

Students**Infectious Diseases**

The Board of Education recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the right of students to a free and appropriate education. The district requires all staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and prevent the spread of all infectious disease.

The admission of a student with a disease that is contagious within the school setting shall be determined by the Superintendent or designee in accordance with standard procedures. The district shall exclude students only in accordance with law.

Infectious Disease Prevention

The Superintendent or designee shall collaborate with parents/guardians and local health agencies and organizations to develop a comprehensive approach to disease prevention that promotes preventative measures and education of students and staff.

The Superintendent or designee shall regularly review resources available from health experts to ensure that District programs are based on the most up-to-date information.

The Superintendent or designee shall ensure that the District's comprehensive health education program provides information about the prevention of infectious disease, including the nature of bloodborne pathogens and their transmission, as well as information to help prevent the spread of contagious diseases, such as pandemic influenza. The Superintendent or designee shall also ensure that each school has sufficient infection prevention supplies that are easily accessible to staff.

Students with Infectious Diseases

The Superintendent or designee shall exclude students only in accordance with law, Board policy, and administrative regulation. Because bloodborne pathogens such as Hepatitis B virus, Hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the presence of infectious conditions of this type is not, by itself, sufficient reason to exclude students from attending school.

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting.

The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law.

Legal References: EDUCATION CODE
48210-48216 Persons excluded
49073-49075 Privacy of pupil records
49076 Access to records by persons without written consent or under judicial order
49403 Cooperation in control of communicable disease and immunization of students
49405 Smallpox control
49406 Examination for tuberculosis (employees)
49408 Information of use in emergencies
49450 Rules to insure proper care and secrecy
49451 Parent's refusal to consent to medical exam
49602 Confidentiality of student information
CALIFORNIA CONSTITUTION
Article 1, Section 1 - Right to Privacy
CIVIL CODE
56-56.37 Confidentiality of Medical Information Act
1798-1798.76 Information Practices Act
HEALTH AND SAFETY CODE
120230 Exclusion for communicable disease
120325-120380 Immunization against communicable diseases
120875-120895 AIDS information
120975-1210202 Mandated blood testing and confidentiality to protect public health
120980 Unauthorized disclosures
121010 Disclosure to certain persons without written consent
121475-121520 Tuberculosis tests for pupils
CALIFORNIA CODE OF REGULATIONS, TITLE 8
5193 Bloodborne pathogen standards
UNITED STATES CODE, TITLE 20
1232g Family Educational and Privacy Rights Act
1400 -1487 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973
COURT DECISIONS

Phipps v. Saddleback Valley Unified School District, (1988) 204

Cal. App. 3d 1110

Doe v. Belleville Public School District, (1987) 672 F. Supp. 342

Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 376

Management Resources:

CDE: <http://www.cde.ca.gov>

California Department of Health Services:

<http://www.dhs.ca.gov>

Centers for Disease Control and Prevention:

<http://www.cdc.gov>

NSBA, School Health Programs:

<http://www.nsba.org/schoolhealth/>

Board Policy

4119.42 - Exposure Control Plan for Bloodborne Pathogens

4119.43 - Universal Precautions

5112.2 - Exclusions from Attendance

5141.21 - Administering Medication

5141.26 - Tuberculosis Testing

5141.3 - Health Examinations

5141.23 - Infectious Disease Prevention

6158 - Independent Study

6159 - Individualized Education Program

6183 - Home/Hospital Instruction

Policy:

adopted: 12/03/85

revised: 07/01/86

revised: 06/02/98

revised: 05/03/05 (technical revision)

revised: 05/01/07

revised: 06/01/15 (technical revision)