

Students

Exclusion From Attendance

Students may be excluded from attendance at district schools if they:

1. Are under the legal age of attendance, except as otherwise provided by law. (Education Code 48210) (cf. 5111 - Admission)
2. Do not present evidence of immunization from certain infectious diseases as required by law. A student shall not be excluded, however, if the parent/guardian, in writing, requests exemption from the immunization requirement on the basis of the student's physical condition or a conflict with the parent/guardian's religious beliefs. (Health and Safety Code 120335, 120365, 120370) (cf. 5141.31 - Immunizations)
3. Are reasonably suspected of having active tuberculosis. (Health and Safety Code 121485, 121495, 121505) (cf. 5141.26 - Tuberculosis Testing) (cf. 5141.33 - Head Lice)
4. Are infected with any contagious or infectious disease. (Education Code 49451; 5 CCR 202) (cf. 5141.22 - Infectious Diseases)
5. Reside where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed, unless written permission of the health officer is provided. (Health and Safety Code 120230)
6. Have not had the health screening, specified in Health and Safety Code 124040, before or within the first 90 days of attending first grade. Such students may be excluded for up to five days unless the parent/guardian has presented a waiver or the district has exempted the student from this requirement in accordance with law. (Health and Safety Code 124105) (cf. 5141.32 - Child Health and Disability Prevention Program)

Notifications to Parents/Guardians

Prior to excluding a student from attendance, the Superintendent or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion.

The Superintendent or designee may exclude a student without prior notice to the parent/guardian if the student is excluded because: (Education Code 48213)

1. He/she resides in an area subject to quarantine pursuant to Health and Safety Code 120230

StudentsExclusion From Attendance (continued)

2. He/she is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to Education Code 49451.
3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion. (Education Code 48213)

Appeals from Exclusion

Upon exclusion of his/her child, a parent/guardian may meet with the Superintendent or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent or designee to exclude his/her child, he/she may appeal the decision to the Governing Board.

The parent/guardian shall have an opportunity to inspect all documents upon which the district is basing its decision, to challenge any evidence and question any witness presented by the district, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

Legal Reference:

CALIFORNIA EDUCATION CODE

48210-48216	Persons excluded
49076	Access to records by persons without written consent or under judicial order
49408	Information of use in emergencies
49451	Parent's refusal to consent

HEALTH AND SAFETY CODE

120230	Exclusion of persons from school
120325-120380	Educational and child care facility immunization requirements
121475-121520	Tuberculosis tests for students
124025-124110	Child Health and Disability Prevention Program

CODE OF REGULATIONS, TITLE 5

202	Exclusion of students with a contagious disease
-----	---