

HIV/AIDS Education

The goal of human immunodeficiency virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) prevention education is to promote healthful living and discourage behaviors that put people at risk of acquiring HIV/AIDS. At the present time, society's most effective weapon against this deadly disease is public education.

In the course of living their daily lives, students will come in contact with people who are both HIV infected (asymptomatic) and at the later stages of AIDS. Therefore the district's health education program shall include factual information regarding HIV infection and how the virus is transmitted. Students shall be told what voluntary behaviors put them at risk of infection and also shall be motivated to prevent infection by making wise decisions in their daily lives. Students shall also be taught that the risk of transmitting HIV/AIDS in a school setting is low when preventative procedures are followed.

The Board believes that HIV/AIDS instruction is most effective when integrated into a comprehensive health education program. Instruction shall be developmentally appropriate to the grade level of the students and shall occur in a systematic manner. The Board particularly desires that students receive proper education about HIV before they reach the age when they may adopt behaviors which put them at risk of contracting the disease.

In order for education about HIV to be most effective, the superintendent or designee shall ensure that faculty members who present this instruction receive continuing inservice training which includes appropriate teaching strategies and techniques. Other staff members not involved in direct instruction but who have contact with students shall receive basic information about HIV/AIDS and instruction in the use of universal precautions when dealing with body fluids.

School faculty, parents, community members including physicians, and students as appropriate shall be involved in the development of HIV education. In accordance with Board policy, parents/guardians shall have an opportunity to review the HIV education program before it is presented to students.

Parents/guardians of all students shall be notified when HIV/AIDS instruction is scheduled so they may request that their child be exempt on the grounds that it is contrary to their religious beliefs. If the request for the exemption is from a specific portion of the HIV/AIDS curriculum that concerns human sexuality, no reason must be given by the parent/guardian when requesting the exemption.

1st Reading 2-12-2013

Adopted 3-12-2013

LEGAL REFS.: C.R.S. 22-1-110.5

C.R.S. 22-25-101 *et seq.* (*Comprehensive Health Education Act*)

20 U.S.C. 7906 (*No Child Left Behind Act of 2001*)

CROSS REFS.: EBBA, Prevention of Disease/Infection Transmission
IHAM, Health Education
IHAMB, Family Life/Sex Education

NOTE 1: The Comprehensive Health Education Act of 1990, specifically C.R.S. 22-25-104(6), provides:

Any curriculum and materials developed and used in teaching sexuality and human reproduction shall include values and responsibility and shall give primary emphasis to abstinence by school-aged children. School officials shall receive prior written approval from a parent or guardian before his or her child may participate in any program discussing or teaching sexuality and human reproduction. Parents must receive, with the written permission slip, an overview of the topics and materials to be presented in the curriculum.

This amendment applies only to the programs funded through state grant dollars for Comprehensive Health Education. Therefore, if a funded program uses grant money to teach sex education, prior written approval from a parent or guardian is required. The written permission slip must be accompanied by an overview of the topics and materials to be presented in the curriculum.

Prior written approval is not required for other classes addressing human reproduction such as biology or science unless such classes are part of a Comprehensive Health Education program.

NOTE 2: 20 U.S.C. 7906 of the No Child Left Behind Act of 2001 states that no Title I funds may be used to:

- *Develop or distribute materials or operate programs or courses of instruction directed at youth that are designed to promote or encourage sexual activity, whether homosexual or heterosexual*
- *Distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds*
- *Provide education or HIV prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence*
- *Operate a program of contraceptive distribution in the schools*

NOTE 3: There are three different exemption procedures in state law for health education programs and curriculum that includes a discussion of human sexuality. See Note 1 for the "opt in" provisions for comprehensive health education programs funded through state grant dollars. Another statute authorizes districts to restrict exemptions from health education programs to instances where the parent/guardian objects that the instruction is contrary to religious beliefs or teachings. See C.R.S. 22-25-106(4). The third exemption reference is a new law which requires districts to provide an exemption when the district offers a planned curriculum that includes the discussion of or instruction concerning human sexuality upon the written request of the parent. C.R.S. 22-1-110.5. This sample policy and exemption procedure that accompanies it are written to address these three approaches. To eliminate some of the confusion, districts can modify opportunities to "opt out" so they are consistent. This approach would allow a parent/guardian to request an exemption from any portion of the health education curriculum that is objectionable without having to state a particular reason for the exemption. The sample policy and regulation would have to be modified to allow parents/guardians to "opt out" from any portion of the curriculum without having to state a reason.