

Hortonville Area School District

Title: Communicable Diseases

Date Adopted: 2/10/86

Policy No. 5031

Date Revised: 2/25/91

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3/24/03

Policy Statement:

It is the policy of the Hortonville Area School District, pursuant to federal, state and local laws and regulations, and in cooperation with state and local public health agencies, to establish and maintain appropriate health standards for the school environment, to promote the good health of students and staff, and to educate students and staff in disease prevention methods and sound health practices.

Rationale:

In an effort to maintain a safe and healthful school environment, the District will provide educational opportunities to students and staff regarding measures that can be taken to reduce the risk of contracting or transmitting communicable diseases (including HIV infection) at school and in school-related activities.

Scope: District-wide

Responsibility: District Administrator

Implementation:

In recognition that an individual's health status is personal and private, the District will handle information regarding students and staff with suspected or confirmed communicable diseases in accord with state and federal law and Board policies regarding the confidentiality of student and staff records, while at the same time complying with applicable public health reporting requirements.

Students or staff may be excluded from school and/or school-related activities if they are suspected of or diagnosed as having a communicable disease as defined in the administrative interpretation that poses a significant health risk to others or that renders the unable adequately to perform their jobs or pursue their studies. Students and staff excluded from school pursuant to this policy may appeal their exclusion as set forth in the administrative procedure.

Associated Information: Administrative Procedure (attachment)
Wisconsin State Statute Chapter 252

President _____ Date _____

Clerk _____ Date _____

ADMINISTRATIVE PROCEDURE

- A. Educational and Preventive Measures
 1. The District will ensure that all examinations/inoculations required of students and staff have been obtained. [See e.g. Wisconsin Statutes 118.25, 140.05(16)]
 2. The nurse serving the District 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 Social Services [Exhibit A] 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 will be included as a regular part of the curriculum for students. [Wisconsin Statute 118.01(2)]
 4. Information regarding suppression and control of communicable diseases will be included in orientation sessions for new staff and will be used periodically in training programs for existing staff.
 5. Standard procedures as set forth in the current edition of Control of Communicable Diseases in Man to prevent the spread of communicable diseases transmitted by air (such as tuberculosis, chicken pox, measles, mumps and rubella) or by exchange of body fluids (such as hepatitis A and B, rotavirus, cytomegalovirus, salmonella staphylococcus aureus and AIDS) and the spread of other conditions (such as pediculosis, scabies and body lice) will be followed by all staff in the performance of their duties.
 6. 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 nurse serving the District, in cooperation with local public health officials, will be provided in each school building and in school transportation vehicles.
- B. Confidentiality/Reporting
 1. The nurse, under the direction of the principal shall function as the liaison with students and staff, parents 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 nurse will confer with the principal serving the school and, to the extent circumstances warrant and permit, with the subject of the report and, for student subjects, the student's parent or guardian.
 4. If required pursuant to public health statutes and regulations, the nurse will make a report to the local public health officer.
 5. The District will maintain the confidentiality of the health records of students and staff, and will 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.
- 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. Students 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 nurse serving the school and, where appropriate, with local public health officials.
 - c. The principal may refer this determination to the health care team. If the disease in question appears to require a lengthy period of exclusion or to pose a serious health threat to the

student or others (tuberculosis, hepatitis B and HIV infection, for example), the principal should ordinarily refer the determination to the health care team unless referral to the M-team is warranted.

- d. For students with previously identified exceptional educational need or whose communicable disease may give rise to exceptional educational need, the principal, in consultation with the District's director of special education, may refer this determination to the M-Team. The normal membership of the M-Team making any such determination should be supplemented to the extent possible by the student's physician and parent or guardian, the local public health officer, and the principal and nurse serving the school.
- e. Before making a determination that a student should be sent home for diagnosis and treatment or excused from school attendance, the principal, health care team, or M-Team reviewing the case shall, to the extent circumstances warrant and permit, inform the student and the student's parent or guardian of the reasons for the contemplated action and shall consider any information the student and/or the student's parent or guardian may choose to offer regarding the student's condition. If a student is sent home or excused from school attendance pursuant to this procedure, the principal shall immediately notify the student's parents or guardian of the action and the reasons therefor.
- f. Alternative education opportunities will be arranged for students who must be excused from school attendance for a significant period of time.
- g. The principal, in consultation with the nurse serving the District and, where appropriate, with local health officials, shall determine when a student who has been excused from school attendance may be readmitted. As a condition of continued or renewed attendance, the District may require a statement from a student's physician that a student is in suitable condition to attend school. [Wisconsin Statute 118.25(3)]
- h. Appeals
 1. A parent or guardian of a minor student or an adult student who disputes the determination or action of the principal, health care, or M-Team concerning exclusion of a student from school attendance pursuant to this procedure may appeal such determination or action by bringing or sending a complaint to the District Administrator.
 2. A complaint must be made in writing, signed by the complainant, and submitted within ten (10) consecutive school days of the disputed determination or action and must contain: a) a statement of the facts; b) a statement of the relief requested, and c) any necessary medical information.
 3. The District Administrator shall confer with the complainant within five (5) consecutive school days of receipt of the complaint to verify the nature of the complaint and to explain the procedure that will be followed to resolve the complaint.
 4. Complaints involving the identification, evaluation, educational placement, or provision of a free appropriate public education of a student with exceptional educational need will be resolved through the procedures contained in the state exceptional educational needs handbook.
 5. Complaints involving pupil discrimination on the basis of handicap or of physical, mental, emotional, or learning disability will be resolved through the procedures established by the District to comply with Wisconsin Statute 118.13, Wisconsin Administrative Code PI 9.04 and 504 of the federal Rehabilitation Act of 1973.
 6. Other complaints will be resolved by the District Administrator. The District Administrator will confer with the parties involved and will render a written decision within five (5) consecutive school days of his/her receipt of the complaint. A complainant who remains unsatisfied with the District Administrator's decision may appeal to the Board of Education. This appeal must be made in writing, signed by the complainant, and submitted to the President of the Board of Education within five (5) consecutive school days of the District's Administrator's decision and must state the reasons for disagreement with that decision. The Board of Education will afford the complainant a hearing, upon request, and will render a written decision within ten (10)

consecutive school days of receipt of the appeal or (if a hearing is held) conclusion of the hearing.

7. Except to the extent prohibited by law, a student may be excluded from school during the pendency of any appeal hereunder.

2. Health Care Team

- a. The health care team will consist of the principal, 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 student's parent or guardian, and the student's physician. The team will confer, as necessary, with the District's medical consultant and legal counsel and with state public health officials.
- b. The health care team will convene at the request of the principal to determine whether and under what circumstances a student may be sent home for diagnosis and treatment or excused from school attendance. The health care team may also receive referrals for the purpose of formulating recommendations regarding educational program.
- c. The health status of a student temporarily removed from the usual school setting to protect the health of self or others will be reevaluated by the health care team at regular intervals.
- d. The health care team may provide information to the District Administrator and Board to the extent permitted in light of confidentiality requirements.

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 or others in the school environment, the District reserves the right, in consultation with the nurse serving the school 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 adequately to perform their duties 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 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.
- 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 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 of others and/or permit adequate performance.
- e. 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.
- f. 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.
- g. 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.h.2. and 6, above.

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 pendency of any appeal hereunder.

D. HIV Infection/AIDS

1. General

- a. In addition to maintaining normal confidentiality regarding health records of students and staff, the District will not disclose the results of a test for the presence of an antibody of HIV except as expressly authorized by the test subject or by law.
- b. Except as authorized by the affected staff member or student and/or the student's parent or guardian, knowledge that a student or staff member is HIV-infected will be disclosed only to those persons with a direct need to know.
- c. Health records of students and staff concerning HIV infections will be kept separate from the remainder of the affected individuals' records and will be disclosed only to the extent required or permitted by law.

2. Students

- a. As a general rule, students 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 and will be based, whenever possible, on an objective assessment by the health care team or M-Team of the behavior, neurological development, and physical condition of each affected student and of that 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 risk of significantly exposing students or staff to HIV—for example, if the student lack toilet training, has open sores that cannot be covered, or demonstrates behavior such as biting that could result in direct inoculation of potentially infected body fluids into the bloodstream of another—the student may be placed in a more restricted setting. If homebound tutor will be advised regarding the standard procedures to be followed to prevent transmission of communicable diseases through exchange of body fluids.
- d. HIV-infected students may be immunodeficient and their health may therefore be threatened when other communicable diseases are present in the school environment. For each student known to be HIV-infected, the nurse serving the school will notify the student and/or the student's parent or guardian when such communicable diseases occur in the school. Upon the recommendation of the nurse serving the school, students who may be exposed to a significant health risk because of their own immunodeficiencies may be excused from school attendance by the principal, upon request, until such time as the risk has abated.

3. Staff

- a. The District will not solicit or 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 member because the staff member obtained 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. The nurse serving the District will notify each staff member known to be HIV-infected when such communicable diseases occur in 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, upon request, 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.