Required Descriptor Code: ACBB

Significant Contagious Diseases

The Bismarck Public School District adopts this policy with the intent of protecting the health and safety of all district students, staff, and independent contractors.

Definitions
For the purposes of this policy, the terms affected person, decision maker, independent contractor, institution, reasonable accommodations, significant contagious disease, special provisions, and universal precautions will be defined in accordance with NDAC 33-06-05.1-02.

Universal Precautions
The District will use universal precautions as standard procedure in the care and maintenance of school property and in administering first aid or otherwise handling emergencies.

Nondiscrimination and Anti-Harassment
No person shall be denied admission as a student, a contract as an independent contractor, or employment solely because they have, or they are perceived to have, a significant contagious disease. The District prohibits harassment and/or discrimination against an individual diagnosed as having a significant contagious disease on district property, including, but not limited to, district buildings, vehicles, school events, and computer networks. Complaints alleging harassment/discrimination based on a significant contagious disease shall be handled in accordance with the district's Discrimination and Harassment Grievance Procedure.

Confidentiality
All information concerning an affected person's condition that is given to an employee or official of the District shall remain confidential to the extent required or permitted under applicable law. The Superintendent shall develop procedures to protect against confidentiality breaches.

No employee or official of the District may inform anyone of an affected individual's infection. No employee or official may release any information to the public either confirming or denying the presence within the District of a person who has contracted a significant contagious disease, unless otherwise required to do so by law. An employee violating these prohibitions shall be subject to disciplinary consequences in accordance with policy, law, and, when applicable, the negotiated agreement.

Spokesperson
The Human Resources Director is designated as the person to receive information concerning the status of students, employees, and independent contractors from their physicians. The Superintendent shall be the official spokesperson for the institution when information concerning an affected individual becomes public and may not delegate this duty unless authorized by the Board. The Superintendent may request assistance from the ND Department of Public Instruction or ND State Department of Health in developing a plan for conflict resolution

and shall comply with all applicable requirements in the District's policy on relations with the news media (KBA) when handling media requests related to significant contagious diseases.

Reasonable Accommodations

1. **Students**: The District shall not prohibit a student from attending school solely because they have, or they are perceived to have, a significant contagious disease. If the student is well enough to attend the institution, and does not constitute a public health threat, the student may be permitted to attend school. If the student is unable to attend regular class instruction or requires special consideration, then reasonable accommodations, special provisions or individualized education programs may be provided for the student.

2. **Employees and Contractors**: Employees, potential employees, and independent contractors may not be terminated or prevented from becoming employed in the District solely because they have, or they are perceived to have a significant contagious disease. If the employee is well enough to perform their job and does not constitute a public health threat to others, the employee may be permitted to perform the duties. The District shall consider and implement reasonable accommodations to allow the affected individual to become/continue as an employee or become/continue as an independent contractor.

Education

1. **Students**: The District shall implement an instructional program on significant contagious disease appropriate to each participating grade level, providing information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an educational setting, and the use of universal precautions and prevention. Instruction will begin in Grade K and continue through Grade 12.[1]

   The Superintendent or designee is charged with recommending revisions in the program to the Board to update and modify the curriculum as new information about significant contagious diseases is made available. The ND Department of Public Instruction and/or the ND State Department of Health will review and approve any curriculum and materials developed for use in this program according to the guidelines established by the Center for Disease Control.

   Prior to the start of the significant contagious disease instructional program, and at any time thereafter, parents and guardians of students who will be involved in this program will have an opportunity to preview/review the curriculum and materials.

2. **Employees**: All District employees will receive appropriate training that addresses significant contagious disease prevention. The training will be presented by a health professional or someone specifically qualified in prevention of significant contagious diseases education. Training will include the proper use of universal precautions.

[1] State law requires that all students be educated concerning significant contagious disease. Specify the grades that are included in your district's enrollment.

Those employees designated to teach significant contagious disease prevention to students will receive additional training from qualified health education professionals.

3. **Independent Contractors**: All independent contractors performing services for the District will receive a brochure concerning significant contagious diseases upon entering into a contract with the District. The brochure shall contain information regarding the transmission of significant contagious diseases in an institutional setting, the means of protecting against contracting the diseases in an institutional setting, and the use of universal precautions.

Complementary Documents

- AAC, Nondiscrimination and Anti-Harassment
- AAC-AR1, Discrimination and Harassment Grievance Procedure
- AAC-E, Filing a State or Federal Discrimination and Harassment Complaint
- ACBB-AR1, Responding to Potential Health Threats
- ACBB-AR2, Universal Precautions and Sanitary Cleanup
- ACBB-E1, Laws on Immunizations, Contagious Disease, Reportable Disease, and Significantly Contagious Disease
- ACBB-E2, Managements of Students and Employees with Communicable Diseases and Conditions

End of Bismarck Public School District Policy ACBB

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