



Sen. Susan Garrett

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09500HB5338sam002

LRB095 14466 NHT 51632 a

1 AMENDMENT TO HOUSE BILL 5338

2 AMENDMENT NO. _____. Amend House Bill 5338, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The School Code is amended by adding Section
6 2-3.148 and by changing Section 24-6 as follows:

7 (105 ILCS 5/2-3.148 new)

8 Sec. 2-3.148. Food allergy guidelines.

9 (a) Not later than July 1, 2009, the State Board of
10 Education, in conjunction with the Department of Public Health,
11 shall develop and make available to each school board
12 guidelines for the management of students with
13 life-threatening food allergies. The guidelines shall include,
14 but need not be limited to, the following:

15 (1) education and training for school personnel on the
16 management of students with life-threatening food

1 allergies, including training related to the
2 administration of medication with a cartridge injector;

3 (2) procedures for responding to life-threatening
4 allergic reactions to food;

5 (3) a process for the implementation of individualized
6 health care and food allergy action plans for every student
7 with a life-threatening food allergy; and

8 (4) protocols to prevent exposure to food allergens.

9 (b) Not later than January 1, 2010, each school board shall
10 implement a policy based on the guidelines developed pursuant
11 to subsection (a) of this Section for the management of
12 students with life-threatening food allergies enrolled in the
13 schools under its jurisdiction.

14 (105 ILCS 5/24-6) (from Ch. 122, par. 24-6)

15 Sec. 24-6. Sick leave. The school boards of all school
16 districts, including special charter districts, but not
17 including school districts in municipalities of 500,000 or
18 more, shall grant their full-time teachers, and also shall
19 grant such of their other employees as are eligible to
20 participate in the Illinois Municipal Retirement Fund under the
21 "600-Hour Standard" established, or under such other
22 eligibility participation standard as may from time to time be
23 established, by rules and regulations now or hereafter
24 promulgated by the Board of that Fund under Section 7-198 of
25 the Illinois Pension Code, as now or hereafter amended, sick

1 leave provisions not less in amount than 10 days at full pay in
2 each school year. If any such teacher or employee does not use
3 the full amount of annual leave thus allowed, the unused amount
4 shall be allowed to accumulate to a minimum available leave of
5 180 days at full pay, including the leave of the current year.
6 Sick leave shall be interpreted to mean personal illness,
7 quarantine at home, serious illness or death in the immediate
8 family or household, or birth, adoption, or placement for
9 adoption. The school board may require a certificate from a
10 physician licensed in Illinois to practice medicine and surgery
11 in all its branches, an advanced practice nurse who has a
12 written collaborative agreement with a collaborating physician
13 that authorizes the advanced practice nurse to perform health
14 examinations, ~~or~~ a physician assistant who has been delegated
15 the authority to perform health examinations by his or her
16 supervising physician, or, if the treatment is by prayer or
17 spiritual means, ~~that of~~ a spiritual adviser or practitioner of
18 the teacher's or employee's such person's faith, as a basis for
19 pay during leave after an absence of 3 days for personal
20 illness or 30 days for birth, or as the school board ~~it~~ may
21 deem necessary in other cases. If the school board does require
22 a certificate as a basis for pay during leave of less than 3
23 days for personal illness, the school board shall pay, from
24 school funds, the expenses incurred by the teachers or other
25 employees in obtaining the certificate. For paid leave for
26 adoption or placement for adoption, the school board may

1 require that the teacher or other employee provide evidence
2 that the formal adoption process is underway, and such leave is
3 limited to 30 days unless a longer leave has been negotiated
4 with the exclusive bargaining representative.

5 If, by reason of any change in the boundaries of school
6 districts, or by reason of the creation of a new school
7 district, the employment of a teacher is transferred to a new
8 or different board, the accumulated sick leave of such teacher
9 is not thereby lost, but is transferred to such new or
10 different district.

11 For purposes of this Section, "immediate family" shall
12 include parents, spouse, brothers, sisters, children,
13 grandparents, grandchildren, parents-in-law, brothers-in-law,
14 sisters-in-law, and legal guardians.

15 (Source: P.A. 94-350, eff. 7-28-05; 95-151, eff. 8-14-07.)

16 Section 99. Effective date. This Section and the provisions
17 changing Section 24-6 of the School Code take effect upon
18 becoming law."