

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, neurological development, 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 parent/guardian, 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 will 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 student outweigh the risks to the student 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 parent/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.



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

FIRST READING: July 15, 2002

ADOPTED: August 12, 2002