

COMMUNICABLE DISEASES - GENERAL PERSONNEL

School district personnel with a communicable disease will be allowed to perform their customary employment duties provided they are able to perform the essential functions of their position and their presence does not create a substantial risk of illness or transmission to students or other personnel. The term "communicable disease" shall mean an infectious or contagious disease spread from person to person, or animal to person, or as defined by law.

Prevention and control of communicable diseases shall be included in the school district's bloodborne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance, universal precautions, vaccination, post-exposure evaluation, follow-up, communication of hazards to employees and record keeping. This plan shall be reviewed annually by the superintendent and school nurse.

The health risk to immunodepressed school district personnel shall be determined by their personal physician. The health risk to others in the school environment from the presence of an employee with a communicable disease shall be determined on a case-by-case basis by the employee's personal physician, a physician chosen by the school district or public health officials.

An employee who is at work and who has a communicable disease which creates a substantial risk of harm to a student, coworkers, or others at the workplace shall report the condition to the superintendent any time the employee is aware that the disease actively creates such risk.

Health data of an employee is confidential and it shall not be disclosed to third parties. Employee medical records shall be kept in a file separate from their personnel file.

It shall be the responsibility of the superintendent, in conjunction with the school nurse, to develop administrative regulations stating the procedures for dealing with employees with a communicable disease.

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Legal Reference: School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §794, 1910 (1988).
42 U.S.C. §§ 12101 et seq. (Supp. 1990).
45 C.F.R. Pt. 84.3 (1990).
Iowa Code §139, 141 (2015).
641 I.A.C. 1.2-.7.
281 I.A.C. 22.15-.17.

Cross Reference: 209 Committees of the Board of Directors
401.6 General Personnel Records
403.1 General Personnel Physical Examinations
403.12 Occupational Exposure to Bloodborne Pathogens
507.3 Communicable Diseases - Students

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