

General Personnel

Communicable and Chronic Infectious Disease

I. Section 1 - Continued Employment

A. Notice

Employees with chronic communicable diseases shall be permitted to retain their positions whenever, through reasonable accommodation of the employee's physical condition and without undue hardship to the employer, there is no reasonable risk of transmission of the disease to others. Such employees shall remain subject to the Board of Education's employment policies, including, but not limited to, sick leave, physical examinations, temporary and permanent disability and termination.

II. Section 2 - Review Procedures

A. Temporary Exclusion

Upon being informed that a staff member has, or is reasonably suspected of having a communicable disease, an employee shall inform the District's Superintendent or designee responsible for convening the multi-disciplinary team.

Pending determination of the employee's continued employment status, an employee with a chronic communicable disease or an employee who is reasonably suspected of having a chronic communicable disease, may be temporarily excluded from work for a period not to exceed ten (10) working days, or may be transferred to another position by the Superintendent or designee.

Any extension of an employee's temporary exclusion from work shall be approved by the multi-disciplinary team. During any period of temporary exclusion, the employee shall be entitled to be paid at the employee's regular rate.

B. Initial Evaluation

Each employee with a chronic communicable disease and every employee reasonably suspected of having a chronic communicable disease shall submit, at the District's request, to a physical examination provided at District expense. Employees with a chronic communicable disease and employees reasonably suspected of having a chronic communicable disease shall be evaluated by a multi-disciplinary team convened by the District's Superintendent or designee.

An employee with a chronic communicable disease shall be evaluated by a multi-disciplinary team that may consist of appropriate District personnel and a physician or other consultants selected by the Superintendent or designee, the employee's physician(s), public health personnel, and the employee. The team's report and recommendations, including any dissenting opinions, shall be forwarded to the Superintendent or designee. Every effort shall be made to complete the evaluation in a timely and prompt manner.

C. Dismissal and Appeal Process

If a dismissal or removal of an employee is sought, dismissal or removal shall be implemented in accordance with the law.

D. Subsequent Evaluations

When an employee is allowed to continue in the employ of the Board, the multi-disciplinary team shall periodically reevaluate the employee in order to determine whether the employee's

placement continues to be appropriate. The frequency of the reevaluations shall be determined by the team, but in no event shall the employee be reevaluated less frequently than twice per academic year.

III. Section 3 - Confidentiality

The employee's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the employee and others. The number of personnel aware of the employee's condition will be kept at the minimum needed to detect situations in which the potential for transmission may increase.

Persons deemed to have "a direct need to know" will be provided with the appropriate information and apprised of the requirements of confidentiality. The multi-disciplinary team responsible for making initial and subsequent evaluations will be responsible for determining who has "a direct need to know". The Superintendent or designee shall report, by mail or telephone, each suspected or diagnosed case of a Class I or Class II communicable disease to the local health authority.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12101 et seq.; 29 C.F.R. §1630.1 et seq. amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325.
Rehabilitation Act of 1973, 29 U.S.C. §791; 34 C.F.R. §104.1 et seq.
Department of Public Health Act, 20 ILCS 2305/6.
105 ILCS 5/24-5.
Personnel Record Review Act, 820 ILCS 40/
Control of Communicable Diseases, 77 Ill.Admin.Code Part 690.

CROSS REF.: 2:150 (Committees), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

ADOPTED: April 5, 2011, July 14, 2015, July 16, 2019