

Communicable Diseases

The following procedures shall be followed when determining the proper educational placement of a student known to be infected with Human Immunodeficiency Virus (HIV) including:

1. Those medically diagnosed as having Acquired Immune Deficiency Syndrome (AIDS).
2. Those medically diagnosed as having AIDS Related Complex (ARC) or having an illness due to infection with HIV but who do not meet the case definition for AIDS.
3. Those who are asymptomatic but who have been medically diagnosed as being infected with HIV.

These procedures also may be used to determine an educational placement for any student whose medical condition requires individual evaluation to properly develop an appropriate placement unless the student is a handicapped child whose condition requires special education and related services in accordance with state and federal law.

Identification of Students

Any student with a life-threatening communicable disease as defined above generally will be identified by the school district only when the district receives direct information from the student or his parent/guardian about his medical diagnosis.

To encourage such disclosure, the district will endeavor to treat such students in a fair, nondiscriminatory and confidential manner consistent with the district's legal obligations.

All information about such students will be reported to the assistant superintendent who will be the school official responsible for coordinating the placement decision. For purposes of these procedures, the assistant superintendent will be referred to as the "school officer." The student will receive homebound instruction while the placement decision is being reviewed and finalized.

Placement Decision

When the school officer receives a report that a student has a communicable disease within the terms of these procedures, the school officer will convene a panel of professionals within 10 days after receiving the report. The panel will review the student's medical history and recommend the most appropriate educational program and setting for the student.

The professional panel evaluating the student's condition will consist of the student's attending physician, a public health person who is familiar with communicable diseases and appropriate district personnel. The student or his parent/guardian will be advised when the panel will meet and be allowed to attend.

If there is a conflict in the two medical opinions available from the panel, the district also may consult with the communicable disease control officer at the Colorado Department of Health. The school officer is authorized to seek whatever other professional expertise is necessary to assist the panel in its consideration of the case.

Decisions regarding the educational program and setting for the student will be based on the behavior, neurological development and physical condition of the student and the expected type of interaction with others. In each case, risks and benefits to both the infected student and to others in the school setting will be weighed.

Placement may range from attendance in the regular classroom to homebound instruction. The panel will be asked to consider whether the student exhibits any of the conditions identified by the state health department guidelines that would restrict the student's educational placement.

The professional panel will issue its findings and recommendation in writing within 10 days following its meeting. The document will be signed by those involved in the decision making. The recommendation will include consideration of an educational placement and a schedule by which the student's placement will be re-evaluated by the panel to consider how changes in the student's physical condition impact the placement.

The panel also will advise the district as to steps it can take to best protect the student's health in the school environment such as notification to parents when there are major outbreaks of common communicable diseases occurring in the school population.

The school officer will present the panel's findings and recommendation to the superintendent for review and approval. The superintendent will inform the student or parent/guardian in writing of the educational placement and any limitations thereon.

The student or parent/guardian will notify the school district within five days of receipt of the superintendent's letter if he wishes to contest the final decision. This appeal will be heard by the Board of Education within 15 days following the request for a hearing in executive session at its next regularly scheduled meeting or a special meeting called to hear the appeal.

The decision of the Board will be final. Once the placement decision is final, the school officer will work with the principal to implement the decision.

If the student with a long-term physical illness qualifies for services as a handicapped child under state and federal law, those procedures will be used to make a placement decision in lieu of the professional panel described above. In the development of an individualized educational program (IEP), school personnel should consider expanding the staffing committee to include the student's physician and a public health official to serve in an advisory capacity.

Neither these administrative procedures nor the placement of a student in any particular program will preclude the administration from taking any temporary action including removal from the classroom as deemed necessary to protect the health, safety and welfare of the student and others.

Confidentiality

All information gained by the school district through application of this policy and procedures including the identity of the student will be treated as confidential. Special precautions will be taken to protect information regarding a student's health condition in order to prevent instances of disclosure that may invade the student's personal privacy.

The determination of which persons have any reason to know of a student's medical condition under these procedures will be made by the school officer. In most circumstances, only the school principal, school nurse, and teachers who have direct contact with the student will be notified of the student's medical condition. This notice will be made in such a way as to maximally insure confidentiality of the information.

CROSS REF.: JFD, Students of Legal Age