

AP 5210 COMMUNICABLE DISEASE

Reference:

Education Code Section 76403

NOTE: This procedure is **legally advised**. Local practice may be inserted here. The following are the minimum standards required by law:

- Cooperation with local health officers in measures necessary for the prevention and control of communicable diseases in students
- Compliance with any immunization program required by State Department of Health Services regulations.

NOTE: The impetus behind these statutes appears to be public health controls for hepatitis B, and nothing in the statutes authorizes or requires screening for HIV or AIDS.

❖ **From current CLPCCD Administrative Rules and Procedures 2318 titled Human Immunodeficiency Virus (HIV) Guidelines**

The following guidelines are designed to implement this policy:

A position of a Health Educator shall be established and jointly recommended by the HIV Advisory Committee and appointed by the Chancellor; this person will be responsible for developing and implementing an educational program on HIV.

Student and employee education volunteers will be utilized in the District education plan:

1. College HIV Advisory Committees will be established.
2. An educational plan will be developed to educate students and employees on a continuing basis as to the risk factors and known modes of transmission of HIV.
3. In collaboration with both the Health Educator and Safety Consultant, each unit on each college campus shall assess the risks in its area and develop protocols to deal with identified risks. This will include such issues as: blood and bodily fluid contact, proper needle disposal, needle stick protocol including referral to appropriate professional services in case of accidental occupational exposure.

- ~~4. Each unit within the District will have equipment/supplies necessary to practice Universal Precautions.~~
- ~~5. Resources such as Occupational Safety and Health Administration (OSHA) and Centers for Disease Control (CDC) will be used to maintain adherence to recommended protective measures.~~
- ~~6. Students and employees who are HIV positive, whether or not they are symptomatic, shall be allowed regular classroom, co-curricular, and extracurricular attendance and working conditions in an unrestricted manner as long as they are physically and psychologically able. The District shall not restrict the access of students or employees who are HIV positive to any of its public facilities including, but not limited to student activities centers, theaters, cafeterias, snack bars, restrooms, gymnasiums, swimming pools, recreational facilities, or other common areas.~~
- ~~7. Students with Acquired Immune Deficiency Syndrome are considered to fall within the meaning of the phrase "other health limitation," in Title 5. Such students are considered to be physically disabled and are eligible for services under the Disabled Students Program on campus.~~

~~The District shall provide reasonable accommodation to students and employees who are HIV positive, whether or not they are symptomatic, in a manner consistent with accommodations provided to persons with other handicapped conditions.~~

- ~~8. A student's/employee's health condition is personal and confidential. Only upon written consent as specified by statutes can personal and confidential information be divulged.~~

[Also see BP/AP 7330 titled Communicable Disease \(related to employees\)](#)

NOTE: The **red ink** signifies language that is **legally advised** and recommended by the Policy and Procedure Service and its legal counsel. The language in **black ink** is from current CLPCCD Administrative Rules and Procedures 2318 titled Human Immunodeficiency Virus (HIV) Guidelines issued on June 16, 1996. The language in **green ink** was added during the administrative review on June 4, 2013.

Date Approved:

*(This new procedure replaces current
Administrative Rules and Procedure 2318)*

Legal Citation for AP 5210

EDUCATION CODE SECTION 76403

76403. (a) Notwithstanding any other provision of law, the governing board of any community college district shall cooperate with the local health officer in measures necessary for the prevention and control of communicable diseases in students.

(b) A registered nurse, acting under the direction of a supervising physician and surgeon, may perform immunization techniques within the course of a school immunization program provided that the administration of an immunizing agent is upon the standing orders of a supervising physician and surgeon and in accordance with written regulations which the State Department of Health Services may adopt pursuant to Section 303.5 of the Health and Safety Code.

(c) While nothing in this section shall be construed to require the physical presence of the supervising physician and surgeon, the supervising physician and surgeon under whose direction the registered nurse is acting shall require the nurse to:

(1) Satisfactorily demonstrate competence in the administration of immunizing agents, including knowledge of all indications and contraindications for the administration of these agents, and in the recognition and treatment of any emergency reactions to agents which constitute a danger to the health or life of the person receiving the immunizations; and

(2) Possess medications and equipment required, in the medical judgment of the supervising physician and surgeon, to treat any emergency conditions and reactions caused by the immunizing agents and which constitute a danger to the health or life of the person receiving the immunization, and to demonstrate the ability to administer the medications and to utilize the equipment as necessary.