

Order for Enforcement of the School Health and Safety Act (Tentative translation)

(Cabinet Order No. 174 of June 10, 1958)

The Cabinet hereby enacts this Cabinet Order pursuant to the provisions of Article 10, paragraph (2), Article 12, Article 17, Article 18, paragraph (3), and Article 20 of the School Health Act (Act No. 56 of 1958).

(Timing of Medical Examinations for Persons Scheduled to Enroll in School)

Article 1 (1) The medical examination set forth in Article 11 of the School Health and Safety Act (Act No. 56 of 1958; referred to below as the "Act") (referred to below as the "medical examination for persons scheduled to enroll in school") is to be conducted within a period of four months before the beginning of the school year following the school year in which the school register has been prepared pursuant to the provisions of Article 2 of the School Education Act Enforcement Order (Cabinet Order No. 340 of 1953) (three months before the beginning of the school year in the case where the medical examination does not hinder the implementation of the procedures related to enrollment in school prescribed in Article 5, Article 7, Article 11, Article 14, Article 15, and Article 18-2 of the same Order).

(2) Notwithstanding the provisions of the preceding paragraph, if, on or after the day following the implementation date of a medical examination for persons scheduled to enroll in school specified pursuant to the provisions of the same paragraph, a new person scheduled to enroll in school (meaning persons scheduled to enroll in school as prescribed in Article 5, paragraph (1) of the School Education Act Enforcement Order; hereinafter the same applies in this paragraph) is newly listed in the register of school-aged children by the municipal board of education, and the person scheduled to enroll in school has not undergone a medical examination for persons scheduled to enroll in school provided by a board of education of another municipality, the municipal board of education is to promptly provide the person scheduled to enroll in school with a medical examination for persons scheduled to enroll in school.

(Items to Be Inspected)

Article 2 The items to be inspected in the medical examination for persons scheduled to enroll in school are as follows:

- (i) nutritional condition;
- (ii) existence of diseases and abnormalities in the spinal column and thorax;
- (iii) eyesight and hearing ability;

- (iv) whether there is any disease or abnormality in the eyes;
- (v) whether the person has any disease of the ear, nose, throat, and skin;
- (vi) whether there are any diseases or abnormalities in the teeth and oral cavity;
- (vii) existence of other diseases and abnormalities.

(Notice to Custodians)

Article 3 In conducting a medical examination for persons scheduled to enroll in school, the board of education of a municipality (including a special ward; the same applies below) must notify the custodians prescribed in Article 16 of the School Education Act (Act No. 26 of 1947) of the persons prescribed in Article 11 of the Act (referred to below as "custodians") of the date, time, place, outline of the examination, etc. in advance.

(Card of Medical Examination for Persons Scheduled to Enroll in School)

Article 4 (1) A municipal board of education must, when providing a medical examination for persons scheduled to enroll in school, prepare a card of medical examination for persons scheduled to enroll in school in accordance with the form specified by Order of the Ministry of Education, Culture, Sports, Science and Technology.

(2) The board of education of a municipality must send the card of medical examination for persons scheduled to enroll in school to the principal of the school to which the person who has undergone the medical examination for persons scheduled to enroll in school is to be enrolled, by 15 days prior to the beginning of the following school year.

(When to Contact the Health Center)

Article 5 The cases specified by Cabinet Order set forth in Article 18 of the Act are the following cases:

- (i) if the suspension of attendance pursuant to the provisions of Article 19 of the Act has been implemented;
- (ii) if a school is suspended pursuant to the provisions of Article 20 of the Act.

(Instructions to Suspension of Attendance)

Article 6 (1) When the principal intends to suspend attendance pursuant to the provisions of Article 19 of the Act, the principal must clearly state the reason and period and give instructions to the custodian in the case of a young children, pupils, or student (excluding a student of a high school (including the upper course of secondary education school and the high school course of special needs education school; the same applies below)) and to the student in the case of a student of a high school, university, or college of technology.

- (2) The period of suspension of attendance is governed by the standards specified by Order of the Ministry of Education, Culture, Sports, Science and Technology according to the type, etc. of infectious diseases.

(Report of Suspension of Attendance)

Article 7 When the principal has given instructions pursuant to the provisions of paragraph (1) of the preceding Article, the principal must report to that effect to the management of the school as provided for in the Order of the Ministry of Education, Culture, Sports, Science and Technology.

(Infectious Diseases or Diseases Which May Hinder Learning)

Article 8 Diseases specified by Cabinet Order set forth in Article 24 of the Act are as follows:

- (i) trachoma and conjunctivitis;
- (ii) ringworm, scabies, and impetigo;
- (iii) otitis media;
- (iv) chronic sinusitis and adenoid;
- (v) dental caries;
- (vi) parasitic diseases (including retention of eggs).

(Person in Need Equivalent to Person Requiring Public Assistance)

Article 9 (1) The persons specified by Cabinet Order set forth in Article 24, item (ii) of the Act are the persons for whom the board of education of the local public entity establishing the relevant compulsory education schools (meaning an elementary school, junior high school, compulsory education school, the lower courses of secondary education school, or an elementary or junior high school course of special needs education school) is found to be impoverished to the extent equivalent to that of a Person Requiring Public Assistance as prescribed in Article 6, paragraph (2) of the Public Assistance Act (Act No. 144 of 1950) (referred to below as a "Person Requiring Public Assistance").

- (2) If it is necessary to do so in order to grant the certification prescribed in the preceding paragraph, a board of education may seek advice from the head of a welfare-related office as prescribed in the Social Welfare Act (Act No. 45 of 1951) or from a commissioned welfare volunteer as prescribed in the Commissioned Welfare Volunteers Act (Act No. 198 of 1948).

(Standard for Subsidies)

Article 10 (1) The government subsidies pursuant to the provisions of Article 25, paragraph (1) of the Act are to be provided for one half of the amount of expenses required for the assistance to the persons set forth in Article 24, item (i) of the Act pursuant to the provisions of the same Article; provided, however,

that the amount is limited to one half of the amount obtained by multiplying the average amount of medical expenses per pupils and students for each disease specified by the Minister of Education, Culture, Sports, Science and Technology each fiscal year by distinction of elementary school, junior high school, compulsory education school, the lower course of secondary education school, or an elementary school course or junior high school course of aspecial needs education school by the total number of the pupils and students who are affected allocated to the prefecture by the Minister of Education, Culture, Sports, Science and Technology pursuant to the provisions of the following paragraph in the case of a prefecture, or by multiplying the average amount of medical expenses per pupils and students for each disease allocated to the municipality by the board of education of the prefecture pursuant to the provisions of paragraph (3) in the case of a municipality.

- (2) Every fiscal year, the Minister of Education, Culture, Sports, Science and Technology must allocate to each prefecture the total number of pupils and students patients of elementary schools, junior high schools, compulsory education schools, and the lower course of secondary education school or the elementary school courses and junior high school courses of special needs education schools calculated by the formula set forth in Appended Table (a), and notify the board of education of each prefecture of the number thus allocated.
- (3) Pursuant to the provisions of Order of the Ministry of Education, Culture, Sports, Science and Technology Minister of Education, Culture, Sports, Science and Technology, every fiscal year, the board of education of a prefecture must allocate to each municipality the total number of pupils and student patients specified for each prefecture based on the total number of pupils and student patients in elementary schools, junior high schools, compulsory education schools, and the lower course of secondary education schools or in the elementary school courses and junior high school courses of special needs education schools calculated by the formula set forth in Appended Table (b), in consideration of the number of pupils and student recipients of Educational Assistance in elementary schools, junior high schools, compulsory education schools, and the lower course of secondary education schools or in the elementary school courses and junior high school courses of special needs education schools of each municipality, and notify the Minister of Education, Culture, Sports, Science and Technology and the board of education of each municipality of the number thus allocated.
- (4) The administrative affairs to be handled by a prefecture pursuant to the provisions of the preceding paragraph are to be the Type 1 statutory entrusted function prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(Application Mutatis Mutandis to Specialized Training Colleges)

Article 11 The provisions of Articles 5 through 7 apply mutatis mutandis to the cases where the provisions of Articles 18 and 19 of the Act are applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act to a specialized training colleges. In this case, the term "Article 20 of the Act" in Article 5, item (ii) is deemed to be replaced with "Article 20 of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (3) of the Act," and the term "in the case of an young children, pupils, or student (excluding a student of a high school (including the upper course of secondary education school and the high school course of special needs education school; the same applies below)) and to the student in the case of a student of a high school, university, or college of technology" in Article 6, paragraph (1) is deemed to be replaced with "student".

Supplementary Provisions [Extract]

(Effective Date)

(1) The provisions of Article 7, Article 8, and Article 9, paragraphs (1) through (3) of this Cabinet Order come into effect as of October 1, 1958, and other provisions come into effect as of the date of promulgation.

(Repeal of the Order for School Physicians and Kindergarten Physicians, etc.)

(3) The following Imperial Orders are repealed:

- (i) School Physicians and Kindergarten Physicians Order (Imperial Order No. 9 of 1929);
- (ii) the Order for School Dentists and Kindergarten Dentists (Imperial Order No. 144 of 1931).

Supplementary Provisions [Cabinet Order No. 202 of May 11, 1962]

This Cabinet Order comes into effect as of the date of promulgation, and the provisions of Article 7, items (iii), (v), and (vi) of the Order for Enforcement of the School Health Act amended by this Cabinet Order start to apply on April 1, 1962.

Supplementary Provisions [Cabinet Order No. 138 of May 17, 1973]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 381 of December 27, 1975]

This Cabinet Order comes into effect as of the date on which the Act Partially

Amending the School Education Act comes into effect (January 11, 1976).

**Supplementary Provisions [Cabinet Order No. 310 of August 18, 1978
Extract] [Extract]**

(1) This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 73 of March 30, 1985]

This Cabinet Order comes into effect as of April 1, 1985.

**Supplementary Provisions [Cabinet Order No. 351 of October 30, 1998
Extract] [Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as of April 1, 1999.

**Supplementary Provisions [Cabinet Order No. 42 of February 16, 2000
Extract] [Extract]**

(Effective Date)

(1) This Cabinet Order comes into effect as of April 1, 2000.

**Supplementary Provisions [Cabinet Order No. 308 of June 7, 2000
Extract] [Extract]**

(Effective Date)

Article 1 This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Cabinet Act (Act No. 88 of 1999) comes into effect (January 6, 2001).

Supplementary Provisions [Cabinet Order No. 334 of June 7, 2000]

This Cabinet Order comes into effect as of the date of promulgation.

Supplementary Provisions [Cabinet Order No. 142 of April 1, 2004]

This Cabinet Order comes into effect as of the date of promulgation, and the provisions of Article 7, item (v) of the amended Order for Enforcement of the School Health Act start to apply on April 1, 2004.

**Supplementary Provisions [Cabinet Order No. 106 of March 31, 2005
Extract] [Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of the date on which the Act Partially Amending the Act on the National Treasury's Bearing of the Costs of Compulsory Education in Connection with the Consolidation and Streamlining of State Subsidies comes into effect (April 1, 2005).

**Supplementary Provisions [Cabinet Order No. 55 of March 22, 2007
Extract] [Extract]**

(Effective Date)

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

**Supplementary Provisions [Cabinet Order No. 363 of December 12, 2007
Extract] [Extract]**

This Cabinet Order comes into effect as of the date on which the Act Partially Amending the School Education Act (December 26, 2007) comes into effect.

**Supplementary Provisions [Cabinet Order No. 53 of March 25, 2009
Extract] [Extract]**

(Effective Date)

- (1) This Cabinet Order comes into effect as of April 1, 2009.

Supplementary Provisions [Cabinet Order No. 421 of December 16, 2015]

This Cabinet Order comes into effect as of April 1, 2016.

Appended Table (Re: Article 10)

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(a)	When a prefecture provides assistance to a Person Requiring Public Assistance	X1 x (p1/P1)
(b)	When a municipality provides assistance to a Person Requiring Public Assistance	X2 x (p2/P2)

Remarks: The meanings of the following symbols in the formula in this table are as follows:

X1: The estimated total number of elementary school children and students in prefectural elementary schools, junior high schools, compulsory education schools, and the lower course of secondary education schools or elementary school courses and junior high school courses of special needs education schools in Japan, whose guardians are Person Requiring Public Assistance, specified by the Minister of Education, Culture, Sports, Science and Technology within the budget of each fiscal year.

X2: The estimated total number of elementary school children and students in municipal elementary schools, junior high schools, compulsory education schools, and the lower course of secondary education schools or elementary school courses and junior high school courses of special needs education schools in Japan, whose guardians are Person Requiring Public Assistance, specified by the Minister of Education, Culture, Sports, Science and Technology within the budget of each fiscal year.

P1: The total number of elementary school children and students receiving Education Assistance (meaning Education Assistance as prescribed in the Public Assistance Act; the same applies below) who are enrolled in prefectural elementary schools, junior high schools, compulsory education schools, the lower course of secondary education schools, or elementary school courses and junior high school courses of special needs education schools in Japan as of July 1 of the previous fiscal year.

P2: The total number of elementary school children and students receiving Education Assistance who are enrolled in municipal elementary schools, junior high schools, compulsory education schools, the lower course of secondary education schools, or elementary school courses and junior high school courses of special needs education schools in Japan as of July 1 of the previous fiscal year.

p1: The total number of elementary school children and students receiving Educational Assistance who are enrolled in elementary schools, junior high schools, compulsory education schools, the lower course of secondary education schools, or elementary school courses and junior high school courses of special needs education schools in the relevant prefecture as of July 1 of the previous fiscal year.

p2: The total number of elementary school children and students receiving Educational Assistance who are enrolled in municipal elementary schools, junior high schools, compulsory education schools, the lower course of secondary schools, or elementary school courses or junior high school courses of special needs education schools within the area of the relevant prefecture as of July 1 of the previous fiscal year.