

School Health and Safety Act (Tentative translation)

(Act No. 56 of April 10, 1958)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to provide necessary matters concerning health management in schools for the purpose of maintaining and improving the health of students etc. and staff members of schools, and to provide necessary matters concerning safety management in schools for the purpose of ensuring the safety of students etc. by carrying out educational activities in schools in a safe environment, thereby contributing to the smooth implementation of school education and securing of the outcomes thereof.

(Definitions)

Article 2 (1) The term "school" as used in this Act means a school as prescribed in Article 1 of the School Education Act (Act No. 26 of 1947).

(2) The term "pupils and students etc." as used in this Act means young children, pupils or students enrolled in a school.

(Responsibilities of the National and Local Governments)

Article 3 (1) The national and local governments are to coordinate with each other and take financial measures and other necessary measures based on the latest knowledge and cases concerning health and safety in schools, in order to

ensure that efforts pertaining to health and safety are implemented effectively in each school.

- (2) In order to comprehensively and effectively promote safety efforts at each school, the national government is to formulate a plan for the promotion of school safety and take other necessary measures.
- (3) Local governments must endeavor to take measures equivalent to those taken by the national government as set forth in the preceding paragraph.

Chapter II School Health

Section 1 Management and Operation of Schools

(Responsibilities of School Management for School Health)

Article 4 The management of a school is to endeavor to improve and enhance the facilities and equipment as well as the management and operation system of the school and take other necessary measures in order to maintain and improve the physical and mental health of the pupils and students etc. and staff members of the school.

(Formulation of School Health Plans)

Article 5 In order to maintain and improve the physical and mental health of pupils and students etc. and staff members, schools must formulate and implement a plan concerning medical examinations for pupils and students etc. and staff members, environmental health inspections, guidance for pupils and students etc., and other matters concerning health.

(School Environmental Health Standards)

Article 6 (1) With regard to matters pertaining to ventilation, lighting, illumination, heating, maintenance of cleanliness, and other environmental health in schools (excluding matters prescribed in Article 9, paragraph (1) of the School Lunch Act (Act No. 160 of 1954) (including as applied mutatis mutandis pursuant to Article 7 of the Act on School Lunches at High Schools with Night Courses (Act No. 157 of 1956) and Article 6 of the Act on School Lunches at Kindergarten Courses and High School Courses of Special Needs Education Schools (Act No. 118 of 1957))), the Minister of Education, Culture, Sports, Science and Technology is to establish standards that are desirable to be maintained in order to protect the health of pupils and students etc. and staff members (hereinafter referred to as "School Environmental Health Standards" in this Article).

- (2) The management of a school must endeavor to maintain an appropriate environment for the school in light of the school environmental health standards.

(3) If the school principal finds that there are matters concerning the environmental health of a school that are inappropriate in light of the school environmental health standards, the principal is to take necessary measures for the improvement of those matters without delay, or if the principal is unable to take those measures, the principal is to notify the management of a school to that effect.

(School Infirmary)

Article 7 A school is to have a school infirmary in order to carry out medical examinations, health consultations, health guidance, first aid treatment, and any other health measures.

Section 2 Health Consultations

(Health Consultations)

Article 8 Schools are to provide health consultations concerning the physical and mental health of pupils and students etc.

(Health Guidance)

Article 9 Yogo teachers and other staff members are to, in cooperation with each other, understand the physical and mental conditions of pupils and students etc. through health consultations or daily observation of their health conditions, and when they find any health problem, provide necessary guidance to the relevant pupils and students etc. without delay, and give necessary advice to their custodians (meaning the custodians prescribed in Article 16 of the School Education Act; the same applies in Articles 24 and 30) as necessary.

(Cooperation with Local Medical Institutions)

Article 10 When providing first aid treatment, health consultation or health guidance, a school is to endeavor to cooperate with medical institutions and other relevant organizations in the area where the school is located, as needed.

Section 3 Medical Examinations

(Medical Examinations for Persons Scheduled to Enroll in School)

Article 11 The board of education of municipalities (this includes special wards; the same applies hereinafter), must conduct a medical examination for persons who are required to enroll in school as prescribed in Article 17, paragraph (1) of the School Education Act from the beginning of the following school year pursuant to the provisions of the same paragraph and who is domiciled in said municipality, when scheduling to enroll in school.

Article 12 A municipal board of education must, based on the results of the medical examination set forth in the preceding Article, recommend medical treatment, and give necessary advice on health and take appropriate measures such as providing guidance on a grace period for or exemption from the obligations prescribed in Article 17, paragraph (1) of the School Education Act or on enrollment in a special needs education school.

(Medical Examinations for Pupils and Students etc.)

Article 13 (1) Schools must conduct periodical medical examinations for pupils and students etc. (excluding those who receive education by correspondence) periodically every school year.

(2) Schools are to conduct temporary medical examinations for pupils and students etc. when necessary.

Article 14 Based on the results of the medical examinations referred to in the preceding Article, schools must take appropriate measures, such as taking preventive measures against diseases, giving instructions on medical treatment, and reducing exercise and work.

(Medical Examinations for Staff Members)

Article 15 (1) The management of a school must conduct medical examinations for school staff members periodically every school year.

(2) The management of a school is to conduct temporary medical examinations for school staff members, when it is necessary,.

Article 16 The management of a school must, based on the results of the medical examination referred to in the preceding Article, must take appropriate measures, such as giving instructions on medical treatment and reduce working hours.

(Methods and Technical Standards of Medical Examinations)

Article 17 (1) The methods and technical standards of medical examinations are specified by Order of the Ministry of Education, Culture, Sports, Science and Technology.

(2) Beyond what is provided for in Article 11 to the preceding Article, the timing of medical examinations, examination items, and other necessary matters concerning medical examinations, except those prescribed in the preceding paragraph, are specified by Cabinet Order with regard to those concerning the medical examinations referred to in Article 11, and by Order of the Ministry of Education, Culture, Sports, Science and Technology with regard to those

concerning the medical examinations referred to in Article 13 and Article 15.

(3) The Order of the Ministry of Education, Culture, Sports, Science and Technology set forth in the preceding two paragraphs must be in harmony with the health checkup guidelines prescribed by Article 9, paragraph (1) of the Health Promotion Act (Act No. 103 of 2002).

(Communication with the Health Center)

Article 18 The management of a school is to communicate with the health center when the management intends to conduct a medical examination under the provisions of this Act or in other cases specified by Cabinet Order.

Section 4 Prevention of Infectious Diseases

(Suspension of Attendance)

Article 19 When there are pupils and students etc. who have or are suspected of having an Infectious Disease or are likely to have an Infectious Disease, the school principal may, as provided for by Cabinet Order, suspend the attendance of the students etc.

(Temporary Suspension of School)

Article 20 When it is necessary for preventing Infectious Diseases, the management of a school may temporarily suspend the whole or a part of the school.

(Delegation to Order of the Ministry of Education, Culture, Sports, Science and Technology)

Article 21 Beyond what is provided for in the preceding two Articles (including Cabinet Orders issued pursuant to Article 19), Act on the Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases (Act No. 114 of 1998), and other Acts that provide for the prevention of Infectious Diseases (including orders based on these Acts), necessary matters concerning the prevention of Infectious Diseases at schools are specified by Order of the Ministry of Education, Culture, Sports, Science and Technology.

Section 5 School Health Technicians, school physicians, School Dentists, and School Pharmacists

(School Health Technicians)

Article 22 (1) A school health technician may be assigned to the secretariat of a prefectural board of education.

(2) A school health technician must be a person with relevant expertise

concerning specialized matters related to health management at the school.

- (3) School health technicians engage in professional and technical guidance and skills related to health management in schools, as ordered by their supervisors.

(School physicians, School Dentists, and School Pharmacists)

Article 23 (1) Schools are to have a school physician.

- (2) Schools other than universities are to have a school dentist and school pharmacist.
- (3) School physicians, school dentists, and school pharmacists are appointed or commissioned from among physicians, dentists, or pharmacists, respectively.
- (4) School physicians, school dentists, and school pharmacists engage in the provision of skills and guidance concerning specialized matters related to health management at the school.
- (5) The rules for the performance of duties by school physicians, school dentists, and school pharmacists are specified by Order of the Order of the Ministry of Education, Culture, Sports, Science and Technology.

Section 6 Assistance from Local Governments and Subsidies from the National Government

(Assistance from Local Governments)

Article 24 When a pupil or student of an elementary school, junior high school, compulsory education school, lower course of secondary education school or an elementary school course or junior high school course of a special needs education school established by a local government has contracted an infectious disease or a disease that is likely to hinder learning and is specified by Cabinet Order, and has received instructions for medical treatment at the school, the local government is to provide the custodian of the pupil or student who falls under any of the following items with necessary assistance for expenses required for medical care for the treatment of the disease:

- (i) a person requiring public assistance prescribed in Article 6, paragraph (2) of the Public Assistance Act (Act No. 144 of 1950);
- (ii) a person specified by Cabinet Order who is impoverished to the same extent as a person requiring public assistance as prescribed in Article 6, paragraph (2) of the Public Assistance Act.

(Subsidies from the National Government)

Article 25 (1) If a local government provides subsidies to a person stated in item (i) of the preceding Article pursuant to the provisions of the same Article, the national government may subsidize part of the expenses required for the assistance, within the scope of the budget.

- (2) The standards for subsidies in cases where the national government provides assistance pursuant to the provisions of the preceding paragraph are specified by Cabinet Order.

Chapter III School Safety

(Responsibilities of School Management in Relation to School Safety)

Article 26 In order to ensure the safety of pupils and students etc., the management of a school is to endeavor to take necessary measures, such as improving and improving the school's facilities and equipment and the management and operation system, so that the school can prevent any danger to pupils and students etc. due to accidents, harmful acts, disasters, etc. (hereinafter referred to as "accidents, etc." in this Article and Article 29, paragraph (3)) and appropriately deal with any actual danger or harm to pupils and students etc. due to accidents, etc. (referred to as "the occurrence of danger, etc." in paragraphs (1) and (2) of the same Article).

(Formulation of School Safety Plans)

Article 27 In order to ensure the safety of pupils and students etc., a school must formulate and implement a plan concerning safety inspections of the school's facilities and equipment, guidance for pupils and students etc. with regard to safety in school life including attending school and other daily life activities, training for staff members, and other matters concerning safety at the school.

(Ensuring Safety in the School Environment)

Article 28 If the school principal finds that there are matters concerning the facilities or equipment of the school that hinder ensuring the safety of pupils and students etc., the principal is to take necessary measures for the improvement of those matters without delay, or if the principal is unable to take those measures, the principal is to notify the management of the school to that effect.

(Preparation of Procedures for Responding to the Occurrence of Hazards)

Article 29 (1) A school is to, in order to ensure the safety of pupils and students etc., prepare handling directions which specify the specific content and procedures of measures to be taken by staff members of the school at the time of the occurrence of a hazard, etc. (referred to as "handling directions at the time of the occurrence of a hazard, etc." in the following paragraph), in accordance with the actual circumstances of the school.

- (2) The school principal is to take the necessary measures to ensure that staff members are aware of the procedures for responding to the occurrence of a

hazard, etc., conduct training, and otherwise appropriately respond to the occurrence of a hazard, etc.

- (3) Schools are to, in cases where harm has been caused to pupils and students etc. due to accidents, etc., provide necessary support for the relevant pupils and students etc. and other relevant persons whose mental and physical health have been affected by psychological trauma or other factors due to the accidents, etc., in order to recover their mental and physical health. In this case, the provisions of Article 10 apply *mutatis mutandis*.

(Cooperation with Relevant Regional Organizations)

Article 30 In order to ensure the safety of pupils and students etc., schools are to endeavor to cooperate with the guardians of pupils and students etc. and, in accordance with the actual conditions of the area where the school is located, to cooperate with police stations and other relevant organizations having jurisdiction over the area, organizations engaged in activities for ensuring the safety of the area and other relevant organizations, residents of the area, and other relevant persons.

Chapter IV Miscellaneous Provisions

(Delegation of Affairs of School Management)

Article 31 The management of a school may delegate affairs to be handled based on this Act to the school principal, except as otherwise provided for by other laws.

(Health Management of Specialized Training Colleges)

Article 32 (1) A specialized training college must endeavor to employ physicians who provide skills and guidance concerning specialized matters related to health management.

- (2) Specialized training colleges must endeavor to establish a school infirmary in order to carry out medical examinations, health consultations, health guidance, and first aid treatment.

- (3) The provisions of Articles 3 through 6, Articles 8 through 10, Articles 13 through 21, and Article 26 through 31 apply *mutatis mutandis* to specialized training colleges.

Supplementary Provisions [Extract]

(Effective Date)

- (1) The provisions of Article 17 and Article 18, paragraph (1) of this Act come into effect as of October 1, 1958, and other provisions of this Act come into

effect as of June 1, 1958.

Supplementary Provisions [Act No. 59 of July 11, 1975 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day after the final day in the six months period that commences on the promulgation date.

**Supplementary Provisions [Act No. 14 of March 31, 1978 Extract]
[Extract]**

(1) This Act comes into effect as of April 1, 1978; provided, however, that among the provisions of Article 2, the provisions deleting Article 8, paragraph (2) of the School Health Act, the provisions amending paragraph (3) of that Article and Article 9, paragraph (1), the provisions deleting paragraph (2) of that Article, the provisions amending Article 17, the provisions deleting Article 18, paragraph (2), and the provisions amending paragraph (3) of that Article come into effect as of April 1, 1979.

Supplementary Provisions [Act No. 90 of July 12, 1985 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation.

**Supplementary Provisions [Act No. 101 of June 12, 1998 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1999.

**Supplementary Provisions [Act No. 114 of October 2, 1998 Extract]
[Extract]**

(Effective Date)

Article 1 (1) This Act comes into effect as of April 1, 1999.

Act for Enforcement of the Acts Related to the Central Government Reform
(Act No. 160 of December 22, 1999) Extract

(Transitional Measure Concerning Dispositions, Applications)

Article 1301 (1) Beyond as otherwise provided by a law or regulation, licensure,

permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action, that the former organ of the national government has taken pursuant to the provisions of laws and regulations before the entry into effect of the Acts related to central government reform and this Act (hereinafter collectively referred to as the "reform-related Acts"), is deemed to be licensure, permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action that the corresponding organ of the national government has taken based on the corresponding provisions of laws and regulations after the entry into effect of the reform-related Acts.

(2) Beyond as otherwise provided by a law or regulation, an application, notification, or other such action that has been undertaken with a former organ of the national government pursuant to the provisions of laws and regulations as of the time the reform-related Acts enter into effect is deemed, after the entry into effect of the reform-related Acts, to be an application, notification, or other such action that has been undertaken with the corresponding organ of the national government based on the corresponding provisions of laws and regulations after the entry into effect of the reform-related Acts.

(3) Beyond as otherwise provided by a law or regulation, information that, before the reform-related Acts enter into effect, a person must report to, file with, submit to, or undertake any other such process for with a former organ of the national government pursuant to laws and regulations, but for which that process has not been undertaken before the effective date of the reform-related Acts, is deemed, after the entry into effect of the reform-related Acts, to be information that a person must report to, file with, submit to, or undertake any other such process for with the corresponding organ of the national government referred to in laws and regulations as after the entry into effect to the reform-related Acts, but for which that process has not been undertaken; and the provisions of laws and regulations as after the entry into effect of the reform-related Acts apply.

(Delegation to Cabinet Order)

Article 1344 Beyond what is provided for in Articles 71 through 76, Article 301 through the preceding Article, and the Acts Related to the Central Government Reform, Cabinet Order prescribes the necessary transitional measures (including transitional measures for penal provisions) connected with the entry into force of the reform-related Acts.

**Supplementary Provisions [Act No. 160 of December 22, 1999 Extract]
[Extract]**

(Effective Date)

Article 1 This Act (excluding Article 2 and 3) comes into effect as of January 6, 2001; provided, however, that the provisions set forth in the following items come into effect as of the dates specified in those items:

- (i) the provisions of Article 995 (limited to the part related to the amended provisions of the Supplementary Provisions of the Act Partially Amending the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Article 1305, Article 1306, Article 1324, paragraph (2), Article 1326, paragraph (2), and Article 1344: the date of promulgation;

**Supplementary Provisions [Act No. 103 of August 2, 2002 Extract]
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions of Article 9 and Articles 8 through 19 of the Supplementary Provisions come into effect as of the day specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

**Supplementary Provisions [Act No. 23 of March 31, 2005 Extract]
[Extract]**

(Effective Date)

- (1) This Act comes into effect as of April 1, 2005.

Supplementary Provisions [Act No. 80 of June 21, 2006 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2007.

Supplementary Provisions [Act No. 96 of June 27, 2007 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 73 of June 18, 2008 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2009.

(Review)

Article 2 Once it has been five years since the effective date of this Act, if the government finds it to be necessary to do so after reviewing the status of enforcement of the provisions amended by this Act, the government is to take the necessary measures based on the findings.

Supplementary Provisions [Act No. 46 of June 24, 2015 Extract] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2016.