

FOR YOUR INFORMATION

LOS ANGELES UNIFIED SCHOOL DISTRICT  
Office of the Senior Deputy Superintendent, Educational Services

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ROUTING

SUBJECT: BULLETIN NO. Z-23  
STUDENT MEDICAL EXEMPTION  
AND EXCLUSION POLICY AND  
PROCEDURES

Local District Superintendents  
Local District School Support  
Directors  
Administrators  
Principals  
Physicians  
Nurses

DATE: September 3, 2002

DIVISION: Student Health and Human Services

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For further assistance, please call Student Medical Services at 213-763-8342, Psychological Services Branch at 213-241-8303 or Pupil Services Branch at 213-241-3844. This bulletin replaces District Health Services Bulletin No. 10 (Rev.) "Student Medical Exemption and Exclusion Policy and Procedures," October 30, 1999. The content has been updated and reflects current District policy.

I. INTRODUCTION

This bulletin describes the policies and procedures for withholding school attendance by medical exemption and medical exclusion for students in regular classes with no Individualized Education Program (IEP) currently in effect, and for identified Individual with Exemption Needs (IWEN) students, regardless of class placement. It also briefly summarizes other types of medical exclusions for all students.

II. PROCEDURES FOR STUDENTS IN REGULAR CLASS WITH NO CURRENT IEP

A. Medical Exemption

A parent/guardian may request or agree with school personnel that exemption from partial or total school attendance is in the best interest of the student until suitable medical intervention and/or change in educational placement can be provided.

1. Exemption request initiated by a parent/guardian or private physician on a medical basis only:

- a) The parent/guardian must furnish to school authorities satisfactory evidence of the child's physical and/or emotional condition upon which the exemption is sought. Such evidence shall be in the form of written communication from a private physician, psychiatrist, licensed medical agency and/or mental health agency.

- b) After the receipt of the information from the private physician or agency, the school nurse shall obtain the Request for Medical Exemption (Attachment B) from the school physician/Student Medical Services (SMS). Section A of the Exemption Form is to be completed by school personnel and forwarded along with the written evidence to the school physician.
- c) The school physician, will approve or deny the request, complete Section B and return copies of the Medical Evaluation Form (33.21) to the principal for implementation and to the school nurse for filing with the health card. The original form will be sent to the SMS office.
- d) If the request for exemption is denied, the parent/guardian of the student shall be advised of the provision of California Education Code Section 48200, in regard to compulsory full-time education.
- e) Based on District's goal to improve student achievement, medical exemptions/exclusions may be issued only once per school year in order to ensure that a student receives appropriate instruction and/or remediation.

If the student does not attend school after the request is denied, Pupil Services at the Local District, shall be advised by the school principal.

## 2. Exemption request initiated by the school principal/designee

Prior to this request, the following should have occurred, under the direction of the school principal:

- a) The student's behavior has been documented.
- b) The student and parent/guardian have been conferenced concerning the specific problems being encountered.
- c) Appropriate remedial measures have been used, such as change of class assignment, other assistance available in the local school, or suspension.

If the above attempts at remediation do not resolve the situation, a parent/guardian conference is held with the school physician. The following steps are necessary in arranging the conference:

- At the principal's request, the school nurse shall make a conference appointment for parent/guardian and the school physician at the school of attendance.
- The following items shall be available to the physician at the time of the conference:

- health card
  - cumulative record
  - teacher(s)'s anecdotal record(s)
  - information regarding remedial measures taken
  - any pertinent information from other school personnel and/or private or public agencies who have had contact with the student or the student's family.
- The school physician shall:
    - consult with appropriate District Mental Health Office/ student's private doctor and/or appropriate licensed medical/ mental health agency.
    - review the above information
    - examine the student
    - confer with the parent/guardian and principal or designee
    - complete or update the Medical Evaluation (Form 33.21)
    - complete the Request for Medical Exemption (Attachment B), including signatures of principal and parent/guardian.

3. Length of day and duration of exemption:

- a) The exemption will clearly state the recommended number of hours the student may attend daily, if the exemption is for a part day. Exemptions are not written to tolerance.
- b) The expiration date of an exemption will be no longer than 50 calendar days, including weekends, holidays, and days off- track.
- c) The exemption becomes effective on the date it is signed by the parent/guardian, school physician and principal.

4. Disposition of completed forms:

- a) The original Medical Evaluation (Form 33.21) is to be sent to SMS. A copy is placed in the student's Health Record card envelope.
- b) The original completed Request for Medical Exemption (Attachment B) along with a copy of form 33.21 will be forwarded to SMS by the school physician.
- c) After reviewing the exemption and evaluation, the physician will distribute copies of the Medical Exemption Form as follows:
  - 1. Local District Superintendent
  - 2. School Principal
  - 3. School Nurse for filing with health card
  - 4. Parent/Guardian with a cover letter

#### 5. The IEP Team Meeting

- a) If the individual assessment is recommended and an IEP Team recommends special education placement prior to the 50-calendar day limit, the exemption expires at the time of placement. If no special education placement is recommended, the exemption continues to the 50-calendar day limit.
- b) The school physician will be notified by the school of the IEP Team meeting as necessary.

#### B. Medical Exemption-Without Individual Psychological Assessment

1. If medical exemption is being considered for students on whom an individual psychological assessment has not been recommended, it is particularly important that these students be referred for appropriate medical and/or mental health counseling in an effort to identify and correct the behaviors leading to request for exemption.
2. Since the parent/guardian would be present, it would be advisable for the school physician to prepare a Medical Evaluation (Form 33.21). A copy of the medical evaluation should be attached to the original Request for Medical Exemption (Attachment B) sent to the SMS office.
3. Exemptions of this type are written for part day only and should not exceed 50 calendar days.

#### C. Medical Exclusion- Potentially Hazardous Behavior Involved

A medical exclusion is considered only when documented evidence clearly indicates potentially hazardous behavior and the parent/guardian refuses to sign a Request for Medical Exemption (Form 33.2).

When a student exhibits behavior which causes attendance to be inimical to the welfare of students and/or school personal, the following procedures will be used:

1. If the school principal has recommended a Medical Exemption, and during the physician/ parent conference the parent/guardian does not agree that withholding school attendance is in the best interest of the student, the school physician may recommend Medical Exclusion of the student to the school principal. The school principal should advise the Local District Superintendent of the intended exclusion.
2. Consideration of a Medical Exclusion involves the review of records, examination of the student, conference with parent/guardian, and preparation of the Medical Evaluation as does a Medical Exemption.

3. Procedure:
  - a) The school physician completes Medical Recommendation for Exclusion (Form 33.3, Attachment A). All exclusions are for the full school day and a maximum of 50 calendar days, including weekends, holidays, and days off-track. The exclusion expires if alternate school placement is made.
  - b) The parent will be asked to sign the Medical Recommendation for Exclusion indicating disagreement.
4. Guidelines for school attendance while awaiting approval or disapproval of recommendation for Medical Exclusion:
  - a) If the student constitutes a “clear and present danger to life, safety, or health of pupils or school personnel,” then the school principal may exclude the student at the time of the conference. (California Education Code, Section 48213)
  - b) If the student does not constitute a “clear and present danger to life, safety, or health of pupils or school personnel,” the student remains in school until the Board of Education approves or disapproves the Recommendation for Exclusion.
  - c) The school principal will notify the parent/guardian in writing within 24 hours of this recommendation for exclusion . A copy of the completed Medical Recommendation for Exclusion (Attachment A) will be enclosed. The school principal will also notify the Local District Superintendent or District Administrator of Operations.
  - d) Request for Medical Exclusion (Form 33.3) will be distributed immediately as follows:
    1. The school physician will send the original form to SMS along with a copy of the documented evidence and a copy of the updated Medical Evaluation (Form 33.21).
    2. Copies of the form will be sent by school principal to:
      - a. Local District Superintendent
      - b. School nurse for filing with health card
      - c. Parent/guardian with a cover letter
  - e) A committee chaired by the Local District Superintendent or designee will review the Recommendation for Medical Exclusion at the local district within 5 days. The committee will include the school physician and the Psychological Services coordinator. The parent/guardian of the student and the student, if appropriate, will be invited. If the need for exclusion is substantiated, such recommendation will be referred to the Board of Education for approval or disapproval not later than 48 hours after the review.

- f) Processing the Recommendation for Medical Exclusion to the Board of Education:
1. The Local District Superintendent/designee, shall prepare a report for the Board of Education documenting reasons for the exclusion request.
  2. The Executive Officer of the Board shall schedule a review of the Recommendation for Exclusion at a closed session of the Board of Education, and is responsible for providing notice to the student's parent/guardian of the date, time, and place the Board will meet for this hearing. Prior to this meeting, the Executive Officer of the Board will also send to the parent/guardian the statements required by California Education Code, Section 48213. This notice will contain the statement that the student's parent/guardian has the right to request that this hearing be scheduled at a public session of the Board of Education. The parent/guardian must make such a request in writing, within 48 hours of receipt of notice of the hearing.
  3. The Local District Superintendent, or designee, shall be responsible for presenting the exclusion report to the Board. School physician, Psychological Services Coordinator, Pupil Services Coordinator and Attendance and Adjustment Services will be present as consultants.
  4. The Executive Officer of the Board will notify the parent/guardian, Local District Superintendent of the school of assignment and the school, Student Medical Services, in writing, of the Board's decision. The duration of exclusion, including the beginning and ending dates, conditions, and a date for review will be included.
- g) Other Instructions For School Principals
1. If the student's parent/guardian does not speak English, an interpreter shall be present during meetings or conferences. Any correspondence to the student's parent/guardian shall be in English and in the native language of the parent/guardian whenever feasible.
  2. Correspondence with the student's parent/guardian shall be mailed via certified mail, return receipt requested, addressed to Mr. or Mrs. John Doe to facilitate its receipt. A copy of the correspondence should also be sent by regular mail to effect a more immediate response.
  3. If the parent/guardian does not attend the conference with the school physician after two appointments have been made including one by certified mail, return receipt requested, the school physician may complete the Medical Recommendation for Exclusion (Form 33.3) without the parent/guardian signature.

4. Medical exemptions and exclusion may not be predated or postdated, and are not renewable unless extraordinary conditions exist.
5. In traditional calendar schools, medical exemptions or exclusions may not extend beyond the end of the school year in June.
6. In year-round schools, medical exemptions and exclusions are not to be written when a student is off-track to prevent his/her return.
7. Any student, regular or IWEN, who causes or attempts to cause injury to other persons, damage to property of another or the school, or otherwise willfully defies the authority of teachers, supervisors, or administrators may be suspended or expelled as authorized by law; however, note that special procedures apply in the case of IWENS. (See the most recent versions of Student Attendance and Adjustment Services Bulletin No. 3, "Guidelines for Student Suspensions," and Student Adjustment Services Bulletin No. 4, "Guidelines for Student Expulsion.")

### III. PROCEDURES FOR INDIVIDUALS WITH EXCEPTIONAL NEEDS (IWEN)

An IWEN student is defined as any student with a current IEP in effect. One of the responsibilities of the IEP team is the modification of the length of the school day for IWEN students in Special Education Centers, in Special Education classes on a regular school campus, and in regular classes receiving special education services. Such services include but are not limited to the Resource Specialist Program and itinerant Designated Instructional Services (adapted P.E., speech, etc.).

Medical exemption requests initiated by a private physician or agency on a medical basis only must be referred to the school physician, to approve or deny the request, and with notification to the Local District Coordinator, Special Education Services.

### IV. OTHER MEDICAL EXCLUSIONS FOR ALL STUDENTS

#### a) Immunization Requirement

1. Any student admitted to school conditionally, who fails to obtain the required immunizations within the time periods specified, must be excluded from school and/or children's infant center until he/she receives the required vaccine(s).
2. When a student who has not been completely immunized against a particular communicable disease is believed to have been exposed to the disease, the school nurse must report this information to the Communicable Unit for further follow-ups.

For additional information on immunization, refer to the most recent version of Student Health and Human Services bulletin on immunization.

b) Tuberculosis Examination Requirement

Students who do not meet the tuberculosis examination requirement are to be excluded from school (Student Health Services Division Bulletin No. Z-21, "Tuberculosis Examination Requirement for New Entering Students," February 1, 1998). A student may be readmitted when he/she provides written evidence that the required examination has been given and interpreted.

c) Contagious or Infectious Diseases

1. Students with communicable diseases are excluded and readmitted in accordance with the guidelines set forth in "Communicable Diseases, Rules and Regulations, LAUSD, 1991."
2. Students with communicable diseases not addressed in "Communicable Diseases, Rule and Regulations," must be referred to the Director, Student Medical Services.
3. When a student is excluded for a contagious or infectious diseases, the exclusion notice is usually signed by the school principal or designee upon recommendation of health personnel and the exclusion becomes effective immediately.

V. REFERENCES

California Education Code 48211 "The governing board of any school district may exclude children of filthy or vicious habits, or children suffering from contagious or infectious diseases."

California Education Code 48213 Exclusion pursuant to Section 48211 excerpts:

"Prior to excluding a child from attendance pursuant to Section 48211 the governing board shall send a notice to the parent or guardian of the child."

"If a child is excluded from attendance pursuant to Section 3118 of the Health and Safety Code or Section 49451 of this code, or when a principal or his or her designee determines that the continued presence of the child would constitute a clear and present danger to life, safety or health of pupils or school personnel, the governing board shall not be required to send prior notice of the exclusion to the parent or guardian of the child as required in this section. The governing board shall send a notice as required by this section as soon as is reasonably possible after the exclusion."

California Education Code 482214 "The governing board of a school district shall adopt rules and regulations governing periodic reviews of its decision to exclude children from attendance pursuant to Sections 48211."

Los Angeles Unified School District Board Rule 2312 Exemption/Exclusion Reporting and Readmission for Communicable Diseases and Other Health Related Conditions.