

TREATMENT OF STUDENTS AND EMPLOYEES WITH COMMUNICABLE DISEASES AND CONDITIONS

IT IS THE INTENT OF THE SCHOOL BOARD TO PROTECT STUDENTS AND EMPLOYEES FROM EXPOSURE TO COMMUNICABLE DISEASES (INCLUDING HIV/AIDS, BACTERIAL MENINGITIS AND TUBERCULOSIS) AND COMMUNICABLE CONDITIONS SUCH AS HEADLICE (PEDICULOSIS) AND RINGWORM. THE BROWARD COUNTY PUBLIC SCHOOLS WILL COOPERATE WITH LOCAL PUBLIC HEALTH AUTHORITIES TO PROMOTE THIS GOAL.

STUDENTS AND SCHOOL BOARD EMPLOYEES WHO HAVE OR ARE SUSPECTED OF HAVING A COMMUNICABLE DISEASE SHALL BE TREATED IN ACCORDANCE WITH THE FOLLOWING RULES.

RULES:

SECTION I: COMMUNICABLE DISEASES (EXCEPT HIV/AIDS)

A. DEFINITION:

For purposes of this policy, the definition of “communicable disease” shall be a disease that may be transmitted directly or indirectly from one individual to another. Contagious diseases shall include, but not be limited to, the current Broward County Health Department’s List of Reportable Diseases and Conditions in Florida. For purposes of this policy, communicable conditions are conditions that may be transmitted directly or indirectly from one individual to another including head lice (pediculosis), impetigo, scabies and ringworm.

B. REPORTING COMMUNICABLE DISEASES EXCEPT HIV/AIDS:

If a School Board employee has reason to believe that a student or another School Board employee has a communicable disease (except HIV/AIDS), he/she shall immediately report this information to his/her principal or the principal’s designee.

C. MANAGEMENT OF COMMUNICABLE DISEASES FOR WHICH THE DISTRICT DOES NOT HAVE AN ESTABLISHED PROTOCOL:

The Director of Health Education Services and the Director of Risk Management with the Broward County Health Department will be responsible for making recommendations to the Superintendent and developing protocols for any unusual or unexpected diseases/conditions for which the district does not have standard protocols.

D. EXCLUSION AND RETURN OF STUDENTS:

The principal and/or designee shall refer to the Communicable Disease section of the Health Services Manual to determine if a student needs to be excluded from school. The principal or designee shall call Health Education Services for guidance if the communicable disease is not included in the manual. Health Education Services will confer with the Health Department and assist the school in making decisions regarding notifying parents about any exposures that may have occurred. A student returning to school after being out with a reportable communicable disease, as identified by Health Education Services in conjunction with the Broward County Health Department (except HIV/AIDS), must provide the school with a statement from his/her licensed physician or county health officer indicating he/she is no longer contagious and may return to school. If the principal/principal designee has reason to believe that the student still has a communicable disease, he/she shall contact Health Education Services for guidance.

E. EXCLUSION AND RETURN OF EMPLOYEES:

The principal and/or designee shall refer to the Communicable Disease section of the Health Services Manual to determine if an employee needs to be excluded from work. The principal or designee may call Risk Management for guidance. An employee returning to work after being out with a reportable communicable disease, as identified by Health Education Services in conjunction with Risk Management and the Broward County Health Department (except HIV/AIDS), must provide the school with a statement from his/her licensed physician or county health officer indicating he/she is no longer contagious and may return to school/work. If the principal/supervisor has reason to believe that the employee still has a communicable disease, he/she shall contact Risk Management Services for guidance.

RULES:

SECTION II: HIV/AIDS

A. TREATMENT OF STUDENTS

1. A student with HIV infection will have the same right to attend school and receive services as any other student and will be subjected to the same rules and policies. HIV will not factor into decisions concerning class assignments, privileges, or participation in any school-related/sponsored activities (Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990).
2. The privilege of participating in physical education classes, athletic programs, competitive sports, and recess is not conditional on a student's HIV status. School authorities will make reasonable accommodations to allow students living with HIV infection to participate in any school-sponsored activity.
3. School staff will always strive to maintain a respectful school climate and not permit physical or verbal harassment of any individual. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection, or a person associated with someone with HIV infection.
4. HIV antibody testing shall not be required of any student.

B. TREATMENT OF EMPLOYEES

1. The Broward County Public Schools do not discriminate on the basis of HIV infection or association with another person with HIV infection. An employee with HIV infection may continue working as long as he or she is able to perform the essential functions of the position, with reasonable accommodation if necessary (Americans with Disabilities Act of 1990 and Florida State Statute 760.50).
2. HIV antibody testing shall not be required of any employee.

C. CONFIDENTIALITY

1. Students, families and school district employees are not required to disclose their HIV infection status to anyone in the educational system.
2. Every Broward County School Board employee has a duty to treat as highly confidential any information concerning the HIV status of a student or other staff member. Violation of medical privacy is cause for disciplinary action and could lead to criminal prosecution, and/or personal liability for a civil suit (Florida Statute 381.29).
3. Should School Board employees with HIV infection choose to disclose their HIV status to school or district administrators, such information will be treated as highly confidential and may not be disclosed further or be used as cause for dismissal or other prejudicial treatment.
4. No information regarding a student's or employee's HIV status will be divulged to any individual or organization without a court order or the informed, written, signed, and dated consent of the person with HIV infection (or the parent/guardian of a minor). The written consent must specify the name of the recipient of the information and the purpose for disclosure.

5. Any records relating to HIV status, including prescription authorization forms, notes of meetings, proceedings, telephone calls, copies of written consents, and all other documents that reference a student's or employee's status will be kept separate from school educational records. Such documentation must be kept in a secured, locked file with access limited only to individual with consent.

6. Personnel administrating medication to a student with HIV infection must ensure the confidentiality of the student's HIV infection diagnosis and status.

Authority: F.S. 230.22 (1) (2)
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