

COMMUNICABLE INFECTIOUS DISEASES

To safeguard the school community from the spread of certain communicable diseases, the Ledyard Board of Education directs the Superintendent, working in conjunction with the School Medical Advisor and the Ledge Light Health District, to develop procedures for addressing the occurrence of an infectious disease in one or more of the schools in the District. It is the desire of the Board to minimize the disruption to school operations while taking all necessary actions to control the spread of the infectious disease and protect the health of students and staff members.

Infectious Diseases are caused by pathogenic microorganisms, such as bacteria, viruses, parasites or fungi, and can be spread, directly or indirectly, from one person to another.

A **Communicable Disease** is one that is spread from one person to another through a variety of ways that include: (1) direct physical contact with an infected person or their bodily fluids; (2) contact with a contaminated surface or object, food, or water; (3) bites from insects or animals capable of transmitting the disease; and (4) travel through the air.

A **Contagious Disease** is a communicable disease that can spread rapidly from person to person through direct contact (touching a person who has the infection), indirect contact (touching a contaminated object), or droplet contact (inhaling droplets made when a person who has the infection coughs, sneezes, or talks).

In any school population, there are certain individuals who may have a higher risk of complications if exposed to specific diseases. Students and staff with anemia or immunodeficiencies, and those who are pregnant are all considered "high risk." In addition, those who have chronic disease, nutritional deficiencies, a debilitating illness, or have been exempted from one or more of the required immunizations should also be informed of the possible risks of acquiring an infection. The responsibility of the school is not to determine the extent of that risk, but to inform these individuals whenever there is increased risk of exposure to an infectious disease and to encourage them to consult with their licensed health care provider.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others due to the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered as having a disability, if the condition presents such physical impairment that limits one or more major life activities, and, therefore, entitled to accommodations under Section 504 of the "Rehabilitation Act" and the "Americans with Disabilities Act". The infected student's parent/guardian or the school administration may make a referral for determination whether the student is entitled to protection under Section 504. The Planning and Placement Team will determine whether the student has a disability or is "otherwise qualified" within the scope of Section 504. The student will be educated in the least restrictive environment.

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Legal References:

Connecticut General Statutes (last amended by Public Act (PA)):

- 10-76a. Definitions. (PA 03-6 of the June Special Session)
- 10-76d. Duties and powers of boards of education to provide special education programs and services... (PA 17-2 of the June Special Session)
- 10-154a. Professional communications between teacher or nurse and student... (PA 04-189)
- 10-206. Health assessments. (PA 18-168)
- 10-207. Duties of medical advisors. (PA 12-198)
- 10-209. Records not to be public. Provision of reports to schools. (PA 18-168)
- 10-210. Notice of disease to be given parent or guardian. (PA 78-218)
- 19a-221. Order of quarantine or isolation of certain persons... (PA 15-217)
- 19a-581. Definitions. (PA 16-87)
- 19a-582. General consent required for HIV-related testing... (PA 17-188)
- 19a-583. Limitations on disclosure of HIV-related information. (PA 16-87)
- 19a-584. Informing and warning of known partners of possible exposure to the HIV virus. Disclosure of HIV-related information to public health officers. (PA 00-196)
- 19a-585. Requirements for disclosure of HIV-related information. (PA 09-133)

29 USC 794 – Nondiscrimination under Federal grants and programs.

20 USC 1400, et seq. – “Individuals with Disabilities Education Act.”

42 USC Chapter 126 – Equal Opportunity For Individuals With Disabilities.

20 USC 1232g – “Federal Family Educational Rights and Privacy Act (FERPA).”

34 CFR 99 – Family Educational Rights and Privacy.

42 USC 1320d to 1320d-9 – Implementation of Privacy Requirements of Section 264 of Public Law 104-191, “Health Insurance Portability and Accountability Act of 1996 (HIPAA).”

45 CFR Part 160 – General Administrative Requirements.

45 CFR Part 164, Subpart A – General Provisions.

45 CFR Part 164, Subpart E – Privacy of Individually Identifiable Health Information.

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