

Series 400 – Employees

Policy Title: COMMUNICABLE DISEASES - EMPLOYEES

Policy Code No. 408.1

Employees 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 employees. 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 District’s blood borne pathogens exposure control plan. The procedures shall include scope and application, definitions, exposure control, methods of compliance and 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 or designee and school nurse.

The health risk to immunodepressed employees shall be determined by their personal physician. The health risk to others in the District 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 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. Such employee medical records shall be kept in a file separate from their personnel file.

It shall be the responsibility of the Superintendent or designee, 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 Ref.: 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 (1993).
 Iowa Code 139; 141 (1997). 641 I.A.C. 1.2-.7.

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Cross Ref.: Board Policy
402.7 Physical Examination of Certified Employees
407.4 Physical Examination of Classified Employees
408.11 Employee Records
504.2 Communicable Diseases - Students