

INFECTIOUS DISEASES

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing a high quality education for all students. The Superintendent or designee shall collaborate with local and state health officials to develop and regularly update a comprehensive plan for disease prevention that promotes preventative measures, mitigation, education, communication, and training of students and staff. All measures to limit the spread of infectious diseases shall be nondiscriminatory and ensure that equity is promoted.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

(cf. 0400 - Comprehensive Plans)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 1312.3 - Uniform Complaint Procedure)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.3 - Health Examinations)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Health Screening for School Entry)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6183 - Home/Hospital Instruction)
(cf. 5141.6 - School Health Services)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6020 - Parent Involvement)

The district's comprehensive health education program shall provide age-appropriate information about the nature and symptoms of communicable diseases, their transmission, and how to help prevent the spread of contagious diseases.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.8 - Comprehensive Health Education)

If the local health officer notifies the district of an outbreak of a communicable disease, or the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, the district shall take any action that the health officer deems necessary to control the spread of the disease. The district shall comply with all applicable state and federal privacy laws in regard to any such information received from the local health officer. (Health and Safety Code 120175.5)

Students and staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

(cf. 5141 - Health Care and Emergencies)

(cf. 6145.20 Athletic Competition)

Students with Infectious Diseases

The Superintendent or designee shall exclude students from on-campus instruction 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.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 6164.6 - Identification and Education Under Section 504)

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 exposure to other diseases in the school setting. If necessary, the Superintendent or designee shall inform the local health official of any potential outbreak. The Superintendent or designee shall ensure that student confidentiality and privacy rights are strictly observed in accordance with law.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48210-48216 Persons excluded

49060-49069.7 Student records

49073-49075 Privacy of pupil records

49403 Cooperation in control of communicable disease and immunization of students

49405 Smallpox control

49406 Examination for tuberculosis (employees)

49602 Counseling and Confidentiality of student information

51202 Instruction in personal and public health and safety

CIVIL CODE

56-56.37 Confidentiality of Medical Information Act

~~1798-1798.76~~ 1798.78 Information Practices Act

HEALTH AND SAFETY CODE

120175.5 Local health officers and communicable diseases

120230 Exclusion for communicable disease

120325-120380 Immunization against communicable diseases

120875-120895 AIDS information

~~120975-121020~~ 121023 Mandated blood testing and confidentiality to protect public health

121475-121520 Tuberculosis tests for-students

CALIFORNIA CONSTITUTION

Article I, Section 1 Right to Privacy

CALIFORNIA CODE OF REGULATIONS, TITLE 8

5193 Bloodborne pathogen ~~standards~~

CODE OF REGULATIONS, TITLE 17

2500-2511 Communicable disease reporting requirements

UNITED STATES CODE, TITLE 20

1232g Family Educational and Privacy Rights Act

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534

COURT DECISIONS

Thomas v. Atascadero Unified School District, (1986) 662 F.Supp. 376

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2014

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

School District (K-12) Pandemic Influenza Planning Checklist

WEB SITES

CSBA: <http://www.csba.org>

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>

Policy

adopted: January 27, 2010

Revised: December 16, 2020

MOUNTAIN UNION ELEMENTARY SCHOOL DISTRICT

Montgomery Creek, California

Students

AR 5141.22

INFECTIOUS DISEASES

Review Team

The parents/guardians of a student with an infectious disease may ask the Superintendent or designee to convene a review panel to make recommendations regarding appropriate programs and services for their child. The review panel may refer the decision to an individualized education program or 504 team as appropriate.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)