

Decatur County Board of Education

Monitoring: Review: Annually, in April	Descriptor Term: Acquired Immune Deficiency Syndrome	Descriptor Code: 6.404	Issued Date: 07/13/17
		Rescinds: 6.404	Issued: 04/13/06

1 **LIABILITY AND NON-DISCRIMINATION**

2 Students infected with HIV shall not be denied enrollment in school. The board shall not prevent an HIV
3 infected student from participating in the continuation of his/her education on the sole basis of HIV
4 infection. To the extent practical with medical and educational needs, the student shall be subject to the
5 same rules for class assignment, privileges and participation in any school-sponsored activities as all
6 other students. The board shall strive to maintain a respectful school climate for HIV infected students.

7 Mandatory screening for communicable diseases not spread by casual everyday contact, such as HIV
8 infection, shall not be a condition for school entry or attendance.¹

9 **ATHLETICS**

10 A student who is HIV positive may not be denied the opportunity to participate in school athletic
11 programs based solely on his/her HIV status. All reasonable accommodations shall be made to allow
12 students with HIV to participate in school-sponsored physical activities.

13 **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

14 If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that
15 student shall be directed by procedures initiated by the director of schools.

16 The director of schools shall be responsible for requesting medical records from the parent/guardian and
17 a statement from the student's physician regarding health status of the student reported to have HIV/
18 AIDS. In addition, the director of schools shall gather information regarding the student's cumulative
19 school record.

20 **CONFIDENTIALITY**

21 No information concerning an HIV infected student shall be divulged, directly or indirectly, to any other
22 individual or group without the written consent of the parent/guardian. All medical information and
23 written documentation of discussions, telephone conversations, proceedings and meetings shall be kept
24 by the director of schools in a locked file. If the HIV infected student is under the age of eighteen (18),
25 access to this file shall be granted only to those persons who have the written consent of the infected
26 student's parents/guardians.

27 Under no circumstances shall information identifying a student with AIDS be released to the public.^{2,3}

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1 APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS

2 In determining the educational placement of a student known to be infected with HIV, school authorities
3 shall follow established policies and procedures for students with disabilities. School authorities shall
4 reassess placement if there is a change in the student's need for accommodations or services.

5 HIV PREVENTION EDUCATION/CURRICULUM

6 The director of schools shall be responsible for developing instructional objectives to address each
7 terminal objective in the state AIDS curriculum framework and provide each teacher responsible for
8 teaching AIDS education with these objectives. Students shall further be taught universal precautions
9 through the K-8 Healthful Living and Lifetime Wellness curricula and through the board's HIV
10 prevention education program.

11 The state AIDS curriculum and related instructional objectives shall be used in grades K-12. Parents and
12 guardians shall have convenient opportunities to preview all HIV prevention curricula and materials in
13 accordance with the provisions of the Family Life Curriculum.

14 Students shall have access to voluntary and confidential counseling about matters related to HIV.
15 Administrators shall maintain a list of counseling and testing resources for student use.

16 INFECTION CONTROL

17 The director of schools shall develop an Occupational Safety and Health Administration (OSHA)-based
18 infection control plan in which each school will provide for: 1) well-maintained and easily accessible
19 materials necessary to follow universal precautions, and 2) designate first responders responsible for
20 implementing infection control guidelines, including investigating, correcting, and reporting on
21 instances of exposure. All schools shall further follow the most current Centers for Disease Control and
22 Prevention (CDC) Universal Precautions for Prevention of Transmission of Human Immunodeficiency
23 Virus, Hepatitis B Virus, and Other Blood borne Pathogens in Health Care Settings and the OSHA blood
24 borne pathogens standard.⁴

25 The director of schools shall develop procedures to implement this policy as well as the State Board of
26 Education HIV/AIDS Policy for Employees and Students of Tennessee Public Schools.⁵

Legal References

1. TRR/MS 0502-01-03-.08(2)(g)
2. TCA 68-10-113
3. 20 USCS 1232(g); 34 CFR § 300.622, .623
4. TRR/MS 0520-01-03-.05(1)(c)
5. Tennessee State Board of Education Policy 5.300,
*HIV/AIDS Policy for Employees and Students of
Tennessee Public Schools*

Cross References

- Section 504 & ADA Grievance Procedures 1.802
Special Education 4.202
Special Programs 4.206