

STUDENT PERSONNEL

Series 400

Policy Title . . . COMMUNICABLE DISEASES

Code No. 453.3

All students of the Burlington Area School District have the constitutional right to a free, appropriate program of education. Employees of the District have the right to an appropriate work environment.

The rights and responsibilities of parents/guardians and their children, as well as those of individual school employees. Those rights and responsibilities will be balanced with the general welfare of the total school population.

The Burlington Area School District assists local and state health agencies in maintaining appropriate health standards, promoting the good health of students and their families and in educating students and staff in disease prevention and good health practices. The Board and Administration recognizes its responsibilities to inform appropriate staff and to outline responsibilities of various professionals when dealing with communicable diseases.

It is the responsibility of the school district to report all communicable diseases (FS 145.04 categories) to the local health agency. The disposition of these cases will be handled according to the guidelines stated in the WI Stats., Chapter DHS 145.05. The disposition of cases involving infection with blood borne pathogens will be handled on an individual basis according to Board procedure. In all cases involving students with suspected communicable diseases, including blood borne pathogens, the child's parents will be notified unless the child has reached the age of majority or is otherwise emancipated.

Educational institutions are potential high-risk areas for transmission of vaccine-preventable diseases and the Burlington Area School District recognizes its responsibility as an educational system within the community to be involved in community awareness and education regarding these communicable diseases, their transmission and their prevention.

All Burlington Area School District employees will receive in-service about communicable diseases and will review the policy and procedures for reporting these diseases including specific information regarding blood borne pathogen infection. All new instructional staff will receive this information at the new staff orientation.

The communicable disease policy as well as procedures for handling blood borne pathogen cases will be reviewed regularly and revised as medical and legal information becomes available.

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May 12, 2008
February 20, 2017

Legal Reference: Code of WI
Section: 103.15; 118.13; 146.03; 145.03
145.04; 145.07

ADMINISTRATIVE REGULATIONS FOR CASES OF HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

The Burlington Area School District shall strive to protect the safety and health of students and employees. The evidence is overwhelming that the risk of transmitting HIV is extremely low in school settings when current guidelines are followed. The presence of a person living with HIV infection or diagnosed with AIDS poses no significant risk to others in school, daycare or school athletic settings

According to the best-informed medical experts, the HIV type infection is only transmitted through significant sharing of body fluids. They have no evidence that this virus is spread by the day-to-day casual contacts that occur between pupils and pupils and staff in the school setting.

A student with HIV infection has the same right to attend school and receive services as any other student and will be subject to the same rules and policies. HIV infection shall not factor into decision concerning class assignments, privileges, or participation in any school-sponsored activity.

School administration will determine the educational placement of a student known to be infected with HIV on a case-by-case basis by following established policies and procedures for students with chronic health problems or students with disabilities. Decision-makers and the district school nurse must consult with the student's physician and parent or guardian, respect the student's and family's privacy rights and reassess the placement if there is a change in the student's need for accommodations or services.

The Burlington Area School District does not discriminate on the basis of HIV infection or association with another person with HIV infection. In accordance with the Americans with Disabilities Act (ADA), an employee will be allowed to continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodations if necessary.

All employees are required to consistently follow infection control guidelines in all settings and at all times, including playgrounds and school buses. School will operate according to the standards promulgated by the United States Occupational Safety and Health Administration (OSHA) for the prevention of blood borne infections. Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible. A school staff member is expected to alert the district nurse and administrator for health and safety issues if a student's health condition or behavior presents a reasonable risk of transmitting an infection.

Only those physical restrictions necessary to protect the health of the pupil with HIV infection and the health of the other pupils and staff should be initiated by the school district nurse and student support team. The school district will be flexible in its response and attempt to use the least restrictive means to accommodate the child's needs. A child removed from the classroom for biting, lack of toilet training, or for open sores or skin eruptions that cannot be covered should be referred immediately to the school district nurse and administrator for assessment. The health status of a child or employee temporarily removed from the usual school or work setting to protect the health of self or others will be re-evaluated at regular intervals as determined by the school district nurse, cooperating physician and administration.

The school district nurse will function as (1) the liaison with the child's parents, the child's physician and the local public health agency; (2) the child's advocate in the school (in other words, assist in problem resolution, answer questions); and (3) supervisor of the health service provided by other staff.

The school district nurse will inform the superintendent of schools that a case involving HIV infection is present in the school system and the subsequent decisions of any special accommodations required.

Parents of a child infected with HIV are responsible for deciding whether or not to inform the principal or the school district nurse about the child's infection. Pupils or staff members are not required to disclose HIV infection status to anyone in the educational system. HIV antibody testing is not required for any purpose. In circumstances where the parent has not informed the principal or nurse, a physician or local public health official who becomes aware of an infected child who potentially may present a special risk to classmates or staff members should notify the child's parents and the state epidemiologist of this fact. After reviewing information pertaining to the child's infection and contacting the parents, the state epidemiologist may contact the local public health agency and school officials to provide specific recommendations. This also applies to employees of the Burlington Area School District (DHS 145.06).

In the event an employee of the Burlington Area School District is informed by a student that he/she has acquired an HIV infection, they are required to report this information to the school district nurse. The school district nurse is responsible for notifying the local public health agency (HFS 145.04).

The Burlington Area School District respects the right to privacy of individuals, therefore no information regarding a person's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed and dated consent of the person with HIV infection (or the parent or guardian of a child under 14). Knowledge that a child has an HIV infection should be confined to those persons with a direct need to know, determined by the school district nurse. The Burlington Area School District has the responsibility to promote the ethics of the confidential treatment of all school health records. Therefore all records regarding HIV infections (students and/or employees) will be maintained by the school district nurse and access to these confidential records is limited to those named in written permission from the person (or parent / guardian) and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.

Some children with an HIV infection may be immunodeficient and may need to be removed from the classroom for their own protection when cases of contagious diseases are occurring in the school population. The school district nurse or the local public health agency should notify the parents of an infected child when these infections occur in the school. A decision on whether or not to remove the child should be made the child's physician and parents/guardians in consultation with the school district nurse and the local public health agency. This applies to employees of the Burlington Area School District.

Body fluids resulting from an accident, injury or illness will be handled according to the guidelines mandated by OSHA. The school district nurse will in-service staff regarding blood borne pathogen safety and body fluid precautions on an annual basis.

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103.15, 146.03, 118.15 (1) and (3)
118.13, 118.125,
29 U.S.C. 701, 20 U.S.C.1232g
FS 145; 101.055; 111.31; 118.126;146.81-146.84;
252.14; 252.21; PI 9; PL 104-91; 34 CFR 99; 29
CPL 2-2.69; 145.03-04; 145.07