

VENTURA COUNTY OFFICE OF EDUCATION

SUPERINTENDENT POLICY NO. 4119.41 / 4219.41
REPLACED: 4119.4

ADOPTED: 08/22/22

CLASSIFICATION: Personnel

SUBJECT: Employees with Infectious Disease

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

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 non-casual 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 County 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, are included in the emergency preparedness plan.

The County Superintendent, Risk Manager or Human Resources Administrator, 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

VCOE 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 his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

Legal Reference:

EDUCATION CODE

[44839](#) Medical certificate; periodic medical examination

[44839.5](#) Requirements for employment of retirant

[49406](#) Examination for tuberculosis (employees)

CIVIL CODE

[56-56.37](#) Confidentiality of medical information

GOVERNMENT CODE

[12900-12996](#) Fair Employment and Housing Act

HEALTH AND SAFETY CODE

[120975-121020](#) Mandated blood testing and confidentiality to protect public health

CODE OF REGULATIONS, TITLE 2

7293.5-7294.2 Discrimination based on disability

CODE OF REGULATIONS, TITLE 5

[5502-5504](#) Medical certification

CODE OF REGULATIONS, TITLE 17

[2500](#) Reportable diseases and conditions

[2508](#) Reporting of communicable diseases; duty of schools

UNITED STATES CODE, TITLE 29

[794](#) Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

[12101-12213](#) Americans with Disabilities Act