

**CLASSIFICATION: All Personnel****ADOPTED: 1/27/88****REVISED: 12/10/97****SUBJECT: Communicable, Contagious, or Infectious  
Disease Control for All Employees of the  
County Superintendent of Schools****PAGE: 1 of 4**

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The County Board of Education and the County Superintendent of Schools fully recognize that each employee must be physically and mentally able to perform duties and responsibilities of his/her position. The County Superintendent of Schools will take reasonable action to protect the safety and welfare of students, employees, and visitors in schools and programs operated by the County Superintendent of Schools.

No employee will be discriminated against because of a disability, and the County Superintendent of Schools recognizes that legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases.

The County Superintendent of Schools encourages each employee to inform the Assistant Superintendent, Human Resources, as soon as possible if the employee contracts an infectious disease which creates a physical or mental disability. The San Diego County Office of Education requires a physician's release to return to work slip after being absent five (5) days. The return to work slip shall be reviewed by a medical representative of the San Diego County Office of Education. If the physician's release to return to work slip suggests an illness that may be communicable, contagious, or infectious, a return to work evaluation can be requested by the medical representative of the San Diego County Office of Education. In addition to return to work physicals, fitness for duty evaluations can also be scheduled by the San Diego County Office of Education. This is an alternative way for an individual with a medical problem to be examined and/or evaluated when a supervisor notices a job performance problem (after a medical concern determination has been made). The employee should report the medical concern to his/her immediate supervisor. This information then should be routed through the Assistant Superintendent, Human Resources. Further medical evaluations by the medical representative of the San Diego County Office of Education will be made. The San Diego County Office of Education will reasonably accommodate the needs of such individuals.

Actions taken regarding employees infected with a serious communicable, contagious, or infectious disease shall be made on a case-by-case basis after factual inquiry. No employee infected with a serious communicable, contagious, or infectious disease shall be excluded from the workplace in offices, schools, and programs operated by the County Superintendent of Schools unless the results of the individual review and evaluation by a physician representative of the San Diego County Office of Education demonstrate that the employee is unable, even with reasonable accommodations, to perform his/her job

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**PAGE:** 2 of 4

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responsibilities because of the illness, or that the presence of that employee will be potentially harmful to the welfare of other employees or pupils, or there are compelling reason(s) to lawfully exclude the employee.

It is the intent of the County Superintendent of Schools to cooperate with local health authorities, other governmental agencies, school and community college districts, employees, students, parents/guardians, and community members to provide educational material, inservice training, and recommended procedures for the prevention and control of severe communicable, contagious, or infectious diseases.

The County Superintendent of Schools or his/her designee shall be the authorized spokesperson of the San Diego County Office of Education for matters relating to severe communicable, contagious, or infectious diseases of employees in offices, schools, and programs operated by the County Superintendent of Schools.

The County Superintendent of Schools shall develop administrative regulations which ensure:

1. Confidentiality of medical information, as required by law.
2. Rights to privacy for the individual, as required by law.
3. Due process for the individual, as required by law.
4. Dissemination of preventive disease control information and resources.
5. Inservice training in disease prevention techniques.
6. Implementation of precautionary procedures for the prevention and control of communicable, contagious, or infectious diseases.

This policy will also be applied before any applicant who is known to have a communicable, contagious or infectious disease is rejected for employment by reason of that communicable, contagious, or infectious disease.

The County Superintendent of Schools or his/her designee shall ensure state and federal standards are met for dealing with blood borne pathogens and other potentially infectious materials in the workplace, and shall determine which employees have occupational

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County Superintendent of Schools****PAGE: 3 of 4**

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exposure to blood borne pathogens and other potentially infectious materials. The County Superintendent of Schools or his/her designee shall establish an Exposure Control Plan designed to protect employees from possible infection from contact with blood borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

The Exposure Control Plan for Blood borne Pathogens of the San Diego County Office of Education shall contain at least the following elements:

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials. This determination shall be made without regard to the use of personal protective equipment and shall include:
  - a. All job classifications in which all employees have occupational exposure to blood borne pathogens.
  - b. Job classifications in which some employees have occupational exposure, including all tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and which are performed by these employees.
2. A description of the method for implementing exposure control requirements, including, but is not limited to:
  - a. Universal precautions to protect employees, students, and other persons from contact with potentially infectious blood or other body fluids.
  - b. Engineering and work practice controls.
  - c. Personal protective equipment.
  - d. Housekeeping schedules.
  - e. Hepatitis B vaccination.
  - f. Post-exposure evaluation and follow-up.
  - g. Informing employees about biohazards, including:
    - (1) Labels and signs; and
    - (2) Training.
  - h. Maintenance of training and medical records.

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**PAGE: 4 of 4**

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3. The San Diego County Office of Education procedure for evaluating circumstances surrounding exposure incidents.

The County Superintendent of Schools or his/her designee shall periodically review this policy and related administrative regulations to ensure compliance with governmental regulations for the prevention of severe health risks to employees posed by communicable, contagious, or infectious diseases.

**Derivation: Former Board Policy No. 4400, Adopted 1/27/88 and Amended 5/11/94. Amended and Renumbered 4009, 5/10/95. Amended 12/10/97.**

**Administrative Regulation No.: 4009**

**Legal Reference: Civil Code  
56-56.37  
Government Code  
12900-12996  
Health and Safety Code  
199.20-199.27  
Code of Regulations, Title 2, 7293.5 et seq.  
Code of Regulations, Title 8, 3204 and 5193  
Code of Federal Regulations, Title 29, 1910.1030  
Rehabilitation Act of 1983, 29 U.S.C. 701 et seq.  
Americans with Disabilities Act, 42 U.S.C. 12101 et seq.  
School Board of Nassau County, Fla. v. Arline, 408 U.S. 273  
(1987)**