

ILLNESS

When students are taken suddenly ill in school, they shall be sent or escorted to the nurse's office. If the nurse is not in the medical office, the student shall be sent or taken to the building office. In general, the same procedures which apply to accidents shall apply to sudden student illness. The superintendent, in cooperation with the medical inspector, shall implement this policy.

Control of Contagious Diseases or Conditions

In order to protect the health of the students in our schools, all regulations of the state department of education, the state department of health and the local board of health shall be scrupulously observed, particularly those dealing with contagious or infectious diseases or conditions. Students who have been absent because of contagious or infectious diseases or conditions must present a certificate of recovery from a licensed physician or be examined by the medical inspector.

The school nurse shall observe students who show evidence of communicable disease and recommend their exclusion to the school principal. Recommendations shall be consistent with reporting requirements on communicable diseases as set forth in the New Jersey Health Code. Such students shall be isolated in the nurse's office until a parent/guardian picks them up, and any necessary measures taken to prevent spread of the infection. The school nurse, under the direction of the medical inspector, shall instruct all teachers in the symptoms of the most common diseases or conditions at least once a year.

Any student with HIV infection or AIDS or who lives with or is related to someone with HIV or AIDS shall not be excluded from general education, transportation services, extracurricular activities, athletic activities, assigned to home instruction or classified as eligible for special education because of the HIV infection.

The school nurse shall recommend the exclusion of any individual with weeping skin lesions that cannot be covered.

In addition to the review of health and safety measures required by law, the school nurse shall individually instruct teachers from whose classrooms a student has been excluded in the symptoms of the disease for which the student was excluded. Student rights and confidentiality shall be protected in accordance with law. No teacher shall attempt to diagnose any illness of a student, but shall refer suspected cases to the nurse immediately.

Handling Blood and Body Fluids

The superintendent and medical inspector shall develop detailed routine procedures based on New Jersey administrative code and guidelines from the Centers for Disease Control for proper handling of blood and body fluids resulting from illness/accidents in the schools. These procedures shall be disseminated to all district staff and volunteers.

The medical inspector shall report all cases of communicable disease to the local board of health as required by law.

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Key Words: Illness, Sickness, Body Fluids

Legal References

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Mandated:

N.J.S.A. 18A:40-25(b), N.J.A.C. 6A:16-1.4(a)9, and N.J.A.C. 6A:16-2.5(b) require boards to adopt policies and procedures for the extension nursing services and provision of emergency care to nonpublic school pupils who become ill at school or during participation on a school team or squad (see 5200).

N.J.A.C. 6A:16-1.4(a)1 and 2 and N.J.A.C. 6A:16-2.1(a)(4) require written policies and procedures on care of pupils who become ill at school or during participation in school sponsored activities; notification of parent/guardian of students determined to be in need of further immediate medical care; transportation and supervision of students determined to be in need of immediate medical care.

N.J.A.C. 6A:16-1.4(a)3 requires written policy and procedures for isolation, exclusion and readmission of pupils suspected of having a communicable disease.

N.J.A.C. 6A:16-1.4(b)2 requires policy that excludes any person from the school setting with weeping skin lesions that cannot be covered.

N.J.A.C. 6A:16-1.4(b)3 requires written policy and procedures for sanitation and hygiene when handling blood and body fluids in conformance with New Jersey administrative code and the guidelines of the Centers for Disease Control.

N.J.A.C. 6A:16-1.4(b)4 requires policy that assures that any student with HIV or who lives with or is related to someone with HIV cannot be excluded from any educational program or activity because of the HIV infection.

Other Reasons:

N.J.A.C. 6A:16-2.1 et seq. describes general health services that must be provided to students, including necessary personnel, required medical examinations and nursing services to nonpublic school students.

Recommendation:

A policy addressing care of pupils taken ill at school, including parent/guardian notification and transportation should a pupil require immediate medical care. Policy must also address isolation, exclusion and readmission of pupils suspected of having communicable diseases, and safe, hygienic methods of handling blood and body fluids. Assure confidentiality for all students infected with any communicable disease.

NOTE CONCERNING HIV/AIDS POLICY LANGUAGE:

N.J.A.C. 6A:16-1.4(b)4 explicitly states that individual with the HIV/AIDS infection may not be excluded from attendance in an education facility, or eligibility for educational transportation. Exceptional conditions and reference to a medical advisory panel that had been acceptable prior to 1992 were eliminated by Department of Health regulations in 1991, but were still in evidence in district policies and regulations in 1994-95.

Therefore, when reviewing this and related policies, be very sure that your policy does not bar

individuals based on incontinence, drooling or documented history of biting or harming others. These conditions were found to be scientifically invalid, because of evidence that urine, feces and saliva are not significant vehicles of HIV transmission and because biting is not a significant method by which HIV can be transmitted.

Your policy should specify that any individual with uncoverable weeping skin lesions shall be removed from school.

Also to be in compliance with N.J.S.A. 26:5C-1 et seq., make sure that your policy does not call for automatic notification of school personnel regarding the presence of an HIV infected pupil or allow that information to be shared other than under specific written consent by the parent/guardian.

Legal References:	<u>N.J.S.A. 18A:16-6</u>	Indemnity of officers and employees against civil actions
	<u>N.J.S.A. 18A:16-6.1</u>	Indemnity of officers and employees in certain criminal actions
	<u>N.J.S.A. 18A:40-3</u>	Lectures to teachers
	<u>N.J.S.A. 18A:40-7</u>	Exclusion of pupils who are ill
	<u>N.J.S.A. 18A:40-8</u>	Exclusion of pupils whose presence is detrimental to health and cleanliness
	<u>N.J.S.A. 18A:40-10</u>	Exclusion of teachers and pupils exposed to disease
	<u>N.J.S.A. 18A:40-11</u>	Exclusion of pupils having communicable tuberculosis
	<u>N.J.S.A. 18A:40-12</u>	Closing schools during epidemic
	<u>N.J.S.A. 18A:40-25</u>	Boards of education to provide nursing care to students in nonpublic schools
	<u>N.J.S.A. 26:4-6</u>	Prohibiting attendance of teachers or pupils
	<u>N.J.S.A. 26:4-15</u>	Reporting of communicable diseases by physicians
	<u>N.J.S.A. 26:5C-1 et seq.</u>	AIDS Assistance Act
	<u>N.J.S.A. 26:2T-1</u>	Newly diagnosed Hepatitis C case; information, reports
	<u>N.J.A.C. 6A:16-1.1 et seq.</u>	Programs to Support Student Development
	<u>See particularly:</u> <u>N.J.A.C. 6A:16-1.3, -1.4, -2.1 et seq.</u>	
	<u>N.J.A.C. 8:57-1.1 et seq.</u>	Reportable Communicable Diseases
	<u>See particularly:</u> <u>N.J.A.C. 8:57-1.3, -1.7, -2</u> <u>N.J.A.C. 8:61-1.1</u>	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

Possible

Cross References:	*1410	Local units
	*4112.4	Employee health
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*4212.4	Employee health
	*5113	Absences and excuses
	*5125	Pupil records
	*5131.6	Drugs, alcohol, tobacco (substance abuse)
	*5141	Health
	*5141.1	Accidents

*5141.4 Child abuse and neglect
*5200 Nonpublic school pupils
*6142.13 HIV prevention education

*Indicates policy is included in the Critical Policy Reference Manual.