

*Policy*

**PROFESSIONAL/CLASSIFIED STAFF HEALTH**

*Code GBRA/GCRA Issued 12/15/21*

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**Health Screening**

The district requires any person who works in any public school or kindergarten to be appropriately evaluated for tuberculosis as provided by state law and according to guidelines approved by the South Carolina Department of Health and Environmental Control (DHEC). The district will not require re-evaluation for employment in consecutive years unless otherwise indicated by such guidelines.

Any person applying for a position in any of the district's schools, including kindergarten, will, as a prerequisite to employment, secure a health certificate from a licensed physician certifying that such person does not have tuberculosis in an active stage.

If the district has questions or concerns regarding the physical or mental capability of an employee to perform the essential functions of his/her position with or without reasonable accommodations, the district may require an appropriate health examination.

**Communicable Diseases**

The Board defines a chronic communicable disease as a persistent or recurring infection that may be transmitted to a susceptible person by contact with an infected individual. The U.S. Centers for Disease Control and Prevention (CDC) will be the definitive authority on the identification and transmission of chronic communicable diseases.

The policy of the Board will be to attempt to provide a safe and secure environment for all students and employees. Under certain circumstances, the presence of communicable diseases in the school environment may pose a threat to the health and safety of students and employees. In an effort to maintain a balance between the need to educate all eligible students, to protect student and employee rights, and to control communicable diseases, decisions regarding the employment status of employees with communicable diseases will be made on a case-by-case basis.

Employees with communicable diseases, including Acquired Immunodeficiency Syndrome (AIDS) or Human Immunodeficiency Virus (HIV) infection, will be permitted to attend school in accordance with the procedures in this policy.

Except where otherwise provided by law, employees will inform their principal/supervisor or the chief human resources officer if they have a communicable disease that poses any significant health or safety risk to students or staff members. If the principal/supervisor is notified of the employee's condition, he/she will notify the chief human resources officer. Upon receiving

## **PAGE 2 – GBRA/GCRA – PROFESSIONAL/CLASSIFIED STAFF HEALTH**

notice that an employee has a communicable disease, the chief human resources officer will ensure that a committee consisting of the employee's supervisor, the employee's personal physician, appropriate public health professionals, and appropriate district personnel is formed to monitor and/or evaluate the employee's health status.

In cases involving AIDS or HIV infection, the committee periodically will monitor the health status of the employee. Evaluation of the employee's potential for transmitting the HIV should be made by the physician evaluating the employee's status. The physician will be asked to provide a written opinion describing the employee's present health status and making recommendations regarding work status. The chief human resources officer will consult with the district's legal counsel prior to making any decision/recommendation regarding work status. Information shared during the monitoring process is strictly confidential.

With respect to other reported communicable diseases, the committee will review each case individually to determine the means of transmittal, the employee's infectious duration, to what degree the employee's presence poses a risk to other staff and to students, and the probability of transmittal.

Generally, employees with AIDS/HIV infection should be permitted to attend school and school activities without restriction, provided their health status allows. Sound, evidence-based guidelines, used in accordance with these procedures, will be used to determine whether an employee, in his/her current position, with any communicable disease, poses a significant risk to the health and safety of other persons. If this risk cannot be eliminated by any reasonable measure, including placement in alternative employment, attendance by the employee may be prohibited or restricted.

If the employee's disease constitutes a disability, and the employee is otherwise qualified to perform his/her job, a specific determination will be made as to whether a reasonable accommodation can be made. Any prohibition or restriction on attendance will continue, subject to periodic reevaluation, unless and until the risk to others has been abated. The district reserves the right to require a satisfactory certificate from one or more licensed physicians that the employee's attendance is no longer a risk to others.

Information regarding the medical condition of employees is highly confidential and may only be disseminated on a strict need-to-know basis. Accordingly, information may only be provided to those who need the information to protect the health and safety of the employee, students, and staff and only to the extent necessary to accomplish that end. All personnel informed of the condition of the employee are to be directed that this information is to be held in the strictest confidence.

Every employee has a duty to treat as highly confidential any knowledge or speculation concerning the HIV status of a student or other staff member. Information regarding the medical condition of employees and students must be maintained in strict confidence and may only be revealed consistent with state law and regulation.

### **Bloodborne Pathogens**

The district has prepared and implemented a model exposure control plan for all employees. This plan includes appropriate training for all employees as well as universal precautions that all employees must take when dealing with blood and other bodily fluids. A copy of the plan is on file in all schools.

All employees are required to consistently follow infection control guidelines in all settings and at all times, including on playgrounds and school buses. Schools will operate according to the standards promulgated by the U.S. Occupational Safety and Health Administration for the prevention of bloodborne infections.

Equipment and supplies needed to apply the infection control guidelines will be maintained and kept reasonably accessible.

If a situation occurs at school in which a person might have been exposed to an infectious agent, such as an instance of blood-to-blood contact, school authorities will counsel that person (or, if a minor, alert a parent/legal guardian) to seek appropriate medical evaluation.

To prevent the spread of communicable disease, DHEC guidelines for necessary health and safety precautions, including handling of blood and bodily fluids, will be distributed by the administration from time to time and should be followed by all school employees. Appropriate training for all employees is provided by the district's school nurse. A bloodborne pathogens exposure control plan has been developed and is updated annually.

### **Staff Development**

All school staff members will participate in a planned educational program that conveys factual and current information about HIV and other bloodborne pathogens; provides guidance on infection control procedures; informs about current law and state, district, and school policies; and assists staff to maintain productive parent/legal guardian and community relations. Certain employees will also receive additional training as appropriate to their positions and responsibilities.

Adopted 01/30/90; Revised 12/14/21

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#### Legal references:

- A. United States Code of Laws, as amended:
  - 1. American with Disabilities Act of 1990, 42 U.S.C.A. Section 12101, et seq.
  - 2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.A. Section 701, et seq.
  
- B. S.C. Code of Laws, 1976, as amended:
  - 1. Section 44-29-135(f) - Confidentiality of sexually transmitted disease records.
  - 2. Section 44-29-150, et seq. - Tuberculin test required of new employees.
  - 3. Section 44-29-200 - Attendance of teachers or pupils with contagious or infectious disease at school or school-related activities may be prohibited.
  - 4. Section 59-10-220 - Adoption and notification of Centers for Disease Control and Prevention (CDC) recommendations on universal precautions for bloodborne disease exposure.

**PAGE 4 – GBRA/GCRA – PROFESSIONAL/CLASSIFIED STAFF HEALTH**

- C. Federal Regulations:
  - 1. U.S. Occupational Safety and Health Administration, 29 CFR 1910.134 - Respiratory protection.
  - 2. U.S. Occupational Safety and Health Administration, 29 CFR 1910.1030 - Bloodborne pathogens.
  
- D. S.C. State Board of Education Regulations:
  - 1. R43-80(N) - Medical examination requirement for school bus drivers.
  - 2. R43-207 - All personnel will be screened for tuberculosis.
  
- E. S.C. Department of Health and Environmental Control Regulations:
  - 1. R61-20 - Communicable diseases.
  - 2. R61-22 - Evaluation of school staff for tuberculosis.