

REVISED – incorporates concepts formerly included in BP/AR 5141.23 and includes new material encouraging collaboration with the local health department and incorporating pandemic influenza prevention into the district’s health education program. Section added re: Reporting and Notice Requirements.

BP 5141.22 (a)

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 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.

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BP 5141.22 (b)

INFECTIOUS DISEASES (continued)

(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)

REPORTING AND NOTICE REQUIREMENTS

School principals will report suspected cases of communicable diseases, to the district nurse. The district nurse will contact the Calaveras County Public Health Department (CCPHD). If the district nurse cannot be reached, the principal will directly contact the CCPHD and will continue attempts to contact district nurse until successful. Confidentiality of such reports is protected by law. School principals are presumed by

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BP 5141.22 (c)

INFECTIOUS DISEASES (continued)

law to be immune from liability for making such reports in good faith. Without releasing any information that would identify the student, the district nurse also must report confirmed cases of communicable diseases, to the superintendent. Additionally, parents or legal guardian shall be notified in a timely manner when their child has potentially been exposed to a communicable disease, and it shall be suggested that they contact their private physician or the county health department for consultation.

The local health director is responsible for determining which school personnel will be informed of the identity of a student with communicable diseases required to be reported. Any employee who is informed or becomes aware of the student's condition shall respect and maintain that student's right of privacy and the confidentiality of his or her records and may not share that information unless specifically permitted to do so by the health director, the student's parents or legal guardian or by other applicable state or federal laws or regulations. Employees who are informed of the student's condition shall also be provided with appropriate information concerning necessary precautions and made aware of the strict confidentiality requirements. Release of this confidential information or records, except as permitted by law, constitutes a misdemeanor and may subject the employee to further discipline. In order to address &e needs of the student within the school environment, school employees are required to notify the principal if they are aware or become aware of any student suffering from a communicable disease. Parents shall be encouraged to notify the principal as well.

Students who are immunocompromised face increased risk of severe complications from exposure to communicable diseases that appear in the school setting. Accordingly, students and their parents or guardians are encouraged to inform the principal in the event a student suffers from any such immunodeficiency. If notified that a student suffers from such immunodeficiency, the principal should request that the notifying party provide information about what types of exposures might put the student at risk and what reasonable practices can be taken in the school setting to minimize risk to the student.

The district nurse/public health department will notify the parents or guardians of any confirmed case of chicken pox, meningitis (bacterial or viral), measles, mumps, rubella, pertussis, E.coli 1057: H7, and Hemolytic Uremic Syndrome.

Students will be notified via letter or telephone call, depending on appropriateness. A cover letters with PHD Fact Sheet will be sent via site principal to the entire site and/or region.

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BP 5141.22 (d)

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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CALAVERAS UNIFIED SCHOOL DISTRICT
San Andreas, California