INCONTINENCE CARE OF STUDENTS
IS IT PART OF A TEACHER’S JOB?

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As school budgets continue to shrink and staffing levels are challenged, some classroom teachers are being asked to attend to the toileting needs of incontinent students. This causes understandable concern on the part of teachers, given not only the increasing number of significant demands placed on them but also questions about whether these tasks appropriately fall within the scope of their duties. Before performing any incontinence care for any student, teachers should be aware of the current guidelines.

The Clinical Procedure Guidelines for Connecticut School Nurses delineate the services and procedures related to serving students with special healthcare needs. These guidelines refer specifically to which healthcare activities can be delegated by the school nurse to unlicensed personnel, including teachers.

The guidelines provide that toileting and care of incontinent students is not a nursing function. Rather, toileting, including toileting of students with delayed achievement of this developmental task, is considered an activity of daily living. As a result, the guidelines state:

In most cases, unless there is a specific disability that requires nursing judgment, any related service provider, including paraprofessionals, teachers, or other certified personnel can perform this task. Health aides can also perform the task, although regularly removing a student from the classroom to visit the nurse’s office for this reason may not be in keeping with the student’s educational goals and objectives.

These guidelines also provide important qualifications recognizing that it may not always be prudent for a classroom teacher to be assigned the task of caring for incontinent students.

First, the guidelines acknowledge that the building administrator, in collaboration or consultation with the nursing supervisor, must determine which personnel may be appropriately assigned the task. This necessarily will require the administrator “to review job descriptions...school policy and procedures, relevant bargaining agreements, personnel schedules, other responsibilities of the staff members in question, and personnel data regarding prior standardized training and certification, such as home health aide or nursing assistant preparation.”

Before a teacher agrees to engage in any toileting of a student, he/she should first determine:

• Is there contract language on this issue? If so, the issue could be grieved.
• What has the past practice been in the district? If teachers have not provided these services in the past, a demand to bargain could be made on the basis that this involves a change in working conditions.
• What does the teacher’s job description say? An argument could be made that providing health services is outside of the duties contained in a teacher’s job description.
• If the child is receiving special education services, can his/her IEP specify who is responsible for toileting the student? For example, if the IEP states that a paraprofessional or the school nurse has this responsibility, requiring the classroom teacher to do it would be a violation of the IEP.

Second, and perhaps most important, the guidelines clearly state that “[i]t is counterproductive and potentially unsafe to require an unwilling or reluctant staff member to provide the specialized care.” So even in cases where it could be permissible for a teacher to provide incontinence care, if the teacher feels uncomfortable or improperly trained to do so, it is advisable to notify the administrator of this fact rather than engage in the task. This could include situations where, even after receiving training in how to properly toilet a student, the teacher remains uncomfortable and/or ill-prepared to actually do it.

Finally, the teacher needs to be certain that he/she has the staffing support necessary to provide supervision over the rest of the class while he/she attends to the incontinent student. Clearly, the classroom teacher should not be designated to provide incontinence care to students when doing so would result in the teacher being unable to ensure the safety of the other students in the classroom.

The bottom line is that before agreeing to provide incontinence care, classroom teachers should check with their local Association to determine if doing so would raise any legal issues related to their contract or working conditions. And no teacher should ever perform any task for which he or she feels unqualified or improperly trained.