

The Wendell School District recognizes that schools are responsible for protecting the morals and health of students while attending school or school-sponsored activities, including providing first aid or emergency treatment in case of sudden illness or injury to a student. The district also recognizes the fundamental right and duty of parents/guardians to make decisions concerning the furnishing of health care services to a minor child. Consistent with its responsibility, the district may maintain certain health information of students and take certain actions in emergencies as described in this policy.

DEFINITIONS

The following definitions apply to this policy:

“Health care provider” means a physician, health care practitioner, or other individual licensed, accredited, or certified to perform health care services or provide counseling consistent with state law, or any agent or third-party representative thereof.

“Health care service” means a service for the diagnosis, screening, examination, prevention, treatment, cure, care, or relief of any physical or mental health condition, illness, injury, defect, or disease.

“Health information” means information or data, collected or recorded in any form or medium, and personal facts of information about events or relationships that relates to: (i) the past, present, or future physical, mental, or behavioral health or condition of an individual or member of the individual’s family; (ii) the provision of health care services to an individual; or (iii) payment for the provision of health care services to an individual.

“Minor child” means an individual under eighteen (18) years of age but does not include an individual who is an emancipated minor.

HEALTH RECORDS

Each school within the district may maintain the following health records and health information for each student:

1. A record showing the medical history and pertinent information relating to immunizations; and
2. Information setting forth:

- a. The name of a contact person in case the parent/guardian cannot be reached in an emergency;
 - b. The name of a contact person in case the parent/guardian cannot be reached in an emergency;
 - c. Any physical or medical condition the student might have that may require school personnel attention;
 - d. Authorization from the parent/guardian to obtain emergency medical attention if the parent/guardian is not available.
3. A health care plan for any student who has a medical condition that requires administration of medications at school.
4. Record of medications administered at school and emergency care provided to the student.

Health information maintained by the district will be provided to the parent/guardian of a minor child upon written request by the parent/guardian unless (1) the parent/guardian's access to the requested health information is prohibited by court order; (2) the health information is a record that relates to physical abuse, abandonment, or neglect by the parent, as provided in Idaho Code §33-6001(3); or (3) where the parent/guardian is a subject of investigation related to a crime committed against the minor child and a law enforcement officer requests that the information not be released to the parent/guardian.

HEALTH CARE SERVICES

Except as provided in this policy or Idaho law, district staff will not furnish a health care service or solicit to furnish a health care service to a minor student without obtaining the informed consent of the student's parents (who have legal custody of such minor student) or legal guardians.

At the beginning of each school year, school staff may request parent/guardian blanket consent to provide health care services, including emergency medical care, on a form as prescribed by Idaho law, to a minor child during the school year. Where such blanket consent is provided, district staff may authorize or furnish a health care service without obtaining the informed consent of the minor student's parents/guardians. No parent/guardian will be required or pressured to sign a blanket consent form as a condition of the child's enrolling in the district or participating in any school-sponsored activity. Parents/guardians may revoke consent to furnish any further health care service to their minor child at any time.

EMERGENCY CARE

All employees of the district will protect the health of students and will take reasonable measures to provide for the emergency care of any student that becomes ill or is injured on school property, during school hours, or at a school-sponsored event. Where blanket parental consent has not been provided, school staff may furnish emergency medical care for a minor child when the school nurse, school counselor or other authorized school staff reasonably determines that a medical emergency exists and: (i) furnishing the health care service is necessary in order to prevent death or address serious bodily harm to the student; or (ii) after a reasonably diligent effort, the school nurse, school counselor or other authorized school staff cannot locate or contact the student's parent/guardian and the health care service is furnished to prevent loss of life or serious physical illness or injury to the student.

The district is not responsible for the cost of any medical care provided to the student by a health care provider or the cost of transporting the student for the purpose of obtaining such medical care.

The district will maintain a record of any injury or illness, and the emergency care and other actions taken by staff members in response to the incident.

If a child develops symptoms of illness while at school, the responsible school officials shall do the following:

1. Isolate the child immediately from other children in a room or area segregated for that purpose.
2. Inform the child's parent/guardian as soon as possible about the illness and request that the child be picked up from school.
3. Report each case of suspected communicable disease the same day by telephone to the local health authority, or as soon as possible thereafter if no contact can be made the same day.

ADDITIONAL EXCEPTIONS TO REQUIREMENT FOR INFORMED CONSENT

District staff may authorize or furnish a health care service without obtaining the informed consent of a minor student's parents/guardians in the following circumstances:

1. A minor child is seeking health care or medical treatment that is directly related to an allegation of a crime of physical violence against the minor child or to collect evidence related to such crime when the collection of such evidence is time-sensitive.
2. The service is limited to non-emergency first-aid services and care to a minor appearing or represented to be sick or injured.

3. A minor child utilized the 988 Idaho crisis and suicide hotline and receives immediate crisis and suicide prevention services.
4. District staff are furnishing the health care service for the purpose of detecting or diagnosing pregnancy or providing prenatal or peripartum care, which shall not include abortion or the performing or facilitating an abortion as that term is defined in Idaho Code §18-8702.

PRESERVATION OF IMMUNITIES RELATING TO ADMINISTERING FIRST AID

Nothing in this policy shall be construed to invalidate any protections or immunities granted to any individual administering first aid services and care pursuant to any provision of Idaho Code. In addition, no individual acting reasonably under the circumstances shall be found in violation of this policy or Idaho law by furnishing non-emergency first aid services and care to a minor student appearing or represented to be sick or injured. Such services and care may include dressing minor wounds, applying topical agents, providing fluids or ice, and performing checks to identify minor illnesses.



LEGAL REFERENCE:

Idaho Code Sections

33-512 – Parental Rights in Medical Decision-Making

33-512(4) – Governance of School (Morals and Health of Pupils)

Czaplicki v. Gooding Joint School District, 116 Idaho 326 (1989)

Doe v. Durtschi, 110 Idaho 466 (1986)

CROSS-REFERENCE:

Food Allergies #559

Administering Medications #561

Exclusion for Communicable Diseases #562

Exclusion for Head Lice #563

Immunization Requirements #565

Parental Rights in Education #639

Bloodborne Pathogens #990

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