



STUDENTS

POLICY - INFECTIOUS DISEASES

BP 5141.22

The County Board and the County Superintendent desire to protect students from risks posed by exposure to infectious diseases while providing a high-quality education for all students. The County Board and the County 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 County Superintendent or designee shall regularly review resources available from health experts to ensure that County Education Office programs and operations are based on the most up-to-date information.

The County Education Office'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.

If the local health officer notifies the County Education Office 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 County Education Office shall take any action that the health officer deems necessary to control the spread of the disease. The County Education Office 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.

The County Superintendent or designee shall inform students of the precautions to be used in cases of exposure to blood or other body fluids through injury, accident, or classroom instruction.

Students with Infectious Diseases

The County 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.

Parents/guardians are encouraged to inform the County 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 County Superintendent or designee shall inform the local health official of any potential outbreak. The County Superintendent or designee shall ensure that student confidentiality and privacy rights are strictly observed in accordance with law.

Legal Reference:

EDUCATION CODE

48210-48216 Persons excluded
49060-49069.7 Student records
49073-49079 Privacy of pupil records
49403 Cooperation in control of communicable disease and immunization of pupils
49405 Smallpox control
49406 Examination for tuberculosis (employees)
49408 Student emergency information
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
1798-1798.78 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
120975-121023 Mandated blood testing and confidentiality to protect public health
121475-121520 Tuberculosis tests for students

CALIFORNIA CONSTITUTION

Article 1, Section 1 Right to Privacy

CODE OF REGULATIONS, TITLE 8

5193 Bloodborne pathogens

CODE OF REGULATIONS, TITLE 17

Infectious Diseases – Board Policy 5141.22



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 Privacy of individually identifiable health information

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>

California Department of Education: <http://www.cde.ca.gov>

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

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