

**Regulation 5691R**

**Non-Instructional/Business Operations**

**COMMUNICABLE DISEASES**

**Definitions:**

- Communicable Disease: A disease caused by an infectious agent (bacterial, viral, parasitic, other) which can be spread from one individual to others
- Agent: Pathogenic bacteria, viruses, parasites or toxins which cause disease
- Host: Individual either infected with pathogenic agent or susceptible to infection
- Environment: All factors external to the agent and host which must be present to facilitate spread of agent
- School Health Service Personnel: School Physician, School Nurse Practitioner, School Nurse and other professional persons employed to render health care and services

**Delegation of Authority:**

The Superintendent of Schools is authorized to implement this regulation in accordance with the New York State Education Law, Public Health Law, and Sanitary Code.

Primary responsibility for implementation of this regulation lies with the Building Principal and School Nurse, with advice from the School Nurse Practitioner and/or School Physician as necessary. All School Health Service Personnel are charged with the responsibility to inform and advise Administration about current scientific knowledge concerning communicable disease control.

**Basic Assumptions:**

The spread of communicable disease is halted by any one of the following:

- Decreasing the pathogenicity of the agent
- Decreasing the susceptibility of the host
- Changing the environment which makes the spread of disease possible

The focus of communicable disease control is prevention through:

- Immunization
- Cleanliness and Sanitation
- Health Education
- Case finding by School Personnel
- Isolation, as appropriate, of person with communicable disease from others in the school setting Encouragement of appropriate medical management

## **Isolation of Person with Communicable Disease**

### *Students*

Any student who shows symptoms of any contagious or infectious disease which is reportable under the Public Health Law and the State Sanitary Code will be immediately excluded from school until one of the following requirements for readmittance is fulfilled:

- Submission of a certificate from the student's physician attesting to recovery
- Submission of a permit for readmittance to school, issued by the local health officer
- Submission of authorization for readmission issued by the School District medical examiner

If it is determined by the School Health Service Personnel that a student's physical condition endangers the health or safety of the individual or others, that individual may be suspended from school under the authority of, and in accordance with procedures established by Education Law Section 3214. This determination will be in accordance with informed medical opinion as to the infectiousness of the agent, the mode of transmission, the seriousness of the disease, and the treatment regimen. The goal is to prevent the spread of communicable disease and to facilitate the ill individual's return to health.

If a student with a communicable disease is not required to be excluded from school, an individual care plan will be developed by the School Health Service Personnel, in conjunction with other appropriate building personnel, to include methods to prevent the spread of infection to others and to reduce the risk of exacerbation of the student's disease.

Decisions regarding the type of educational program and care setting for a student with a communicable disease will be based on:

- The age, behavior, neurological development, and physical condition of the child
- The expected interaction of the child with others in the school setting
- The risks and benefits to both the ill student and to others in that setting
- Other relevant criteria

If the student is excluded from school as a result of the communicable disease, the school administration will provide said student with an adequate alternative education.

If a student with a communicable disease is suspected to be a child with a disability, such as to require special education by reason of his or her health impairment, the student will be referred to the School District Committee on Special Education ("CSE"). The CSE will conduct an evaluation and determine if the student is a child with a disability.

### **Employees**

When the Superintendent has reasonable cause to believe that an employee has a communicable disease, the Superintendent will:

- Report the full name and address of the employee to the local health officer
- Request the Board of Education to require the employee to submit to an examination by the School Physician
- Require the employee to grant written authorization for the release of medical reports, and for his or her personal physician to discuss the matter with the School Physician

If it is determined that the employee has a disease which is designated as communicable by the State Sanitary Code, the Superintendent of Schools will refer the matter to the School Physician who will isolate the employee pending official action by the local health officer.

If the disease is highly communicable, but not designated as such by the State Sanitary Code, or if the School Physician determines that the individual is endangering himself or herself by continuing to work, the employee is encouraged and may be required to remain at home and seek appropriate medical management.

An employee with a communicable disease will be granted paid sick leave in accordance with the applicable collective bargaining agreement.

If an employee with a communicable disease is able to be in school and there is little risk to others (as determined by the School Physician), the administration will attempt to accommodate the work environment to assist the individual. A plan will be developed as necessary to protect the ill individual and to prevent the spread of infection to others in the school setting. Said plan may include reassignment of the employee to a position where he or she works in isolation or limited contact with others.

If the School Physician determines that 1) the employee has a currently contagious disease or infection and 2) the presence of the employee on the job is and will continue to constitute a direct threat to the health, safety or welfare of that employee or other individuals by reason of his or her currently communicable disease or that the employee is unable to perform the duties of the job by reason of his or her currently communicable disease, such employee will be removed from the regular workplace and his or her employment may be terminated or suspended in accordance with applicable statutes and regulations. Any employee, contagious or not, who is unable to perform his/her customary duties or those of any alternative assignment, will be terminated or placed on disability retirement. The Superintendent of Schools will see that procedural protections are complied with in any decision to terminate or retire an employee.

### **Encouragement of Appropriate Medication Management**

In addition to the above procedures, any individual with a suspected communicable disease will be referred to his or her family. As appropriate, School Health Personnel will:

- Advise the seeking of professional care or advice from the physician, pharmacist, clinic or other
- Aid the individual in complying with the treatment regimen in cooperation with the primary health care provided
- Encourage follow-up

- Act as a resource to the family to facilitate the individual's return to optimum health. School attendance will be either encouraged or discouraged in the best interest of the ill individual

### **Employee Obligation**

No susceptible employee will be required to work with or to have personal contact with an individual with a communicable disease unless safeguards have been made to avoid the spread of the disease within the school setting.

In the event that alternate instruction is planned which requires personal contact with an infected student, a school employee may decline such assignment without penalty.

### **Confidentiality**

The individual's privacy will be protected by school personnel. Except as otherwise required by law, the identity of any individual with a communicable disease will not be revealed. All records will be confidential.

Except if otherwise authorized by the infected employee, student or person in parental relation, the only persons who will be informed of an infected individual's condition are those who:

- Require such knowledge to assure proper care of the ill individual
- Should be informed to detect situations where the potential for transmission may increase
- Are individuals who, in the judgment of the family and School Health Care Personnel, should have such knowledge

### **Cleanliness and Sanitation**

Pursuant to the Public Health Law, Regulations of the Commissioner of Education, and Recommendation of the CDC (Center for Disease Control), all school personnel will comply with, routine procedures for handling body fluids and wastes and storing, handling, and disposing of hypodermic syringes and needles. The following procedures should be followed by any individual who becomes aware of any exposed bodily fluid. That individual should:

- Contact and involve the school nurse or other health immediately
- Defer to and collaborate with the health professional in addressing the situation
- Restrict others from any contaminated area
- Wear protective gloves for any contact
- Disinfect affected areas (floors, desks, etc.)
- Dispose of affected materials in sealed containers
- Assure that soiled clothing will be properly laundered
- Scrub hands thoroughly with soap and water after any contact

Handwashing is fundamental in the prevention of the spread of infection. All personnel and students are required to thoroughly wash their hands with soap and water before handling food, after toileting, and after handling body fluids and discharges.

Under the authority of the Food Service Director, all Food Service Personnel are required to comply with the New York State Sanitary Code to best avoid the spread of food borne infection.

Under the authority of the Superintendent, all school buildings will be cleaned and maintained so as to best prevent the spread of infection.

**Health Education**

School Health Service Personnel will keep informed of current scientific information to enable them to better prevent the spread of communicable disease and will share this knowledge with other school personnel as appropriate.

School Health Service Personnel will give information to parents/guardians as appropriate to aid in the prevention, treatment, or interruption of the spread of communicable disease.

Students from Kindergarten through Grade 12 will receive instruction about the causes, prevention, and treatment of communicable diseases to enable them to remain as free from illness as possible.

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