

LEGISLATURE OF NEBRASKA
ONE HUNDRED FOURTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 29

Introduced by McCoy, 39.

Read first time January 08, 2015

Committee: Education

- 1 A BILL FOR AN ACT relating to schools; to amend section 79-248, Reissue
- 2 Revised Statutes of Nebraska; to change provisions relating to
- 3 health inspections as prescribed; to harmonize provisions; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 79-248, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 79-248 (1) Every school district shall cause children under its
4 jurisdiction to be separately and carefully inspected, except as
5 otherwise provided in this section, to ascertain if a child is suffering
6 from ~~(1) defective sight or hearing or~~ (1) dental defects, ~~or (3) other~~
7 ~~conditions as prescribed by the Department of Health and Human Services.~~
8 Such inspections shall be conducted on a schedule prescribed by the
9 department and shall be based on current medical and public health
10 practice. If such inspection determines that any child has such
11 condition, the school shall notify the parent of the child in writing of
12 such condition and explain to such parent the necessity of professional
13 attendance for such child.

14 (2) Whenever a child apparently shows symptoms of any contagious or
15 infectious disease, such child shall be sent home immediately or as soon
16 as safe and proper conveyance can be found and the proper school
17 authority, school board, or board of education shall be at once notified.
18 Such student may be excluded from school as provided in section 79-264.

19 (3) A child shall not be required to submit to an inspection
20 required by subsection (1) of this section if his or her parent or
21 guardian provides school authorities with a written statement signed by
22 the parent or guardian stating that the parent or guardian objects to the
23 child's submitting to such inspection or a statement signed by a
24 physician, a physician assistant, or an advanced practice registered
25 nurse, a dentist, or an optometrist practicing under and in accordance
26 with his or her respective credentialing act or other qualified provider
27 as identified by the department in rules and regulations adopted pursuant
28 to section 79-249, stating that such child has undergone such required
29 inspection on or after May 1 immediately preceding the first day of the
30 school year during which such health inspections are conducted by the
31 school district within the past six months. A child shall submit to any

1 required inspection for which such a statement is not received.

2 (4) Each school district shall provide both paper and electronic
3 forms for such statements and make electronic forms available on the web
4 site of the school district in a printable format.

5 Sec. 2. Original section 79-248, Reissue Revised Statutes of
6 Nebraska, is repealed.