

## **453.3 - RULE COMMUNICABLE DISEASE GUIDELINES**

### **A. Educational and Preventive Measures**

1. The district will insure that all examinations/inoculations required of students and staff has been obtained.
2. The nurse serving the school shall be responsible for the appropriate maintenance of a health station in each school building. A list of communicable diseases, as defined by the Department of Health and Family Services, is posted in the health station and that information regarding the control of communicable diseases is available for review.
3. Information regarding suppression and control of communicable diseases will be included as part of the curriculum and made available to all staff.
4. Standard procedures, as set forth in the current edition of "Control of Communicable Diseases of Man", to prevent the spread of communicable diseases will be followed.

### **B. Confidentiality and Reporting**

1. The building principal shall function as the district liaison with students, staff, parents, physicians, and public health officials concerning communicable disease issues in the school.
2. Any person who may suspect a student or staff member has a communicable disease shall report the facts to the principal.
3. The principal shall confer with the appropriate health official(s), and, to the degree circumstances warrant and permit, the subject of the report, and, for student subjects, the parent or guardian of the student.
4. The principal will make a report to the public health official, if required by statute.
5. Confidentiality of records shall be maintained as required by law. Disclosure of records shall not be made except to the extent required as permitted by law and essential to the well being of the district's operation.

### **C. Exclusion from School**

1. Students:
  - a. Students who are suspected of having a communicable disease that could be detrimental to the health of self or others in the school environment are diagnosed as having a communicable disease that renders them unable to function as a student or poses a significant risk of transmission to others, shall be excused from school attendance until their presence no longer poses a threat to the health or self of others.
  - b. Determination as to whether a student may be sent home for diagnosis and treatment or excused from school attendance shall be made by the principal after appropriate consultation(s).
  - c. If it appears that an extended period of exclusion may be required or a serious health threat may exist, the matter will be referred to the health care team or the IEP-team, as warranted.
  - d. Prior to a student being sent home, the principal shall notify the parents of the action being considered and the measures thereof, and shall take

into consideration any information the student or parent/guardian may choose to offer.

- e. Alternative educational opportunities shall be made for students excused from school attendance for a significant period of time. (10 days or more)
- f. The principal, in consultation with appropriate health officials, shall determine when a student shall be readmitted and the conditions thereof. A physician's statement may be required.
- g. Appeals:
  - 1) A parent or guardian may appeal by complaint, any actions concerning the exclusion to the district administrator.
  - 2) The complaint must be made in writing and signed by the complainant within 10 consecutive school days of the disputed determination or action and must contain:
    - a) Statement of the facts
    - b) Statement of the relief sought; and
    - c) Any necessary medical information.
  - 3) The district administrator shall confer with the complainant within five (5) consecutive school days of the receipt of the complaint or as soon as possible to verify the notice of the complaint and to explain the procedure that will be followed to resolve the complaint.
  - 4) Resolution of complaints shall follow policies of the district as applicable to the complaint in compliance with federal and state laws and administrative rules.
  - 5) The district administrator shall render a decision within ten (10) school days of the receipt of the complaint or as soon as possible. If the complainant is not satisfied with the decision of the district administrator, an appeal may be filed with the Board of Education.
  - 6) The appeal must be in writing, signed by the complainant and submitted to the president of the Board within ten (10) consecutive school days of the district administrator's decision or as soon as possible and must state the reasons for disagreement with the decision. A hearing shall be offered the complainant upon written request. A decision will be rendered in writing within ten (10) consecutive days of receipt of the appeal or conclusion of the hearing if a hearing is held.
  - 7) A student may be excluded from school during the pendency of any appeal hereunder, except to the extent prohibited by law.

## 2. Health Care Team

- a. The health care team shall consist of the principal, who shall serve as team leader, the nurse serving the school, the local public health officer, and to the extent the cooperation of such individuals can be obtained, the student and/or the parents or guardian of the student, and the student's physician.
- b. The health care team shall convene at the request of the principal to determine, given the circumstances, whether a student may be sent home for diagnosis and treatment or excused from attending school. The team may also accept referrals for the purpose of formulating regulations regarding educational program modification that could permit the student

- to attend school without posing a significant threat to the health of self and/or others.
- c. The health status of a student temporarily excluded from the normal school setting to protect the health of self and/or others shall be reevaluated at regular intervals by the health care team.
  - d. The health care team shall provide information to the district administrator and Board to the extent permitted under the guidelines of confidentiality requirements of state and federal law and related administrative rules.
3. Staff
- a. If there is reasonable cause to believe that a staff member has a communicable disease that could be detrimental to the health of self and/or others, in the school setting, the district reserves the right, in consultation with the nurse serving the school, and in accordance with Board policies and/or collective bargaining agreement provisions, to require a medical examination of the staff member by a physician designated by the district and a statement by the physician indicating whether the staff member is in suitable conditions to continue working.
  - b. Staff who are diagnosed as having a communicable disease that poses a significant risk of transmission to others in the school environment or that renders them unable to perform their duties adequately, shall be excused from work.
  - c. The determination as to whether and under what circumstances a staff member's communicable disease poses a significant health risk to others in the school environment or hinders adequate performance significantly, shall be made by the district administrator (or designee) in consultation with appropriate health official(s).
  - d. Before making a determination that a staff member should be excused from work, the district administrator shall inform the staff member of the reasons for the contemplated action and shall consider any information the staff member may voluntarily choose to offer regarding the condition. The district administrator shall also consider whether a reasonable accommodation could eliminate the risk to the staff member and/or others and/or permit adequate performance.
  - e. The district administrator shall provide written notice to any staff member excused from work pursuant to the procedure. Staff so excused may utilize any applicable alternative employment opportunities provided under existing Board policies and/or collective bargaining agreement provisions which may include sick leave, unpaid leave of absence, a reassignment, but are not guaranteed continued or renewed employment except to the extent provided under such policies or provisions.
  - f. Appeals
    - 1) Staff excused from work may appeal the district administrator's determination or action according to the grievance procedure set forth in the collective bargaining agreement if subject to the agreement or to C., I., g., 2 and 6, above, if not subject to the collective bargaining agreement.
    - 2) A staff member shall be excused from work during the pendency of any appeal hereunder, except to the extent prohibited by the law or process of

the collective bargaining agreement.

**D. HIV Infection/AIDS**

1. General

- a. In addition to maintaining normal confidentiality regarding health records, the district will not disclose the test results of an antibody to HIV except as expressly authorized by the test subject or by law.
- b. Health records of students and staff concerning HIV infections shall be kept separate from the remainder of the affected individual's records and shall be disclosed only to the extent required or permitted by law.

2. Students

- a. As a general rule, student suspected of or diagnosed as being HIV infected will be allowed to attend school in their regular classroom setting and should be considered eligible for all rights, privileges, and services provided by law and district policy.
- b. Decisions regarding the type of educational setting appropriate for suspected or diagnosed HIV infected students will be made on an individual basis, whenever possible, on an objective assessment by the health care team or IEP-team of the physical conditions, neurological development, and behavior pattern of each affected student and of the student's expected type of interaction with others in that setting.
- c. If it is determined that an HIV infected student endangers the health of students or staff or poses a significant risk of exposing others to HIV, i.e., lacks toilet training, demonstrates behavior such as biting, has open sores That could not be covered that could result in indirect inoculation of potentially infected body fluids into the blood stream of another, the student may be placed in a more restricted setting, including the probability of homebound instruction.
- d. In that HIV infected students may be immunodeficient and their health threatened where other communicable diseases are present in the school environment, the school will notify the student and/or the student's parent or guardian when such communicable diseases occur in the school. Those students may be excused from school attendance by the principal until the risk has abated.

3. Staff

- a. The district will not solicit nor require a test for the presence of an antibody to HIV as a condition of employment and will not affect the terms, conditions, or privileges of employment of any staff members because the staff member obtained such a test.
- b. HIV infected staff may be immunodeficient and their health may, therefore, be threatened when other communicable diseases are present in the school environment.
- c. Each staff member known to be HIV infected shall be notified when such communicable diseases are known to be present in the school environment. The district shall excuse staff workers who may be exposed to a significant health risk because of their own immunodeficiencies from

their regular duties under district policies or provisions of the collective bargaining agreement.

Reviewed, revised, and approved by the Board of Education on January 17, 2005.