Code No. 403.3

COMMUNICABLE DISEASES - EMPLOYEES

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" will 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 is included in the school district's bloodborne pathogens exposure control plan. The procedures will 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 is reviewed annually by the superintendent and school nurse.

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

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

It is 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.

NOTE: This policy is consistent with current health practices regarding communicable diseases. The bloodborne pathogen language in the second paragraph and accompanying regulation is in compliance with federal law on control of bloodborne pathogens.

Legal Reference:
School Board of Nassau County v. Arline, 480 U.S. 273 (1987).
29 U.S.C. §§ 794, 1910 (2004).
42 U.S.C. §§ 12101 *et seq.* (2004).
45 C.F.R. Pt. 84.3 (2004).
Iowa Code chs. 139; 141 (2007).
641 I.A.C. 1.2-.7.

Cross Reference:
401.5 Employee Records
403.1 Employee Physical Examinations
507.3 Communicable Diseases - Students

Approved 7-27-2009 Reviewed 6/16/2014 Revised _____