

District Code:

COMMUNICABLE DISEASES

Procedures: The following administrative procedures have been developed to assist in implementing Policy GBEB, Communicable Diseases.

1. The district's policy and procedures on communicable diseases will be available in the district's policy and procedure books and, at the discretion of the superintendent or designee, may also be posted at each work site.
2. In the event an employee is infected with a disease, or if the building administrator has a reasonable basis for believing an employee's physical condition may pose a health risk to others, the building administrator and/or the superintendent or designee shall request the employee to undergo a medical examination by a physician or physicians designated by the school district and at the school district's cost to determine the nature of the employee's medical condition and the extent of the health risk to others. The employee will be placed on sick leave in accordance with district policy until a decision regarding the safety of allowing the employee to return to work. Refusal to submit to a medical examination will result in disciplinary action up to and including dismissal of the employee.
3. If the examining physician determines that the employee is afflicted by a communicable disease of relatively short duration, the employee will continue on sick leave with/without pay in accordance with district policy until the school district's physician (or other physician acceptable to the school district) certifies that the employee is no longer able to transmit the disease.
4. If the examining physician determines that the employee may be afflicted with a chronic, communicable, contagious and/or infectious disease, the employee will continue on sick leave with/without pay in accordance with district policy until the following procedures have been concluded. The building administrator and/or superintendent or [his] designee shall, within ten (10) working days, request a team review and assessment of the employee. The team shall be comprised of the following:
 - a. the employee,
 - b. the employee's personal physician,
 - c. the employee's legal counsel,
 - d. a public health physician designated or approved by the State Department of Health or St. Louis County Health Department,
 - e. the building administrator or superintendent or [his] designee who shall serve as chairperson of this team,
 - f. the examining physician or physician designated by the school district,
 - g. school district legal counsel,
 - h. others mutually agreed upon by employee and school district.

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The team will assess the employee's medical condition and the risks of exposing others to the disease in the work environment and recommend to the superintendent whether the employee should continue in the current assignment with restrictions and conditions; be reassigned to another open position for which qualified, but which would involve no appreciable risk to self and/or others, as the case may be; be placed on sick leave, leave without pay, or disability leave in accordance with district policy because the employee is unable to perform his/her regular assignment or another open position for which qualified; or be terminated because the employee: 1) is physically incapacitated from performing duties for which qualified; 2) cannot perform duties for which qualified (with or without reasonable accommodation), without risk of transmitting disease to others in the work place or without undue risk of harm or disease to the employer or other employees; 3) is unwilling to conform with restrictions and conditions of employment. The team will also establish dates and/or conditions under which the employee's status will be reviewed.

5. The determination of the team will be made within ten (10) working days after the team is convened by majority vote and communicated in writing to the employee, the building administrator, or supervisor and will be final unless reversed by the superintendent within five (5) working days of receipt. Any such reversal by the superintendent shall be communicated in writing to the employee and the team.
6. The employee may appeal the determination of the superintendent (or a decision adverse to the employee by the team which is not reversed by the superintendent) to the board of education within fifteen (15) working days of receipt of the team's decision or within ten (10) working days of receipt of the superintendent's reversal in accordance with district policies and procedures for employment related grievances.
7. If an employee with disease is permitted to continue working in the school setting:
 - a. Staff members and others in the school community who have a need to know, as determined by district medical/legal counsel, will be notified of the presence in the school of an infected person and the conditions under which the person is continuing to be present in the school setting. This will normally include the building administrator and nursing or other health or safety personnel and might include others depending on the circumstances.
 - b. The building administrator or supervisor will identify and notify the staff members with a need to know, as determined by district medical/legal counsel, of the conditions under which the person is continuing to be present in the school setting. Unauthorized disclosure of confidential information by a staff member to whom the building administrator or supervisor has given such information regarding the diseased employee will result in disciplinary action.
 - c. The building administrator or supervisor in consultation with a designated health professional, will develop safety and precautionary procedures and incident reporting procedures and ensure that the employee and all staff members who have contact with the infected employee are trained to implement them. Willful or negligent violation of safety and precautionary procedures and reporting procedures will result in disciplinary action.

Adopted: May 23, 1989

Revised: January 14, 2003