



ALCC

AIDS LEGAL COUNCIL of CHICAGO

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For Immediate Release
February 25, 2013

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**AIDS Legal Council of Chicago Leads Effort to Repeal State's Discriminatory HIV
Principal Notification Law**
***With strong bi-partisan support, bill advances to Illinois House of
Representatives***

Illinois is the only state with a law mandating that when a state or local health department receives a report of an HIV-positive student, that child's school principal must be notified. The principal then has authority to share this information with the superintendent, school nurse, classroom teacher, and "other persons as may be necessary." Recognizing the stigma involved with singling out HIV-positive students, the ALCC has been working to repeal this outdated, vague, and discriminatory law. Twenty-five years after this law's passage, it is well known that HIV is not transmitted through biting, sports, or other casual contact. School personnel are trained to treat all fluids with universal precautions, further making this law unnecessary. Adolescents are the largest rate of new HIV infections in Illinois, but many refuse testing as they do not want their status to become public knowledge to school officials. This principal notification law stands in direct contrast to the National HIV/AIDS Strategy, which emphasizes the importance of testing as a way to reduce transmission.

Rep. La Shawn Ford (D-8) sponsored *HB 61*, a bill which aims to repeal this unjust principal notification law. *HB 61* was heard in the House Human Services Committee on February 21, 2013. ALCC Staff Attorney Colleen Boraca testified about the legal concerns with the current principal notification. Specifically, Colleen described ALCC's stance that the law violates the Americans with Disabilities Act by discriminating against HIV-positive children. The principal notification law forces HIV-positive students to participate in public education on a different, unequal basis than other children. In addition, Colleen clarified how principal notification exposes school districts to liability of up to \$10,000 per unauthorized disclosure of a student's HIV status under the Illinois AIDS Confidentiality Act. She urged the lawmakers "to join the majority of states that have recognized that the harm with this notification is outweighed by any good." In addition to Rep. Ford, Dr. Craig Conover of the Illinois Department of Public Health also testified in support of *HB 61*.

Members of the House Human Services Committee demonstrated strong bi-partisan support of repealing the law in a 13–2 vote. The bill next moves to the full House of Representatives.

Founded 25 years ago, AIDS Legal Council of Chicago works to preserve, promote, and protect the legal rights of men, women, children, and families in the metropolitan Chicago area impacted by HIV and AIDS. The Council provides free direct legal services to people in need, educates the public about HIV-related legal issues, and advocates for social policies that ensure fair treatment for all people affected by HIV and AIDS.

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