



Acquired Immune Deficiency Syndrome (AIDS) (Student)

Policy Number: 6.404	Monitoring Review: Annually
Effective/Revised Date: June 28, 2023	Signature:
Approved by: Lizzette Gonzalez Reynolds, Commissioner	

Liability and Non-Discrimination

Students infected with HIV shall not be denied enrollment in school. No Achievement School District (ASD) school shall prevent an HIV infected student from participating in the continuation of their education on the sole basis of HIV infection. To the extent practical with medical and educational needs, the student shall be subject to the same rules for class assignment, privileges and participation in any school-sponsored activities as all other students. ASD Schools shall strive to maintain a respectful school climate for HIV infected students. Mandatory screening for communicable diseases not spread by casual everyday contact, such as HIV infection, shall not be a condition for school entry or attendance.¹

Administrative Responsibilities for Confidentiality

If a student's parents/guardians choose to disclose the child's HIV status, all matters pertaining to that student shall be directed by procedures initiated by the principal. The principal shall be responsible for requesting medical records from the parent/guardian and a statement from the student's physician regarding health status of the student reported to have HIV/AIDS. In addition, the principal shall gather information regarding the student's cumulative school record.

Confidentiality

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

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

Appropriate Alternative Education Programs

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

¹ TRR/MS 0520-01-13-.02

² Tenn. Code Ann. § 68-10-113

³ 20 U.S.C. 1232(g); 34 C.F.R. § 300.622, 623

HIV Prevention Education/Curriculum

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

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

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

Infection Control

The principal shall develop an Occupational Safety and Health Administration (OSHA)-based infection control plan in which each school will provide for:

- (1) well-maintained and easily accessible materials necessary to follow universal precautions, and
- (2) designate first responders responsible for implementing infection control guidelines, including investigating, correcting, and reporting on instances of exposure.

All schools shall further follow the most current Centers for Disease Control and Prevention (CDC) Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Blood borne Pathogens in Health Care Settings and the OSHA blood borne pathogens standard.⁴

The principal shall develop procedures to implement this policy as well as the State Board of Education HIV/AIDS Policy for Employees and Students of Tennessee Public Schools.⁴

⁴ State Board of Education Policy 5.300; Dept. of Labor OSHA Bloodborne Pathogens Standards 26 C.F.R. 1910.1030(c)(1)(i).