

South Whittier SD

Employees with Infectious Disease

BP 4119.41

Personnel

The Governing Board desires to promote the health of District students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at District schools.

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the District's emergency preparedness plan.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer. (17 CCR 2500, 2508)

Nondiscrimination/Reasonable Accommodation

The District shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of their position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
17 CCR 2500-2511	Communicable disease reporting requirements
2 CCR 7293.5-7294.2	Discrimination based on disability
5 CCR 5502-5504	Medical certification
Civ. Code 56-56.37	Confidentiality of medical information
Ed. Code 44839	Medical certificate; periodic medical examination
Ed. Code 44839.5	Requirements for employment of retirant
Ed. Code 49406	Examination for tuberculosis
H&S Code 120975-121020	Mandated blood testing and confidentiality to protect public health
Federal References	Description
29 USC 794	Rehabilitation Act of 1973, Section 504
42 USC 12101-12213	Americans with Disabilities Act
Management Resources References	Description
CA Dept. of Public Health Publication	CA HIV/AIDS Laws, 2009, January 2010
Court Decision	School Board of Nassau County, FL.. v. Arline, (1987) 408 U.S. 273
Court Decision	Chevron USA v. Echazabal, (2002) 536 U.S. 73, 122 S.Ct. 2045
CSBA Publication	H1N1 Influenza (Swine Flu), Fact Sheet, April 2009
CSBA Publication	Pandemic Influenza, Fact Sheet, September 2007
EEO Commission Publication	Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
Cross References	Description
3516	Emergencies and Disaster Preparedness Plan
4030	Nondiscrimination in Employment
4032	Reasonable Accommodation
4112.4	Health Examinations
4119.42	Exposure Control Plan for Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan for Bloodborne Pathogens - Exposure Control Plan for Bloodborne Pathogens
4119.43	Universal Precautions
4131	Staff Development
4157	Employee Safety
4161.1	Personal Illness/Injury Leave

4212.4	Health Examinations
4219.42	Exposure Control Plan for Bloodborne Pathogens
4219.42-E(1)	Exposure Control Plan for Bloodborne Pathogens - Exposure Control Plan for Bloodborne Pathogens
4219.43	Universal Precautions
4231	Staff Development
4257	Employee Safety
4261.1	Personal Illness/Injury Leave
4312.4	Health Examinations
4319.42	Exposure Control Plan for Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan for Bloodborne Pathogens - Exposure Control Plan for Bloodborne Pathogens
4319.43	Universal Precautions
4331	Staff Development
4357	Employee Safety
4361.1	Personal Illness/Injury Leave
5112.2	Exclusions from Attendance
5113	Absences and Excuses
5113.1	Chronic Absence and Truancy
5141.22	Infectious Diseases
5141.31	Immunizations
5141.6	School Health Services

Regulation SOUTH WHITTIER SCHOOL DISTRICT

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