

Students

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 Board recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.

Infectious Disease Prevention

The Superintendent/designee shall collaborate with parents/guardians, local health agencies, and organizations to develop a comprehensive approach to disease prevention that promotes preventative measures and education of students and staff.

(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)

The Superintendent/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/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)

Universal Precautions

Students who are independent and self care for medical procedures and all staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

(cf. 4019.43 – Universal Precautions)

Students

INFECTIOUS DISEASES (continued)

The Superintendent/designee shall inform staff and those students who are independent and self care for medical procedures 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)

Students with Infectious Diseases

The Superintendent/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)

Parents/guardians are encouraged to inform the Superintendent/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/designee shall ensure that student confidentiality rights are strictly observed in accordance with law.

(cf. 4119.23 – Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 – Student Records; Confidentiality)

Legal Reference:

EDUCATION CODE

48210-48214 Persons excluded

49073-49079 Privacy of pupil records

49403 Cooperation in control of communicable disease and immunization of students

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

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INFECTIOUS DISEASES (continued)

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

CALIFORNIA CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne pathogen 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 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
U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>

Policy

Adopted: 11/13/90
Revised: 10/16/01
Revised: 10/17/06
Revised: 02/14/12

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California