

**INFECTIOUS DISEASES**

The County Board of Education recognizes its dual responsibility to protect the health of students from risks posed by infectious diseases and to uphold the right of students to a free and appropriate education. The County Office of Education requires all staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and prevent the spread of all infectious disease.

The admission of a student with a disease that is contagious within the school setting shall be determined by the Superintendent or designee in accordance with standard procedures. The County Office of Education shall exclude students only in accordance with law. As appropriate, the Superintendent or designee can convene a team including the parent, physician, school nurse and school administrator to address school issues.

**Students with Bloodborne Pathogen Infections**

The County Board recognizes that human immunodeficiency virus (HIV) and hepatitis B virus (HBV) are bloodborne pathogens and not casually transmitted. Children with bloodborne pathogen infections are entitled to attend school and receive a free and appropriate public education. The sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

Parents/guardians are encouraged to inform the Superintendent or designee if their child has HIV/AIDS so that school staff may keep the student's parents/guardians informed of any outbreak of disease at school.

The County Office of Education will work cooperatively with the student's parents/guardians or physician to minimize the child's exposure to other diseases in the school setting.

The County Board desires to be supportive of students infected with bloodborne pathogens and to help their families cope with difficulties they may face. The Board believes that schools can play an important role in educating the school community about the nature of bloodborne pathogens and alleviating fears about their transmission.

*Legal Reference:***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***EDUCATION CODE***48210-48214 Persons excluded**49073-49075 Privacy of pupil records**49076 Access to records by persons without written consent or under judicial order**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**49450 Rules to insure proper care and secrecy**49451 Parent's refusal to consent to medical exam**49602 Confidentiality of student information***HEALTH AND SAFETY CODE***199.20 Prohibition against compelling identification of AIDS test subjects**199.21 Unauthorized disclosures**199.24 Disclosure to certain persons without written consent**199.30-199.40 Acquired Immune Deficiency Syndrome Research Confidentiality Act**3118 re exclusion for communicable disease**3380-3390 Immunization against communicable disease*

3400-3409 Tuberculosis tests for pupils

UNITED STATES CODE, TITLE 20

1232G Family Educational and Privacy Rights Act

1400 et seq. Education for All Handicapped Children

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

Doe v. Belleville Public School District, (1987) 672 F. Supp. 342

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

Phipps v. Saddleback Valley Unified School District, (1988) 204 Cal. App. 3d 1110

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