

Adopted: April 23, 2014

Revised: _____

BLUESKY CHARTER SCHOOL POLICY No. 5.5.5 COMMUNICABLE DISEASES AND INFECTIONS

I. PURPOSE

The purpose of this policy is to adopt measures that effectively address public concerns that students and staff of BlueSky Charter School be able to learn and work without becoming infected with serious communicable or infectious diseases including, but not limited to, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), Hepatitis B and Tuberculosis while respecting the rights of students, staff and contractors, including those who are infected.

II. POLICY STATEMENT

Students of BlueSky Charter School will not be excluded from school so long they do not create a significant risk of transmission of illnesses to students, employees or members of the public.

III. POLICY

BlueSky Charter School's decisions involving students who have communicable diseases and infections shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to a student with a communicable disease.

IV. COMMUNICABLE DISEASES AND INFECTIONS DEFINED

Communicable diseases include, but are not limited to, measles, influenza, viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), leprosy, Severe Acute Respiratory Syndrome (SARS) and tuberculosis. BlueSky Charter School may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

V. ACTION WHEN COMMUNICABLE DISEASE OR INFECTION IS PRESENT

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

BlueSky Charter School will not discriminate against any student based on the student having a communicable disease or infection. Accommodations for a student with a communicable disease will be determined through the Individual Education Plan (IEP) or Section 504 Plan process.

VI. PRECAUTIONARY MEASURES

BlueSky Charter School will develop procedures regarding control of communicable diseases and infections at school and will provide education about these procedures. The procedures will be developed in cooperation with health professionals. They will take into account guidelines promulgated by the Minnesota Departments of Health and Education and will be consistent with other policies including, but not limited to, blood-borne pathogens and employee right to know.

VII. STUDENT HEALTH INFORMATION

BlueSky Charter School will comply with all applicable statutes and regulations that protect student privacy including, but not limited to the Family Educational Rights and Privacy Act and the Minnesota Government Data Practices Act. Every effort will be made to ensure procedurally sufficient safeguards to maintain the privacy of students who have communicable diseases or infections.

Threats to public health caused by a student's communicable disease or infection must be reported to the Minnesota Commissioner of Health.

Legal References: Minn. Stat. §121A.23 (Health-Related Programs)
Minn. Stat. §§144.441-442 (Tuberculosis)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. §794 *et seq.* (Rehabilitation Act of 1973, §504)
42 U.S.C. §12101 *et seq.* (Americans with Disabilities Act)
20 U.S.C. §1232g; 34 CFR Part 99 (The Family Educational Rights and Privacy Act (FERPA))
Minn. Stat. §13.01 *et. seq.* (Minnesota Government Data Practices Act)

Cross Reference: Policy 4.6.3 (Communicable Diseases and Infections)