



4510.07: PERPETUALLY INFECTIOUS DISEASES

I. Is the policy of the District that there shall be no discrimination against an employee because of disability. This policy shall apply to a disability which may arise from a perpetually infectious disease; provided, however, that due consideration must be given to the specific facts of each case and the possibility of harm to others.

II. In all instances where an employee has a perpetually infectious disease, the employee's condition and identity will remain confidential unless the employee has consented to the release of such information.

III. The provisions of Rule 4510.1 shall apply to eligible employees, as defined therein, with a perpetually infectious disease. In addition to the conditions set forth therein for use of sick leave days, such may also be used by persons with a perpetually infectious disease, if warranted to avoid opportunistic infections.

IV. "Perpetually infectious diseases" are those diseases which are carried throughout life by the infected person and have the potential to be transmitted to other individuals and include but are not limited to: AIDS, ARC, CMV (as defined below), Tuberculosis, Hepatitis, and Herpes.

A. Acquired Immune Deficiency Syndrome (AIDS) infected with human T lymphotropic virus type III/lymphadenopathy associated virus (HTLV III/LAV). Persons infected with this virus are unable to fight off a variety of infections and rare illnesses. Symptoms include repeated infections that result in persistent diarrhea, swollen glands, fatigue, fevers or persistent cough which the body is unable to fight off, eventually resulting in a life threatening illness such as pneumonia or uncommon skin cancer. The disease is transmitted through blood to blood contact or intimate sexual contact.

B. AIDS Related Complex (ARC) a medical condition in which the body has repeated infections and is unable to protect itself from certain tumors and/or infections. Symptoms similar to AIDS are present but there has been no life threatening illness. This condition may progress to AIDS although the symptoms may be the result of other diseases. The disease is transmitted through blood to blood contact or intimate sexual contact.

C. Cytomegalovirus (CMV) common virus which is harmless to most persons. At greatest risk are fetuses and persons receiving medications which suppress their natural immunity to infections. It is transmitted by close person to person contact, body secretions and blood.

V. The following procedures shall be followed with respect to an employee who is suspected of having or has a perpetually infectious disease.

A. Any employee who has or suspects that he/she has a perpetually infectious disease shall advise the Superintendent or Superintendent's designee. Such information shall be treated as confidential and will not be divulged to other persons or sources except to the extent necessary to take precautions to protect others from the disease.

Date of Adoption

September 6, 1988

Date of Revision

September 7, 1993

March 17, 2003

February 21, 2011

Reaffirmed

November 6, 2017

Related Policies and Rules

[4510: Leaves of Absence](#)

[4510.01: Illness, Injury, Disability](#)

[4510.03: Business and Emergency Leave](#)

[4510.05: Extended Leave Without Pay](#)

Legal Reference

29 U.S.C. 794, Neb. Rev. Stat. 481101