

CHAPTER 5.00 - STUDENTS

5.14

STUDENTS WITH AIDS OR HIV DISEASE

POLICY:

(1) Statement of Purpose:

All students diagnosed as having Human Immunodeficiency Virus Infection (HIV) Disease or Acquired Immune Deficiency Syndrome (AIDS), including clinical evidence of infection with the AIDS-associated virus (HIV) and receiving medical attention, are able to attend regular classes unless their condition is a threat to themselves or others. Federal and State laws also mandate, pursuant to the laws protecting disabled individuals, that those individuals not be discriminated against on the basis of their disabilities, and that if it becomes necessary, some reasonable accommodations be made to enable qualified students to continue to attend school.

(2) Confidentiality

(a) Only persons with an absolute need to know should have medical knowledge of a particular student's case. In individual situations, the Superintendent or his designee, Director of Student Services, may notify one or more of the following:

1. Principal
2. School Nurse
3. Student's teacher

(b) Notification should be made through a process that would maximally ensure patient confidentiality. Ideally, this process should be direct person-to-person contact. Persons who become so informed will be expected to maintain strict confidentiality.

CHAPTER 5.00 - STUDENTS

- (c) All procedural safeguards required by the Section 504 and ADA regulations apply to students disabled solely by reason of AIDS. The procedural safeguards include notice, an opportunity for the parents or guardians to examine relevant records, an impartial hearing opportunity for participation by the student's parents or guardians and representation by counsel, and a review procedure.

(3) Conditions which may warrant convening of Advisory Panel

All children diagnosed as having Human Immunodeficiency Virus Infection (HIV) Disease or Acquired Immune Deficiency Syndrome (AIDS), including clinical evidence of infection with the AIDS-associated virus (HIV) and receiving medical attention are able to attend regular classes. However, if a child so diagnosed evidences any one of the following conditions, the Superintendent of Schools or his designee, Director of Student Services, will convene an Advisory Panel for the purpose of making recommendations of the most appropriate educational placement of the student:

- (a) Manifestations of clinical signs and/or symptoms which indicate progression of the illness from HIV Disease to AIDS.
- (b) Demonstration of "risky or harmful" behavior to self or others.
- (c) Unstable or decompensated neuropsychological behavior.
- (d) Presence of open wounds, cuts, lacerations, abrasions, or sores on exposed body surfaces where impervious occlusion cannot be maintained.
- (e) Impairment of gastro-intestinal and/or genitourinary function such that control of internal body fluids cannot be maintained.

(4) Advisory Panel Composition

The Advisory Panel shall be composed of:

- (a) Superintendent of Schools of Dixie County, or his designee, Director of Student Services;
- (b) County Health Officer of Dixie County Public Health Department;

CHAPTER 5.00 - STUDENTS

- (c) Attending physician of the student with HIV infection;
 - (d) Secretary to the Superintendent, to serve ex-officio as official recorder of the panel's review meeting;
 - (e) Parent(s) of the HIV-infected student, when as appropriate or requested;
 - (f) Infectious disease specialty physician, when and as determined by the Superintendent or his designee, Director of Student Services, as appropriate;
 - (g) Legal counsel for School Board, when and as determined by the superintendent or his designee, Director of Student Services, as appropriate;
 - (h) Legal counsel of HIV-infected student, when and as appropriate or requested'
 - (i) Other school district staff when as appropriate;
 - (j) Persons listed in (a) through (c) shall constitute the Advisory Panel'
 - (k) Persons listed in (e) through (i) may participate at the invitation of the Superintendent or his designee, Director of Student Services, or at their request.
- (5) Advisory Panel Responsibilities
- (a) The general intent of the Advisory Panel is to serve as an expert professional resource to advise the Superintendent or his designee, Director of Student Services, in special situations where information about appropriate environment may not be available, complete, clear, or readily amendable to lay interpretation. It is expected that recommendations of the Advisory Panel shall be based solely upon current medical information consistent with established ethical guidelines and considerations in accordance with Guidelines of the Centers for Disease Control and other scientific and relevant professional bodies.
 - (b) Responsibilities of Advisory Panel shall include:

CHAPTER 5.00 - STUDENTS

1. Review student's medical history, and current status, social data, and prior school assignments;
2. Assess risk-benefit options.
3. Reduce findings, options, and recommendations to writing and review draft report before submission to Superintendent or his designee, Director of Student Services, focusing on key issues, unresolved problems, if any, and summary recommendations.
4. Submit written report to Superintendent and remain available as needed.
5. Re-evaluate all Panel cases on a continuing basis at least once every six (6) months and more often as circumstances change in the categories listed in #3 above.

(6) Advisory Panel Protocol

If the Superintendent or his designee, Director of Student Services, determines that any one of the conditions in #3 exists, the student in question will be placed on Homebound Instruction.

- (a) The Superintendent or his designee, Director of Student Services, shall have fifteen (15) work days (equivalent to three (3) calendar weeks) to collect data relevant to the case. He must also schedule and notify Advisory Panel members of initial review meeting, date, time and location.
 1. The Superintendent or his designee, Director of Student Services, shall obtain written consent from parents of students for release of medical information and past medical history, laboratory tests and other relevant records.
 2. Critical medical tests and other procedures will be conducted during this period as requested by the student's physician, the County Health Officer, or other medical practitioners as warranted.

CHAPTER 5.00 - STUDENTS

- (b) The advisory Panel shall have ten (10) additional work days (two (2) more calendar weeks) to review the data collected and to make a recommendation to the Superintendent.
1. If a medical review indicates that continuation of special placement is not indicated, the Advisory Panel will recommend that the student return to school.
 2. If a medical review indicates that continuation of special placement is indicated the Advisory Panel will recommend that risk-benefit options and placement options will be discussed with the student's parents. If a student's individualized Education Plan needs to be revised, a Staffing Committee Meeting shall be convened.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 381.0098; 1001.42; 1001.43; 1002.22; 1010.305; 1011.62, F.S.

STATE BOARD OF EDUCATION RULES: 6A-6.03020; 6A-6.0331; 6A-6.0341

STATE DEPARTMENT OF HEALTH RULES: 64E-16

History:

Adopted: January 14, 1999 Revision Date(s): November 14, 2000; October 9, 2001; April 9, 2002; November 22, 2005 Formerly:
