

## Students

AR 5141.26 (a)

### TUBERCULOSIS TESTING

Any student *who is reasonably suspected of having* with active tuberculosis shall be excluded from attendance at a district school *until the student provides evidence of a certificate showing that the student is free from communicable tuberculosis. (Health and Safety Code 121485, 121495, 121505)* ~~in accordance with AR 5112.2—Exclusions from Attendance.~~

*(cf. 5112.2—Exclusions from Attendance)*

Students shall be screened or tested for tuberculosis under the following circumstances:

1. Whenever *required* ~~ordered~~ by the local health *department as part of the comprehensive health screening required for school entry, parents/guardians shall, within 90 days after their child's entry into first grade, provide certification evidencing that their child has been screen for risk of tuberculosis within the preceding 18 months. Such certification shall be on a form approved by the California Department of Health Care Services. (Health and Safety Code 124040, 124085, 124105)* ~~officer, students seeking admission for the first time who provides a positive tubereulosis test shall be admitted to school as follows:~~

*In lieu of the certificate, parents/guardians may submit a signed waiver indicating that they do not want or are unable to obtain the health screening and evaluation services for their child and, if applicable, the reasons that they are unable to obtain the services. (Health and Safety Code 124085)*

*(cf. 5141.32 – Health Screening for School Entry)*

2. *Whenever ordered by the local health officer for the preservation and protection of public health, students seeking admission for the first time to a district school at any grade level shall submit to tuberculosis testing. Students who are subject to the health officer's order shall be admitted to school as follows:*
  - a. The Superintendent or designee shall unconditionally admit ~~the~~ *any* student *who*, if ~~he/she~~, prior to admission, submits a certificate, signed by any public or private medical provider, indicating that ~~he/she~~ *the student* has completed an approved tuberculosis examination and is free from active tuberculosis. (Health and Safety Code 121485, 121490, 121500; 22 CCR 41305, 41311, 41313)

*(cf. 5141.3 - Health Examinations)*

*(cf. 5141.6 - School Health Services)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

*The Superintendent or designee shall exempt a student from the requirement to submit a certificate if the student's parent/guardian, or the student if an emancipated minor, provides* ~~A student shall not be required to obtain the certificate if his/her parent/guardian~~

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**TUBERCULOSIS TESTING (continued)**

~~or custodian provides the Superintendent or designee with an affidavit stating that the required examination is contrary to *one's personal* beliefs. If there is probable cause to believe that such a student has active tuberculosis, *the student* may be excluded from school until the Superintendent or designee is satisfied that the student is not afflicted. (Health and Safety Code 121505)~~

- b. A student who *not submitted the certificate or personal beliefs affidavit may be admitted on condition that the student receives an approved tuberculin skin test within 10 school days after admission. A student who has* had a positive skin test and has not subsequently obtained a chest x- ray may be *admitted on condition that the student* ~~conditionally admitted if he/she~~ receives a chest x-ray within 20 school days after admission. Any student who fails to provide the certificate within those time periods shall be prohibited from further attendance until *the certificate is provided. he/she provides the certificate.* (Health and Safety Code 121495; 22 CCR 41315, 41327)
  - c. Whenever the local health officer so orders, a student may be required to complete an additional examination and provide another certificate indicating that *the student* ~~he/she~~ is free of communicable tuberculosis. (Health and Safety Code 121485)
  - d. At the discretion of the local health officer, the district may admit a student without a certificate if *the student* ~~he/she~~ is undergoing or has already undergone preventive treatment for tuberculosis infection or treatment for tuberculosis disease. (22 CCR 41319)
3. Whenever the Superintendent or designee suspects that a student who has not been examined for tuberculosis either has the disease or has been exposed, *the Superintendent or designee* ~~he/she~~ shall immediately report by telephone to the local health officer. When required by the local health officer, the district shall exclude the student from school until *the student* ~~he/she~~ is certified to be free of communicable tuberculosis. (22 CCR 41329)

*The Superintendent or designee shall maintain a record of any student's tuberculosis examination as part of the student's mandatory permanent student record. (22 CCR 41323)*

*(cf. 5125 - Student Records)*

*The Superintendent or designee shall annually file a report with the local health department on the results of tuberculosis examinations for all new district students required to complete such examinations in accordance with item #2 above, including, but not necessarily limited to, the number of students unconditionally and conditionally admitted and the number of students exempted on the basis of their personal beliefs. (22 CCR 41325)*

Legal References:

EDUCATION CODE

**TUBERCULOSIS TESTING (continued)**

48213 Prior parent notification of exclusion; exemption

49451 Parent's refusal to consent to health examination

HEALTH AND SAFETY CODE

120230 Exclusion of persons from school when residence is in isolation or quarantine

121365 Duties of local health officer re: tuberculosis control

121475-121520 Tuberculosis tests for students

124025-124110 Child Health and Disability Prevention Program

CODE OF REGULATIONS, TITLE 5

202 Exclusion of students with contagious disease

432 Student records

3030 Eligibility for special education; tuberculosis that adversely affects educational performance

CODE OF REGULATIONS, TITLE 22

41301-41329 Tuberculosis tests for students

Management Resources:

CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES PUBLICATIONS

CHDP School Handbook: School Entry Health Examination Requirements, rev. January 2006

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

California Immunization Handbook: Pre-Kindergarten (Child-Care) and School Immunization Requirements, 10th Edition, July 2019

WEB SITES

American Lung Association: <http://www.lungusa.org>

California Department of Health Care Services: <http://www.dhcs.ca.gov>

California Department of Public Health, Tuberculosis Control: <http://www.cdph.ca.gov/Programs/tb>  
<http://www.cdph.ca.gov/Programs/CID/DCDC/Pages/TBCB.aspx>

Centers for Disease Control and Prevention, Tuberculosis: <http://www.cdc.gov/tb>

Health Officers Association of California: <http://www.calhealthofficers.org>

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Regulation amended: August 12, 2010

Regulation approved: June 7, 2001