**Students** BP 5141.22(a)

**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.

**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 Executive Director 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)*

**Students with Infectious Diseases**

The Executive Director 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.

Adult students and parents/guardians of minor students are encouraged to inform the Executive Director of any infectious disease so that school staff may work cooperatively to minimize the exposure to other diseases in the school setting. The Executive Director 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. 5125 - Student Records)*

*Legal Reference: (see next page)*

BP 5141.22(b)

**INFECTIOUS DISEASES** (continued)

*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 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*

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