

**6.12.2.10 HUMAN IMMUNODEFICIENCY VIRUS (HIV)**

A. This section applies to local school boards, local school districts, and charter schools and governs policies to be implemented by local school districts with regards to students and school employees infected with HIV, provides for appropriate curricula regarding HIV, and requires community involvement in the development of policies and the review of instructional materials.

B. Each school district shall implement a policy that will ensure that all students infected with HIV have appropriate access to public education and that their rights to privacy are protected and to further ensure that the rights to privacy of all school employees infected with HIV are protected.

C. Curricula:

(1) Each school district shall provide instruction about HIV and related issues in the curriculum of the required health education content area to all students in the elementary grades, in the middle/junior high school grades, and in the senior high school grades.

(2) Educational materials and grade levels of instruction shall be determined by the local school district and shall be appropriate to the age group being taught.

(3) The instructional program shall include, but not necessarily be limited to:

- (a) definition of HIV and acquired immune deficiency syndrome (AIDS);
- (b) the symptoms and prognosis of HIV and AIDS;
- (c) how the virus is spread;
- (d) how the virus is not spread;
- (e) ways to reduce the risks of getting HIV/AIDS, stressing abstinence;
- (f) societal implications for this disease;
- (g) local resources for appropriate medical care; and
- (h) ability to demonstrate refusal skills, overcome peer pressure, and use decision-making

skills.

D. Community involvement. Each local board of education shall insure the involvement of parents, staff; and students in the development of policies and the review of instructional materials.

[6.12.2.10 NMAC - Rp, 6.12.3.8, 9 & 10 NMAC, 11-15-05]

**HISTORY OF 6.12.2 NMAC:**

**PRE-NMAC HISTORY:** The material in 6.12.2.8 NMAC is derived from that previously filed with the State Records Center and Archives under: State Board of Education (SBE) Regulation No. 76-16, Immunization Of School Children, filed September 1, 1976; and State Board of Education (SBE) Regulation No. 76-16 (Amendment 1), Immunization Of School Children, filed October 19, 1988. The material in 6.12.2.10 NMAC was derived from that previously filed with the State Records Center and Archives under: State Board of Education (SBE) Regulation No. 87-11, Regulation On Acquired Immune Deficiency Syndrome (AIDS), filed April 13, 1988.

**HISTORY OF REPEALED MATERIAL:**

The material in 6.12.2.8 NMAC is derived from 6.12.2 NMAC, Immunization of School Children - repealed effective 11-15-05. The material in 6.12.2.10 NMAC is derived from 6.12.3 NMAC, Acquired Immune Deficiency Syndrome (AIDS) - repealed effective 11-15-05.