

CODE

POLICY TITLE

J

JBFAA

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

JBFB

SIGNIFICANT CONTAGIOUS DISEASES/DAHB/FCAAA

ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

Plans for new and remodeled buildings will offer such design and accommodations as to make them accessible to and usable by the individual with disabilities. The Board will review construction plans to the end that new and remodeled buildings will be made fully accessible.

Legal Ref: NDCC 48-02-19, Public buildings and facilities - Statement of compliance with
accessibility

NDCC 54-21.3-04.1, Accessibility standards

42 U.S.C. 12183(b), Americans with Disabilities Act

Section 504, Rehabilitation Act of 1973

End of Policy JBFAA.....Adopted: 10/20/09

SIGNIFICANT CONTAGIOUS DISEASES

EDUCATION

STUDENTS

The intent of the instructional program on significant contagious diseases is to provide information about the diseases, methods of transmission, the means of protecting against contracting the diseases in an institutional setting, the use of universal precautions, and prevention appropriate to specified grade levels. Instruction will begin in Grade K and continue through Grade 12.

Appropriate curriculum will be designed including a scope and sequence to assure that all students receive age-appropriate education integrated in the health curriculum. The Superintendent is charged with recommending revisions in the program to the School Board to update and modify the curriculum as new information about significant contagious diseases is made available. Any curriculum and materials developed for use in this program will be approved for medical accuracy by the Department of Public Instruction and/or the State Department of Health according to the guidelines furnished by the Center for Disease Control.

Prior to the start of the student instructional program, and at any time thereafter, parents and guardians of students who will be involved with the curriculum and materials will have an opportunity to preview the curriculum and materials in a specific program being presented. Thereafter, any parent or guardian may review the curriculum and materials at any time including any revisions in the program to update and modify the curriculum as new information about significant contagious diseases is made public.

EMPLOYEES

On an annual basis, all employees of the school district will receive appropriate training which addresses significant contagious disease prevention. The training will be presented by a health professional or someone specifically qualified in education for the prevention of significant contagious diseases. Training will include the proper use of universal precautions.

Those employees designated to teach significant contagious disease prevention to students will receive additional in-service from qualified health education professionals.

INDEPENDENT CONTRACTORS

All independent contractors performing services for the district will receive a brochure concerning significant contagious diseases upon entering into a contract with the district. The brochure shall contain information regarding the transmission of significant contagious diseases in an institutional setting, the means of protecting against contracting the diseases in an institutional setting, and the use of universal precautions.

CONFIDENTIALITY

No employee or official of the Glen Ullin School District may inform any individual of an affected individual's infection. No employee or official may release any information to the public either confirming or denying the presence within the institution setting of a person who has contracted a significant contagious disease. All information given to employees or officials of the district by an affected person, their parent or guardian, or their personal physician shall remain confidential.

ATTENDANCE, EMPLOYMENT AND CONTRACTS

No person may be denied admission as a student, a contract as an independent contractor, or employment solely because they have, or they are perceived to have, a significant contagious disease. The personal physician of the affected individual shall be the sole decision maker as to whether the individual constitutes a public health threat or the ability of the individual to continue in school (except as provided below) or perform their duties.

When a student's personal physician or, in the case of a student who is defined as having a disability under the Individuals with Disabilities Education Act or NDCC Chapter 15.1-32, the multidisciplinary team determines that the student is unable to participate in regular classroom instruction, either reasonable accommodations, special provisions, or an individualized education program will be provided. The Superintendent shall establish procedures for the development of special provisions.

UNIVERSAL PRECAUTIONS

The Glen Ullin School District will use universal precautions as standard procedure in the care and maintenance of school property and in administering first aid or otherwise handling emergencies.

DESIGNATION OF SPOKESPERSON

The Superintendent is designated as the person to receive information concerning the status of students, employees, and independent contractors from their physicians. The Superintendent shall be the official spokesperson for the GLEN ULLIN PUBLIC SCHOOL DISTRICT #13 2Descriptor Code: DAHB FCAAA JBFBB institution when information concerning an affected individual becomes public and may not delegate this duty. The Superintendent shall develop procedures that protect against possible breaches of confidentiality. The Superintendent may request assistance from the Department of Public Instruction or State Department of Health in developing a plan for conflict resolution.

DISCRIMINATION

It shall be a violation of school policy for any student, employee or official to harass or discriminate against any affected individual within the institutional setting on the basis of having been diagnosed as having a significant contagious disease(s). No harassment or discrimination will be tolerated in any school building, at any school function, or on any school property.

DEFINITIONS

1. "Affected person," "affected individual "or" affected student" means an individual who has been diagnosed by a physician as having contracted a significant contagious disease.
2. "Decision maker" is the affected person's personal physician. However, whenever an affected student is also defined as having a disability under the Individuals with Disabilities Education Act, 20 U.S.C. 1401(a)(1) or the North Dakota Century Code Chapter 15.1-32, the decision maker is the multidisciplinary team provided for under subsection 4 of North Dakota Century Code section 15.1-20-02
3. "Employee" means all persons employed by the institution including faculty, maintenance, and administrative personnel.
4. "Governing body" means the school board.
5. "Independent contractor" means any person or entity who is free of control or direction over performance of the service provided both under the contract and in fact, who renders service outside the ordinary course of business or outside of the place of business of the contractor and who is engaged in an independently established trade, organization, profession, or business.
6. "Individualized education program" denotes a specialized education plan created in compliance with 20 U.S.C. 1401(a)(19).
7. "Institution" means this school district.
8. "Reasonable accommodations" is as defined by subsection 16 of North Dakota Century Code section 14-02.4-02 or U.S.C. 794.
9. "Significant contagious disease" includes cytomegalovirus (CMV), hepatitis B (HBV) and human immunodeficiency (HIV) infection. The local board of health or the state health officer may determine that other diseases are significant contagious diseases.
10. "Special provisions" are individually tailored education decisions designed to meet the needs of students requiring unique accommodations to ensure an educational

opportunity. Special provisions are directed to students not covered by an individualized education program.

11. "Universal precautions" means protecting one's self from exposure to blood or body fluids, through the use of latex gloves, masks, or eye goggles, cleaning blood and body fluid spills with soap and water and then disinfecting and incinerating or decontaminating infective waste before disposing in a sanitary landfill.

Cross Ref: Policy DAI/K, General Public Relations

Policy DBB, Recruitment and Selection of Instructional Staff

Policy DCB, Recruitment and Hiring

Policy FBBB/GBEI, Education of Exceptional Students

Policy GBEBD, Teaching about Aids

Policy HFAA, Selecting Provider of Professional Services

Policy IC, Transportation

Policy LEE, Relations with Health Department

Legal Ref: 20 U.S.C. 1413, Individual with Disabilities Education Act

USC 29, Section 794, Americans with Disabilities Act

USC 29, Section 504, Rehabilitation Act of 1973

NDCC 14-02.4, Discrimination

NDCC Ch. 15.1-15, Contract of Teachers and Administrators

NDCC 15.1-20-02, Compulsory attendance - Exemptions

NDCC Ch. 15.1-32, Special Education

NDCC 23-07-16, Child having contagious or infectious disease prohibited from attending school - Exception

NDCC 23-07-16.1, School district to adopt policy relating to significant contagious diseases

End of Policy DAHB.....Amended: 10/20/09