

8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health with regard to the admission and employment of persons who may be infected with Human Immunodeficiency Virus (HIV). AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

No person, pupil or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Pupils infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a pupil not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any pupil excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No pupil, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected pupil or employee is present. School employee physicals, pupil physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to pupil physical examinations, N.J.A.C. 6:29-2.1, and school employee examinations, N.J.A.C. 6:29-7. In the event that the school nurse or a school official is apprised that a pupil or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.

Information regarding a pupil's HIV-infection may be released only on the express written consent of the minor (person under twelve years of age) pupil's parent(s) or legal guardian(s), or the adult pupil and only to those staff members who need to know the status in order to determine the pupil's educational program. The person who receives such information shall not reveal it to any other person without the express written consent of the minor pupil's parent(s) or legal guardian(s), or the adult pupil.

The Board shall annually provide pupils, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;
26:5C-9; 26:5C-10; 26:5C-11;
26:5C-12; 26:5C-13; 26:5C-14
N.J.A.C. 6:29-2.4; 6:29-3.4
N.J.A.C. 8:57-2.1 et seq.; 8:61-1.1

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