

It is the policy of the Williams Bay School District under federal, state, and local laws and regulations, and in cooperation with state and local public health agencies, to establish and maintain appropriate health standards for the school environment, to promote the good health of students and staff and to educate students and staff in disease prevention methods and sound health practices.

To maintain a safe and healthful school environment, the District will provide educational opportunities to students and staff regarding measures that can be taken to reduce the risk of contracting or transmitting communicable diseases (including HIV infection) at school and in school-related activities.

In recognition that an individual's health status is personal and private, the district will handle information regarding students and staff with suspected or confirmed communicable diseases in accord with state and federal law and Board policies regarding the confidentiality of student and staff records, while at the same time complying with applicable public health reporting requirements.

Students and staff may be excluded from school and/or school-related activities if they are suspected of or diagnosed as having a communicable disease as defined in the administrative interpretation that poses a significant health risk to others or that renders them unable adequately to perform their jobs or pursue their studies. Students and staff excluded from school according to this policy may appeal their exclusion to the District Administrator and School Board.

### **Administrative Procedures:**

#### I. Educational and Preventive Measures

- A. The District will ensure that all examinations/inoculation required of students and staff have been obtained.
- B. The principal or his/her designee serving the school shall be responsible for the appropriate maintenance of a health station in each school building. The nurse serving in the school shall ensure that a list of communicable diseases as defined by the Department of Health and Family Services (Exhibit A) is posted in the health station and that information regarding the suppression and control of communicable diseases is available for review by interested students and staff.
- C. Information regarding suppression and control of communicable diseases will be included as a regular part of the curriculum for students.
- D. Information regarding suppression and control of communicable diseases will be included in orientation sessions for new staff and existing staff.

- E. Standard procedures as outlined in the current edition of *Control of Communicable Diseases in Man* to prevent the spread of communicable diseases transmitted by air (such as tuberculosis, chickenpox, measles, mumps, and rubella) or by the exchange of body fluids (such as hepatitis A and B, rotavirus, cytomegalovirus, salmonella, staphylococcus aureus, and AIDS) and the spread of other conditions (such as pediculosis, scabies, and body lice) will be followed by all staff in the performance of their duties.
- F. First-aid kits and other supplies and equipment appropriate to reducing the risk of transmission of communicable diseases in the school environment, as determined by the nurse serving the school in cooperation with local public health officials, will be provided in the school building.

## II. Confidentiality/Reporting

- A. The principal shall function as the District's liaison with students and staff, parents and physicians, public health officials, and the community at large concerning communicable disease issues in the school.
- B. Any person who knows or suspects that a student or staff member has a communicable disease shall report the facts to the principal or District Administrator.
- C. The principal will confer with the nurse serving the school and, to the extent circumstances warrant and permit, with the subject of the report and, for student subjects, the student's parent or guardian.
- D. If required under public health statutes and regulations, the principal will make a report to the local public health nurse.
- E. The district will maintain the confidentiality of the health records of students and staff, and will not disclose any such records except to the extent required or permitted by law and essential to the safe conduct of the District's operations.

## III. Exclusion from School

### A. Students

1. Students who are suspected of having a communicable disease that could be detrimental to the health of self or others in the school environment may be sent home for diagnosis and treatment. Students who are diagnosed as having a communicable disease that renders them unable to pursue their studies or poses a significant risk or transmission to others in the school environment shall be excused from school attendance until their presence no longer poses a threat to the health of themselves or others.
2. The determination as to whether and under what circumstances a student may be

sent home for diagnosis and treatment or excused from school attendance shall be made by the principal, in consultation with the nurse serving the school and, where appropriate, the District Medical Consultant.

3. The principal may refer this determination to the health care team. If the disease in question appears to require a lengthy period of exclusion or to pose a serious health threat to the student or others (tuberculosis, hepatitis B, and HIV infection, for example), the principal should ordinarily refer the determination to the health care team unless referral to the IEP Team is warranted.
4. For students with a previously identified disability or whose communicable disease may give rise to a disability, the principal, in consultation with the District's director of special education, may refer this determination to the IEP team. The normal membership of the IEP team making any such determination should be supplemented to the extent possible by the student's physician and the parent or guardian, the principal, the nurse serving the school, and when appropriate, the Public Health Nurse or the District Medical Consultant.
5. Before deciding that a student should be sent home for diagnosis and treatment or excused from school attendance, the principal, health care team, or IEP team reviewing the case shall, to the extent circumstances warrant and permit, inform the student and the student's parent or guardian of the reasons for the contemplated action and shall consider any information the student and/or the student's parent or guardian may choose to offer regarding the student's condition. If a student is sent home or excused from school attendance according to this procedure, the principal shall immediately notify the student's parent or guardian of the action and the reasons therefore.
6. Alternative educational opportunities will be arranged by the principal for students who must be excused from school attendance for a significant period of time.
7. The principal, in consultation with the nurse serving the school and, where appropriate, with the public health nurse and/or District Medical Consultant, shall determine when a student, who has been excused from school attendance, may be readmitted. As a condition of continued or renewed attendance, the District may require a statement from a student's physician that a student is in suitable condition to attend school.
8. Appeals
  - a. A parent or guardian of a minor student or an adult student who disputes the determination or action of the principal, health care team, or IEP team concerning the exclusion of a student from school attendance according to this procedure may appeal such determination or action by delivering or sending a written complaint to the District Administrator.

- b. The written complaint must be signed by the complainant, and submitted within five consecutive school days of the disputed determination or action and must contain; a) a statement of the facts, b) a statement of the relief requested, and c) any necessary medical information.
- c. The District Administrator shall confer with the complainant within five consecutive school days of receipt of the complaint to verify the nature of the complaint and to explain the procedure that will be followed to resolve the complaint.
- d. Complaints involving the identification, evaluation, educational placement, or provision of a free appropriate public education of a student with a disability will be resolved through the reconvening of the student's IEP team.
- e. Complaints involving pupil discrimination based on handicap or of physical, mental, emotional, or learning disability will be resolved through the procedures established by the District to comply with ss 118.13 of the Wisconsin Statutes, Wisconsin Administrative Code ss PI 9.04, and ss 504 of the Federal Rehabilitation Act of 1973.
- f. Other complaints will be resolved by the District Administrator. The District Administrator will confer with the parties involved and will render a written decision within five consecutive school days of his/her receipt of the complaint. A complainant who remains unsatisfied with the District Administrator's decision may appeal to the School Board. This appeal must be made in writing, signed by the complainant, and submitted to the President of the School Board within five consecutive school days of the District Administrator's decision and must state the reasons for disagreement with that decision. The School Board will afford the complainant a hearing upon request and will render a written decision within five consecutive school days of receipt of the appeal or (if a hearing is held) the conclusion of the hearing.
- g. Except to the extent prohibited by law, a student may be excluded from school during the pendency of any appeal hereunder.

## B. Health Care Team

- 1. The health care team will consist of the District Administrator, the principals, the Director of Student Services, and the nurse serving the school as primary members and, to the extent the cooperation of such individuals can be obtained, the student and/or the student's parent or guardian, and the student's physician. The team will confer, as necessary, with the District's medical consultant and legal counsel and with public health officials.

2. The health care team will convene at the request of any one of the primary members to determine whether and under what circumstances a student may be sent home for diagnosis and treatment or excused from school attendance. The health care team may also receive referrals to formulate recommendations regarding educational program modification short of exclusion that could permit the student to attend school without posing a significant threat to the health of self or others.
3. The health status of a student temporarily removed from the usual school setting to protect the health of self or others will be re-evaluated by the health care team at regular intervals.
4. The health care team may provide information to the District Administrator and Board to the extent permitted in light of confidentiality requirements.

#### C. Staff

1. If there is reasonable cause to believe that a staff member has a communicable disease that could be detrimental to the health of self or others in the school environment, the District reserves the right, in consultation with the nurse serving the school and following existing Board policies to require a medical examination of the staff member at District expense by the District Medical Consultant or his designee and a physician's statement indicating whether the staff member is in suitable condition to continue working.
2. Staff who are diagnosed as having a communicable disease that poses a significant risk of transmission to others in the school environment or that renders them unable adequately to perform their duties shall be excused from work subject to the provision of paragraph e of this section.
3. The determination as to whether and under what circumstances a staff member's communicable disease poses a significant health risk to others in the school environment or makes adequate performance impossible shall be made by the District Administrator (or designee), in consultation with the nurse serving the school and, where appropriate, with local public health officials and District Medical Consultant.
4. Before deciding that a staff member should be excused from work, the District Administrator shall inform the staff member of the reasons for the contemplated action and shall consider any information the staff member may choose to offer regarding his/her condition. The District Administrator shall also consider whether a reasonable accommodation could eliminate the health risk to the staff member or others and/or permit adequate performance.

5. The District Administrator shall provide written notice to any staff member excused from work according to this procedure. Staff so excused may utilize any applicable alternative employment opportunities provided under existing Board policies which may include sick leave, unpaid leave of absence, or reassignment, but are not guaranteed continued or renewed employment except to the extent provided under such policies.
6. Staff whose employment is terminated because of the communicable disease may receive such post-employment benefits as are provided according to existing Board policies and state and federal law.
7. Appeals (1) Staff excused from work according to this procedure may appeal the District Administrator's determination or action according to the grievance procedure outlined in School Board policy. (2) Except to the extent prohibited by law or by Board policies-a staff member may be excused from work subject to provisions of paragraph C.5.

#### IV. HIV Infection/AIDS

##### A. General

- a. In addition to maintaining normal confidentiality regarding health records of students and staff, the District will not disclose the results of a test for the presence of an antibody to HIV except as expressly authorized by the test subject or by law.
- b. Health records of students and staff concerning HIV infections will be kept separate from the remainder of the affected individuals' records and will be disclosed only to the extent required or permitted by law.

##### B. Students

1. As a general rule, students suspected of or diagnosed as being HIV-infected will be allowed to attend school in their regular classroom setting and should be considered eligible for all rights, privileges, and services provided by law and District policy.
2. Decisions regarding the type of educational setting appropriate for suspected or diagnosed HIV-infected students will be made on an individual basis and will be based, whenever possible, on an objective assessment by the health care team or IEP team of the behavior, neurological development, and physical condition of each affected student and the student's expected type of interaction with others in that setting.

3. If it is determined that an HIV-infected student endangers the health of students or staff or poses a risk of significantly exposing students or staff to HIV, (for example, if the student lacks toilet training, has open sores that cannot be covered, or demonstrates behavior such as biting that could result in direct inoculation of potentially infected body fluids into the bloodstream of another) the student may be placed in a more restricted setting. If homebound instruction is necessary, the homebound tutor will be advised regarding the standard procedures to be followed to prevent transmission of communicable diseases through the exchange of body fluids.
4. HIV-infected students may be immunodeficient and their health may therefore be threatened when other communicable diseases are present in the school environment. For each student known to be HIV-infected, the principal of the school will notify the student and/or the student's parent or guardian when such communicable diseases are reported in the school. Students who may be exposed to a significant health risk because of their immunodeficiencies may be excused from school attendance by the principal, upon request, until the risk has abated.

#### C. Staff

HIV-infected staff may be immunodeficient and their health may therefore be threatened when other communicable diseases are present in the school environment. The principal of the school will notify each staff member known to be HIV-infected when such communicable diseases are reported in the school. Staff who may be exposed to a significant health risk because of their immunodeficiencies may be excused from the performance of their regular duties by the District Administrator, upon request, until the risk has abated. During this period, at the discretion of the District, staff so excused may be reassigned to other duties to the extent permitted by Board policies and/or collective bargaining agreement provision. Staff not reassigned may utilize any applicable alternative employment opportunities provided under Board policies.

LEGALREFERENCE: Wisconsin Statutes, Sections 19.85, 101.055, 101.11, 101.58, 101.599, 103.13, 103.15, 111.34, 115.76, 118.01, 118.07, 118.125, 118.13, 118.15, 118.25, 120.13, 121.02, 121.52, 140.05, 143.05, 143.12, 146.025, 146.81, 146.82, 146.83, 895.50, Wisconsin Administrative Code PI 9.04, 145.04, 145.06, Family Education Rights and Privacy Act of 1974 (FERPA), Education of the Handicapped Act (EHA), Ss504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990

CROSS-REFERENCE: 453.3 – Exhibit (Guidelines for Handling Body Fluids)

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