

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 453.3 - COMMUNICABLE DISEASE

A. Educational and Preventive Measures

1. The District will ensure that all immunizations (or related waiver) and health examinations/tests (e.g., tuberculin skin test or chest x-ray) required of students and staff by law and Board policy have been obtained. Staff shall refer to and follow the District's immunization plan and related District policies when carrying out this task.
2. The school registered nurse shall be responsible for the maintenance of a health station/area in each school building. The school registered nurse shall post the Department of Health Services' [Wisconsin Childhood Communicable Diseases Chart](#) in the health station/area for access and use by designated school staff when making decisions under the District's communicable disease control policy and these procedures. This chart includes information on specific diseases, including signs and symptoms, incubation periods, periods of communicability, modes of transmission, and control measures/public health responses.
3. First aid kits and other supplies and equipment appropriate to reducing the risk of transmission of communicable diseases in the school environment, as determined in consultation with public health officials, will be provided in each school building.
4. The school registered nurse shall ensure that the District provides parents and guardians of students in the 6th grade with information about meningococcal disease as mandated by state law.
5. The school registered nurse shall provide general information regarding suppression and control of communicable diseases to all new employees (i.e., substitutes, coaches, professional and support staff). This information will be provided periodically in training programs for all existing staff. In addition to this training, those employees who are occupationally exposed to blood or other potentially infectious materials in the performance of their duties shall receive special training upon initial employment and annually thereafter. Such training shall be provided in accordance with provisions of the District's Exposure Control/Bloodborne Pathogens Plan. "Occupationally exposed" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.
6. District employees shall comply with provisions of the Exposure Control/Bloodborne Pathogens Plan when they are exposed to blood or

other potentially infectious agents or materials in the school setting or during school-related activities.

B. Communicable Disease Reporting

1. The building principal shall function as the District's liaison with students and staff, parents and 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 District employee has a communicable disease shall report the facts to the principal or his/her designee. The principal or designee will confer with the nurse 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.
3. The principal or designee will report any known or suspected communicable disease that is present in the school to the local public health officer or to the local health officer's designee in accordance with state law requirements. Reportable disease categories are as follows:
 - a. Category I diseases are of urgent public health importance and must be reported immediately by telephone to the local public health officer or to the local health officer's designee upon identification of a case or a suspected case. In addition to the immediate report, a written report must be made on the [required reporting form](#) within 24 hours. Examples of such reportable diseases include, but are not limited to measles, rabies (human, animal), tuberculosis, foodborne or waterborne outbreaks, occupationally-related diseases, and hepatitis A.
 - b. Category II diseases must be reported by fax, mail, or electronic reporting to the local public health officer or to the local health officer's designee on the [required reporting form](#) or by other means within 72 hours of identification of a case or suspected case. Examples of such reportable diseases include, but are not limited to lyme disease, meningitis (bacterial), mumps, salmonellosis, sexually transmitted diseases (e.g., gonorrhea, chlamydia), varicella (chicken pox), and suspected outbreaks of other acute or occupationally-related diseases.
 - c. Category III diseases include acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection and must be reported to the state epidemiologist on the [required reporting form](#) or by other means within 72 hours after identification of a case or suspected case.

While nuisance diseases like head lice are not required to be reported to the local public health officer, the principal or designee may contact public

health officials for information about the prevention, control and treatment of such diseases and request their involvement in recurrent infestations.

4. When an occupationally exposed employee, as defined above, has had an incident of occupational exposure to blood or other infectious agents or materials, he/she should report the incident in accordance with provisions outlined in the District's Exposure Control/Bloodborne Pathogens Plan.

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 from school by any teacher, nurse serving the school [*or school nurse as applicable*] or principal 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 in consultation with appropriate health care professionals (e.g., the nurse serving the school, local public health officials). If such consultation cannot be completed prior to an initial decision to send a student home, it shall be completed at the earliest reasonable opportunity, and the school's initial decision may be revised as appropriate.

(1) The principal or designee may refer this determination to a health care team if the disease in question appears to require a lengthy period of exclusion from school or to pose a serious health threat to the student or others. If a health care team is convened to make this determination, it will consist of the principal, the nurse serving the school, the local public health officer, and—to the extent the cooperation of the 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.

(2) For a student with a disability or a student whose communicable disease may give rise to a disability, the principal or designee, in consultation with the Director of Pupil Services may refer this determination to an individualized educational program (IEP) team or to the District's Section 504 coordinator. The normal membership of

any IEP team making any such determinations should be supplemented to the extent possible by the student's physician, the local public health officer, the principal, and the nurse serving the school.

- c. Before sending a student home for diagnosis and treatment or making a determination to excuse a student from school attendance due to a concern surrounding a communicable disease, the student shall be informed of the reasons for the contemplated action to the extent appropriate for the student's age, and the school shall attempt to contact and provide relevant information to the student's parent or guardian.
- d. A teacher who sends a student home from school under Board policy and these procedures must also notify the principal of the action and the reasons for the action. The nurse serving the school should also be notified when a student is sent home from school with a known or suspected communicable disease.
- e. Alternative educational opportunities will be arranged for students who must be excused from school attendance for a significant period of time.
- f. The principal or designee, in consultation with the nurse serving the school and, where appropriate, with local public health officials, shall determine when a student who has been excused from school attendance for a communicable disease may be readmitted. The administration may require a medical statement from the local health department or private physician about a student's suitability to return to school, if the disease warrants such a statement.
- g. Appeals: Students who dispute the determinations or actions of the District concerning exclusion from school under these procedures may appeal such determinations or actions to the District Administrator or his/her designee within ten school days of the District's initial decision or any subsequent decision that materially changes the extent or conditions of the student's exclusion. The appeal shall be in writing and shall include the following: (1) statement of facts; (2) statement of the relief requested; and (3) any necessary medical information required. The District Administrator or his/her designee shall render a decision in writing within ten school days of receipt of the appeal.

Complaints involving the identification, evaluation, educational placement, or provision of a free and appropriate public education of a student with a disability will be resolved through the procedures contained in the District's Special Education Policy and Procedure Handbook.

Complaints alleging student discrimination on the basis of handicap or disability will be resolved through the District's student discrimination complaint process.

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

- h. Aside from resolving formal appeals, the District shall be willing to consider the effect that any changed circumstances or newly available information may have on a District decision to exclude a student from school under these procedures.

2. Employees

- a. Employees who are suspected of having or diagnosed as having a communicable disease that poses a significant health risk to any other person in the school environment or that renders them unable to safely or adequately perform their duties may be excluded from work consistent with District policies and procedures, provisions of the Employee Handbook, and legal requirements. Such decisions shall be made by the District Administrator or his/her designee in consultation with one or more appropriate health care professionals (e.g., the nurse serving the school, local public health officials).
- b. Before making a determination that an employee should be excused from work, the following actions should occur:
 - (1) The employee should be informed of the reasons for the contemplated action.
 - (2) Any information the employee may choose to offer regarding his/her condition(s) shall be considered.
 - (3) Consideration should be given to whether a reasonable accommodation could eliminate the health risk to others and/or permit adequate performance. An accommodation is not considered reasonable if it results in undue hardship to the District or when the employee poses a "direct threat" to the health or safety of others.

In determining whether the risk to health or safety of others is significant enough to justify exclusion of the employee from school, the following factors will be considered: (a) the duration of the risk; (b) the nature of severity of the potential harm; (c) the likelihood of potential harm; and (d) the imminence of potential harm.

In accordance with state law, school food service employees shall refrain from handling food while they have a disease in a form that is communicable by food handling.

- c. The District Administrator shall provide written notice to any District employee excused from work pursuant to these procedures. Employees so excused may utilize any applicable employment opportunities provided under applicable law, existing Board policies, and/or provisions of the Employee Handbook—which may include sick leave, family and medical leave, applying for unpaid leave of absence, or consideration for reassignment—but are not guaranteed continued or renewed employment except to the extent provided under such policies or provisions or legal requirements. The administration may require a medical statement from the local health department or private physician about an employee’s suitability to return to school after having had a communicable disease if the disease warrants such a statement.
- d. Appeals: A District employee who disputes the determinations or actions of the District concerning exclusion from work under these procedures may appeal the determination or action to the District Administrator. The appeal shall be in writing and shall include the following: (1) statement of facts; (2) statement of the relief requested; and (3) any necessary medical information required. The District Administrator shall render a decision in writing within 10 days of receipt of the appeal.

Complaints alleging employment discrimination on the basis of handicap or disability will be resolved through the District’s employment discrimination complaint process.

D. Maintenance and Confidentiality of Communicable Disease Records and Information

1. Except as outlined below or otherwise specifically provided by law, information concerning a student's or employee's communicable disease shall be kept confidential and may be released only upon the informed written consent of the employee or student, or if the student is a minor, his/her parent or guardian. Patient health care records, except HIV-related record information, may be released without informed consent to a District employee or agent if any of the following apply:
 - a. The employee or agent has responsibility for preparation or storage of patient health care records.
 - b. Access to the patient health care records is necessary to comply with a requirement of state or federal law.

2. As authorized by federal law, the following individuals may have access to information obtained from required employee medical examinations:
 - a. Supervisors and managers may be informed regarding necessary restriction on the work or duties of the employee and necessary accommodations.
 - b. First aid and safety personnel may be informed, when appropriate, if the employee's disability might require emergency treatment.
 - c. Governmental officials investigating compliance with the Americans with Disabilities Act shall be provided relevant information on request.

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CROSS-REFERENCE: Policy 453.3 Communicable Disease
Wisconsin Communicable Disease Control Measures

LEGAL REFERENCE: Wisconsin Statutes Section 103.15, Section 111.31, Section 115.01(10), Section 118.01(2)(d)2c, Section 118.07(3), Section 118.125, Section 118.13, Section 118.15(3)(a), Section 118.195, Section 121.02(1)(i), Sections 146.81 – 146.83, Section 252.04, Section 252.15, Section 252.19, Section 252.21
Wisconsin Administrative Code DHS 145, DHS 145 – Appendix A, SPS 332.50
Federal Laws 29 Code of Federal Regulations (CFR), Part 1910 - Subpart Z, Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973