

HIV-RELATED ILLNESS

The Board of Education recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Board also recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open setting on District properties.

The Board acknowledges the rights of those individuals diagnosed as having AIDS or HIV infection to continue their education and employment as well as the rights of all individuals in the District to participate in District activities without being subjected to significant risks to their health. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Board that no student shall be denied the opportunity to attend school, continue their education or take part in school-related activities solely on the basis of being diagnosed as having AIDS or HIV infection. If a student with AIDS or HIV infection, because of their medical status, is not permitted to participate fully in a school education and/or extracurricular program, the District shall provide that student with an appropriate educational placement as fully integrated with the District's regular elementary and secondary school program as possible.

It is the policy of the Board that no employee shall be prevented from continuing in their employment solely on the basis of their HIV status; such employees are entitled to all rights, privileges, and services accorded to other employees and shall be entitled to reasonable accommodations to the extent that such accommodations enable such individuals to perform their duties. No disciplinary action or other adverse action shall be taken against any employee solely on the basis of their status as HIV infected or a person with AIDS. Such action will only be taken where, even with the provision of reasonable accommodations, the individual is unable to perform their duties.

In accordance with current state law and regulations, it is also the policy of the Board to prevent any individual from being subjected to adverse or discriminatory treatment or stigma because they have been diagnosed as having AIDS or being HIV-infected.

All employees shall have access to the District's exposure control plan as required by the federal Office of Safety and Health Association (OSHA). In accordance with OSHA regulations, training in universal precautions and infection control shall be offered to all employees and shall be provided to every employee with potential occupational exposure.

The Superintendent shall establish and implement, and all District personnel shall comply with, guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other body fluids in or on District facilities and premises. The Superintendent should consult with public health officials and/or appropriate District personnel, when appropriate, for the most current methods and information pertaining to such procedures.

Cross-ref: HIV-Related Illness Regulation (0150-R)
 Reproduction Health Education Program (4315.1-R)

NYSSBA Ref: HIV/AIDS (0150) – Recommended Policy

Ref: Public Health Law, Article 27-F
 29 USC §§794 et seq. (Rehabilitation Act of 1973)
 20 USC §§1400 et seq. (Individuals with Disabilities Education Act)
 42 U.S.C. §12132, et seq. (Americans with Disabilities Act)
 34 CFR Part 104

29 CFR Part 1910.1030

Executive Law §296 (Human Rights Law)

Education Law §§4401; 4401-a

Education Law §§903; 913

8 NYCRR §§29.1(g); 135.3; 136.3; 200

10 NYCRR §63

An Implementation Package for HIV/AIDS Policy in New York State School Districts, NYS
HIV/AIDS Prevention Education Program, June 17, 1998

Notes:

Prior policy, Policy Manual, HIV/AIDS (August 20, 1987); Revised August 20, 1998;
Amended June 29, 2023 pursuant to Resolution No. 2022-23: 918a (Formerly Policy 5191,
Students with HIV Related Illness); Amended April 23, 2026 pursuant to Resolution No. 2025-
26: 549

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