

## **Administrative Procedure 161**

# **ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)**

### **Background:**

Decisions and actions taken by the Division and its employees with respect to employees and students infected with the human immune deficiency virus (HIV) shall be made on a case-by-case basis in consultation with and on the recommendation of the Medical Health Officer (MHO), bearing in mind the well-being and rights of all concerned. Acquired Immune Deficiency Syndrome (AIDS) and the related HIV are classified as notifiable communicable diseases under the Public Health Act. Current medical evidence indicates that the HIV can be transmitted in only three ways; sexual intercourse, direct entry of infected blood, and from mother to child in utero.

Because the HIV has not been found to be transmitted by indirect or casual contact, exclusion of students from school or employees from the workplace is unwarranted except when the behaviour of a person infected with the HIV could place others at risk of infection.

### **Procedures:**

The following procedures shall apply with respect to AIDS and the HIV.

#### **1. Reporting:**

- 1.1 Any teacher or Principal who has reason to believe that a student has a notifiable communicable disease shall notify a physician or the MHO as required by the Public Health Act.
- 1.2 Any employee who has reason to believe he/she suffers from a notifiable communicable disease shall immediately consult a physician or the MHO.
- 1.3 Any student who has reason to believe or suspect he/she has been infected with a notifiable communicable disease shall consult with a physician or the MHO.

#### **2. Confidentiality:**

- 2.1 No employee, student nor parent is required to disclose to school authorities that they or someone they know is infected with the HIV.
  - 2.2 Upon receipt of information about a student or employee infected with the HIV, the Director or designate shall consult with and take appropriate action based on the recommendation of the MHO.
  - 2.3 The identity of, or information about a person infected with the HIV shall be shared on a need-to-know basis as determined by the Director or designate in consultation with the MHO. (School personnel would ordinarily have a need-to-know only if the person infected with the HIV displays behavior likely to place others at risk).
  - 2.4 Employees shall maintain strict confidentiality about the identity of, or any information about students or employees infected with the HIV.
  - 2.5 Any disclosure of information about the identity of an HIV infected student or employee beyond those with a need-to-know shall be done only in full consultation with the HIV infected employee or the infected student and his/her family.
3. Instructional Programs - HIV Infected Students:
- 3.1 Students infected with the HIV may continue to attend school, physical and emotional health permitting.
  - 3.2 Students may only be excluded from school attendance for reasons related to an HIV infection if, upon the recommendation of the MHO, other persons are deemed to be at risk of becoming infected with the HIV.
  - 3.3 Students infected with the HIV and who are unable to attend school shall be provided with an alternative instructional program as determined by the Director or designate in consultation with the student and his/her parents or guardian.
4. Employment Status - HIV Infected Employees:
- 4.1 HIV infected employees may be reassigned to other duties if in the opinion of the Director or designate, after consultation with the MHO and the employee, such a reassignment is warranted.
  - 4.2 Infection with the HIV alone shall not be sufficient reason to alter the employment status or assignment of our employee.

4.3 HIV infected employees shall continue to be eligible for applicable medical and sick leave and other benefits.

5. Educational Programs

5.1 All students shall be instructed about the nature of the HIV and the prevention of infection through programs approved by the Board.

5.2 Employees shall be provided with appropriate information and/or instruction about the safe handling of bodily fluids.

5.3 The Director shall, when warranted, initiate special informational programs to address expressed concerns or fears of students, employees or parents.

**Reference:**

Section 85, 87, 108, 109, 141, 175, 178, 227, 231, Education Act

Section 2, Public Health Act

**Created:**

April 14, 2009

**Revised:**

June 2009

November 2013

December 2017