

Board again seeks OK to isolate hepatitis carriers

By BRUCE ALPERT

The Board of Education will once again ask a federal court judge for permission to isolate students identified as hepatitis carriers in separate classrooms within city schools.

A similar request was denied by Brooklyn Federal Court Judge John R. Bartels in September, only one week after the judge had ordered the board to reinstate 52 children and young adults barred from attending city schools because they are hepatitis carriers.

Robert Terte, a spokesman for the Board of Education, said yesterday that school officials are hopeful that the judge may be more receptive to the proposal now that the board has prepared a complete education plan for each of the students.

"When we first raised the proposal, we didn't have a detailed proposal for the judge," Terte said. "Now that we do, we hope he will consider it."

In rejecting the Board of Education request in September, Bartels said it was not his position to set education policy. Terte said he did not know when the request would be resubmitted to the judge.

The Board of Education has maintained that there is a danger of non-carrier students coming down with the disease through contact with carrier youngsters.

Cora Hoffman, a spokesman for state Mental Retardation Commissioner Thomas A. Coghlin, said yesterday the state will oppose any proposal to segregate the carrier children in separate classes.

Except in cases where students can be shown to have a history of biting other children, Ms. Hoffman said, there is no medical reason to segregate hepatitis carriers.

As carriers, the students do not have the disease, but can transmit it through transfer of their blood to other pupils. The 52 students, most of whom became unwitting carriers of the disease while residents at the Staten Island Developmental Center, are now attending special education classes throughout the city with non-carrier children.

Ms. Hoffman maintains that with proper supervision there is little chance of the children transmitting the disease, which can cause nausea, jaundice and liver damage.

In October 1977, the Board of Education segregated three carrier pupils at PS 69, Merrymount Ave., New Springville, after parents at the school expressed concern that hepatitis might be transmitted to their youngsters.

At the time, the Board of Education announced plans to develop a citywide policy concerning hepatitis carriers in the public schools. That policy, announced in September, called for a ban on carrier pupils from city schools.

Bartels, in granting a permanent injunction against the school ban, said no substantial medical risk exists that justifies denying students the benefits of a public school education.

The judge was acting on the request of Christine West of Brooklyn, whose son was denied admission to a public school because he is a carrier of the disease, Type B variety of hepatitis.