

Policy Committee - Attorney Recommendations:

1) 4:15 Operational Services

Press states, "consult with attorney"

We would suggest two changes to the Policy language as proposed by PRESS. Section 12 of the Illinois Personal Information Protection Act is technically applicable only to state agencies, so we do not think the specific requirements of that subsection need to be pulled into your policy. As such we recommend as follows:

In item #5, delete the phrase "as required by 815 ILCS 530/12".

Item #7—delete in its entirety.

2) 7:100 Students: Health, Eye and Dental Examinations: Immunizations, and Exclusion of Students.

#5 can we add males to the sentence about providing all females with the info?

The Communicable Disease Prevention Act, in the provision regarding cervical cancer prevention, now requires IDPH to provide information regarding HPV to female students entering 6th grade and their parents/guardians. The Act does not require that IDPH provide the same information to male students entering 6th grade and their parents/guardians. Therefore, we do not recommend revising Policy 7:100. However, if the District distributes the information on behalf of IDPH to the female students and their parents/guardians, the District also may provide the information to the male students and their parents/guardians if it so chooses.

Also, Press recommends consulting attorney regarding the emotional screening.

Starting with the 2017-2018 school year, as part of a child's required health examination, an age-appropriate developmental screening and age-appropriate social and emotional screening are required. On the health examination form, the student's health care provider only has to denote whether the required screenings were completed. Whether the District's child find obligation under IDEA or Section 504 is triggered is determined on a case-by-case basis. We are happy to work with the District when it is presented with such a situation.

As noted, if the required age-appropriate developmental screening and age-appropriate social and emotional screening were not completed or not indicated on the health examination form, the student cannot be excluded from school. The screenings are specifically exempt from the exclusion requirement. Finally, as to the optional sentences offered by PRESS, there are three options: (1) include sentence Option 1, (2) include sentence Option 2, or (3) include both sentences in Option 1 and 2. If the District wants to offer the services listed in the optional sentences, that is a programmatic decision for the District. And, again, as to whether the District's child find obligation under IDEA or Section 504 is triggered is determined on a case-by-case basis.

3) 5:210 Resignations

This was part of 5-year review process. Will legal check the language to match new law.

We understand this policy review is on hold until the negotiations are completed.