

Students

Students with Chronic Infectious Diseases

The Board of Education recognizes that all children have a right to a free, suitable program of educational experiences. The Board of Education has established reasonable health requirements as prerequisites to admission or attendance, including the requirement that students undergo physical examination prior to admission.

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 because of the nature of the disease or the 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 appropriate procedural due process safeguards. However, where the risk of transmission is relatively low or appropriate procedures can be adopted to reduce the risk of transmission, exclusion is not warranted.

A child with an infectious disease may be considered disabled, if the condition presents such physical impairment that substantially limits one or more major life activities. In such circumstances, Section 504 of the Rehabilitation Act or the Individuals With Disabilities Education Act may apply. The parent, guardian or the school administration may make a referral to the individual school's Section 504 Team for determination whether the student is handicapped and entitled to protection under Section 504. In appropriate cases, a referral may be made to a Planning and Placement Team to determine whether the student is qualified to receive special education and related services under the Individuals with Disabilities Education Act. All students should be educated in the least restrictive environment in which they can receive an appropriate public education.

(cf.. 5141 Student Health Services)

(cf. 6159 Individualized Education Program/Special Education Program)

(cf. 5141.25 Students with Special Care Needs)

(cf. 5141.3 Immunizations)

Legal Reference: Connecticut General Statutes

§ 10-76(d)(15) Duties and powers of Boards of education to provide special education programs and services.

§ 10-154a Professional communications between teacher or nurse and student

§ 10-207 Duties of medical advisors

§ 10-210 Notice of disease to be given to parent or guardian

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Legal References cont'd.

§ 19a – 581-585 AIDS testing and medical information
“Individuals with Disabilities Education Act”, 20 U.S.C. 1400, et seq.

Section 505 of the Rehabilitation Act of 1973, 29 U.S.C. 706(7)(b)

“Americans with Disabilities Act”

The Family Educational Rights and Privacy Act of 1974, 9FERPA), 20
U.S.C. 1232g, 45 C.F.R. 99

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NEW MILFORD PUBLIC SCHOOLS
New Milford, Connecticut