

## **Students**

### **INFECTIOUS DISEASES**

The Board of Trustees desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students. The Board recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.

#### **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 diseases, including the nature of bloodborne pathogens and their transmission, as well as information to help prevent the spread of contagious diseases, such as a pandemic influenza. He/she shall also ensure that each school has sufficient infection prevention supplies that are easily accessible to staff.

#### **Universal Precautions**

The Superintendent or designee shall inform students and staff 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 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.

(cf. 1020 - Youth Services)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

**INFECTIOUS DISEASES (continued)**

- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
- (cf. 5141.26 - Tuberculosis Testing)
- (cf. 5141.3 - Health Examinations)
- (cf. 5141.31 - Immunizations)
- (cf. 5141.32 - Health Screening for School Entry)
- (cf. 5141.6 - Student Health and Social Services)
- (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
- (cf. 6142.8 - Comprehensive Health Education)
- (cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
- (cf. 4119.43/4219.43/4319.43 - Universal Precautions)
- (cf. 5141 - Health Care and Emergencies)
- (cf. 6145.2 - Athletic Competition)
- (cf. 5112.2 - Exclusions from Attendance)
- (cf. 6164.6 - Identification and Education Under Section 504)
- (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
- 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 Information of use in emergencies
- 49602 Confidentiality of student information
- 51202 Instruction in personal and public health and safety

**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
- 120975-121022 Mandated blood testing and confidentiality to protect public health
- 121475-121520 Tuberculosis tests for pupils

**CODE OF REGULATIONS, TITLE 8**

- 5193 California bloodborne pathogens standard

**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

**INFECTIOUS DISEASES (continued)**

**UNITED STATES CODE, TITLE 29**

794 Section 504 of the Rehabilitation Act of 1973

**CODE OF FEDERAL REGULATIONS, TITLE 45**

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

**COURT DECISIONS**

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

Management Resources:

**CSBA PUBLICATIONS**

Saving Lives: AIDS Issues for California Schools 1994, rev. 2006

Avian Influenza, Governance and Policy Services Fact Sheet, April 2006

**WEB SITES**

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

California Department of Education: <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>

Contra Costa County Office of Education, Pandemic Flu Resources:

[http://www.cccoe.k12.ca.us/about/flu/resources\\_flu\\_action\\_kit](http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit)

U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>

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## Students

### 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)