

<p align="center"><b>DANBURY PUBLIC SCHOOLS</b> Danbury, Connecticut</p>	<p align="center"><b>REGULATIONS</b></p>	
<p><b><i>CONTAGION (Communicable Disease)</i></b></p>	<p>Reviewed: 11-12-08</p>	<p>Policy No. 7-105  Page</p>
<p align="center"><u>Regulations for Providing Education to Students with Chronic Infectious Disease</u></p> <p>The Danbury Board of Education recognizes its responsibility to protect the health of students and employees from the risks posed by infectious diseases. The Board also recognizes its responsibility to uphold the rights of affected individuals to privacy and confidentiality, to attend school and to be treated in a non-discriminatory manner.</p> <p>A student affected with a blood borne pathogen such as hepatitis B virus (HBV), Hepatitis C virus (HCV), or human immunodeficiency virus (HIV) poses no risk of transmission through casual contact to other persons in a school or school athletic setting.</p> <ol style="list-style-type: none"> <li>1. A student with an HIV infection or other chronic infectious disease has the same right to attend school and receive services as any other student, and will be subject to the same rules and policies. Chronic infectious Disease shall not factor into decisions concerning class assignments, privileges or participation in any school sponsored activity including athletic participation. In the event that due to complications of the chronic health problem the educational placement of the student must be changed, school staff making these decisions must consult with the student’s physician and parent or guardian; respect the student and families privacy rights; and reassess the placement if there is a change in the student’s need for accommodations or services. As with students with chronic health problems or students with disabilities, the educational placement of a student with HIV and other communicable diseases should be determined on a case by case basis by the IEP team. All rights include those guaranteed by Section 504 of the Rehabilitation Act of 1973 for the identification, evaluation and placement of students with disabilities.</li>   <li>2. A student with HIV infection is not required to disclose HIV infection status to anyone in the education system. If the student and/or parent /guardian decide to disclose, the parent or guardian must approve who needs to know about their child’s HIV status with regard to special health care or social services that are needed while the student is in school. No information regarding a person’s HIV status will be divulged to any</li> </ol>		

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<p>individual or organization without a court order or the informed, written, signed and dated consent with the person with HIV infection, or the parent or guardian of a legal minor. The written consent must specify the name of the recipient of the information and the purpose for disclosure.</p> <ol style="list-style-type: none"> <li>3. All health records, notes and other documents that reference a person's HIV status will be kept under lock and key. Access to these confidential records is limited to those named in written permission from the person and to emergency medical personnel. Information regarding HIV status will not be added to a student's permanent educational or health record without written consent.</li> <li>4. Exclusion or segregation of students on the basis of chronic infectious disease will only occur where a student poses an immediate risk of injury or harm to individuals or others. Certain behaviors such as biting or conditions such as frequent bleeding episodes may require an alternative educational setting. A student with HIV infection may need to be removed temporarily from the classroom for his/her protection when other communicable diseases (e.g. chicken pox) are occurring in the school population. This decision will be made by the child's physician, the student's parent or guardian with consultation from the district medical advisor. This student's educational plan will be re-evaluated frequently based on need.</li> <li>5. All employees are required to consistently follow infection control guidelines in all settings and at all times. Schools will operate according to the standards promulgated by U.S. Occupational Health and Safety Administration for the prevention of blood Bourne infection. All staff is required to routinely observe universal precautions to prevent exposure to disease causing organisms. Staff training will be done upon hire and yearly thereafter.</li> <li>6. If a situation occurs at school in which a person may have been exposed to an infectious agent, such as an instance of blood to blood contact, school health and administrative staff shall strongly advise that person to promptly seek appropriate medical evaluation.</li> </ol>		

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<p>7. School staff members must strive to maintain a respectful school climate and not allow physical or verbal harassment of any individual or group by another individual or group. This includes taunts directed against a person living with HIV infection, a person perceived as having HIV infection, or a person associated with someone who has HIV infection.</p> <p><u>Legal References</u> The Connecticut General Statutes (CGS) <u>relating to HIV/Communicable Disease Rights and Accommodations</u> are:</p> <p align="center"><u>Federal Anti-Discrimination Laws</u></p> <ul style="list-style-type: none"> <li>● <u>Civil Rights Act of 1991</u></li> <li>● <u>Americans with Disabilities Act (ADA)</u></li> <li>● <u>Rehabilitation Act-Section 504</u></li> <li>● <u>The Individuals with Disabilities Education Act (IDEA)</u></li> </ul> <p><u>Connecticut Anti-Discrimination Laws</u></p> <ul style="list-style-type: none"> <li>● <u>Sec. 10-222d. Policy on bullying behavior.</u></li> <li>● <u>Sec. 46a-60 People who are HIV-positive or who have AIDS are protected from employment discrimination under the Connecticut Human Rights Law.</u></li> <li>● <u>Sec. 46a-81c-m Connecticut State law explicitly prohibits discrimination based on sexual orientation in categories that include public accommodations, housing, and private and public employment. Conn. Gen. Stat.</u></li> <li>● <u>Sec. 46a-71 Discriminatory practices by state agencies prohibited.</u></li> <li>● <u>Sec. 46a-75 Discrimination in educational and vocational programs prohibited.</u></li> </ul> <p><u>Federal Confidentiality Laws</u></p> <ul style="list-style-type: none"> <li>● <u>The Family Educational Rights and Privacy Act (FERPA, 20 UCS-1232g</u></li> <li>● <u>Public Law 104-191, Health Information Portability and Accountability Act of 1996 (HIPAA)</u></li> <li>● <u>The Family Medical Leave Act (FMLA)</u></li> <li>● <u>The Individuals with Disabilities Education Act (IDEA)</u></li> </ul>		

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<p><u>Sec. 617(c) Confidentiality</u> The Secretary shall take appropriate action, in accordance with section 444 of the General Education Provisions Act, to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary and by State educational agencies and local educational agencies pursuant to this part.</p> <p><u>Sec. 639(a)(2)</u> The right to confidentiality of personally identifiable information, including the right of parents/guardians to written notice of and written consent to the exchange of such information among agencies consistent with Federal and State law.</p> <p><u>Connecticut Confidentiality Laws</u></p> <ul style="list-style-type: none"> <li>● Sec. 19a-582 “HIV-related test(s)” may not be conducted without either: 1) written consent or; 2) oral consent which has been documented in a medical record. (applicable to employees).</li> <li>● Sec.19a-582 (a) Connecticut law explicitly provides that the “consent of a parent or guardian shall not be a prerequisite to testing of a minor.”</li> <li>● Sec. 19a-583 Disclosure of HIV status. No person who obtains confidential HIV-related information may disclose or be compelled to disclose such information, with some exceptions.</li> <li>● Sec. 19a-590 Liability for violations of confidentiality.</li> <li>● Sec. 52-146a to 52-146q, inclusive in Connecticut, physicians, other licensed health providers and social workers, among others, are prohibited by statute from disclosing such confidential communications without the explicit consent of the client, except in specific circumstances.</li> </ul> <p><u>Infection Control and Communicable Disease Management</u></p> <ul style="list-style-type: none"> <li>● <u>Occupational Exposure to Blood borne Pathogens Standard (2 CFR 1910.1030</u> Schools will have a written exposure control plan as part of OSHA’s Blood borne Pathogens standard.</li> </ul>		