



4510.07: PERPETUALLY INFECTIOUS DISEASES

I. It 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. Examples include, but are not limited to those identified in Neb. Rev. Stat. §71-507.

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.

B. The Superintendent or Superintendent's designee may require an employee to provide current medical information or to submit to a medical evaluation if he has a reasonable suspicion that an employee has a perpetually infectious disease.

C. If an employee has been diagnosed with a perpetually infectious disease, determination of whether the employee should be permitted to continue to be employed in his/her capacity will be made by a review of each individual case by a team (hereinafter "Team") established by the Superintendent or Superintendent's designee. The Team shall meet within seven (7) working days of the diagnosis and make a determination within ten (10) working days of the Team meeting.

D. The Team will consider the following factors in arriving at its recommendation as to the propriety of the employee's continued employment in his/her current capacity:

1. The employee's work place and interaction with other persons;

2. The physical condition of the employee;

3. Whether the employee's condition substantially interferes with his/her ability to perform essential job functions with reasonable accommodation; and

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September 7, 1993

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Reaffirmed

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Related Policies and Rules

[4510: Leaves of Absence](#)

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

[4510.03: Business and Emergency Leave](#)

[4510.05: Leave of Absence Without Pay](#)

Legal Reference

29 U.S.C. 794, Neb. Rev. Stat. §48-1101, §71-507