

Policy 340 –Safety

Revised policy effective July 1, 2021.

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<i>2nd reading</i>	<i>June 10, 2021 (tentative)</i>
<i>3rd reading and Adoption</i>	<i>June 21, 2021 (tentative)</i>

Statutory authority (none)

Administrative Guidelines
(none)

The Board of Education is committed to maintaining a safe environment in all of the County's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of school district personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s), and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence. To that end, the Superintendent shall develop a School Safety Plan with input from the County Council on Productive and Safe Schools. The Council shall be comprised of the following members:

- A. the county superintendent, who shall serve as the Chair of the County-wide Council on Productive and Safe Schools;
- B. one representative from each local school improvement council, to be elected by a majority vote of each local school improvement council;
- C. the prosecuting attorney or his/her designee;
- D. a representative of the Department of Health and Human Resources;
- E. a representative of the law-enforcement agencies situated in the county in which the school is situated to be recommended by the county sheriff;
- F. a representative of the Board to be appointed by the President of the Board;
- G. the supervisor of transportation;
- H. a representative of the Regional Comprehensive Behavioral Health Center as designated by the Office of Behavioral Health Services in which the school system is situated, to be appointed by the Executive Director of the Center;
- I. when the members listed in A through H do not include at least two classroom teachers, then the Superintendent shall appoint additional members so that at least two classroom teachers are members of the County-wide Council;
- J. when the members listed in A through H do not include at least two school principals, then the county superintendent shall appoint additional members so that at least two school principals are members of the County-wide Council.

~~The County Council shall compile the local school improvement councils guidelines developed pursuant to WV Code 18-5A-2 (1) and shall report and deliver such guidelines to the Board, along with the Councils' assessment and recommendations regarding the guidelines. The Council also shall provide a report of the estimated cost for any proposed alternative settings or programs.~~

No meetings of the County-wide Council shall be held during instructional time.

Thereafter, the Superintendent shall convene a meeting of the County Council on Productive and Safe Schools annually for the purpose of reviewing the School Safety Plan, and making modifications as deemed necessary and proper; identifying additional training that might be needed; and discussing any other such related matters as may be deemed to be necessary by the participants.

The Superintendent shall make a report to the Board about this review and recommend the approval and adoption of any proposed revisions or additions to the School Safety Plan.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the County report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered "persistently dangerous" as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy ~~5113.02~~ and AG ~~5113.02~~ 440.

In addition, the Superintendent shall discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the School Safety Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law the parents of the eligible student shall have the choice options provided by Policy ~~5113.02~~ and AG ~~5113.02~~ 440.

School Safety and Crisis Intervention

The Board of Education is committed to maintaining a safe school environment. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes the best resources and coordinated efforts of County personnel, law enforcement agencies, and families. The Board further believes that administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-sponsored activity or while enroute to or from school, or a school-sponsored activity. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

The Superintendent shall promulgate administrative guidelines for responding to a crisis situation, developing a prevention plan, and providing effective intervention for students who may show warning signs that relate to violence or other troubling behaviors.

Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. This policy is designed to be consistent with the process for identifying, assessing, and managing students who may pose a threat, as set forth in the joint U.S. Secret Service and U.S. Department of Education publication, *Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates*. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board of Education authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and include a school counselor, school psychologist, instructional personnel, and, where appropriate, the School Resource Officer. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining the types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved, subject to West Virginia Board of Education policy 4373 regarding notification of parents/guardians;
- F. designating the individuals (by position) who would be responsible for gathering and investigating information; and
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by ~~Board Policy 8330—Student Records~~ 330, and State and Federal law.

Mandatory Reporting of Sexual Offenses on School Premises Involving Students

Any school teacher or other school personnel who receives a disclosure from a student, credible witness or personally observes any sexual contact, sexual intercourse or sexual intrusion of a child on school premises, as those terms are defined in West Virginia Code 61-8b-1, et seq., shall immediately report the circumstances or cause a report to be made to the State Police or other law-enforcement agency having jurisdiction to investigate the report. In the event that the individual receiving the disclosure or observing the sexual contact, intercourse, or intrusion has a good faith belief that the reporting of the event to the police would expose either the reporter, the subject child, the reporter's children or other children in the subject child's household to an increased threat of serious bodily injury, the individual may delay making the report while he or she undertakes measures to remove themselves or the affected children from the perceived threat of additional harm. However, the individual must make the report as soon as practicable after the threat of harm has been reduced.

The reporting requirements include reported, disclosed, or observed conduct involving students enrolled in a public or private institution of education or involving a student and school teacher or personnel. When the alleged conduct is between two students or between a student and school teacher or personnel, the parents of the involved students shall also be immediately notified of the allegations.

Emergency Evacuation of Schools

The Board of Education recognizes that its responsibility for the safety of students extends to possible natural and man-made disasters and that such emergencies are best met by preparedness and planning.

The Board authorizes a system of emergency preparedness which shall ensure that:

- A. the health and safety of students and staff are safeguarded;
- B. the time necessary for instructional purposes is not unduly diverted;
- C. minimum disruption to the educational program occurs;
- D. students are helped to learn self-reliance and trained to respond sensibly to emergency situations.

All threats to the safety of County facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

The Superintendent shall develop administrative guidelines for the handling of all emergency evacuations.

Environmental Health and Safety Issues

The Board of Education recognizes its responsibility relative to student, employee, and visitor health and safety, and the need for development of a comprehensive program designed to provide a healthy, safe, and secure environment on County property and at County-sponsored activities. To achieve this, it is the intent of the Board that the County will avail itself of the most current, proven technologies in the fields of health, safety, and environmental sciences.

Student, Employee, and Visitor Health and Safety

The County shall develop and implement an environmental health and safety program that is positive, proactive, integrates responsibilities within the County, and promotes and incorporates the following:

- A. Procedures describing a hazard identification and abatement program that requires the periodic inspection of County facilities, the implementation of immediate and programmed corrective actions when deemed necessary by such inspections, and the development of a County-wide hazard reporting procedure that enables employee/stakeholder participation. This program should also provide procedures for identifying and responding to hazards that are created by outside entities, inspecting activities of contractors, and inspecting new facilities to determine whether or not appropriate requirements for environmental health and safety have been met.

- B. Procedures that promote environmental health and safety awareness among employees, students, and stakeholders. These procedures shall include, but not be limited to, the establishment of school and County safety committees, and the establishment of a program of regular communication with students, employees, and stakeholders about pertinent safety and health issues through available mediums in the ~~School System~~ County.
- C. Procedures directed toward the safety and health of students during transportation to and from school, at school, and during participation in school-related activities. These procedures shall include, but not be limited to, promoting bus safety for students, assessing the safety of school traffic patterns, operating school clinics, administering medication and medical treatment, promoting laboratory and shop safety, promoting safety in sports and other outdoor activities, inspecting playground equipment and promoting safety on playgrounds, and assessing environmental exposure.
- D. Procedures related to ~~School System~~ employee health and safety issues that include, but are not limited to, provision of work areas free from recognized hazards and OSHA-related programs that are required by Federal and State law, such as, employee safety and health training and training in hazard recognition, and defining employer and employee responsibilities and expectations related to health and safety.
- E. Procedures describing an accident reporting and investigation system that provides for identification of root causes, determination of remedial and programmed corrective actions, and provides communication about accidents to employees and stakeholders.
- F. Procedures that detail plans for foreseeable emergencies and fire prevention.

Phase-out / Banned Products

The Superintendent shall require that any chemicals, insecticides, or other materials that the Federal government is phasing out and/or banning by a certain date be immediately banned from use on Board property.

Animals in Classrooms

Use of animals in classrooms shall be limited to that necessary to support the educational mission, taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement. Animals in classrooms shall be kept in a healthy condition in appropriate cages or tanks, which are kept clean.

Indoor Environmental Quality (IEQ)

The Board recognizes that excessive moisture levels within the schools can lead to conditions that are optimum for the development of biological contaminants, such as mold and fungi on building surfaces. The Board further recognizes that the presence of these contaminants may be harmful on contact with respiratory tissue.

Contributing factors to excessive moisture levels include the following:

- A. roof leaks
- B. structural defects in the building
- C. improperly controlled humidity levels
- D. faulty HVAC systems

As preventative measures, the County shall do the following:

- A. address prevention of water intrusion as a priority indoor air quality (IAQ) issue and implement strategies toward its elimination
- B. maintain environmental conditions in occupied areas that are in compliance with applicable regulations and strive to conform to consensus industry standards
- C. implement a preventative maintenance program for HVAC systems which shall include, but not be limited to, periodic filter replacement, inspection, cleaning and disinfecting processes, and procedures to eliminate the contribution to indoor air quality problems caused by this equipment

- D. implement a system for insuring materials used and purchased for use in the construction, furnishing and maintenance, including cleaning of facilities, do not contribute to the health hazards to employees and students by degrading the quality of indoor air. In addition, activities that create indoor air quality health hazards shall not be permitted

In addition, the Superintendent shall develop administrative guidelines for the proper monitoring of the factors that contribute to excessive moisture and for the development of mitigation plans when, and if, problems with IAQ are identified.

Fuel Exhaust and School Bus Idling

In accordance with the Environmental Protection Agency's initiative to reduce pollution that is caused by school buses on school property, the Board will take the recommended steps to reduce the negative effect of fuel exhaust on indoor and outdoor air quality on school campuses. This effort shall include, but not be limited to, reducing bus idling time and reinforcing smart driving practices.

The Superintendent shall develop the administrative guidelines necessary to establish these practices in the County.

Pollution Control and Prevention

In an effort to comply with environmental policy and applicable regulations, the County shall develop and implement procedures designed to prevent air and water pollution, minimize or eliminate waste streams where possible, and identify possible sources of air and water pollution.

Indoor Air Quality

The Board of Education believes that the employees and students of this County, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the Board shall investigate all indoor air quality complaints.

The Director of Maintenance and Facilities shall be the designated official who will be responsible for addressing any indoor air quality complaint.

Each school principal or chief administrator shall form a seven (7) member Indoor Air Quality Investigation Advisory Committee. The Committee shall consist of the following:

- A. principal or vice principal
- B. Superintendent or his/her designee
- C. facilities/maintenance director (which should also be the county's designated official)
- D. the complainant
- E. a faculty senate member
- F. a school custodian
- G. a local school improvement council member

When an indoor air quality complaint is filed by any party it will be necessary to complete and file with the principal of the specific school where there is a concern an Indoor Air Quality Complaint Investigation Form (WVDE IAQ 1 7/77). A copy of the form shall be immediately sent to the county designated official by the principal.

A county board that addresses an indoor air quality complaint is encouraged to seek any available assistance from local, State and Federal agencies in both investigating the complaint and in forming the plan of correction.

The principal of the facility may:

- A. investigate the complaint and respond to the complainant within ten (10) working days of the initial filing; or
- B. convene the school's Indoor Air Quality Investigation Advisory Committee.

The complainant may check on the status of the complaint any time during this process.

If not satisfied with the principal's response and the Indoor Air Quality Investigation Advisory Committee has not addressed this specific complaint the complainant may, within five (5) working days, ask the principal for the complaint to be reviewed by the Indoor Air Quality Investigation Advisory Committee.

The Indoor Air Quality Investigation Advisory Committee then has ten (10) working days to review and respond via the principal as to the status and plan of correction on the Indoor Air Quality Investigation Form to the complainant. The complainant may check on the status of the complaint at any time during this process. This review will finalize the complainant's school system appeal procedure.

The Board will:

- A. assign a log number for each complaint filed with the principal;
- B. provide a plan of correction and estimated cost for each valid complaint;
- C. consider any documented plans of closure of a school building when forming any plan of correction;
- D. annually, before the thirty-first (31st) day of July, send to the West Virginia Department of Education, Office of School Transportation and Facilities a report on the number of IAQ complaints and the total estimated cost of correction for all IAQ complaints registered during the previous fiscal year;
- E. each plan of correction that meets the required criteria shall be added to the county board's ten (10) year county-wide major improvement plan.

Preparedness for Toxic Hazard and Asbestos Hazard

The Board of Education is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Superintendent shall appoint the facilities supervisor to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer is responsible for:

- A. identifying potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with Material Safety Data Sheets (MSDS's);
- B. verifying that all incoming materials, including portable containers, are properly labeled with the identity of the chemical, the hazard warning, and the name and address of the manufacturer or responsible party;
- C. maintaining a current file of MSDSs for every hazardous material present on County property;
- D. designing and implementing a written communication program which:
 - 1. lists hazardous materials present on County property,
 - 2. details the methods used to inform staff and students of the hazards, and
 - 3. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;
- E. conducting a training program for all County employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the County's plan for communication, labeling, etc.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

In accordance with Federal law, the County will designate a Chemical Hygiene Officer (CHO) to maintain safety standards regarding chemical usage within classrooms and other instructional areas. The CHO, who is qualified by training or experience, will provide technical guidance in the development and implementation of the Chemical Hygiene Plan.

The Chemical Hygiene Plan is a written program developed and implemented by the Board which sets forth procedures, equipment, personal protective equipment, and work practices that (i) are capable of protecting employees from the health hazards presented by hazardous chemicals used in that particular workplace and (ii) meets the requirements of a chemical hygiene plan under Federal law.

Application of Pesticides

It is the policy of this Board to implement integrated pest management procedures to control structural and landscape pests and minimize exposure of children and school personnel to pesticides, in accordance with West Virginia Code of State Rules 61-12J-1 et seq.

The Board or its contracted pest control operators shall maintain an Integrated Pest Management file in the main office in each school facility.

Any staff member or contractor who applies pesticides on County property shall meet the requirements established by the West Virginia Department of Agriculture and State law.

At the beginning of each school year or at the time a student is enrolled into the school, school administrators shall notify the parents or legal guardians of the right to be informed of the application of Level 3 or 4 pesticides.

The notification to the parents or legal guardians shall contain a registration form, whereby the parent or legal guardian can request to be notified by the school administrator of the application of Level 3 or 4 pesticides.

The administrator of the school shall provide notification to the parent or legal guardian requesting notification at least twenty-four (24) hours in advance of the application of Level 3 or 4 pesticides, including applications made after school hours, over a weekend, or during a holiday break.

If a licensed pesticide application business is contracted to make a Level 3 or Level 4 pesticide application, the licensee shall provide notification to the school administrator forty-eight (48) hours in advance of the application.

All schools shall notify their employees through routine announcement at least twenty-four (24) hours in advance of the application of pesticides in Levels 3 and 4 (See AG 8431C for explanation of Levels), including applications made after school hours, over a weekend, or during a holiday break.

If the Board contracts with a pesticide application business for any pesticide applications or monitoring, that business shall then assume responsibility for the documents required to be in the Integrated Pest Management file.

Upon request, the Board or the contracted pesticide application businesses covered by this policy shall provide copies of pesticide labels and material safety data sheets to employees of the Board or to parents or legal guardians of students enrolled with the Board.

Areas of school buildings, including but not limited to greenhouses, nursery plots, or agricultural field plantings, used for vocational agricultural plots or research are exempt from the requirements of this policy.

Asbestos

In accordance with law, the Board shall inspect their schools/facilities for asbestos-containing building material and prepare management plans that make recommendations for the reduction of asbestos hazards.

The Superintendent shall designate the facilities supervisor as the person responsible for assuring the Board is in compliance with the Asbestos School Hazard Abatement Program.

The Board shall:

- A. perform an original inspection and re-inspection every three (3) years of asbestos-containing material in its facilities;
- B. develop, maintain, and update an asbestos management plan and keep a copy at the school/facility;
- C. provide yearly notification to parent, teacher, and employee organizations regarding the availability of the school's asbestos management plan and any asbestos abatement actions taken or planned in the school;
- D. designate a contact person to ensure the responsibilities of the Board are properly implemented;
- E. perform periodic surveillance, at least once every six (6) months, of known or suspected asbestos containing building material;
- F. ensure that properly-accredited professionals perform inspections and response actions and prepare management plans;
- G. provide custodial staff and maintenance personnel with asbestos-awareness training.

Reporting Accidents

The Board of Education directs that all reasonable efforts be made to insure a safe learning and working environment for the students and employees of this County.

To that end, and so that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the schools must be reported promptly and in writing to the Board office. Injured persons shall be referred immediately to the school nurse or the appropriate personnel or agency for such medical attention as may be appropriate.

The injured employee, visitor, or the staff member responsible for an injured student shall complete a form that includes the date, time, and place of the incident; the names of persons involved; the nature of the injury to the extent that it is known; and a description of all relevant circumstances.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the principal or job supervisor, as appropriate, as soon as possible following the occurrence of the injury, but no later than twenty-four (24) hours. The failure of an employee to comply with this mandate may result in disciplinary action.

In addition to the injury report, all injured employees shall complete, if applicable, applications for benefits for compensation from the workers' compensation fund and election of Option Forms which may be obtained from the office of the Board.

Control of Casual-Contact Communicable Diseases

The Board of Education recognizes that control of the spread of communicable disease spread through casual contact is essential to the well-being of the school community and to the efficient County operation. In developing this policy, the Board has sought the assistance of school nurses, school personnel, parents and guardians, public health and medical personnel and community leaders.

Good hand hygiene is the single-most effective procedure to prevent the spread of communicable diseases in the school setting. An allowance of time for hand washing should be incorporated into the daily routine of all students in the County schools, especially before eating, after blowing the nose, coughing, or sneezing, after going to the bathroom and as deemed necessary by the school.

It is best practice to wash the hands with soap and clean running water for twenty (20) seconds. However, if soap and clean water are not available, use of an alcohol-based product may be used to clean the hands. Alcohol-based hand rubs significantly reduce the number of germs on skin and are fast acting.

For purposes of this policy, "casual-contact communicable disease" shall include diphtheria, scarlet fever and other strep infections, whooping cough, mumps, measles, rubella, influenza, and/or others designated by the West Virginia Department of Public Health.

In order to protect the health and safety of the students, County personnel, and the community at large, the Board shall follow all State statutes and Health Department regulations which pertain to immunization and other means for controlling communicable disease spread through normal interaction in the school setting.

Additionally, the teacher may remove from the classroom and the principal or school nurse shall exclude from the school any student or students known to have or suspected of having any infectious diseases known to be spread by casual contact and is considered to be a health threat to the school population. The Superintendent has the authority to exclude a staff member from school when reliable evidence or information from a qualified source confirms him/her of having a potential communicable disease that is known to be spread by any form of casual contact and is considered a health threat to the school population. Such a student or staff member shall be excluded in accordance with guidelines of American Academy of Pediatrics and West Virginia Department of Health and Human Resources unless his/her physician approved school attendance and the condition is no longer considered contagious.

All reportable communicable diseases will be referred to the County Health Department, without disclosure of personally identifiable information, as set forth in West Virginia Bureau for Public Health Legislative Rule 64CSR7, Reportable Diseases, Events and Conditions.

Nothing in this policy should be construed to deprive students of the constitution right to a public education nor impair the employment rights of staff members.

The Superintendent shall develop administrative guidelines for the control of communicable disease which shall include:

- A. instruction of teaching staff members in the detection of these common diseases and measures for their prevention and control;
- B. removal of students from County property to the care of a responsible adult;
- C. preparation of standards for the readmission of students who have recovered from casual-contact communicable diseases;
- D. filing of reports as required by statute and the State Department of Health.

Control of Noncasual-Contact Communicable Disease

The Board of Education seeks to provide a safe educational environment for BOTH students and staff. This can best be accomplished by assuring that all persons with the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease. In developing this policy, the Board has sought the assistance of school nurses, school personnel, parents and guardians, public health and medical personnel and community leaders.

For purposes of this policy, "noncasual-contact communicable disease" shall include:

- A. AIDS – Acquired Immune Deficiency Syndrome;
- B. ARC – AIDS Related Complex;
- C. persons infected with HIV (human immunodeficiency);
- D. HAV, HBV, HCV (Hepatitis A,B,C);
- E. other like diseases that may be specified by the State Department of Health.

The Board recognizes the fact that individuals who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

With this in mind, the principle modes by which communicable diseases, including, but not limited to, human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) are prevented, spread and transmitted shall be taught to students as outlined in West Virginia Board of Education Policy 2520.5, Health Content Standards and

Objectives. An opportunity shall be afforded to the parent or guardian of a child subject to instruction in the prevention, transmission and spread of HIV/AIDS and other sexually transmitted diseases to examine the course curriculum requirements and materials to be used in such instruction. The parent or guardian may exempt such child from participation in such instruction by giving notice to that effect in writing to the school principal as set forth in W. Va. Code 18-2-9.

An educational inservice on the prevention, transmission and treatment of current communicable diseases shall include, but not limited to, human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), shall be provided to all school personnel every two (2) years by the Board, as specified in W. Va. Code 18-2-9 and 18-5-15d.

Each reported case of disease known not to be spread by casual will be validated by the school nurse or his/her designee. (W. Va. 18A-5-1 and W. Va. 18-5-22).

All reportable communicable diseases will be referred to the County Health Department, without disclosure of personally identifiable information, as set forth in West Virginia Bureau for Public Health Legislative Rule 64CSR7, Reportable Diseases, Events and Conditions. Reportable communicable disease guidance may be obtained from the County Health Department or through the following internet site:
<http://www.wvdhhr.org/idep/#Disease%20%20Reporting>.

Mandatory screening for communicable diseases that are known not to be spread by casual contact is not warranted as a condition for school entry or for employment or continued employment, nor is it legal based on W. Va. Code 16-3C-1. All screenings performed in the public school setting should be age appropriate deemed effective and necessary through evidence-based and scientific researched-based practice utilizing standard procedures and with the Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. 1232h. W. Va. Code 18-5-22 allows the Board to provide proper medical and dental inspections for all students attending school and gives authority to take any other necessary actions to protect students from infectious diseases.

Irrespective of the disease presence, standard/universal precautions shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting or school buses. Blood and body fluids from any person in the school setting shall be treated with standard/universal precautions; no exception shall be made when handling blood and body fluids. School personnel will be trained in standard/universal precautions as set forth by the Occupational

Safety and Health Administration recommendations and guidelines at <http://www.osha.gov/>.

All persons privileged with any medical information that pertains to students or staff members shall be required to treat all proceedings, discussions and documents as confidential information. Before any medical information is shared with anyone in the school setting a "legitimate educational reason" or "health or safety emergency situation" must exist. All other releases of confidential medical and health information shall be released only with the consent of the parent/guardian, student if over eighteen (18) years of age, employee or their representative as outlined in West Virginia Board of Education Policy 4350, ~~Procedures for the Collection, Maintenance and Disclosure of Student Data~~ Board Policy 2416 330, ~~Policy 8330~~, and ~~Policy 8350~~, Family Educational Rights and Privacy Act of 1988 and Family Educational Rights and Privacy: Final Regulations. Part II, 34 C.F.R. Part 99.

Information from health records is part of the educational record and should be shared with the child's parents/guardians and pass freely among the school and medical home/health care provider to enhance student health and prevent duplication of services, only after permission is obtained from the student's parent/guardian, or student if over eighteen (18) years of age.

Nothing in this policy should be construed to deprive students of the constitutional right to a public education nor impair the employment rights of staff members.

Control of Blood-Borne Pathogens

The Board of Education seeks to protect those staff members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties.

Irrespective of the disease presence, standard/universal precautions shall be used and adequate sanitation facilities will be available for handling blood or body fluids within the school setting or school buses. Blood and body fluids from any person in the school setting shall be treated with standard/universal precautions; no exception shall be made when handling blood and body fluids. School personnel will be trained in standard/universal precautions as set forth by the Occupational

Safety and Health Administration recommendations and guidelines at <http://www.osha.gov/>.

The Superintendent shall implement administrative guidelines which will:

- A. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
- B. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
- C. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
- D. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
- E. provide for record-keeping of all of the above which complies with both Federal and State laws;
- F. develop an exposure control plan.

The Superintendent and the Board shall ensure that said guidelines comply in all respects to those set out in West Virginia Board of Education Policy 2423, Communicable Disease Control.

Automated External Defibrillators (AED)

The Board of Education has determined that it may enhance school safety to have an automated external defibrillator (AED) placed in building(s) within the County.

An AED is a medical device heart monitor and defibrillator that:

- A. has undergone the premarket approval process pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C. 360, as amended;
- B. is capable of recognizing the presence or absence of ventricular fibrillation;
- C. is capable of determining, without intervention by the operation, whether defibrillation should be performed; and
- D. upon determining that defibrillation should be performed, automatically charges and requests deliver of an electrical impulse to an individual's heart.

The Superintendent is authorized to develop an "early defibrillation program" as that term is defined in Chapter 16, article 4D, section 3 of the West Virginia Code. In the event the Superintendent does not elect to develop an "early defibrillation program," as that term is defined in Chapter 16, article 4D, section 3 of the West Virginia Code, the Superintendent may still develop guidelines that govern AEDs, including the use of the AED, placement of the AED, and training in the use of the AED in consultation with a healthcare professional.