

Personnel - All EmployeesInfectious Diseases

In the event that a student, employee, or other person in frequent contact with students, employees or others present in Douglas County West Community Schools contracts an infectious disease, the determination of whether that person should be permitted to remain on duty, attend school or participate in school activities shall be made on a case-by-case basis. The following factors will be taken into consideration:

- (1) The behavior, neurological development, and physical condition of the student;
- (2) The expected type of interaction with others in the school setting;
- (3) The impact on both the infected person and others in that setting.

The determination of whether or not the infected person remains in the school shall be based on scientific and medical evidence.

When it is determined that an infected student poses an imminent threat to the health and safety of the school community or that the student's conduct presents a clear threat to the physical safety of himself, herself, or others, the provisions of the Communicable and Infectious Disease policies shall be implemented, providing for the exclusion of that student.

Any person with an infectious disease will retain the rights of confidentiality and privacy, limited to individuals in a need-to-know position (administrators and board members). The community shall be informed that an infectious disease is present in the school system and that the person will be excluded if the situation warrants such action, based on medical and legal advice. No information will be given out about the individual, his or her specific medical record, or about the family without the written permission of the individual (adult) or parent/legal guardian (student).

Legal Reference: 173 NAC 3 (HHS Control of Communicable Disease regulation) Sections 20-167 and 20-168 (HIV/AIDs statutes)
Neb. Rev. Stat. Sec. 79-264 (student emergency exclusion)
29 CFR 1910.1030 (OSHA Bloodborne Pathogens regulation)
ADA-42 U.S.C. Sec. 12101 et seq.; 28 CFR Sec. 35.101 et seq.
Rehabilitation Act of 1973, Section 504--29 U.S.C. Sec. 791, et seq.; 34 CFR Sec.104, et seq.
Nebraska Fair Employment Practices Act—Sections 48-1101 to 48-1126
20 U.S.C. 1232g (FERPA)

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