420 STUDENTS AND EMPLOYEES WITH AIDS AND CERTAIN OTHER COMMUNICABLE DISEASES AND INFECTIOUS CONDITIONS POLICY

Rationale:

Public concern that students and staff of the school district be able to attend the schools of the district without being infected with serious communicable or infectious diseases, including but not limited to, HIV, Acquired Immune Deficiency Syndrome (AIDS), and Hepatitis B, requires that the School Board adopt measures effectively responding to health concerns while respecting the rights of all students, employees, and contractors, including those who are so infected.

School District Policy:

I. Students

It is the policy of the School Board that students with communicable diseases not be excluded from attending school in their regular classrooms so long as their attendance does not create a substantial risk of the transmission of illness to students or employees of the school district. A procedure for minimizing interruptions to learning resulting from communicable diseases will be established by the school district in consultation with community health and private health care providers. Procedures for the inclusion of students with communicable diseases will include review of the educational implications for the student and others with whom he or she comes into contact.

II. Employees

It is the policy of the School Board that employees with communicable diseases not be excluded from attending to their customary employment so long as they are physically, mentally and emotionally able to safely perform tasks assigned to them and so long as their employment does not create a substantial risk of the transmission of illness to students or employees of the school district.

III. Special Circumstances and Conditions

The School Board recognizes that some students and some employees, because of special circumstances and conditions, may pose greater risks for the transmission of infectious conditions than other persons infected with the same illness. Examples include students who display biting behavior, students or employees who are unable to control their bodily fluids, who have oozing skin lesions or who have severe disorders which result in spontaneous external bleeding. These conditions need to be taken into account and considered in assessing the risk

of transmission of the disease and the resulting effect upon the educational program of the student or employment of the employee.

When students with AIDS or HIV have conditions such as oozing skin lesions or spontaneous external bleeding, the school will notify the Commissioner of Health and request that an advisory committee be convened to evaluate the student and assist the district with a determination of proper educational placement for the student.

The District shall invite the following members to participate in the advisory committee: the state epidemiologist, a Minnesota Department of Education representative, a pediatrician with expertise in infectious diseases and the student's primary care physician, IEP team, superintendent's designee, the student's teacher and school nurse.

The committee will weigh risks and benefits to the AIDS or HIV infected student and to others, consider the least restrictive appropriate educational placement, and arrange for periodic re-evaluation as deemed necessary by the state epidemiologist. The risks to the infected immune-suppressed student shall be determined by the student's physician.

IV. Precautions

The District will develop routine procedures for handling blood spills at school and for educating employees about these procedures. This shall be developed by cooperation with health professionals taking into consideration guidelines of the Minnesota Department of Education and the Minnesota Department of Health. (These precautionary procedures shall be consistent with District procedures regarding blood-borne pathogens developed pursuant to Employee Right to Know policy.)

V. Information Sharing

Employee and student health information shall be shared within the district only with those whose jobs require such information and with those who have a legitimate educational (including health and safety) need to know and shall be shared only to the extent required to accomplish legitimate educational goals and to comply with Employees' Right to Know requirements.

Employee and student health data shall be shared outside the district only in accordance with state and federal law and with the district's policies on employee and student records.

VI. Reporting

If a medical condition of student or staff threatens public health, it must be reported to the Commissioner of Health.

VII. Prevention

The district shall, with the assistance of the Commissioners of Health and Education, develop or adopt a program to prevent and reduce the risk of Acquired Immune Deficiency Syndrome in accordance with Minnesota Statute § 121.203 which includes:

1. Planning materials, guidelines, and other technically accurate and updated information;

2. A comprehensive, technically accurate, and updated curriculum;

3. Cooperation and coordination among districts and regional education agencies;

4. A targeting of adolescents, especially those who may be at high risk of contracting AIDS, for prevention efforts;

5. Involvement of parents and other community members;

6. Inservice training for appropriate district staff and school board members;

7. Collaboration with state agencies and organizations having an AIDS prevention or AIDS risk reduction program;

8. Collaboration with local community health services, agencies and organizations having an AIDS prevention or AIDS risk reduction program;

9. Participation by state and local student organizations.

10. The program must not conflict with the health and wellness curriculum.

11. The district may accept funds for AIDS programs developed and implemented under this section from public and private sources including public health funds and foundations, department professional development funds, federal block grants or other state grants.

VIII. Vaccination and Screening

The district will develop procedures regarding the administration of Hepatitis B vaccinations and Tuberculosis containment in keeping with current state and federal law.