

DE SOTO AREA SCHOOL DISTRICT

453.3-Rule

COMMUNICABLE DISEASE PROCEDURES

A. Educational and Preventive Measures

1. The District shall ensure that all examinations/innoculations required of students and staff have been obtained.
2. The school nurse shall be responsible for the appropriate maintenance of a health station in each school building. The nurse shall ensure that 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 suppression and control of communicable diseases is available for review by interested students and staff.
3. Information regarding suppression and control of communicable diseases shall be included as a regular part of the curriculum for students.
4. Information regarding suppression and control of communicable diseases shall be included in orientation sessions for new staff and shall be used periodically in training programs for existing staff.
5. First aid kits and other supplies and equipment appropriate to reducing the risk of transmission of communicable diseases in the school environment, as determined by the school nurse in cooperation with local public health officials, shall be provided in each school building.

B. Confidentiality/Reporting

1. The principal, in cooperation with the school nurse, shall function as the District's liaison with students and staff, parents/guardians and physicians, public health officials and the community at large concerning communicable disease issues in the school.

2. Any person who knows or suspects that a student or staff member has a communicable disease shall report the facts to the principal.
3. The principal shall confer with the school nurse, the staff member or student involved and the student's parent/guardian.
4. If the presence of a communicable disease is suspected or confirmed the principal shall make a report to the local public health officer, if such reporting is required pursuant to public health statutes and regulations.
5. The District shall maintain the confidentiality of the health records of students and staff, and shall not disclose any such records except to the extent required or permitted by law and essential to the safe conduct of the District's operations.

Students - Any part of a student health care record that concerns the results of a test for the presence of the virus which causes acquired immune deficiency syndrome (AIDS) or an antibody to that virus (HIV) shall be treated under a separated statute placing a restriction on the use of a test for that virus and on disclosure of test information. Records regarding AIDS/HIV infections shall be held in a separate manner from the remainder of the student's record and should remain confidential as required by law. Parents/guardians of a child with AIDS/HIV are responsible for deciding whether or not to inform the principal and/or the school nurse about their child's infection. Knowledge that a child has AIDS/HIV should be confined to the principal and school nurse. The child's teacher shall be informed only on a need to know basis.

Staff - Refer to C-2-c(1-4) below.

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 may be sent home for diagnosis and treatment. Those who are diagnosed as having a communicable disease that renders them unable to pursue their studies or poses a significant risk of transmission to others in the school environment shall be excused from school attendance until their presence no longer poses a threat to the health of themselves or others.

- b. The determination as to whether and under what circumstances a student may be sent home for diagnosis and treatment or excused from school attendance shall be made by the principal, in consultation with the school nurse, the student's parent/guardian, and when appropriate, with the individualized education program (IEP) team and/or local public health officials.
- c. Since there is no evidence that AIDS/HIV can be spread from one person to another in the normal school environment, those students identified as being infected with the virus shall be permitted to attend school with the approval of his/her physician.
 - 1) These students may be excluded from the school setting only under the following conditions:
 - a) The student is not toilet trained or not able to control bowel and/or urinary functions;
 - b) The student cannot control drooling;
 - c) The student is physically aggressive to an unusual degree with a documented history of biting or harming others.
 - 2) A student with AIDS/HIV is immunodeficient and may need to be excluded from the classroom for his/her own protection when cases of measles or chicken pox are occurring in the school. The school nurse shall notify the infected child's parents/guardians when this occurs.
- d. Alternative educational opportunities shall be arranged for students who must be excused from school attendance for a significant period of

time.

- e. The administration may require a physician's statement about a student's suitability to attend school when such person has been suspected of or diagnosed as having a communicable disease.
- f. In situations where there is disagreement with the administrator's decision, an appeal may be made within five school days to the District Administrator or designee. The appeal shall be in writing and include the following:
 - 1) a statement of the facts
 - 2) a statement of the relief requested
 - 3) any necessary medical information

The District Administrator or designee shall render a decision in writing within five school days of receipt of the appeal. In the event that there is a disagreement with the District Administrator's decision, the matter may be appealed within five school days to the Board of Education following the same procedure.

2. 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 or others in the school environment, the District reserves the right, in consultation with the school nurse and in accord with existing Board policies and/or collective bargaining agreement provisions, to require a medical examination of the staff member at District expense and a physician's statement indicating whether the staff member is in suitable condition 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 shall be excused from work.

- c. The District shall not solicit or require a test for the presence of an antibody to HIV as a condition of employment and shall not affect the terms, conditions, or privileges of employment of any staff member because the staff member obtained such a test.
- 1) In addition to maintaining normal confidentiality regarding health records of staff members, the District shall not disclose the results of a test for the presence of an antibody to HIV except as expressly authorized by the test subject or by law.
 - 2) Except as authorized by the affected staff member, knowledge that a staff member is HIV-infected shall be disclosed only to those persons with a direct need to know.
 - 3) Health records of staff concerning HIV infections shall be kept separate from the remainder of the affected individuals' records and shall be disclosed only to the extent required or permitted by law.
 - 4) HIV-infected staff may be immunodeficient and their health may therefore be threatened when other communicable diseases are present in the school environment. The school nurse shall notify each staff member known to be HIV-infected when such communicable diseases occur in the school. Upon recommendation of the nurse, staff who may be exposed to a significant health risk because of their own immunodeficiencies may be excused from performance of their regular duties by the District Administrator until such time as the risk has abated. During this period, at the discretion of the District, staff so excused may be reassigned to other duties to the extent permitted by Board policies and/or collective bargaining agreement provisions. Staff not reassigned may utilize any applicable alternative employment opportunities provided under Board policies and/or collective bargaining agreement

provisions.

- d. 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 makes adequate performance impossible shall be made by the District Administrator (or designee), in consultation with the nurse serving the school and, where appropriate, with local public health officials.
- e. 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 choose to offer regarding his/her condition. The District Administrator shall also consider whether a reasonable accommodation could eliminate the health risk to the staff member or others and/or permit adequate performance.
- f. The District Administrator shall provide written notice to any staff member excused from work pursuant to this 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, or reassignment--but are not guaranteed continued or renewed employment except to the extent provided under such policies or provisions.
- g. Staff whose employment is terminated because of a communicable disease may receive such post-employment benefits as are provided pursuant to existing Board policies, collective bargaining agreement provisions, and state and federal law.
- h. Appeals
 - 1) Staff excused from work pursuant to this procedure and subject to a collective bargaining agreement may appeal the District Administrator's determination or action

according to the grievance procedure set forth in the collective bargaining agreement.

- 2) Staff excused from work pursuant to this procedure and not subject to a collective bargaining agreement may appeal the District Administrator's determination or action according to the procedure set forth in paragraph C-1-f.
- 3) Except to the extent prohibited by law or by Board policies or collective bargaining agreement provisions, a staff member may be excused from work during the pendency of any appeal hereunder.

APPROVED: March 10, 2008
