

SENATE No. 348

Bill accompanying the Report of the Special Recess Commission on Education (Senate, No. 330). Printed by order of the Senate.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Nineteen.

AN ACT

To promote the Practice of School Hygiene and the Health and Physical Development of School Children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows;

1 SECTION 1. The school committee of every city and town
2 in the commonwealth shall appoint one or more school physi-
3 cians, one or more school dentists, and a director of physical
4 education and training, and shall appoint one or more school
5 nurses, and provide them with all proper facilities for the
6 performance of their duties, as prescribed in this act, and
7 shall assign one or more of the school physicians to perform
8 the duty of examining the children who apply for health
9 certificates in accordance with this act: *provided, however,*
10 that the appointment of school physicians and school nurses
11 shall not become effective until approved by the board of
12 health of said city or town, and the school committee notified,
13 in writing, to that effect. Two or more towns may unite in
14 the appointment of the same person for any of these positions.

1 SECTION 2. Every school physician shall make a prompt
2 examination and diagnosis of all children referred to him as
3 hereinafter provided, and such further examination of teach-
4 ers, janitors, and school buildings, both public and private, as
5 in his opinion the protection of the health of the pupils may
6 require. Every school physician who is assigned to perform
7 the duty of examining children who apply for health certifi-
8 cates shall make a prompt examination of every child who
9 wishes to obtain an employment certificate, as provided in
10 section eighteen of chapter seven hundred and seventy-nine,
11 acts of nineteen hundred and thirteen, and who presents to
12 said physician a promise of employment, as provided in said
13 section; and the physician shall certify in writing whether or
14 not in his opinion such child is in sufficiently sound health
15 and physically able to perform the work which the child in-
16 tends to do.

1 SECTION 3. The school committee shall cause to be re-
2 ferred to a school physician for examination and diagnosis
3 every child returning to school, public or private, without a
4 certificate from the board of health after absence on account
5 of illness or from unknown cause; and every child in the
6 public or private schools who shows signs of being in ill
7 health or of suffering from communicable disease, unless he
8 is at once excluded from school by the teacher; except that
9 in the case of schools in remote and isolated situations the
10 school committee may make such other arrangements as may
11 best carry out the purposes of this act.

1 SECTION 4. The school committee shall cause notice of the
2 disease or defects to be sent to his parent or guardian.
3 Whenever a child shows symptoms of smallpox, scarlet fever,
4 measles, chicken pox, tuberculosis, diphtheria or influenza,
5 tonsillitis, whooping cough, mumps, scabies, trachoma, or
6 other disease declared dangerous by the state department of
7 health, he shall be sent home immediately, or as soon as safe.

8 and proper conveyance can be found, and the board of health
9 shall at once be notified.

1 SECTION 5. The school committee of every city and town
2 shall cause every child in the public and private schools to be
3 separately and carefully tested and examined at least once in
4 every school year, to ascertain whether he is suffering from
5 defective sight or hearing, defective or decaying teeth, or
6 from any other disability or defect tending to prevent his
7 receiving the full benefit of his school work, or tending to be
8 injurious to the child. The tests of sight and hearing shall be
9 made by school physicians, school nurses, or teachers. The
10 examination of children's teeth shall be made by the school
11 dentists. The committee shall cause notice of any defect or
12 disability requiring treatment to be sent to the parent or
13 guardian of the child, and shall require a physical record of
14 each child to be kept in such form as the state department of
15 education shall prescribe.

16 The school committee may accept, in lieu of such examina-
17 tions by the school physician, a certificate signed by a regis-
18 tered physician and setting forth such information as may be
19 required by the rules and regulations made in accordance
20 with the provisions of this act. The school committee may
21 also accept, in lieu of such examinations by the school dentist,
22 a certificate signed by a registered dentist and setting forth
23 such information as may be required by the rules and regu-
24 lations made in accordance with the provisions of this act.

1 SECTION 6. The state department of health shall prescribe
2 the directions for tests of sight and hearing, and the state
3 department of education shall furnish to school committees
4 the rules of instruction, test-cards, blanks, record books, and
5 other useful appliances for carrying out the purposes of this
6 act, and shall provide for pupils in the normal schools in-
7 struction and practice in the best methods of testing the sight
8 and hearing of children.

1 SECTION 7. It shall be the duty of directors of physical
2 training, subject to the approval of the school committee, to
3 establish, supervise, and direct courses in physical education
4 in all the public schools of their respective cities and towns.

1 SECTION 8. It shall be the duty of the authorities in
2 charge of private elementary schools to provide courses in
3 physical education, the equivalent of those offered in the
4 public schools, and said courses shall be subject to the ap-
5 proval of the school committee of the city or town wherein
6 such private schools are maintained.

1 SECTION 9. It shall be the duty of school nurses, where
2 appointed, to assist the school physicians and to work under
3 their direction.

1 SECTION 10. The inspection of school buildings and the
2 medical and dental inspection and examination of school chil-
3 dren, contemplated under the provisions of this act, shall be
4 carried out in a manner satisfactory to the state department
5 of education; and the state department of education, after
6 conference with, and with the approval of, the state depart-
7 ment of health, is hereby authorized to establish and maintain
8 minimum rules, regulations, and standards for such inspection
9 and examination.

1 SECTION 11. The state department of education, after con-
2 ference with the state department of health, is hereby author-
3 ized to establish minimum requirements and standards and
4 courses of instruction for the teaching of hygiene and physical
5 training in all public and private schools of the commonwealth
6 and in the state normal schools, and to maintain supervision
7 of said teaching in the same.

1 SECTION 12. The commissioner of education, with the ap-
2 proval of the board of education, shall appoint a director of

3 physical education, who shall be a physician especially quali-
4 fied to supervise and direct the work contemplated by the pro-
5 visions of this act. Said appointment shall not become
6 effective until approved by the state department of health,
7 and the commissioner of education notified in writing to that
8 effect. The salary of the director shall be fixed in such sum
9 as may be approved by the governor and council, and shall
10 not exceed five thousand dollars per year. The commissioner
11 of education, with the approval of the board of education,
12 shall also appoint two deputy directors of physical education,
13 one of whom shall assist in the organization and inspection of
14 the work of medical and dental examinations, and the other
15 in the organization and inspection of the work of physical
16 education.

1 SECTION 13. Chapter five hundred and two of the acts of
2 nineteen hundred and six and all amendments thereto, and
3 chapter one hundred and eighty-nine of the acts of nineteen
4 hundred and eight, and all acts or parts of acts inconsistent
5 with this act are hereby repealed.

1 SECTION 14. This act shall take effect September one,
2 nineteen hundred and nineteen.

