

Infectious Diseases

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

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. [5112.2](#) - Exclusions from Attendance)

(cf. [5141.26](#) - Tuberculosis Testing)

(cf. [5141.3](#) - Health Examinations)

(cf. [6158](#) - Independent Study)

(cf. [6159](#) - Individualized Education Program)

(cf. [6183](#) - Home/Hospital Instruction)

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. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

(cf. [5125](#) - Student Records)

(cf. [5145.1](#) - Privacy)

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

(cf. [4119.42/4219.42/4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

(cf. [4119.43/4219.43/4319.43](#) - Universal Precautions)

(cf. [5141.23](#) - Infectious Disease Prevention)

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

(cf. [5141.6](#) - Student Health and Social Services)

(cf. [6142.8](#) - Comprehensive Health Education)

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 (IEP) or Section 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 Especial Education)

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

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.

(cf. [1020](#) - Youth Services)

(cf. [3516](#) - Emergencies and Disaster Preparedness Plan)

(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)

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.

(cf. ~~6142.1 - Sexual Health and HIV/AIDS Prevention Instruction~~)

(cf. [6142.8](#) - Comprehensive Health Education)

Universal Precautions

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

(cf. [4119.42/4219.42/4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

(cf. [4119.43/4219.43/4319.43](#) - Universal Precautions)

The 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.

(cf. [5141](#) - Health Care and Emergencies)

(cf. [6145.2](#) - Athletic Competition)

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.

(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 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. [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

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 Public Health: <http://www.cdph.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

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

Policy MT. DIABLO UNIFIED SCHOOL DISTRICT

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