

**DEPARTMENT OF EDUCATION**  
**OFFICE OF THE SECRETARY**  
**800 Health and Safety**

**805 The School Health Tuberculosis (TB) Control Program**

**1.0 Definitions**

The following words and terms when used in this regulation have the following meaning:

**"New school enrollee"** means any child enrolling in a Delaware public school for the first time. For purposes of this regulation, "new school enrollee" shall also include any child who is re-enrolled in a Delaware public school following travel or residency of 1 month in a location or facility identified by the Delaware Division of Public Health as an area at risk for tuberculosis exposure.

**"School staff and extended services personnel"** means all persons hired as full or part time employees in a public school. This includes teachers, administrators, substitutes, contract employees, bus drivers, and student teachers whether compensated or not.

**"Tuberculosis risk assessment"** means a formal assessment by a healthcare professional, including the primary healthcare physician, Division of Public Health's TB Elimination Program, and school nurse, to determine possible tuberculosis exposure through the use of a health history or questionnaire.

**"Tuberculosis test"** means a Mantoux skin test, QuantiFERON-TB Gold blood test, or other test approved by the Delaware Division of Public Health.

**"Verification"** means a documented evaluation of the individual's disease status.

**"Volunteers"** means those persons who give their time to help others for no monetary reward and who share the same air space with public school students and staff on a regularly scheduled basis.

**13 DE Reg. 1205 (03/01/10)**

**23 DE Reg. 448 (12/01/19)**

**27 DE Reg. 971 (06/01/24)**

**2.0 School Staff and Extended Services Personnel**

2.1 School staff and extended services personnel shall provide the tuberculosis test results from a test administered within the past 12 months during the first 15 working days of employment.

2.1.1 Tuberculosis test requirements may be waived for public school staff and extended services personnel who present a notarized statement that tuberculosis testing is against their religious beliefs.

2.1.1.1 In such cases, the individual shall complete the *Delaware Department of Education TB Health Questionnaire for School Employees* or provide, within 2 weeks, verification from a licensed healthcare provider or the Division of Public Health that the individual does not pose a threat of transmitting tuberculosis to students or other staff.

2.1.1.2 If a school staff member or extended services person, who has submitted a waiver because of religious beliefs, answers affirmatively to any of the questions in the *Delaware Department of Education TB Health Questionnaire for School Employees* the individual shall complete a symptom screener and provide, within 2 weeks, verification from a licensed healthcare provider or the Division of Public Health that the individual does not pose a threat of transmitting tuberculosis to students or other staff.

2.1.2 School staff and extended services personnel need not be retested if they change employment within Delaware within a 5 year period; however, a copy of the result of the latest tuberculosis test shall be provided to the new employer within 60 days.

2.2 Every fifth year, by October 15th, all school staff and extended services personnel shall complete the *Delaware Department of Education TB Health Questionnaire for School Employees* or, within 2 weeks, provide tuberculosis test results administered within the last 12 months. If a school staff member or extended services staff member answers affirmatively to any of the questions in the *Delaware Department of Education TB Health Questionnaire for School Employees* the individual shall complete a symptom screener and provide, within 2 weeks, verification from a licensed healthcare provider or the Division of Public Health that the individual does not pose a threat of transmitting tuberculosis to students or other staff.

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- 2.3 All documentation related to the School Health Tuberculosis (TB) Control Program shall be retained in the same manner as other confidential personnel medical information.

**13 DE Reg. 1205 (03/01/10)**

**23 DE Reg. 448 (12/01/19)**

**27 DE Reg. 971 (06/01/24)**

#### 3.0 Volunteers

- 3.1 Volunteers shall complete the *Delaware Department of Education's TB Health Questionnaire for Volunteers in Public Schools* prior to their assignment and every fifth year thereafter. If the volunteer answers affirmatively to any of the questions, the individual shall complete a symptom screener and provide, within 2 weeks, verification from a licensed healthcare provider or the Division of Public Health that the individual does not pose a threat of transmitting tuberculosis to the students or staff.
- 3.2 All documentation related to the School Health Tuberculosis (TB) Control Program shall be retained in the same manner as other confidential personnel medical information.

**13 DE Reg. 1205 (03/01/10)**

**23 DE Reg. 448 (12/01/19)**

**27 DE Reg. 971 (06/01/24)**

#### 4.0 New School Enrollees

- 4.1 New school enrollees shall provide tuberculosis screening results from either a tuberculosis test or the results of a tuberculosis risk assessment administered within the past 12 months prior to school enrollment. If the new school enrollee is in compliance with the other school enrollment health requirements, a school nurse who is trained in the use of the *Delaware Department of Education TB Risk Assessment Questionnaire for Students* may administer the questionnaire to the student's parent, guardian, or relative caregiver, or to a new school enrollee who has reached the statutory age of majority (18). If a student's parent, guardian, or relative caregiver, or a student 18 years or older answers affirmatively to any of the questions, the individual shall complete a symptom screener and provide, within 2 weeks, proof of tuberculosis testing results or provide verification from a licensed healthcare provider or the Division of Public Health that the student does not pose a threat of transmitting tuberculosis to staff or other students.
- 4.2 All documentation related to the School Health Tuberculosis (TB) Control Program shall be retained in the same manner as other confidential student medical information.

**13 DE Reg. 1205 (03/01/10)**

**23 DE Reg. 448 (12/01/19)**

**27 DE Reg. 971 (06/01/24)**

#### 5.0 Tuberculosis Status Verification and Follow-up

- 5.1 Tuberculosis status shall be determined through the use of a tuberculosis risk assessment, tuberculosis test, or other testing, which may include x-ray or sputum culture. Individuals who either refuse the tuberculosis test or have positive reactions to the same, or give positive responses to a tuberculosis risk assessment shall provide verification from a licensed healthcare provider or the Division of Public Health that the individual does not pose a threat of transmitting tuberculosis to staff or other students.
- 5.1.1 Verification shall include Mantoux results recorded in millimeters (if the test was administered), or other tuberculosis test results, current disease status (i.e. contagious or noncontagious), current treatment (or completion of preventative treatment for tuberculosis) and date when the individual may return to the individual's school assignment without posing a risk to the school setting.
- 5.1.2 Verification from a healthcare provider or Division of Public Health shall be required only once if treatment was completed successfully.
- 5.1.3 Updated information regarding disease status and treatment shall be provided to the public school by October 15 every fifth year if treatment was previously contraindicated, incomplete or unknown.
- 5.1.4 Individuals with a positive tuberculosis test, without active disease, who do not receive prophylactic treatment shall be excluded from school in the event of showing any signs or symptoms of active, infectious disease as described by the Division of Public Health.

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- 5.2 In the event an individual shows any signs or symptoms of active tuberculosis infection, the individual shall be excluded from school until all required medical verification is received by the school. During the specified verification and follow-up an asymptomatic individual, as described by the Division of Public Health, may remain in school until testing and evaluations are completed, but no longer than 10 weeks. If an individual's testing and evaluations have not been completed within the 10-week period, the individual is not permitted to remain in school unless the Division of Public Health provides verification that the individual has an evaluation pending and the individual does not pose a threat of transmitting tuberculosis to staff or other students.

**1 DE Reg. 1971 (06/01/98)**

**3 DE Reg. 440 (09/01/99)**

**8 DE Reg. 1134 (02/01/05)**

**13 DE Reg. 1205 (03/01/10)**

**23 DE Reg. 448 (12/01/19)**

**27 DE Reg. 971 (06/01/24)**

Non regulatory note: See 14 **DE Admin. Code** 930 Supportive Instruction (Homebound) for students who are not permitted to remain in school.