

STUDENTS/STAFF WITH HIV, ARC (AIDS RELATED COMPLEX) OR AIDS

Scientific studies show that the Human Immunodeficiency Virus (HIV), the virus which causes the acquired immune deficiency syndrome (AIDS) or ARC (AIDS Related Complex), is transmitted through sexual intercourse with an infected individual or through exposure to contaminated blood or needles. There is no evidence to support the notion that the HIV virus can be transmitted through ordinary school or household activities, e.g. coughing, sneezing, hugging, sharing of utensils or food, or shaking hands.

The anonymity of individuals with HIV infection or AIDS is protected by law. Moreover, individuals with HIV infection or AIDS are protected from discrimination by both federal and state laws. Neither attendance at school nor employment may be denied to an individual with HIV infection or AIDS. It is the policy of the District that no student or staff member with HIV infection or AIDS may be prohibited from attending school/employment unless there is an immediate risk of injury or harm to the individual or to others.

Because of the diagnosis of HIV infection or AIDS is a confidential matter between the individual student or staff member and his or her physician, the District may be unaware of the diagnosis. Consequently, the Board of Education has adopted a policy of “universal precautions” which protects all students and staff from contact with blood and body fluids of others. These precautions are enumerated in the Bloodborne Pathogens policy.

HIV/AIDS information is strictly confidential and the statutes impose significant responsibilities on the school districts, consequently confidential information concerning HIV status may not be released to anyone except a health care provider without a written release from the parents.

When school officials become aware of a student’s HIV status, they may not share that information with other school personnel as they do with other educational records. Rather, further release of information is subject to the special requirement for a written release. Where such information may be relevant in education a student, the school medical advisor may be helpful in obtaining consent from the parents.

(cf. 4147.1/4217.1 Bloodborne Pathogens)

Legal Reference: Connecticut General Statutes  
10-76(d)(15) Duties and powers of boards of education to provide special education Programs and services.  
10-154a Professional communications between teacher or nurse and student  
10-207 Duties of medical advisors  
10-209 Records not to be public  
10-210 Notice of disease to be given parent or guardian  
19a-221 Quarantine of certain persons  
19a-581-585 AIDS testing and medical information  
20 U.S.C. 7906, No Child Left Behind Act of 2001