

Policy Code: 4310 COMMUNICABLE DISEASES OR CONDITIONS-STUDENTS

It is the goal of the Edenton-Chowan Board of Education to provide a safe and secure environment for all students and employees. In an effort to maintain a balance between the need to educate all eligible students, to protect the rights of students and employees, and to control the spread of serious communicable diseases or conditions, decisions regarding the educational status of affected students shall be made on a case-by-case basis in accordance with this policy.

This policy shall be shared with school staff annually and with new employees as part of any initial orientation.

A “communicable disease” is defined as an illness due to an infectious agent (usually a virus or bacterium), or its toxic products, which is transmitted directly or indirectly to a person from an infected person or animal.

A “communicable condition” exists if a person is infected with a communicable agent but does not have symptoms.

A “reportable disease or condition” is defined as a communicable disease or condition declared to be dangerous to the public health and required by the N.C. Department of Health and Human Services to be reported after the disease or condition is reasonably suspected to exist.

A. In order to prevent the spread of communicable diseases and conditions, universal health and safety precautions, which include regulations regarding the cleanup of all bodily fluids, shall be distributed by the administration and shall be followed by all school system employees.

B. The Edenton-Chowan Public Schools shall include health, hygiene, and safety education in its curriculum. The curriculum shall include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of communicable diseases and conditions.

C. In accordance with [North Carolina General Statute section 130A-136](#), school principals shall report suspected cases of reportable ~~communicable~~ diseases or conditions to the Chowan County Health Director. Such reports must be made in a manner consistent with the school system’s Family Educational Rights and Privacy Acts (FERPA) obligations, shall remain strictly confidential, and may be shared only with other staff members as necessary to prepare and file such a report. All staff members who are made aware of any such reports shall keep the information strictly confidential. Without identifying the student who is suspected of having the disease or condition in violation of FERPA, principals shall report suspected cases of ~~communicable~~ reportable diseases or conditions to the Superintendent.

Additionally, parents or the legal guardian shall be notified in a timely manner when their child has potentially been exposed to a communicable disease through the exchange of blood with another individual and it shall be suggested that they contact their private physician or the county health department for consultation.

D. If an employee is aware that a student suffers from a reportable communicable disease or condition, or reasonably believes that a student is suffering from a reportable communicable disease or condition and he or she also reasonably believes that the student is engaging in behavior that creates a risk of transmission of the communicable disease or condition, the employee shall report this conduct to his or her principal or supervisor or the health director. Supervisory personnel shall report such unsafe conduct to the health director.

E. The health director is responsible for determining whether and which school personnel shall be informed of the identity of a student who is suffering from a communicable disease or condition. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his/her records and may not share that information in a manner that violates FERPA.

Any documents relating to a student's reportable disease or condition including HIV infection or AIDS, infection shall be retained in a strictly confidential manner, such as a locked cabinet and shall be released or shared only as necessary to comply with this policy. Employees who are informed of the student's condition shall also be provided with appropriate information concerning necessary precautions and made aware of the strict confidentiality requirements. Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may subject the employee to further discipline up to and including dismissal.

F. The health director is further responsible for determining when the school community must be notified of the outbreak of a contagious disease. The school system shall cooperate with the health director in making such notification.

G. Parents should be encouraged to inform the school principal and their child's teacher when their child is suffering from a communicable disease. This will allow school personnel to better provide for the child's needs. All employees who are informed or become aware that a child has a communicable disease or condition shall respect and maintain that student's right of privacy and the confidentiality of his or her records.

H. Students who are immunodeficient face an increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Students and their parents or guardians are encouraged to inform the principal if a student suffers from immunodeficiency. If notified that a student suffers from an immunodeficiency, the principal should request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student. Whenever possible, the principal of a

school should notify the parents or guardians of an infected or immunodeficient student (or the student himself or herself, where appropriate) about the presence of chicken pox, influenza, meningococcus, measles, tuberculosis, or other contagious diseases occurring in the school that may present a serious threat to the student's health. Students who are removed from school as a result of such conditions will be provided instruction in an appropriate alternative educational setting.

I. Parents or guardians will be notified in a timely manner when their child has potentially been exposed to an infectious agent, such as an instance of blood-to-blood contact, and will be encouraged to contact their private physician or the county health department for consultation.

H. J. Children with AIDS and HIV infection or hepatitis B infection shall be permitted to attend school without special restrictions except in accordance with [10A NCAC 41A.0202](#) and this policy.

It is the responsibility of the Chowan County Health Director to notify the Superintendent if a child infected with AIDS, the HIV virus infection, or hepatitis B infection is enrolled or scheduled for admission into the school system and there may be a serious risk of transmission by that child.

~~When~~ ~~Within three days of being~~ notified by the health director that a child with AIDS, or HIV infection, or hepatitis B infection may pose a serious risk for transmission, the Superintendent, in consultation with the health director, shall appoint an interdisciplinary committee.

The committee shall include appropriate school system personnel, appropriate medical personnel (including the child's personal physician when possible), the health director or designee, and the child's parent or guardian and may include legal counsel to the Board. The Superintendent shall inform the Board whenever a committee has been formed and shall advise the Board of the professional composition of the committee, but shall not reveal any information that would identify the affected student.

The purpose of the interdisciplinary committee is to consult with the health director or designee regarding the investigation and determination of the risk of transmission and to advise the Superintendent regarding the placement of the student. If, after consultation with the committee, the health director concludes that there is a significant risk of transmission in the student's current placement, the committee shall determine if an appropriate adjustment can be made to the student's school program to eliminate this risk. If that is not possible, an alternative educational program which incorporates protective measures required by the health director shall be designed by appropriate school personnel.

The committee shall reevaluate the student's condition and placement at least quarterly. The student's placement shall continue until the health director determines that the

child's status has changed, whereupon the committee shall determine the appropriate educational placement for the student.

If the committee determines that the student has limited strength, vitality, or alertness which may be adversely affecting the student's educational performance, it shall make a referral of the student for possible identification and placement as a student with special needs.

All deliberations of the interdisciplinary committee shall be kept strictly confidential and shared only as allowed by law.

I~~K~~. A student may be removed from a school setting if he or she suffers from a communicable disease or condition and such placement jeopardizes his or her health or such placement creates a significant risk that he/she will transmit the disease and such risk cannot be controlled in the school setting. Students who are removed from the school setting as a result of such circumstances shall be provided an alternative instructional program.

L. In some circumstances, students with communicable diseases or conditions may pose a threat to the health and safety of other students and school employees. In other cases, students may have only mild illness and be able to attend school and participate in all activities. Accordingly, decisions regarding the educational status of students with signs and symptoms of communicable disease will be made on a case-by-case basis with input from the students' health care provider, public health specialists, and the school nurse.

M. A student with an acute or chronic communicable disease who remains in school shall observe any protective procedures or other control measures recommended by the student's physician, the school nurse, or other relevant medical authority.

N. Students with a chronic communicable disease may be referred for special education services or a Section 504 plan of accommodation, as consistent with law.

O. School personnel shall implement measures to control the spread of communicable disease as directed by the state or local health department. In the case of emerging illnesses not addressed by state or local health department rules or guidance, school personnel shall implement control measures recommended by the CDC unless directed otherwise by the school nurse or other relevant medical authority.

J~~P~~. Nothing in this policy is intended to grant students any school attendance or education rights beyond those existing by law.

LEGAL REF: Family Educational Rights and Privacy Act, 20 U.S.C. 1232g; 34 C.F.R. pt. 99; G.S. 115C-36, ch. 130A-25, -136, -142 to -145, 152 to-157;, Article 6; G. S. 115C-81(e1), -323; 10A NCAC Ch. 41A, subchapter A; Americans with Disabilities Act, 42 U.S.C. § 1681 et seq.

ADOPTED: August 2, 2004

AMENDED: November 5, 2012

Edenton-Chowan Schools