REPORTS

School authorities, including the Superintendent, principal, teacher, school health official, or counselor, shall report to the local health authority those students attending school who are suspected of having a notifiable condition, as defined by state law and the Texas Department of State Health Services (TDSHS). If there is no local health authority appointed or if the District is outside the jurisdiction of a local health authority, the report shall be made to the regional director. *25 TAC 97.2(d), .5(a); Health and Safety Code 81.041–.042*

SEXUALLY TRANSMITTED DISEASES AND HIV

A local school authority shall report a child attending school who is suspected, based on medical evidence, of having a sexually transmitted disease (STD) and/or is an HIV-exposed infant in accordance with 25 Administrative Code 97.131–.135. If the local school authority, or an individual listed under 25 Administrative Code 97.132(1), (3), or (4), does not make the required report, an individual listed under 25 Administrative Code 97.132(2), including a professional nurse, a health professional, a peace officer, and a parent or guardian, must report a person who has or is suspected of having an STD and/or is an HIV-exposed infant. *25 TAC 97.5(a)(3), .132(2), (5)* [See FFG(LEGAL) regarding reports to the Department of Family and Protective Services]

"School authority" means the Superintendent or the Superintendent's designee. *Health and Safety Code 81.003(10)*

PENALTIES

A person commits a Class B misdemeanor if the person knowingly fails to report a reportable disease or health condition under Health and Safety Code Chapter 81, Subchapter B. *Health and Safety Code 81.049*

EXCLUSION

The principal shall exclude from attendance any student suffering from a communicable condition, as defined by the commissioner of health, until one of the criteria for readmittance is fulfilled. *25 TAC 97.7(b)*

READMITTANCE

Students excluded for reason of communicable disease shall be readmitted by one or more of the following methods, as determined by the local health authority or the TDSHS regional director if no local health authority has been appointed:

1. Submitting a certificate of the attending physician, advanced practice nurse, or physician assistant attesting that the child does not currently have signs or symptoms of a communicable disease or to the disease's non-communicability in a school setting.

2. Submitting a permit for readmission issued by a local health authority.

3. Meeting readmission criteria as established by the commissioner of health.

25 TAC 97.1(13), .7(c)

Note: The TDSHS Communicable Disease Chart for Schools and Child-Care Centers, detailing symptoms and treatment information regarding several diseases, as well as exclusion and readmission criteria, is available with notes at www.dshs.state.tx.us/idcu/health/schools_childcare/resources/ChildCareChartNotes.pdf.

BACTERIAL MENINGITIS

TEA shall prescribe procedures by which each district shall provide information relating to bacterial meningitis to its students and their parents each school year. The procedures must ensure that the information is reasonably likely to come to the attention of the parents of each student. The agency shall prescribe the form and content of the information.

With the written consent of TEA, the District may provide the information to its students and their parents by a method different from the method prescribed by the agency if the agency determines that method would be effective in bringing the information to the attention of the parents of each student.

Education Code 38.0025