

Lakeland Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Acquired Immune Deficiency Syndrome	Descriptor Code: 6.404	Issued Date: 02/10/14
		Rescinds:	Issued:

1 **LIABILITY AND NON-DISCRIMINATION**

2
3 Students infected with HIV shall not be denied enrollment in school. The Board shall not prevent an
4 HIV infected student from participating in the continuation of his/her education on the sole basis of HIV
5 infection. To the extent practical with medical and educational needs, the student shall be subject to the
6 same rules for class assignment, privileges and participation in any school-sponsored activities as all
7 other students. The Board shall strive to maintain a respectful school climate for HIV infected students.
8

9 Mandatory screening for communicable diseases not spread by casual everyday contact, such as HIV
10 infection, shall not be a condition for school entry or attendance.¹
11

12 **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

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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 superintendent.
16

17 The superintendent shall be responsible for requesting medical records from the parent/guardian and a
18 statement from the student's physician regarding health status of the student reported to have HIV/AIDS.
19 In addition, the superintendent shall gather information regarding the student's cumulative school record.
20

21 **CONFIDENTIALITY**

22
23 No information concerning an HIV infected student shall be divulged, directly or indirectly, to any other
24 individual or group without the written consent of the parent/guardian. All medical information and
25 written documentation of discussions, telephone conversations, proceedings and meetings shall be kept
26 by the superintendent in a locked file. If the HIV infected student is under the age of eighteen (18),
27 access to this file shall be granted only to those persons who have the written consent of the infected
28 student's parents/guardians.
29

30 **Under no circumstances shall information identifying a student with AIDS be released to the public.^{2,3}**
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32 **APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS**

33
34 In determining the educational placement of a student known to be infected with HIV, school authorities
35 shall follow established policies and procedures for students with disabilities. School authorities shall
36 reassess placement if there is a change in the student's need for accommodations or services.
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38 **HIV PREVENTION EDUCATION/CURRICULUM**

39
40 The superintendent shall be responsible for developing instructional objectives to address each terminal
41
42

1 objective in the state AIDS curriculum framework and provide each teacher responsible for teaching
2 AIDS education with these objectives. Students shall further be taught universal precautions through
3 the K-8 Healthful Living and Lifetime Wellness curricula and through the Board's HIV prevention edu-
4 cation program.

5
6 The state AIDS curriculum and related instructional objectives shall be used in grades K-12. Parents
7 and guardians shall have convenient opportunities to preview all HIV prevention curricula and materials
8 in accordance with the provisions of the Family Life Curriculum.

9
10 Students shall have access to voluntary and confidential counseling about matters related to HIV. Ad-
11 ministrators shall maintain a list of counseling and testing resources for student use.

12 **INFECTION CONTROL**

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14
15 The superintendent shall develop an Occupational Safety and Health Administration (OSHA)-based
16 infection control plan in which each school will provide for: 1) well-maintained and easily accessible
17 materials necessary to follow universal precautions, and 2) designate first responders responsible for
18 implementing infection control guidelines, including investigating, correcting, and reporting on instances
19 of exposure. All schools shall further follow the most current Centers for Disease Control and Preven-
20 tion (CDC) Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus,
21 Hepatitis B Virus, and Other Blood borne Pathogens in Health Care Settings and the OSHA blood borne
22 pathogens standard.⁴

23
24 The superintendent shall develop procedures to implement this policy as well as the State Board of
25 Education HIV/AIDS Policy for Employees and Students of Tennessee Public Schools.⁵

32 Legal References:

- 34 1. TRR/MS 0502-1-3-.08(2)(g)
- 35 2. TCA 68-10-113
- 36 3. 20 USC 1232(g); 34 CFR § 3622-623
- 37 4. TRR/MS 0520-1-3-.05(1)(c)
- 38 5. State Board of Education Policy No. 5.300, HIV/AIDS Policy
39 for Employees and Students of Tennessee Public
40 Schools Revised, August 18, 2005

Cross References:

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