

**POLICY TITLE: Acquired Immune
Deficiency Syndrome (AIDS)
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Decisions regarding programs of education for students infected with Acquired Immune Deficiency Syndrome (AIDS) or Human Immunodeficiency Virus (HIV) should be based on the behavior, neurologic development, and the physical condition of the student and the anticipated interaction between the student and others in the school setting. Such decisions will be made by a team comprised of the student's parents or guardians, the student's physician, and appropriate school officials and other personnel, if any, whose involvement is deemed necessary. In each case, the decision making process shall include a weighing of benefits and risks to both the infected student and others interacting with that student.

Students infected with AIDS or the HIV virus will be allowed to attend school as long as the benefits to the child outweigh the risks to the child and others.

The district will not require disclosure of the student's HIV or AIDS status. Any information known to the district or its employees regarding a student's HIV or AIDS status will be confidential unless:

1. The student and his or her parents or guardian give prior approval of disclosure, or
2. Such disclosure is required by law.

The team described above will evaluate the student at three-month intervals to determine whether the student's educational environment should be changed. This evaluation will include an assessment of the student's hygienic practices and whether those practices suggest a need for a more or less restrictive environment.

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LEGAL REFERENCE:

Section 504 of the 1973 Rehabilitation Act

Title II of the Americans with Disabilities Act

OCR Staff Memorandum, 16 EHLR 712 (1990)

Idaho State Department of Education HIV/AIDS Policy Guidelines, September, 1994

ADOPTED: July 14, 1999