

79-248. Pupils; health inspections; notice of defects; contagious or infectious disease; duty of school district.

Every school district shall cause children under its jurisdiction to be separately and carefully inspected, except as otherwise provided in this section, to ascertain if a child is suffering from (1) defective sight or hearing, (2) dental defects, or (3) other conditions as prescribed by the Department of Health and Human Services. Such inspections shall be conducted on a schedule prescribed by the department and shall be based on current medical and public health practice. If such inspection determines that any child has such condition, the school shall notify the parent of the child in writing of such condition and explain to such parent the necessity of professional attendance for such child. Whenever a child apparently shows symptoms of any contagious or infectious disease, such child shall be sent home immediately or as soon as safe and proper conveyance can be found and the proper school authority, school board, or board of education shall be at-once notified. Such student may be excluded from school as provided in section 79-264. A child shall not be required to submit to an inspection required by this section if his or her parent or guardian provides school authorities with a statement signed by a physician, a physician assistant, or an advanced practice registered nurse practicing under and in accordance with his or her respective credentialing act or other qualified provider as identified by the department in rules and regulations adopted pursuant to section 79-249, stating that such child has undergone such required inspection within the past six months. A child shall submit to any required inspection for which such a statement is not received.

Source: Laws 1919, c. 241, § 1, p. 1004; C.S.1922, § 6536; Laws 1923, c. 55, § 1, p. 176; C.S.1929, § 79-2113; R.S.1943, § 79-2122; Laws 1949, c. 256, § 171, p. 748; Laws 1967, c. 538, § 1, p. 1778; R.S.1943, (1994), § 79-4,133; Laws 1996, LB 900, § 52; Laws 1996, LB 1044, § 815; Laws 2007, LB296, § 710; Laws 2010, LB713, § 1.

Effective Date: July 15, 2010

Cross References

Immunization requirements, see sections 79-217 to 79-223.

79-249. Pupils; health inspections; rules; duties of Department of Health and Human Services; compliance with Medication Aide Act; when.

The Department of Health and Human Services shall adopt and promulgate rules and regulations for conducting school health inspections, the qualifications of the person or persons authorized to make such inspections, and the health conditions to be observed and remedied and shall furnish to school authorities the rules and regulations and other useful materials for carrying out the purposes of sections 79-248 to 79-253. The department may make available to schools methods for the gathering, analysis, and sharing of school health data that do not violate any privacy laws.

On and after July 1, 1999, no staff member of any school shall administer medication unless the school complies with the applicable requirements of the Medication Aide Act. Notwithstanding any other provision, nothing in the act shall be construed to require any school to employ or use a school nurse or medication aide in order to be in compliance with the act.

Source: Laws 1919, c. 241, § 2, p. 1004; C.S.1922, § 6537; C.S.1929, § 79-2114; R.S.1943, § 79-2123; Laws 1949, c. 256, § 172, p. 749; Laws 1967, c. 538, § 2, p. 1778; R.S.1943, (1994), § 79-4,134; Laws 1996, LB 900, § 53; Laws 1996, LB 1044, § 816; Laws 1998, LB 1354, § 43; Laws 2007, LB296, § 711; Laws 2010, LB713, § 2.

Effective Date: July 15, 2010

Cross References

Medication Aide Act, see section 71-6718.

79-250. Pupils; health inspections; when required.

During each school year the school district shall provide the inspections required by section 79-248 for the children then in attendance. As children enter school during the year, such inspections shall be confirmed upon their entrance.

Source: Laws 1919, c. 241, § 3, p. 1004; C.S.1922, § 6538; C.S.1929, § 79-2115; R.S.1943, § 79-2124; Laws 1949, c. 256, § 173, p. 749; Laws 1967, c. 538, § 3, p. 1778; R.S.1943, (1994), § 79-4,135; Laws 1996, LB 900, § 54; Laws 2010, LB713, § 3.
Effective Date: July 15, 2010

79-251. Pupils; health inspections; duty of school board.

The boards of education and school boards of the school districts of the state shall enforce the provisions of sections 79-248 to 79-253.

Source: Laws 1919, c. 241, § 4, p. 1004; C.S.1922, § 6539; C.S.1929, § 79-2116; R.S.1943, § 79-2125; Laws 1949, c. 256, § 174, p. 749; R.S.1943, (1994), § 79-4,136; Laws 1996, LB 900, § 55.

79-252. Pupils; health inspections; employment of physicians authorized.

In lieu of conducting the inspections required by section 79-248, the board of education or school board of any school district may employ regularly licensed physicians to make such inspections.

Source: Laws 1919, c. 241, § 5, p. 1005; C.S.1922, § 6540; C.S.1929, § 79-2117; R.S.1943, § 79-2126; Laws 1949, c. 256, § 175, p. 749; Laws 1967, c. 538, § 4, p. 1779; R.S.1943, (1994), § 79-4,137; Laws 1996, LB 900, § 56; Laws 2010, LB713, § 4.
Effective Date: July 15, 2010

79-253. Pupils; health inspections; violation; penalty.

Any person violating any of the provisions of sections 79-248 to 79-252 shall be guilty of a Class V misdemeanor.

Source: Laws 1919, c. 241, § 6, p. 1005; C.S.1922, § 6541; C.S.1929, § 79-2118; R.S.1943, § 79-2127; Laws 1949, c. 256, § 176, p. 749; Laws 1977, LB 39, § 253; R.S.1943, (1994), § 79-4,138; Laws 1996, LB 900, § 57.