

MIDDLE BUCKS INSTITUTE OF TECHNOLOGY

SECTION: PROFESSIONAL EMPLOYEES

TITLE: Communicable Diseases

ADOPTED: July 1, 1991

REVISED: September 12, 2005

<p>Purpose</p> <p>Definitions</p> <p>28 Pa. Code §27.1</p>	<p style="text-align: center;">414.1 COMMUNICABLE DISEASES</p> <p>The Executive Council of the Middle Bucks Institute of Technology (MBIT) is committed to the provision of a healthful environment for students and employees. In fulfillment of that commitment, the Executive Council has consulted and will continue to consult appropriate medical, educational, legal and governmental authorities. The following guidelines are a result of this consultation.</p> <p><u>Carrier</u> -- A person who, without any apparent symptoms of a communicable disease, harbors an infectious agent and may serve as a source of infection.</p> <p><u>Communicable disease</u> -- An illness caused by an infectious agent or its toxic products, which is transmitted directly or indirectly to a susceptible host from a carrier, infected person, animal or arthropod or through the agency of an intermediate host or vector through the inanimate environment.</p> <p><u>Communicable period</u> -- The time during which a carrier or infected person can transmit an infectious agent directly or indirectly to another person.</p> <p><u>Contact</u> -- A person exposed to the possibility of acquiring a communicable disease because of his or her association with a carrier or infected person.</p> <p><u>Infected person</u> -- A person who evidences any symptom of a communicable disease.</p> <p><u>Reasonable accommodation</u> -- Any addition to or modification of existing facilities, equipment, programs, schedules, policies, procedures, methods, operations or services that would enable a carrier, contact or infected person to remain in his or her existing classroom, facility or position or to enter a classroom, facility or position comparable to that which he or she would have entered were he or she not a carrier, contact or infected person. Reasonable accommodations, however, do not require additions or modifications that would impose undue hardship on the operation of MBIT programs. In determining whether an addition or modification would impose "undue hardship," the Executive Council will consider the following factors:</p> <ul style="list-style-type: none"> (i) the cost of the change; (ii) the ability of MBIT to cover the cost of the change; (iii) the degree to which the change will disrupt or diminish the effectiveness of MBIT programs; (iv) the number of students, faculty and programs affected by the change;
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	<ul style="list-style-type: none"> (v) the educational and other needs of the students affected by the change; (vi) the extent to which the change will reduce the risk to health and safety; (vii) the duration and severity of the risk to health and safety; and (viii) any other matter that the Executive Council deems to be relevant. <p>Significant risk to health and safety -- Risk that is posed by the presence of a carrier, contact or infected person and that is significant enough to justify a change in the educational program or placement or in the employment status of a carrier, contact or infected person. In determining the significance of a risk, the Executive Council will consider reasonable medical judgments on the following factors:</p> <ul style="list-style-type: none"> (i) the manner by which the infectious agent is transmitted; (ii) the duration of the communicable period; (iii) the severity of the risk to others; and (iv) the probability of transmission to others.
<p>Applicability 24 P.S. §1850.1</p>	<p>This policy will apply to all students, employees and job applicants who have received an offer of employment in all programs conducted by MBIT.</p>
<p>Individual Consideration</p>	<p>MBIT will consider each case individually, consistent with these guidelines.</p>
<p>Confidentiality 20 U.S.C. A §1232g (FERPA) 34 CFR §300.560-577 (IDEA) 24 P.S. §1409 22 Pa.Code §12.33</p>	<p>In accordance with state and federal law, MBIT will keep confidential all staff records of carriers, contacts and infected persons. MBIT will disclose confidential information only to those MBIT personnel who need the information to protect themselves and others from significant risk to health and safety. MBIT personnel will not reveal any confidential information to any other person unless the Administrative Director or his or her designee authorizes them to do so.</p>
<p>Hiring and Retention of Employees 42 U.S.C. §12101, et seq (ADA) 29 U.S.C. §2601, et seq (FMLA)</p>	<p>The following provisions will apply both to employees of MBIT and to job applicants who have received an offer of employment. None of these provisions, however, will preempt or supersede an inconsistent term in a collective bargaining agreement.</p> <p>A. MBIT will continue to employ a carrier, contact or infected person in the position that he or she held before he or she became a carrier, contact or infected person, unless removal is recommended by the Administrative Director and is approved by the School Executive Council after consultation with the school physician and Solicitor.</p> <p>B. The Executive Council will approve a removal only if, after reasonable accommodation, the carrier, contact or infected person would pose a significant risk to health and safety or would substantially lack the ability to perform the</p>

	<p>essential duties of his or her position.</p> <p>C. Before the Administrative Director recommends removal of an employee who poses a significant risk to health and safety or would substantially lack the ability to perform the essential duties of his or her position, he or she will require the employee to submit to a medical examination by a licensed physician. The employee will disclose to the Administrative Director the results of the examination along with any other related medical records.</p> <p>D. If the Executive Council approves the removal of an employee under subsections A. and B. of this section, MBIT will either reassign the employee to other duties, place the employee on leave of absence with Executive Council approval or commence proceedings to dismiss or suspend the employee.</p> <p>E. A reassignment will allow the employee to assume as many of the duties of his or her existing position as is possible. Nothing in these guidelines, however, will entitle an employee to reassignment. The availability of reassignment to other work will depend upon the reasonable needs of MBIT, as determined by the Administrative Director.</p> <p>F. The Executive Council will approve placement on leave of absence only if sufficient other work is not available for the employee to perform or pursuant to its policies with respect to leaves of absence.</p> <p>G. MBIT may commence dismissal or suspension proceedings only when its reasons for doing so would justify commencement of dismissal or suspension proceedings, under the Public School Code or other applicable laws.</p> <p>H. MBIT will not refuse employment to an applicant on the ground that the applicant is a carrier, contact or infected person, unless the Administrative Director determines that, even with reasonable accommodation, employment of the applicant would pose a significant risk to health and safety or that, even with reasonable accommodation, the applicant would be unable to perform the essential duties of the position. In determining whether the applicant would pose a significant risk to health and safety or would be unable to perform essential duties, the Administrative Director will consult with the employee, the school physician and the employee who would serve as the applicant's immediate supervisor.</p> <p>I. All job applicants who have received an offer of employment will undergo a medical examination by a licensed physician and will disclose to the Administrative Director the results of the examination, along with any other related medical records.</p> <p>J. MBIT will keep confidential all employment records of carriers, contacts and infected persons. Information obtained regarding the medical condition or history derived from entrance medical examinations must be collected and maintained on separate forms in separate medical files and must be treated as confidential records. MBIT will disclose confidential information only to those MBIT personnel who need the information to protect themselves and others from significant risk to health and safety. MBIT personnel will not reveal confidential information to any other person unless the Administrative Director or his or her designee authorizes them to do so.</p>
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<p>Education</p> <p>28 Pa.Code §27.1,et seq</p>	<p>A. The Administrative Director or his or her designee will develop a program to educate parents, students and staff about the detection, treatment, transmission, risks and prevention of communicable diseases. The program will also inform parents, students and staff about the communicable disease policies and guidelines of MBIT.</p> <p>B. In developing an education program, the Administrative Director will refer to Chapter 27 of the regulations adopted by the Department of Health, entitled "Communicable and Noncommunicable Diseases," 28 Pa. Code §§ 27.1 et seq., and to any relevant guidelines issued by the Federal Centers for Disease Control.</p>
<p>Evaluation</p>	<p>The School's Physician will periodically report to the Administrative Director regarding the effectiveness of these guidelines and will make recommendations for their revision in response to developments in medical research and treatment.</p>
<p>Delegation of Responsibility</p>	<p>All employees will be required to consistently follow infection control/universal precautions in all settings and at all times, including school buses. Employees will notify the Administrative Director or designee of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.</p>
<p>Infection Control</p>	<p>Employees will treat all bodily fluids as hazardous and will follow universal precautions for any exposure to bodily fluids.</p> <p>The school will maintain reasonable and affordable emergency response equipment and supplies necessary for infection control.</p>
<p>Prevention Education</p> <p>22 Pa.Code §4.4</p>	<p>Parents/Guardians will be provided convenient opportunities to preview all Communicable Diseases prevention curricula and materials.</p> <p style="text-align: center;"><u>PRIOR POLICIES AND GUIDELINES</u></p> <p>These guidelines supersede all prior inconsistent guidelines and policies.</p>