

- Procedure Number: 555
 - Procedure Name: Students and Employees with Communicable Diseases (revision #1)
 - Date of Original: 1990 06 13
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Students and Employees with Communicable Diseases**Procedure According to the School Act Sections 90, 91, and 92****Inspection and Closure of School****Section 90:**

- (1) A school medical officer must, as required by the Minister of Health, cause an inspection to be made of school buildings and school surroundings and must report to the Board and the Minister of Health fully and in detail the result of all examinations and set out any recommendations in the report.
- (2) A school medical officer may require a Board to close a school when the school medical officer considers that the health or safety of students is at risk.

Examinations and Reports by School Medical Officer**Section 91:**

- (1) A school medical officer may and when required by the Minister of Health must examine or cause examinations to be made as to the general health of students of the schools in the school district.
 - (2) If the school medical officer considers that the health condition of any student is such as to endanger the health or welfare of the students of a school or the employees of the Board, the school medical officer must so report to the Board, giving the name of the student concerned.
 - (3) The Board must promptly act on a report under subsection (2) and must remove from a school a student whose health condition is reported by the school medical officer as being dangerous.
 - (4) A student who is removed from a school under subsection (3) must not be permitted to return to the school until he or she delivers to the Board a certificate signed by the school medical officer permitting the student to return to the school.
 - (5) If a teacher, Principal, Vice Principal or Director of Instruction suspects a student is suffering from a communicable disease or other physical, mental or emotional condition that would endanger the health or welfare of the other students, the teacher, the Principal, Vice Principal or the Director of Instruction
 - (a) must report the matter to the school medical officer, to the school Principal and to the Superintendent of Schools for the district, and
 - (b) may exclude the student from school until a certificate is obtained for the student from the school medical officer or a private medical practitioner permitting the student to return to the school.
 - (6) If a student is removed or excluded from school under subsection (3) or (5), the Board must continue to make available an educational program for that student.
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Board may Require Employee to Undergo Examination

Section 92:

- (1) In this section, "contractor" means a person who is not an employee of a Board and
 - (a) is present at a school, or
 - (b) has contact with one or more students, because of a contract with a Board.
- (2) On the advice of the school medical officer, a Board may, by notice to an employee of the Board or to a contractor, require the employee or the contractor to undergo an examination
 - (a) by a medical practitioner, and to submit to the school medical officer a certificate signed by the medical practitioner setting out the medical practitioner's conclusions regarding the physical, mental and emotional health of the employee or contractor, or
 - (b) by a qualified person designated by the Minister of Health, and to submit to the school medical officer a certificate signed by the person conducting the examination setting out the person's conclusions regarding the physical, mental and emotional health of the employee or contractor.
- (3) If an employee fails without reasonable excuse to take the examination required under subsection (2) within 14 days from the date of receiving notice from the Board under that subsection, the Board may summarily dismiss the employee.
- (4) If a certificate submitted to the school medical officer under subsection (2) shows that the physical, mental or emotional health of the employee examined is such as to endanger the health or welfare of the students of the school, the Board must
 - (a) suspend the employee and not permit the employee to return to his or her duties until the Board receives from the employee a certificate signed by the school medical officer permitting the employee to return to his or her duties, and
 - (b) if the employee is a member of the college, report the circumstances to the college.
- (5) An employee who fails to take an examination required under subsection (2) or who is suspended under subsection (4) must not be offered or accept a position with a Board or a francophone education authority until the employee submits to the Board or francophone education authority a medical certificate satisfactory to the Board or francophone education authority or, if the employee is a member of the college, satisfactory to the college.
- (6) An employee who is granted a superannuation allowance on medical evidence of total and permanent disability must not be offered or accept a position with a Board or a francophone education authority until he or she submits
 - (a) to the minister, and
 - (b) if the employee is a member of the college, to the college, a medical certificate, satisfactory to the minister that the disability no longer exists.
- (7) If a contractor fails to take the examination required under subsection (2) within 14 days from the date of receiving notice from the Board under that subsection, the Board may require the person who entered into the contract with the Board to provide a replacement contractor.
- (8) Expenses necessarily incurred by a Board under this section must be included in the operating expenses of the Board.