

The board strives to provide a safe and orderly environment for all students and employees. The board also strives to maintain a balance between the need to educate all eligible students, to protect students' and employees' rights, and to control communicable diseases. Communicable diseases can be transmitted from one human to another *or* from animals to humans. They can range from common diseases such as seasonal flu or chicken pox to more serious acute or chronic conditions such as pandemic flu or HIV infection. Acute conditions are short-term and generally have a communicable disease period lasting up to ten days. Chronic communicable diseases are long-term and generally have a communicable period lasting more than ten days.

Under certain circumstances, students with communicable diseases may pose a threat to the health and safety of students and employees. Decisions regarding the educational status of students with communicable diseases will be made on a case-by-case basis in accordance with this policy. Nothing in this policy is intended to grant or confer any school attendance or education rights beyond those existing by law.

This policy is in adjunct to the “Communicable Disease – Employees” policy, personnel section, number 7262.

**CURRICULUM**

The school district will include health, hygiene and safety education in its curriculum. The curriculum will include age-appropriate information concerning safe health practices that will inhibit and prevent the spread of diseases.

**COLLABORATION WITH THE ORANGE COUNTY HEALTH DEPARTMENT**

The local health department has the charge and authority to investigate communicable disease and prescribe control measures in the community for the safety of the public. (G.S. 130A-144) OCS employees work closely with the Orange County Health Department (OCHD) as outlined in NC law to report, prevent and control the spread of communicable disease. (G.S. 130A-136) Communication and collaboration with the OCHD occurs through the Coordinated School Health Program and designated school health official(s). These activities and personnel are defined in the communicable disease procedure for employees. Under the direction of the County Health Director/designee, infection control/environmental measures are implemented according to disease type, OCS procedure(s), and the Memorandum of Agreement between Orange County Schools and the Orange County Health Department. Procedure exists for prevention and control of communicable disease in general as well as specific conditions per 10A NCAC 41A .0201-.0205.

**INFECTION CONTROL MEASURES**

Communicable diseases are the leading cause of childhood morbidity and school absences. Communicable disease prevention and control in schools is a joint venture by students, families, employees, and community agencies. Collaboration and cooperation is needed by each individual to ensure protection of all in the school system. Infection control measures, such as hand-washing, respiratory etiquette, and social distancing, adopted by OCS shall follow health practices deemed successful in preventing and controlling the spread of communicable disease. These measures shall meet requirements outlined in 10A NCAC 41A.0201 - .0211 - Control Measures and Duties.

All employees shall implement infection control measures per OCS procedure and encourage students to do the same. All students are expected to be in compliance with the required immunization schedule (OCS Immunization Policy, number 4110). Students should not be involved in the handling, disposal and clean-up of blood or other potentially infectious materials unless the student has been specifically trained in the handling of such materials and is qualified to perform first aid services. Employees shall take reasonable precautions to avoid allowing students who have not received blood-borne pathogen training to come in contact with these substances.

**NOTIFICATION, SURVEILLANCE AND REPORTS**

In order to address the needs of the student within the school environment, parents/ guardians will notify the principal/school nurse in the event they are aware of any student suffering from a communicable disease.

Routine monitoring, surveillance, and reporting of communicable disease shall be conducted by school nurses, school health official(s) and administrators per OCS procedure. In accordance with G.S. 130A-136, suspected cases of specific communicable diseases will be reported to the county health department.

**CONFIDENTIALITY**

All medical information relating to students is confidential and shall be obtained, kept, and disclosed according to OCS procedure, NC law (G.S. 130A-143), and Federal Education Rights and Privacy Act (FERPA). Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may be subject to further discipline. School officials making confidential reports to local authorities are protected by law and presumed to be immune from liability for making such reports in good faith (G.S. 130A-143).

Communicable disease information/medical diagnosis given to school officials by any source, including the parent/guardian or the County Health Director, shall be kept strictly confidential. The County Health Director may share information with school officials if deemed necessary for the safety and well-being of the student or others in the school setting. Parents/guardians are encouraged to disclose communicable disease information, but are not obligated to do so. Students posing a significant threat to the health and safety of others have a right to privacy which will be maintained by school employees throughout any action taken to protect all other students and employees. If an employee has knowledge of the existence of a communicable disease in the school setting, he/she shall report it to the school nurse or administrator.

To encourage disclosure, the district will treat students in a fair, nondiscriminatory and confidential manner consistent with the district's legal obligations. In the case of a student with a disability, the communicable disease diagnosis will not be disclosed on the student's Individual Education Plan (IEP) nor will it be disclosed to members of the staffing committee unless the designated school health official, in consultation with the infected student and parent/guardian, as appropriate, determines that such disclosure is necessary to develop appropriate interventions in the school setting.

**VULNERABLE STUDENTS**

Students who are immunodeficient due to certain medical conditions face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. For the purpose of student protection, the parents/guardians should report to the principal/school nurse in the event a student suffers from any such immunodeficiency.

The principal/school nurse should notify the parents/guardians of students in a school where there is significant existence of communicable disease, such as chicken pox, influenza, meningococcus, measles or tuberculosis, etc.. A list of students who are known to be at high risk of contracting a communicable disease shall be kept by the school nurse. The student list will be used so that appropriate action can be taken to protect these individuals when communicable disease outbreaks occur.

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**MANAGEMENT OF STUDENTS WITH COMMUNICABLE DISEASE EPISODES**

For seasonal or other communicable diseases of short and well-known duration, parents/ guardians will be asked to keep their child home from school during the contagious period. When a student is suspected of having a communicable disease, it is the responsibility of the parent or guardian to take the child to a physician for verification and/or receive appropriate treatment before they can return to school. In certain cases of communicable diseases, students are excluded from school according to procedure. Immunodeficient students who are removed from school as a result of such conditions will be provided an alternative educational program.

Admittance back to school will be determined by the child’s physician and ultimately by the school nurse/school health nursing supervisor according to recommendations approved in the Memorandum of Agreement between the Orange County Schools and Orange County Health Department. Specifics regarding exclusions are noted in the Communicable Disease – Students procedure.

Communicable disease absences are excused if (1) the “illness prevents the student from being physically able to attend school; or (2) the local health officer or the State Board of Health orders the isolation of the student.” (OCS Board Policy – Attendance; Students section; Policy number 4400). Some communicable disease episodes require physician intervention/verification and some do not. Guidelines on physician intervention/verification requirements can be found in the student communicable disease procedure. Parents/guardians requesting that illness-related absences be excused shall submit documentation to the school according to this procedure. School health official(s) may be consulted in the determination of whether-or-not an absence is considered legitimate and should be excused due to illness.

**EDUCATION/SCHOOL ATTENDANCE FOR STUDENTS WITH SPECIFIC COMMUNICABLE DISEASES**

A student infected with specific communicable disease(s), including HIV/AIDS, will be allowed to continue in all educational activities for which the student is otherwise qualified unless there is medical evidence that:

- ❖ the student poses a direct threat to himself/herself
- ❖ the student poses a direct threat to other students or employees
- ❖ there is other communicable disease(s) present in the school which may be life-threatening to the student, such as the instance with suppressed or compromised immunity

The district is committed to making any reasonable accommodations which will allow a student infected with a communicable disease to continue his/her normal educational program. If the student has a condition that does not constitute a medically recognized risk of transmission in the school setting, the student’s educational program will not be altered unless a request for reasonable accommodation is made by the parent/guardian (unless the student is 18 years of age, in which case the student may make the request).

Students posing a significant threat to the health and safety of other students are excluded from school according to NC law (10A NCAC 41A .0201 - .0205) and as outlined in procedure approved through the Memorandum of Agreement between the Orange County Schools and Orange County Board of Education. Additional procedures are implemented, as indicated, for specific communicable diseases as outlined in NC law (10A NCAC 41A .0201 - .0205). Board Policy and State/Federal law shall be followed in cases involving students with disabilities. Any interdisciplinary committee established to review specific cases and determine course of action shall operate (1) mindful of the student’s right of confidentiality, and (2) per OCS procedure.

The parents/guardians of a student who has, or is a carrier of, a communicable disease with a grievance toward a program or placement decision made pursuant to this policy may appeal that decision according to the Orange County Schools Student and Parent Grievance, Governing Principles section, number 1740.

**MANDATED PARENT/GUARDIAN INFORMATION**

At the beginning of each school year and/or as indicated, parents/guardians and students will be informed through the school nurses/School Health Program about communicable diseases. Communication shall center on communicable diseases that can be contracted by school-aged children and shall include any preventive measures available. In addition, certain communication is mandated by NC law (Senate Bill 260 – G.S. 115C-47, previously known as “Garrett’s Law”). All notifications shall occur as outlined in the Communicable Disease procedure. Annual notification shall be done through the “School Health Program” handbook or other equally distributed method. Periodic or “as indicated” notification shall occur through the school nurse/School Health Program with administrative support and may be done through a variety of methods, provided it reaches the appropriate target population.

Legal References:

- ❖ G.S. 115C-47 Senate Bill 260 (previously known as “Garrett’s Law)
- ❖ G.S. 130A-136 School Principals and Child-Care Operators to Report (Communicable Diseases)
- ❖ G.S. 130A-142 Immunity of Persons Who Report (Communicable Diseases)
- ❖ G.S. 130A-143 Confidentiality of Records (Communicable Diseases)
- ❖ G.S. 130A-144 Investigation and Control Measures
- ❖ 10A NCAC 41A Reportable Diseases and Conditions
- ❖ 10A NCAC 41A .0201 Control Measures – General
- ❖ 10A NCAC 41A .0202 Control Measures – HIV
- ❖ 10A NCAC 41A .0203 Control Measures – Hepatitis B
- ❖ 10A NCAC 41A .0204 Control Measures – Sexually Transmitted Diseases
- ❖ 10A NCAC 41A .0205 Control Measures – Tuberculosis
- ❖ FERPA Federal Education Rights and Privacy Act