed to meet the requirements of 105 ILCS 5/27-8.1.

<sup>3</sup> 77 Ill.Admin.Code §665.140. If grade levels are not assigned, examinations must be completed within one year prior to the school year in which the child reaches the ages of 5, 11, and 15 (*Id.*).

<sup>4</sup> 105 ILCS 5/27-8.1; 77 Ill.Admin.Code §665.130 *et seq.*

<sup>5</sup> 105 ILCS 5/27-8.1; 77 Ill.Admin.Code §665.700 *et seq.*

<sup>6</sup> Required by 410 ILCS 45/7.1. Physicians are required to screen children over 6 years of age for lead poisoning when, in the physician's judgment, a child is at risk (410 ILCS 45/6.2).

<sup>7</sup> This sentence restates the requirement in the Communicable Disease Prevention Act regarding cervical cancer prevention (410 ILCS 315/2e). It requires IDPH to adopt emergency rules to the extent necessary to administer its responsibilities under this provision.

Unless the student is homeless or transferring from out-of-state, failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. **8** New students who register after October 15 of the current school year shall have 30 days following registration to comply with the health examination and immunization regulations. **9** If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice nurse, physician assistant, or local health department responsible for administering the immunizations. **10**

### Eye Examination **11**

Parents/guardians are encouraged to have their children undergo an eye examination whenever health examinations are required. **12**

Parents/guardians of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches or a licensed optometrist must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Superintendent or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the Department of Public Health. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

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**8** 105 ILCS 5/27-8.1(5), amended by P.A. 96-953. A student transferring from out-of-state who does not provide the required proof by October 15 or the earlier date established (see f/n 10) may attend classes for 30 days provided he or she shows proof that an appointment for the required vaccinations has been scheduled with a physician, advanced practice nurse, physician assistant, registered nurse, or local health department (*Id.*). If proof of vaccination required by 105 ILCS 5/27-8.1(5) is not submitted within those 30 days, the student may not attend classes until the proof is submitted.

**9** This sentence is optional. The term *new students* as used in this sentence includes *out-of-state transfer students*. The timeframe of 30 days is a matter of local discretion except that out-of-state transfer students who fail to provide proof of the required vaccinations within these 30 days must be excluded until such proof is properly submitted (105 ILCS 5/27-8.1(5), amended by P.A. 96-953). Consult the board attorney about establishing timeframes other than 30 days. If a board sets a timeframe longer than 30 days, out-of-state transfer students would have less time than other new students to comply with 105 ILCS 5/27-8.1(5). While a student's out-of-state transfer status is not a protected category for purposes of policy 7:10, *Equal Educational Opportunities*, using a time frame other than 30 days could expose a district to equal educational opportunity challenges – especially considering this change to The School Code resulted from the enactment of the Educational Opportunity for Military Children Act, 105 ILCS 70/, added by P.A. 96-953.

**10** 105 ILCS 5/27-8.1(5), amended by P.A. 96-953, requires compliance by October 15 unless a district establishes an earlier date with 60 days notice. If an earlier date is established, replace "October 15" in this paragraph only with the earlier locally established date. During any student's exclusion from school for non-compliance with this policy, the student's parents/guardians shall be considered in violation of 105 ILCS 5/26-1 and subject to any penalty imposed by 105 ILCS 5/26-10, as provided in 105 ILCS 5/27-8.1, amended by P.A. 96-953.

**11** Required by 105 ILCS 5/27-8.1(1.10) and (2). The IDPH's rules are published at 77 Ill.Admin.Code §665.610 *et seq.* 77 Ill.Admin.Code §665.150 and 630 prescribe the statewide eye examination report form. It is available at: [www.idph.state.il.us/HealthWellness/EyeExamReport.pdf](http://www.idph.state.il.us/HealthWellness/EyeExamReport.pdf) or 77 Ill.Admin.Code §665, Appendix A.

**12** While 105 ILCS 5/27-8.1 requires eye examinations for students entering kindergarten or an Illinois school for the first time, it still encourages parent(s)/guardian(s) to have their children undergo eye examinations at the same points in time as their required health examinations. The IDPH must require that individuals conducting vision screenings give a child's parent/guardian a written notification stating:

Vision screening is not a substitute for a complete eye and vision evaluation by an eye doctor. Your child is not required to undergo this vision screening if an optometrist or ophthalmologist has completed and signed a report form indicating that an examination has been administered within the previous 12 months.

### Dental Examination 13

All children in kindergarten and the second and sixth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the Illinois Department of Public Health.

If a child in the second or sixth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parents/guardians are notified of this dental examination requirement at least 60 days before May 15 of each school year.

### Exemptions 14

In accordance with rules adopted by the Illinois Department of Public Health, a student will be exempted from this policy's requirements for:

1. Religious or medical grounds if the student's parents/guardians present to the Superintendent a signed statement explaining the objection;
2. Health examination or immunization requirements on medical grounds if a physician provides written verification;
3. Eye examination requirement if the student's parents/guardians show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist; or
4. Dental examination requirement if the student's parents/guardians show an undue burden or a lack of access to a dentist.

### Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment. 15 School Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.  
105 ILCS 5/27-8.1.  
410 ILCS 45/7.1 and 315/2e.  
23 Ill.Admin.Code §1.530.  
77 Ill.Admin.Code Part 665.

CROSS REF.: 6:30 (Organization of Instruction), 6:140 (Education of Homeless Children),  
6:180 (Extended Instructional Programs), 7:50 (School Admissions and Student  
Transfers To and From Non-District Schools)

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<sup>13</sup> Required by 105 ILCS 5/27-8.1(1.5). The IDPH's rules are published at 77 Ill.Admin.Code §665.410 et seq. 77 Ill.Admin.Code §665.150 and 430 prescribe the statewide dental examination report form. It is available at: [www.idph.state.il.us/HealthWellness/oralhlth/DentalExamProof.pdf](http://www.idph.state.il.us/HealthWellness/oralhlth/DentalExamProof.pdf).

<sup>14</sup> Id. and 105 ILCS 5/27-8.1(1.10).

<sup>15</sup> Required by the McKinney Homeless Assistance Act, 42 U.S.C. §1142(g)(3)(C)(i).

## **Students**

### **Health Examinations, Immunizations, and Exclusion of Students**

A student's parent(s)/guardian(s) shall present proof that the student was examined by a licensed physician and received the immunizations against, and screenings for, preventable communicable diseases, as required by the Department of Public Health rules:

1. within one year before entering kindergarten or the first grade;
2. upon entering the fifth and ninth grades; and
3. whenever a student first enrolls in a District school, regardless of the student's grade.

Parent(s)/guardian(s) are encouraged to have their child undergo a dental examination whenever health examinations are required.

Failure to comply with the above requirements by the first day of school of the current school year will result in the student's exclusion from school until the required health forms are presented to the District. If a medical reason prevents a student from receiving a required immunization by the first day of school, the student must present, by the first day of school, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, registered nurse, or local health department responsible for administering the immunizations. All new students who are first-time registrants shall have 30 days following registration to comply with the health examination and immunization regulations.

Parent(s)/guardian(s) of children between the ages of 6 months and 6 years must provide a statement from a physician that their child was "risk-assessed" or screened for lead poisoning in accordance with State law.

A student may be exempted from this policy's requirements on religious or medical grounds if the student's parent(s)/guardian(s) present to the Superintendent a signed statement explaining the objection. A student may be exempted from the health examination or immunizations on medical grounds if a physician provides written verification.

LEGAL REF.: 105 ILCS 5/27-8.1.  
410 ILCS 45/7.1.  
77 Ill. Admin. Code §§ 665.100 and 665.240.

ADOPTED: May 20, 2002