

Regulation 5141.26: Tuberculosis Testing

Status: ADOPTED

Original Adopted Date: 03/01/1993 | **Last Revised Date:** 10/01/2019 | **Last Reviewed Date:** 10/01/2019

Any student who is reasonably suspected of having 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 of communicable tuberculosis. (Health and Safety Code 121485, 121495, 121505)

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

1. When required 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 screened 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)

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)

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 any student who, prior to admission, submits a certificate signed by any public or private medical provider indicating that 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)

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 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 has 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 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. (Health and

- 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 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 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 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 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)

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)

All district staff shall receive information on how tuberculosis is spread and how it can be prevented and treated.

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	Description
22 CCR 41301-41329	Tuberculosis tests for students
5 CCR 202	Exclusion of students with a contagious disease
5 CCR 3030	Eligibility for special education; tuberculosis that adversely affects educational performance
5 CCR 432	Student records
Ed. Code 48213	Prior parent notification of exclusion; exemption
Ed. Code 49451	Parent's refusal to consent to health examination
H&S Code 120230	Exclusion for communicable disease
H&S Code 121365	Duties of local health officer re: tuberculosis control

H&S Code 121475-121520

[Tuberculosis tests for students](#)

H&S Code 124025-124110

[Child Health and Disability Prevention Program](#)

Management Resources

Description

California Department of Public Health Publication

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

CDHC Services Publication

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

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Centers for Disease Control and Prevention, Tuberculosis](#)

Website

[Health Officers Association of California](#)

Website

[California Department of Public Health, Tuberculosis Control](#)

Website

[American Lung Association](#)

Website

[California Department of Health Care Services](#)

Cross References

Code

Description

4231

[Staff Development](#)

5112.2

[Exclusions From Attendance](#)

5125

[Student Records](#)

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5141.6	<u>School Health Services</u>
5148	<u>Child Care And Development</u>
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5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173-E(2)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6173.3	<u>Education For Juvenile Court School Students</u>
6175	<u>Migrant Education Program</u>
6175	<u>Migrant Education Program</u>