

Book	Policy Manual
Section	200 Pupils
Title	HIV Infection
Code	203.1
Status	Active
Adopted	December 15, 2021

Purpose

The Joint Operating Committee is committed to providing a safe, healthy environment for its students and employees. The purpose of this policy shall be to safeguard the health and well-being of students and staff while protecting the rights of the individual.

This policy is based on current evidence that the HIV virus is not normally transmissible by infected individuals within the school, except as noted in this policy.

Definitions

AIDS - Acquired Immune Deficiency Syndrome.

HIV Infection - refers to the disease caused by the HIV or human immunodeficiency virus.

Infected students - refers to students diagnosed as having HIV Infection, including those who are asymptomatic.

Authority

This policy shall apply to all students in all programs conducted by the school.

The Joint Operating Committee directs that the established Joint Operating Committee policies and administrative regulations relative to illnesses among students shall also apply to infected students.[1]

The Joint Operating Committee shall not require routine screening tests for HIV Infection in the school setting, nor will such tests be a condition for attendance.

Delegation of Responsibility

The Administrative Director or designee shall be responsible for handling and releasing all information concerning HIV Infection and infected students.

All employees shall strive to maintain a respectful school climate and to prohibit physical or verbal harassment of any individual or group, including infected students.[2]

Building administrators shall notify students, parents/guardians and employees about current Joint Operating Committee policies concerning HIV Infection and shall provide reasonable opportunities to discuss the policy and related concerns.

Guidelines

Attendance

Infected students have the same right to attend school and receive services as other students and shall be subject to the same policies and rules. HIV Infection shall not factor into decisions concerning class assignments, privileges or participation in any school-sponsored activity.[2][3][4]

School authorities shall determine the educational placement of infected students on a case-by-case basis by following policies and administrative regulations established for students with chronic health problems and students with disabilities.

When an infected student's parent/guardian voluntarily discloses information regarding the student's condition, the employee who receives the information shall obtain the written consent of the parent/guardian to disclose the information to members of the Screening Team.[5]

A Screening Team comprised of the Administrative Director or designee, building administrator, school nurse, school physician, student's parents/guardians, and attending physician shall evaluate the infected student's educational placement. Placement decisions shall be based on the student's need for accommodations or services.

First consideration must be given to maintaining the infected student in a regular assignment. Any decision for an alternative placement must be supported by specific facts and data.

An infected student who is unable to attend school, as determined by a medical examination, shall be considered for homebound instruction or an alternative placement.[6][7]

An infected student may be excused from attendance if the parent/guardian seeks such excusal based on the advice of medical or psychological experts treating the student.[1][6][8]

An infected student's placement shall be reassessed if there is a change in the student's need for accommodations or services.

Confidentiality

Employees who have knowledge of an infected student's condition shall not disclose any information without prior written consent of the student's parent/guardian, consistent with the requirements of the Pennsylvania Confidentiality of HIV-Related Information Act.[5]

All health records, notes and other documents referring to an infected student's condition shall be secured and kept confidential.[5][9]

Infection Control

All employees shall be required to consistently follow infection control/universal precautions in all settings and at all times. Employees shall notify the Administrative Director or designee of all incidents of exposure to bodily fluids and when a student's health condition or behavior presents a reasonable risk of transmitting an infection.

The school shall maintain and keep reasonably accessible all equipment and supplies necessary for infection control.

Staff Development

The school shall provide opportunities for employees to participate in inservice education on HIV Infection.

Designated employees shall receive additional, specialized training appropriate to their positions and responsibilities.

Legal

1. Pol. 204
2. Pol. 103
3. 24 P.S. 1327
4. Pol. 103.1
5. 35 P.S. 7607
6. 24 P.S. 1329
7. 22 PA Code 11.25
8. 24 P.S. 1330
9. 24 P.S. 1409
- 24 P.S. 1301
- 35 P.S. 7601 et seq