

INDEPENDENT SCHOOL LAW

A SHIPMAN & GOODWIN® ALERT

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Ebola Guidance for Schools: Focusing on the Basics

In light of Ebola's potential impact on educational facilities and their students and staff, as well as the large volume of information and misinformation that has been disseminated about this virus, educators should focus on a select group of resources to stay on top of the latest information and guidance with respect to Ebola-related issues. Schools must also take care to avoid stereotypical and/or discriminatory acts when addressing Ebola concerns.

Resources

First, educators should review the Ebola-related materials, information and guidance that are posted on the Centers for Disease Control and Prevention's ("CDC"), the Connecticut Department of Public Health's ("DPH") and the Connecticut State Department of Education's ("SDE") respective websites. The links to these resources are set forth below for your reference and convenience. Next, educators should meet with and seek to obtain any and all available guidance from their medical advisors and local health districts and, if needed, DPH.

Basic Facts

Listed below are some basic facts from the CDC regarding Ebola:

- 1. The Ebola virus is not spread through: (a) casual contact; (b) air; (c) water; or (d) food grown or legally purchased in the U.S.
- Ebola is spread through direct contact with: (a) body fluids of a person who is sick with or has died from Ebola (e.g. blood, vomit, urine, feces, sweat, semen, saliva, breast milk);
 (b) objects contaminated with the virus (needles, medical equipment); or (c) infected animals (by contact with blood or fluids or infected meat).
- Ebola can only be spread to others after symptoms begin. Symptoms can appear from 2 to 21 days after exposure and include: (a) fever; (b) headache; (c) diarrhea; (d) vomiting; (e) stomach pain; (f) unexplained bleeding or bruising; or (g) muscle pain. If no symptoms are present, a person is not contagious. After 21 days, if an exposed person does not develop symptoms, they will not become sick with Ebola.

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General Recommendations for Schools

The CDC, DPH and SDE recommend that educational facilities increase vigilance in inquiring about travel to West Africa in the 21 days before illness onset if/when an individual is presenting with symptoms consistent with Ebola. If an individual has travel history to an Ebola-affected country (currently, Liberia, Sierra Leone, Guinea and Mali) AND is showing Ebola symptoms, these agencies recommend that: (a) such an individual be isolated in a private room with a bathroom; (b) such facilities follow the standard precautionary measures recommended by the CDC; and (c) the facility immediately notify the applicable local health district and DPH.

In addition, and based on the guidance, to date, from the CDC, DPH and SDE, educational facilities should consider and/or address the following areas that have been highlighted by these agencies:

- 1. With respect to new enrollees, educational facilities should inquire about travel/potential Ebola contact upon registering new students.
- With respect to current staff and/or students, an educational facility's medical personnel should inquire further about travel if an individual is showing symptoms of Ebola to determine if he/she has travelled to an affected area within the last 21 days.
- 3. All staff should be educated and trained regarding Ebola-related issues including, symptoms and CDC-recommended protocols, policies and precautions.
- 4. Designate a room to be used for isolation if you encounter a student or staff member that is potentially infected with Ebola in accordance with CDC guidelines.
- 5. If the educational facility is made aware of an individual within its community that has been potentially exposed to Ebola, the educational facility should collaborate with and seek guidance from its own medical adviser(s), local health district and DPH. It is critical that educational facilities work with and request clear guidance from their local health districts and/or DPH on how to handle such situations in order to minimize risk of lawsuits or other legal challenges.
- 6. Share information and resources with students and their parents so that they themselves are accurately educated about Ebola.
- Most importantly, educational facilities should act consistent with guidance and directives from the resources mentioned above and continually monitor or meet with such resources to stay abreast of all updates and developments.

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Nondiscrimination

Finally, when making inquiries or decisions related to Ebola, educational facilities must keep in mind obligations under applicable civil rights laws prohibiting discrimination and harassment on the basis of disability, race, and national origin. In particular, schools must avoid stereotypical assumptions about students and/or employees on the basis of disability, race or national origin in handling Ebola-related concerns.

Staying Current

In light of the evolving information regarding Ebola, we encourage all educators to continually review the Ebola related guidance on DPH's, SDE's and the CDC's respective websites for information. The DPH guidance can be accessed <u>here [http://www.ct.gov/dph/cwp/view.asp?a=3115&Q=555224]</u>. The SDE guidance can be accessed <u>here [http://www.sde.ct.gov/sde/cwp/view.asp?a=2683&Q=335496]</u>. The CDC guidance can be accessed <u>here [http://www.sde.ct.gov/sde/cwp/view.asp?a=2683&Q=335496]</u>. Accessing all of these websites and the other resources referenced above in a meaningful manner will prepare educational facilities for most, if not all, Ebola related issues.

Questions or Assistance:

If you have questions, however, regarding the health related aspects of an Ebola-related issue, please contact Vincenzo Carannante at vcarannante@goodwin.com or 860-251-5096. If you have any questions related to schools' non-discrimination obligations, please contact Julie Fay at jfay@goodwin.com or (860) 251-5009.

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