

### **Marine Village School Policy 4.6.3**

**Adopted:**

**Revised:**

## **COMMUNICABLE DISEASES AND INFECTIONS**

### **I. PURPOSE**

The purpose of this policy is to adopt measures that effectively address public concerns that students and staff of Marine Village School (MVS) be able to learn and work without becoming infected with serious communicable or infectious diseases including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), Hepatitis B and Tuberculosis while respecting the rights of students, staff and contractors, including those who are infected.

### **II. POLICY STATEMENT**

Students of MVS will not be excluded from school so long they do not create a significant risk of transmission of illnesses to other students, employees, or members of the public.

Employees of MVS will not be excluded from work so long as they are physically and mentally able to safely perform their assigned tasks and do not create a significant risk of transmission of illness to students, other employees, or members of the public.

### **III. POLICY**

MVS's decisions involving students or employees who have communicable diseases and infections shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to a student with a communicable disease.

### **IV. COMMUNICABLE DISEASES AND INFECTIONS DEFINED**

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. MVS may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

### **V. ACTION WHEN COMMUNICABLE DISEASE OR INFECTION IS PRESENT**

MVS will not discriminate against any student based on the student having a communicable disease or infection. Accommodations for a student with a communicable disease will be determined through the Individual Education Plan (IEP) or Section 504 Plan process.

### **VI. PRECAUTIONARY MEASURES**

MVS will develop procedures regarding the control of communicable diseases and infections at school and will provide education about these procedures. The procedures will be developed in cooperation with health professionals. They will consider guidelines promulgated by the Minnesota Departments of Health and Education and will be consistent with other policies including, but not limited to, blood-borne pathogens and employee right to know.

## **VII. STUDENT HEALTH INFORMATION**

MVS will comply with all applicable statutes and regulations that protect student privacy including, but not limited to the Family Educational Rights and Privacy Act and the Minnesota Government Data Practices Act. Every effort will be made to ensure procedurally sufficient safeguards to maintain the privacy of students who have communicable diseases or infections.

Threats to public health caused by a student or employee's communicable disease or infection must be reported to the Minnesota Commissioner of Health.

Legal References: Minn. Stat. § 124E.03 (Charter Schools – Applicable Law)

Minn. Stat. § 121A.23 (Health-Related Programs)

Minn. Stat. §§ 144.441-442 (Tuberculosis)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)

29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, §504)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

20 U.S.C. § 1232g; 34 CFR Part 99 (The Family Educational Rights and Privacy Act (FERPA))

Minn. Stat. § 13.01 et seq. (Minnesota Government Data Practices Act)