

HIV/AIDS POLICY

General Principles

HIV is not spread by casual, everyday contact. Therefore, barring special circumstances (i.e.: has a serious secondary infection, such as untreated tuberculosis, that may be transmitted to others, or has a significant health problem that will permanently restrict his or her ability to work or attend class), students who are infected or *perceived to be infected* with HIV shall attend the school and classroom to which they would be assigned if they were not infected. They are entitled to all rights, privileges, and services accorded to other students. Decisions about any changes in the educational program of a student who is infected with HIV shall be directed by the Superintendent and made on a case-by-case basis, relying on the best available scientific evidence and medical advice.

There shall be no discrimination in employment based on having HIV infection or AIDS. No school employee shall be terminated, non-renewed, demoted, suspended, transferred, or subjected to adverse action based solely on the fact that he or she is infected with HIV (or is perceived to be infected). School employees who are unable to perform their duties due to illness, such as those related to HIV, shall retain eligibility for all benefits that are provided for other school employees with long-term diseases or disabling conditions.

All schools *should* provide a sanitary environment and for handling body fluids and shall adopt the written routines that are prepared by the District Nursing staff as recommended by the Centers for Disease Control, and reviewed by medical authorities.

The School District shall establish a program of on-going education about HIV for students, and all school employees--including full-time, part-time, and temporary professional and support staff--to ensure that all are informed in a consistent manner about:

1. The nature of HIV infection, including how it is and is not transmitted according to current scientific evidence;
2. School district policies and procedures related to employees and students with diseases such as HIV infection;
3. Resources within the school district and elsewhere for obtaining additional information or assistance;
4. Procedures for infection control.

(The on-going education about HIV will be made available to the community.)

Confidentiality

In the event that an HIV infected person or guardian wishes to divulge information, the Superintendent of Schools, or his / her designee (under extenuating circumstances) shall be the party to be notified. If information is to be divulged, written consent must be given by the infected person or student's parent/guardian. No information shall be divulged directly or indirectly to any other individual or groups as a result of meetings or discussions of the primary decision-makers. The Superintendent , along with the infected person, his/her personal physician, and a student's parent or guardian, will determine whether further action is medically or educationally warranted at this time. These decision-makers, if so warranted, will determine whether additional persons need to know that an infected person attends or works within the district. These additional persons should not be told the name of the infected person without the written consent of the infected person and the student's parents/guardians.

A staff member informed of the identity or presence of an HIV-infected student or staff member may not divulge information about, knowledge of, or the identity of the HIV-infected person(s).

Any violation of confidentiality shall be handled in accordance with local, state and federal mandates.

Testing

Mandatory screening for communicable diseases that are not spread by casual, everyday contact, such as HIV infection, shall not be a condition for school entry or attendance, or for employment or continued employment.

Evaluating HIV-Infected Students/Staff Members

HIV infection is not transmitted casually. Therefore, it is not, in itself, a reason to remove a student or staff member from school *or to alter the educational program or job assignment of the infected person. A designee of a local district, who may be notified that a student or staff member is infected with HIV, shall follow a standard procedure in order to plan for the support of that person.*

Periodic reevaluation of health status and support needs of HIV-infected persons should be carried out by the decision-makers. Based upon periodic reevaluations by these decision-makers, when deemed necessary, an individually-tailored plan for the student/staff member should be undertaken. If an individually-tailored plan is necessary, it shall have minimal impact on either education or employment. It must be medically, legally, educationally, and ethically sound. Individuals deemed necessary to carry out this tailored plan become part of the decision-making team only as outlined in section on confidentiality.

Infection Control

The local school district shall determine who is responsible for the effective implementation of these programs and procedures, which shall be developed and updated in collaboration with local, state and federal health agencies.

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