

# Hardeman County Board of Education

Monitoring: <b>Review: Annually, in May</b>	Descriptor Term: <b>Acquired Immune Deficiency Syndrome</b>	Descriptor Code: <b>6.404</b>	Issued Date: <b>08/12/10</b>
		Rescinds: <b>6.404</b>	Issued: <b>05/15/06</b>

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.<sup>1</sup>

11  
12    **ATHLETICS**

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

17  
18    **ADMINISTRATIVE RESPONSIBILITIES FOR CONFIDENTIALITY**

19  
20    If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that  
21    student will be directed by procedures initiated by the director of schools or his/her designee.

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

27  
28    **CONFIDENTIALITY**

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

36  
37    **Under no circumstances shall information identifying a student with AIDS be released to the**  
38    **public.<sup>2,3</sup>**

## 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.  
6

## 7 HIV PREVENTION EDUCATION/CURRICULUM

8  
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.<sup>4</sup>  
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### 40 Legal References:

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

### 40 Cross References:

- 41  
42 Section 504 & ADA Grievance Procedures 1.802  
43 Special Education 4.202  
44 Special Programs 4.206