

McNairy County Board of Education

Monitoring: Review: Annually, in May	Descriptor Term: Acquired Immune Deficiency Syndrome	Descriptor Code: 6.404	Issued Date: 05/11/06
		Rescinds: 6.404	Issued: 12/10/98

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 basis of HIV
5 infection. Further, the student shall be subject to the same rules for class assignment, privileges and
6 participation in any school-sponsored activities as all other students. The Board shall strive to maintain
7 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 **ATHLETICS**

12
13 A student who is HIV positive may not be denied the opportunity to participate in school athletic
14 programs based solely on his/her HIV status. All reasonable accommodations shall be made to allow
15 students with HIV to participate in school-sponsored physical activities.¹

16 **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

17
18 If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that
19 student will be directed by procedures initiated by the director of schools.

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

25 **CONFIDENTIALITY**

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

33
34 **Under no circumstances shall information identifying a student with AIDS be released to the**
35 **public.**^{2, 3}

1 APPROPRIATE ALTERNATIVE EDUCATION PROGRAMS

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

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9 The director of schools shall be responsible for developing instructional objectives to address each
10 terminal objective in the state AIDS curriculum framework and provide each teacher responsible for
11 teaching AIDS education with these objectives. Students shall further be taught universal precautions
12 through the K-8 Healthful Living and Lifetime Wellness curricula and through the Board's HIV preven-
13 tion education program.
14

15 The state AIDS curriculum and related instructional objectives will be used in grades K-12. Parents and
16 guardians shall have convenient opportunities to preview all HIV prevention curricula and materials in
17 accordance with the provisions of the Family Education Law of 1989.
18

19 Students shall have access to voluntary and confidential counseling about matters related to HIV. Ad-
20 ministrators shall maintain a list of counseling and testing resources for student use.
21

22 INFECTION CONTROL

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

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40 1. TRR/MS 0502-1-3-.08(2)(g)
41 2. TCA 68-10-113
42 3. 20 USC 1232(g); 34 CFR § 300.571-2
43 4. TRR/MS 0520-1-3-.05(1)(c)
44 5. State Board of Education Policy No. 5.300, HIV/AIDS Policy
45 for Employees and Students of Tennessee Public
46 Schools Revised, August 18, 2005

Cross References:

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