

Students – Attendance

Exclusion from Attendance

The Superintendent or designee shall ensure that each child entering a District school at any grade level adheres to District admission requirements and enrollment procedures.

Mandatory Exclusions

Education Code 48216 requires that a student who has not met immunization requirements be excluded from school. However, pursuant to Health and Safety Code 120335 and 120370, as amended by SB 277, a student may be exempted from one or more immunizations for medical reasons or because their parent/guardian submits a letter of affidavit by January 1, 2016, stating that they object to immunizations based on their personal beliefs. Students who are granted an exemption on the basis of their parent/guardian's personal beliefs must be immunized when they enter the next grade span as defined (birth to preschool, grades K-6, or grades 7-12). The new law specifies that its provisions do not prohibit a student who qualifies for an individualized education program (IEP) from "accessing any special education and related service" required by their IEP. See BP/AR 5141.31-Immunizations for further information about immunization requirements and exemptions.

The Superintendent or designee shall not unconditionally admit any student to an elementary or secondary school, preschool, or child care and development program for the first time, nor, after July 1, 2016, admit or advance any student to grade 7 unless the student has been fully immunized in accordance with Health and Safety Code 120335 and BP/AR 5141.31-Immunizations or is exempted by law.

If a conditionally admitted student has not received required immunizations within 10 days after their parent/guardian has been notified of the need to do so, the student shall be excluded until they provide written evidence that they have received the vaccines due at that time.

The Superintendent or designee shall not admit a student who is reasonably suspected of having active tuberculosis. They shall be denied admission until the local health officer or licensed medical practitioner informs the District, in writing that the student is no longer at risk of developing or transmitting the disease.

The Superintendent or designee shall exclude a student who is infected with any contagious or infectious disease. The student shall be permitted to return to school when a medical provider informs the Superintendent or designee in writing that they are satisfied that the contagious or infectious disease no longer exists.

The Superintendent or designee shall exclude a student who resides where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed and who

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is subject to strict isolation or quarantine of contacts, unless written permission of the health officer is provided.

Permissive Exclusions

A student may be excluded from attendance at a District school under either of the following circumstances:

1. If there is good cause to believe that the student has been exposed to any disease stated in Health and Safety Code 120335 and their documentation of immunization does not show proof of immunization against that disease, the student may be temporarily excluded from the school until the local health officer is satisfied that the student is no longer at risk of developing or transmitting the disease.
2. If the student has not had the health screening specified in Health and Safety Code 124040 before or within the first 90 days of attending first grade, they may be excluded for up to five days unless the parent/guardian has presented a waiver or the District has exempted the student from this requirement in accordance with law.

Notifications to Parents/Guardians

The Superintendent or designee may exclude a student without prior notice to the parent/guardian if the student is excluded because:

1. They reside in an area subject to quarantine pursuant to Health and Safety Code 120230.
2. They are exempt from a medical examination but suffer from a contagious or infectious disease pursuant to Education Code 49451.
3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion.

In all other cases, the Superintendent or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion, prior to excluding the student from attendance.

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Appeals from Exclusion

Upon exclusion of their child, a parent/guardian may meet with the Superintendent or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent or designee to exclude their child, they may appeal the decision to the Governing Board.

The parent/guardian shall have an opportunity to inspect all documents upon which the District is basing its decision, to challenge any evidence and question any witness presented by the District, to present oral and documentary evidence on the student's behalf, and to have one or more representative present at the meeting.

Legal Reference: Education Code, Sections 46010; 46010.5; 48211; 48213; 48214; 49451
Health and Safety Code, Sections 3118; 3381; 3389
Code of Regulations, Title 17, Sections 6055; 6060

Rules Approved: 08/01/1966
Rules Revised: 06/03/1968; 02/20/1979; 07/02/1985; 05/21/1996; 12/17/2002;
11/16/2010; 05/31/2019

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