

COMMUNICABLE DISEASE

The board acknowledges the importance of developing guidelines for handling of student and personnel who may have contracted Acquired Immune Deficiency Syndrome (AIDS), the viral infections Cytomegalovirus (CMV), Herpes Simple Virus (HSV), and HSV related diseases such as: Chickenpox, Shingles, and Infectious Mononucleosis, or the viral infectious parasites or fungus such as: Pediculosis (head lice), Dermatophytosis (ringworm), Conjunctivitis (pink eye), and Scabies. The following policy was developed in accordance with regulations and guidelines provided by the West Virginia Department of Health, the Center for Disease Control, and the West Virginia Department of Education and in accordance with the most recent advice and opinion from the fields of law and medicine.

Students: Children between the ages of seven and sixteen years are required to attend school. All children of school age have a right to attend the public schools for the full instructional term so long as they have attained the entrance age. Nevertheless, subject to the rules of the State Board of Education, a teacher has a duty to exclude from the school "any pupil or pupils known to have or suspected of having any infectious disease or any pupils who have been exposed to such disease, and shall immediately notify the proper health officer, or medical inspector, or such exclusion. Any student so excluded shall not be readmitted to the school until such pupil has complied with all the requirements of rules governing such cases, or has presented a certificate of health signed by the medical inspector or other proper health officer." Requirements and policies of the State Department of Health will determine the diseases to which this section refers.

Employees: "Boards of Education... shall have authority to employ school nurses and to take any other action necessary to protect the pupils from infectious diseases, including the authority to require from all teachers employed in their districts certificates of good health and of physical fitness for the work of instruction in the schools." However, the board has no authority to select doctors from whom teachers are to obtain certificates of good health.

Reporting: School principals or other appropriate county administrators shall report the incidents of any infectious diseases.

Definition: A communicable disease is defined as a disease, which may be transmitted directly, or indirectly from one individual to another. Diseases such as streptococcal, sore throat and influenza can be spread by discharge from nose or throat, either by droplet through the air, or by contact with objects contaminated by these discharges. Thus, they can be spread by casual contact such as that which occurs in school setting. AIDS is spread by direct blood transmission into the blood stream of another and by semen or vaginal fluid contact. Hepatitis: A – can be spread by direct or indirect contact with semen and blood. These diseases do not pose a risk in school if body fluid such as blood and feces are correctly handled.

Immunization: Students are expected to be in compliance with the required immunization schedule. The principal is required under State Statute 16-3-4 to exclude children from school attendance who are out of compliance with the immunization required by this act. School personnel will cooperate with county/state health personnel in completion and coordination of all immunization data, waivers, and exclusions.

Infectious Disease Spread by Casual Contact: The teacher shall exclude from the school any pupil or pupils known to have or suspected of having any infectious disease or infestation that is spread by casual contact. The superintendent has the authority to exclude a staff member from school when reliable evidence or information from a qualified source confirms the staff member of having a communicable disease or infestation that is known to be spread by any form of casual contact and is considered a health threat to the school population. Such a student or staff member shall be excluded unless the physician approves school attendance and the condition is no longer considered contagious.

Infectious Diseases Not Spread by Casual Contact:

1. Procedures for Suspected Infection of a Student:

When a student is suspected to have Hepatitis or AIDS or be infected with the AIDS virus, the superintendent shall investigate discretely to determine what information is available and shall determine if there is probable cause to believe that the student is infected or has been exposed. If there seems to be evidence of possible infection, the superintendent shall contact the Public Health Officer and they shall jointly determine if additional medical evidence is necessary. The superintendent or Public Health Officer may contact the parents of the student (or the student, if an adult) and attempt to obtain the results of any medical tests performed or to arrange for the child to have a physical examination to determine if the student has Hepatitis or AIDS or is carrying the AIDS virus.

If proper medical evidence is obtained confirming the fact that the student has Hepatitis or AIDS or is carrying the AIDS virus, the superintendent shall convene an advisory committee composed of some or all of the following people to review the case:

- Superintendent
- Principal
- Student's teacher or teachers
- Student's physician
- County Public Health Officer
- Parents of the student
- School nurse

This committee shall make recommendations to the superintendent, who shall determine if the student is to continue in the regular school program or is to be served by some alternative school program. In general, the following principles shall be considered in determining a least restrictive placement for a student with AIDS or who is HIV positive.

Since no children are known to have contracted AIDS in schools, day-care centers, through casual contacts in homes, or in the workplace, most students with AIDS should be allowed to attend school, in an unrestricted manner, with the approval of their physician and the superintendent.

Some students with AIDS may pose a risk to others. If they lack control of body secretions, are prone to biting others, or have sores, students with AIDS should be placed in more restricted settings. This may necessitate exclusion from attendance. Alternative education methods should be explored and readmission will be based on medical recommendation. Removal from the classroom should not be construed as the only responses to reduce risk of transmission. The school district should be flexible in its response and attempt to use the least restrictive means to accommodate the student from the school setting, state regulations and school policy regarding homebound instruction must apply.

If the superintendent determines that the child is best served by homebound or other alternative school placement, he/she shall make the necessary arrangements for placement of the student through the usual procedures. Students receiving instruction through alternative placement shall be reevaluated at least annually.

If a decision is made to exclude a student from school who is HIV positive or has AIDS, the final approval of this decision must be made by the West Virginia Department of Health.

Any affected party may appeal the decision of the superintendent to the Hardy County Board of Education.

If the affected person is a special education student, the superintendent shall convene an Individual Education Committee meeting to determine the appropriate program and services for the student based on the panel's recommendations and the superintendent's decision. Placement of the student in the interim shall be based upon the recommendation of the superintendent and the attending physician.

Procedure for Suspected AIDS Infection of an Employee:

In the event that the superintendent feels there are reasonable grounds to believe that a teacher or other employee has AIDS, the superintendent may require the employee to obtain a certificate of "good health" from a physician that shall state whether or not the employee has an infectious disease that poses a risk to students or staff. If an examination or test is required of an employee, the county board of education shall be responsible for the cost.

If medical tests confirm that the employee has AIDS or is HIV positive but the physician determines that the continued presence of the employee on the job poses no threat to other employees or students, the employee shall be allowed to continue on the job. The superintendent shall request a certificate of "good

health" from a physician at least annually from all known carriers of the AIDS virus.

If a physician determines that the continued presence of the employee presents a hazard to other employees or students, the superintendent may suspend the employee and shall present this information to the board of education, who may hold a hearing to determine if the employee is to be suspended from his/her employment until such time as he or she may obtain a certificate or "good health" from a physician.

Procedures for Sanitation: All school staff shall follow the procedures for sanitation as presented in the Procedures for Sanitation Manual. The school custodians shall be responsible to procure the necessary supplies for his/her school.

SOURCE: Board of Education Minutes

LEGAL REFERENCES: West Virginia Codes: §18-8-1, 18-2-5, 18-1-1, 18-5-22, 18-20-1, 18A-5-1, 16-3-4, 16-3-4a, 16-3-5, 16-3c-1 thru 16-3c-1, 18-20-5, West Virginia Board of Education Policy 2423

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JFD.COMMUNICABLE

