

<i>Policy</i>	<i>Title</i> HIV	<i>Code</i> JLCCA-GBGGA
---------------	----------------------------	-----------------------------------

HOLLISTON

Rationale:

The medical evidence is that HIV (Human Immunodeficiency Virus) is not transmitted through casual contact and therefore presents a low risk of transmission. State and federal laws that prohibit discrimination based on disability prohibit the exclusion of students or employees with HIV unless their attendance would present immediate danger to themselves or others. Examples of such immediate danger include exposure to other contagious diseases by the HIV positive individual or exposure to blood or other potentially infectious material of an HIV positive individual by another individual.

Confidentiality of Information:

Federal and state laws also protect the confidentiality of individuals with HIV. These laws prohibit school personnel from requiring that the school be informed concerning an individual's HIV status.

1. Although there is no requirement that a student or parent/guardian informs school personnel if the student is HIV positive, they are encouraged to do so. If school personnel are so informed, they may be better able to attend to the needs of the student, including administering medications, if needed, and/or informing the student or parent of the occurrence of contagious diseases (e.g. chicken pox, influenza, etc.) within the school population to which the HIV-infected student might be particularly susceptible.
2. If a student or parent/guardian chooses to inform school personnel regarding the student's HIV status, the staff member receiving the information may not inform other school personnel without the specific, informed, written consent of the parent or guardian. If the student has independently sought HIV testing and informs school personnel of his/her HIV status, the school staff member may not inform others without the student's specific, informed, written consent.
3. Employees, contracted personnel and/or volunteers are also under no legal requirement to inform the Holliston Public Schools regarding HIV status.

School Attendance:

Individuals will not be excluded from school on the basis of their HIV status. However, individuals with HIV are not exempt from exclusion from school under the School Committee's policy regarding management of exposure to blood or other potentially infectious material. (See EBBA – Diseases Transmitted via Blood and Other Potentially Infectious Materials - Prevention of.)

Employment Discrimination:

No school employee shall be terminated, non-renewed, demoted, suspended, transferred or otherwise subjected to adverse employment action based solely on such employee's HIV status or perceived status. School employees who are unable to perform their duties due to HIV shall remain eligible for all benefits that are provided for other school employees with long-term illnesses or disabling conditions in accordance with their collective bargaining agreements.

Education:

The Holliston Public Schools shall administer a program of ongoing education about HIV for students and employees which includes information about procedures to prevent the spread of all communicable diseases, the nature of the HIV infection, the policies and procedures of the Holliston Public Schools relating to students and employees who are infected with HIV, and resources available within and without the school system to obtain additional information or assistance.

First Reading:	March 16, 2000
Second Reading:	April 6, 2000
Third Reading:	August 24, 2000
Policy Adopted:	August 24, 2000
Policy Amended:	
Legal References:	M.G.L. c71, ss1 and 32A; c 111, s70F; c112, s12F; c151B, s4; c214, s1B. Section 504 of the Rehabilitation Act of 1972.
Policy Cross Reference:	AC (Notice of Non-discrimination) ; ACAA (Harassment) ; EBBA (Diseases Transmitted via Blood and Other Potentially Infectious Material – Prevention of) ; JLCC (Diseases – Communicable) ; IHAMBA (Sex Education Parent Notification)
Procedure Reference:	

01/06/kc