

Marion County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Acquired Immune Deficiency Syndrome	Descriptor Code: 6.404	Issued Date: 04/24/01
		Rescinds: 6.404	Issued: 12/15/97

1 **LIABILITY AND NON-DISCRIMINATION**

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3 Students infected with HIV shall not be denied enrollment in school. The Board shall not prevent an HIV
4 infected student from participating in the continuation of his/her education on the basis of HIV infection.

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6 Mandatory screening for communicable diseases not spread by casual everyday contact, such as HIV
7 infection, shall not be a condition for school entry or attendance.

8 9 **ADMINISTRATIVE RESPONSIBILITIES**

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11 If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that student
12 will be under the direct supervision of the director of schools.

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14 The director of schools shall convene an evaluation team composed of the student's parents/guardian, the
15 student's physician if s/he elects to attend, a physician or nurse from the Public Health Department as
16 designated by the regional health officer and a representative of the local education agency as designated
17 by the superintendent. The evaluation team shall evaluate and review the student's health status relative
18 to attending school.

19
20 The director of schools shall be responsible for requesting medical records from the parent/guardian and
21 a statement from the student's physician regarding health status of the student reported to have HIV/AIDS.
22 In addition, the director of schools will gather information regarding the student's cumulative school record.
23 These records will be reviewed by the evaluation team.

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25 The evaluation team shall assume responsibility for determining when a student's medical condition
26 warrants the student's removal from the classroom. For any child determined as warranting removal from
27 the classroom due to medical reasons, the school shall be responsible for determining the appropriate
28 educational program for the child. The parent/guardian shall be included as part of the local decision-making
29 process.

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31 Because HIV/AIDS infection is a progressive disease, semi-annual medical and educational monitoring
32 will be conducted by the evaluation team using the latest public health information.¹

33 34 **CONFIDENTIALITY**

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36 No information concerning an HIV infected student shall be divulged, directly or indirectly, to any other
37 individual or group without the written consent of the parent/guardian. All medical information and written
38 documentation of discussions, telephone conversations, proceedings and meetings shall be kept by the
39 director of schools in a locked file. If the HIV infected student is under the age of eighteen (18), access
40 to this file will be granted only to those persons who have the written consent of the infected student's
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1 parents/guardians. Individuals will be informed of a student's HIV infection on a "Need To Know" basis,
2 as decided by the evaluation team, with the written consent of the parent/guardian.²
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4 **Under no circumstances shall information identifying a student with AIDS be released to the public.**³
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6 **APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS**

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8 If a change in an HIV infected student's educational program becomes necessary (due to a secondary
9 infection that constitutes a medically recognized risk of HIV transmission in the school setting or
10 deteriorating health of the student) the director of schools parent/guardian, and the treating physician will
11 develop an appropriate educational program in the least restrictive environment which is legally and
12 educationally sound. If the HIV infected student is receiving special education services, these services will
13 be in agreement with established policies.

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15 Reassessment of educational placement will be conducted semi-annually.

17 **CURRICULUM**

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19 The director of schools shall be responsible for developing instructional objectives to address each
20 terminal objective in the state AIDS curriculum framework and provide each teacher responsible for
21 teaching AIDS education with these objectives.⁴
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23 The state AIDS curriculum and related instructional objectives will be used in grades K-12.
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41 **Legal References:**

- 43 1. TRR/MS 0502-1-3-.08(2)(g)
 - 44 2. TCA 68-10-113
 - 45 3. 20 USC 1232(g); 34 CFR § 300.571-2
 - 46 4. TRR/MS 0520-1-3-.05(1)(c)
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Cross References:

Section 504/ADA Grievance Procedures 1.802
Special Education 4.202
Special Programs 4.206