

RANCHO SANTA FE SCHOOL DISTRICT

Board Policy No. 5003: ADMISSION/EXCLUSION AND EDUCATION OF PUPILS INCLUDING THOSE DIAGNOSED AS HAVING ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

- A. The Board fully recognizes that education is a fundamental right guaranteed and protected by various constitutional and statutory provisions. The Board also fully recognizes that it may take reasonable action to protect the safety and welfare of students, and to protect the safety and welfare of employees and visitors to the District.
- B. The Board may exclude children suffering from contagious or infectious diseases. Pursuant to Education Code section 49451, school authorities may send home a child suffering from a recognized contagious or infectious disease and not permit his or her return until school authorities are satisfied that any contagious or infectious disease does not exist.
- C. The Board is not required to send prior notice of the exclusion to the parent or legal guardian of the child, but shall send the notice as soon as is reasonably possible after the exclusion.
- D. It is the policy of the Board to require an individual review and evaluation of each child who is diagnosed as a carrier of a dangerous or potentially dangerous disease or condition. The individual review and evaluation will consider: the health and safety of other children and school personnel; the health and safety of the child; the past behavior and predictable behavior of the child; the neurological development of the child; the physical condition of the child; any possibilities of the uncontrollable or unsafe release of body secretions; biting or open lesions; the desires of the parents of the child; and the potential environment in which the child will be educated. The individual review and evaluation shall at least include participation by the following: a District designated medical doctor; a state or county health officer; the Principal or the Superintendent.
- E. A decision to exclude a child from attendance at regular school classes under this Board Policy will be reviewed periodically. Any child excluded from attendance at regular school classes pursuant to this Board Policy shall, to the extent feasible, be placed in an educational program, which may be home tutoring, which will serve the best interests of the child.
- F. Any employee who has reason to believe that a child currently enrolled in the District or newly enrolled in the District has been diagnosed with the disease AIDS or is a carrier of the AIDS virus, the employee shall notify the Superintendent while maintaining the child's right to privacy.
- G. All medical records of any child shall be treated as confidential pursuant to Education Code section 49076. The District shall not release or permit access to any such medical

records unless authorized by Education Code section 49076, written parental or legal guardian consent, judicial order, or compliance with a lawfully issued subpoena.

H. Immunizations

1. The District shall exclude any pupil who has not been immunized properly. The Superintendent shall notify the parent or guardian of the pupil that they have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirements. The Superintendent shall include in the notice referral to the child's medical doctor for immunization, the County Health Department or the District if immunizations will be administered at the District.
2. In certain limited cases expressly permitted by law, pupils may be exempt from the immunization requirements. Effective January 1, 2021, all medical exemptions must be on a standardized, statewide medical exemption certification form and submitted by a pupil's physician into the California Immunization Registry (CAIR) and to the District.
3. The District shall annually file a written report on the immunization status of new pupils with the California Department of Public Health and San Diego County Health and Human Services. The San Diego County Health and Human Services shall have access to the complete health information as it relates to immunization of each pupil in order to determine immunization deficiencies.

Legal Reference:

Section 504 of the federal Vocational Rehabilitation Act
Education Code sections 48215, 48216, 49076, and 49451
Health and Safety Code section 120230

Dates Policy Revised By The Board: March 12, 1997; January 13, 2005; May 17, 2007; June 5, 2008; July 18, 2013, July 9, 2020