

STUDENTS WITH AIDS/ARC

Although the human immunodeficiency virus (HIV) infection is a communicable disease, it is not transmitted casually. Therefore, it is not in itself a reason to remove a student from school.

Decisions about the proper educational placement of a student with HIV infection shall be based on, among other things, the student's behavior, neurologic development and physical condition. A regular evaluation of the placement decision shall be conducted to assess changes in the student's physical condition.

In the event a student with HIV infection qualifies for services as a child with disabilities under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of this policy. Procedures shall be developed to insure confidentiality during the staffing process and in delivery of services to the disabled child.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary action, including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student and others because the student is posing an unacceptable risk of transmission of the disease.

In all proceedings related to this policy, the District shall respect the student's right to privacy. The Superintendent shall initiate procedures to insure that all medical information will be held in strict confidence. Any school staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

LEGAL REFS: 20 USC 1401 et. Seq. (P.I. 94-142, Education for all Handicapped Children Act)
29 USC 794 (1983) (Section 504 of the Rehabilitation Act)
42 USC 12101 et. Seq. (Americans With Disabilities Act)
CRS 22-20-101 through 22-210-114 (Exceptional Children's Education Act)
CRS 22-33-104 (2) (a)
CRS 22-33-106 (2)

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