

EXCLUSIONS FROM ATTENDANCE (HEALTH STANDARDS)

It is the purpose of this regulation to protect students from risks posed by exposure to infectious diseases or other health dangers while providing an appropriate education for all students.

Classes of Attendance Exclusion. A student suffering from a suspected or known contagious or infectious disease which makes attendance a clear and present danger to other students shall be excluded from attending school until the condition is resolved. If the student is attending school at the time the disease becomes known to the MCOE Superintendent or designee, the student shall be immediately removed from the classroom.

At the discretion of the Monterey County Superintendent of Schools (County Superintendent) or designee, a written statement from a licensed medical practitioner indicating that the student may return to school shall be required.

Students who are exempt from immunization or who are inadequately immunized against certain diseases may be excluded from school attendance during an outbreak of the respective communicable diseases.

Students with noticeable unhygienic conditions may be excluded from school attendance if they present a possible health hazard to themselves or others.

The parent/guardian of a student may file annually with the Monterey County Office of Education (MCOE) site principal a written, signed statement indicating refusal of consent to a physical examination of the student. The student shall be exempt from any subsequent physical examination. However, whenever there is a good reason to believe that the student is suffering from a recognized contagious or infectious disease, the student shall be sent home and shall not be permitted to return until school principal or designee is satisfied that any contagious or infectious disease does not exist [Education Code (E.C.) 49451].

Subsequent Exclusion Procedures. As soon as is reasonably possible after the exclusion, the MCOE site principal or designee shall meet with the parent/guardian of the excluded student, and request that the parent/guardian voluntarily exclude the student from school attendance until such time as the infectious disease or other health condition is resolved.

If the parents decline to voluntarily exclude the student from school attendance, a written notification of exclusion from school attendance for health reasons shall be sent

to the parent or guardian by the Monterey County Board of Education (County Board) [EC 48213].

Any decision to exclude a student from school for health reasons shall be reviewed at least quarterly by the County Superintendent or designee.

Students with Blood-Borne Pathogens. Because blood-borne pathogens such as Hepatitis B virus, Hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of blood-borne pathogens is not sufficient reason to exclude students from attending school.

All MCOE staff and students are required to routinely observe universal precautions to prevent exposure to blood-borne pathogens and to prevent the spread of all infectious disease.

The County Superintendent or designee shall ensure that the MCOE health education program provides information about the nature of blood-borne pathogens and their transmission.

Students with Head Lice. MCOE employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse or designee shall examine the student. If nits or lice are found, the student shall be excluded from attendance, and parents/guardians informed about recommended treatment procedures and sources of further information.

If there are two or more students affected in any class, all students in the class shall be examined, and information about head lice shall be sent home to all parents/guardians of those students.

Students excluded from school because of head lice may return to school when (1) they bring a note from their parent/guardian verifying treatment, and (2) reexamination by the nurse or designee shows there are no live lice present.

Confidentiality and Release of Information. The County Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No MCOE employee shall release medical information, including knowledge of blood-borne 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 consent.

School Progress Review Team. The parent/guardian of a student excluded due to the presence of an infectious disease may ask the MCOE site principal to convene a review panel to make recommendations regarding appropriate programs and services, and to determine how the student may continue to make progress in his/her

educational program. If appropriate, the review team may refer the decision to an IEP or Section 504 team.

Legal Reference:

EDUCATION CODE

48213

49451