

Communicable and Infectious Diseases

The Board of Education recognizes that all children in Connecticut have a constitutional right to a free, suitable program of educational experiences. The Board of Education shall establish by regulation reasonable health requirements as prerequisites to admission or attendance.

Where it can be medically established that a student suffers from a serious infectious disease and there is a significant risk of transmission of the disease to others due to the nature of the disease or personal characteristics of the student carrier, it may be appropriate to exclude the student from the regular classroom. The determination of exclusion of any student will be made on a case by case basis with the appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be implemented to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered handicapped; if the condition presents such physical impairment that limits one or more major life activities. Therefore, Section 504 of the Rehabilitation Act, the "Education of all Handicapped Children Act," may apply. The parent or guardian, or the school administration may make a referral for determination whether the student is handicapped and entitled to protection under Section 504. The Planning and Placement Team will determine whether the student is handicapped or is "otherwise qualified" within the meaning of Section 504. The student will be educated in the least restrictive environment.

Legal References: Connecticut General Statutes:

- 10-154a. Professional communications between teacher or nurse and student
- 10-207. Duties of medical advisors
- 10-209. Records not to be made public
- 10-210. Notice of disease to be given to parent or guardian
- 19a-221. Quarantine of certain persons
- 19a-581-585. AIDS testing and medical information

"Education for Children with Disabilities," 20, U.S.C. 1400, et seq.
Section 504 of the Rehabilitation Act of 1973, 29, U.S.C. 706(7)(b)
"Americans with Disabilities Act"

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