

Bond Case Briefs

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Parsons v. Mullica Tp. Bd. of Educ.

Supreme Court of New Jersey - August 17, 2016 - A.3d - 2016 WL 4370011

Student, by her parents, brought negligence action against township board of education and nurse who conducted a visual acuity test on student, arising out of delay in reporting results of test to student's parents.

Board and nurse moved for summary judgment. The Superior Court denied motion. Board and nurse appealed, and the Superior Court, Appellate Division, reversed and remanded. Student sought leave to appeal, which was granted.

The Supreme Court of New Jersey held that:

- Visual acuity test of student was a “physical examination” within scope of provision of Tort Claims Act providing immunity to public entities for failing to conduct an adequate physical examination, and
- An “adequate physical examination” includes reporting the results of the examination.