

The district recognizes that some employees with a communicable disease, as defined by law, may be able to attend to their customary employment duties without creating a risk of transmission of the illness to students or other employees. The district also recognizes that there may be a greater risk of transmission of some communicable diseases for some employees with certain conditions than for other employees infected with the same disease.

An employee of the district with a communicable disease shall be allowed to attend to regularly assigned duties as long as the employee is physically able to perform the essential functions of the assignment and as long as the employee's presence does not pose a direct threat. A direct threat occurs when an individual poses a significant risk of substantial harm to him/herself or others and the risk cannot be reduced below the direct threat level through reasonable accommodations.

An employee who is at work and who has a communicable disease that poses a direct threat, as defined above, shall report the condition to the superintendent at the point the employee becomes aware that the employee's condition poses a direct threat. An individual who has information that a district employee may have a communicable disease is encouraged to report the information to the superintendent.

The superintendent shall determine on a case-by-case basis whether the presence of an employee with a communicable disease constitutes a direct threat. In making this determination, the superintendent shall consider credible, objective evidence. The superintendent may consult with the employee's personal physician (with the employee's written consent), with the Iowa State Department of Health, with personnel from the United States Public Health Center for Disease Control, and with other appropriate agencies and persons in making decisions regarding an employee's placement. Employees with communicable diseases may be excluded from school and/or school assignments for the period of time that their conditions poses a direct threat or during such period as they are physically unable to perform assigned tasks. The superintendent may require an employee to provide medical evidence of fitness to perform the tasks assigned.

Records regarding communicable diseases shall be maintained separately from general personnel files at the central administration office and shall be treated as confidential medical records in accordance with state and federal law. This shall not be construed to prevent appropriate administrative and nursing staff from being informed of which employee has a communicable disease.

**Comment [JH1]:** We do not keep separate medical records...

No person shall be asked or required as a condition of employment to take a test for the presence of the antibody to the human immunodeficiency virus, and no person shall have his/her terms, conditions, or privileges of employment affected solely because the employee had such a test.

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