

POLICY 5533.1
HUMAN IMMUNODEFICIENCY VIRUS

Students identified with human immunodeficiency virus (HIV) may continue to be serviced by the District and shall be eligible for all rights, privileges and services provided by law and District policies.

As a guideline, students with acquired immunodeficiency syndrome (AIDS) or HIV infection may be allowed to attend school in their regular classroom setting. Modifications to a student's educational program may be made in accordance with applicable laws and District procedures. A student will not be categorized as having exceptional education needs (EEN) or as Section 504 simply because of the student's HIV status.

Information concerning a student's HIV status shall remain confidential as required by law.

LEGAL REF.: Wisconsin Statutes
Sections: 118.125 Confidentiality/maintenance of student records, including HIV test results
118.13 Student discrimination prohibited
252.15 Confidentiality of HIV-related records
252.21 Communicable disease reporting
HSS 145 Wisconsin Administrative Code Communicable disease control
Americans with Disabilities Act of 1990 Disability discrimination prohibited
Section 504, Rehabilitation Act of 1972 Handicap discrimination prohibited

CROSS REF.: 5110 Equal Educational Opportunities
5533 Communicable Disease Control
5534 Administering Medication to Students
District Exposure Control Plan

AFFIRMED: August 13, 1991

REVISED: September 22, 1992
February 10, 1998

RULE 5533.1
HUMAN IMMUNODEFICIENCY VIRUS

1. School staff members must be aware of the laws dealing with the confidentiality of student HIV-related information, including applicable legal and District penalties if confidentiality is not maintained (e.g., fines, imprisonment, possible loss of job).
2. If a staff member is approached by a student or parent/guardian regarding that student's HIV status, the staff member should obtain the informed written consent of the student if over the age of 18, or parent/guardian to contact the registered nurse employed by the District and to disclose the student's HIV status to that nurse.
 - a. If the family refuses to consent to disclosure of the information to the registered nurse employed by the District, no further action will be taken.
 - b. With consent, the registered nurse will discuss rights and privileges with the student and family. The family may add other professionals to the list of persons to whom disclosure of the HIV-related information may be made as members of a special health needs team.