

Boundary County School District No. 101

PERSONNEL

5615

Dealing with HIV/AIDS in the Schools

1 Introduction

2 The Board of Trustees of Boundary County School District No. 101 recognizes the importance of
3 protecting the health and welfare of students and school employees from the spread of
4 HIV/AIDS. The following policy will be reviewed and revised, as necessary, to reflect the latest
5 medical research and legal opinion. HIV infection is not transmitted casually; therefore, it is not,
6 in itself, a reason to remove a student or an employee from school.

7 Definitions of Terms

- 8 A. HIV (Human Immunodeficiency Virus): the most commonly accepted name used to
9 describe the virus that causes AIDS.
- 10 B. AIDS (Acquired Immunodeficiency Syndrome): a disease caused by a communicable
11 virus that results in a breakdown of the body's immune system.
- 12 C. ARC (AIDS-related complex): a condition caused by the AIDS virus in which a person
13 tests positive for AIDS and has symptoms only of the early stages of the disease.
- 14 D. School: Boundary County School District No. 101.
- 15 E. School employee: any person approved by the Board of Trustees for services
16 (employment) to Boundary County School District No. 101 except it shall not include
17 independent contracts (as that term is generally defined outside Workers Compensation
18 and Unemployment Compensation statutes.)
- 19 F. Board: Board of Trustees of Boundary County School District #101.
- 20 G. School employee(s) with a need to know: Employee(s) providing instruction or other
21 personal contact services on a regular basis to or with an infected person.
- 22 H. Evaluation team: A team including the student/employee, student's/employee's physician,
23 public health personnel, the student's parent(s)/guardian(s), the student's principal and
24 teacher(s)/employee's supervisor.

25 Infected Students Attendance Evaluation Criteria

26 Barring special circumstances, students who are infected with HIV shall attend the school and
27 classroom to which they would be assigned if they were not infected. They are entitled to all
28 rights, privileges, and services accorded to other students. Decisions about any changes in the
29 educational program of a student who is infected with HIV shall be made on a case-by-case basis,
30 relying on the best available scientific evidence and medical advice. No infected student will be
31 denied an education solely by reason of his/her infection with HIV/AIDS or ARC. Parents or
32 guardians of an infected student shall inform appropriate school officials of the infection so that

33 proper precautions for the protection of other students, school employees and the infected student
34 can be taken.

35 If an infected student (K-12) is not permitted to attend classes or participate in school activities
36 with other students, the school will make every reasonable effort to provide said student with an
37 adequate alternative education. The educational alternative shall be established on a case-by-case
38 basis by an evaluation team and shall be based upon the behavior, neurological development, and
39 physical condition of the child and the expected type of interaction with others in that setting. In
40 each case risks and benefits to both the infected student and to others in the setting shall be
41 weighed. When this requires personal contact between the student and school employees, only
42 those employees who volunteer shall be utilized. These evaluations to assess the need for a
43 restricted environment shall be performed at least once each school year, or with such additional
44 frequency as is thought necessary by the evaluation team.

45 All determinations in relationship to an infected student, or where reasonable cause exists that
46 the student may be infected, will be processed promptly.

47 Infected Employees Evaluation and Work Criteria

48 There shall be no discrimination in employment based solely on having an HIV infection or
49 AIDS. School employees who are unable to perform their duties due to an illness, such as those
50 related to HIV, shall retain eligibility for all benefits that are provided for other school employees
51 with long-term diseases or disabling conditions. Infected school employees shall inform
52 appropriate school officials of the infection so that proper precautions for the protection of the
53 students, other school employees, and the infected employee can be taken. Failure to do so will
54 be grounds for termination.

55 Upon determination/notification that a school employee is infected, the Board or its
56 representative shall make a determination as to whether the infected employee can perform the
57 essential functions of his/her job and shall take into account the nature, duration, and severity of
58 the risk to self and others. The performance of the infected employee shall be reviewed at
59 reasonable intervals to assure that the essential functions of the job are carried out.

60 If the Board believes that a school employee, due to his/her infection, may not be able to perform
61 the essential functions of the job, the Board or its representative shall notify said employee that
62 an evaluation will be made to determine whether the infected employee is qualified to perform
63 the essential functions of the job. This determination shall be made on a case-by-case basis by an
64 evaluation team. This determination shall include findings of fact, based on reasonable medical
65 judgments given the state of medical knowledge about:

- 66 (a) the nature of the risk (how the disease is transmitted);
- 67 (b) the duration of the risk (how long the carrier is infectious);
- 68 (c) the severity of the risk (what is the potential for harm to third parties); and,
- 69 (d) the probabilities that the disease will be transmitted and will cause varying
70 degrees of harm.

71 If it is determined that the infected employee is not able to perform the essential functions of the
72 job, the team must further consider whether any reasonable accommodations by the school will
73 enable the infected employee to perform those functions. Accommodation is not reasonable if it
74 either imposes undue financial and administrative burdens on the school system or requires a
75 fundamental alteration in the nature of the job.

76 If an infected employee is determined by the process outlined above not to be otherwise qualified
77 even with reasonable accommodations, the superintendent, at the direction of the board, shall
78 take appropriate steps to terminate the employment of the infected employee.

79 If the employment of an infected school employee is discontinued, said employee shall be
80 eligible for medical and/or disability benefits.

81 All determinations in relationship to an infected employee, or where reasonable cause exists that
82 the employee may be infected, will be processed promptly.

83 Confidentiality

84 All notices, reports, actions, hearings and decisions concerning infected persons or those
85 suspected of being infected persons in which the name or any personally identifiable
86 characteristics of the persons are communicated shall be maintained strictly confidential. No
87 document which contains the name or any identifiable characteristics of an infected person or one
88 suspected of being an infected person shall be released without the consent of the individual so
89 named to anyone except education officials or health professionals, without a valid subpoena. No
90 meeting or hearing concerning an infected person or a person suspected of being infected shall be
91 open to the public. Notwithstanding anything else to the contrary herein, the school will take
92 every reasonable step to maintain confidentiality, there is no guarantee of confidentiality nor is
93 there any implied or expressed recognition of right to privacy. If an infected individual is
94 permitted to remain in the school setting, only school employees with a need to know shall be
95 informed of his/her identity by the Board or its representative.

96 Testing Procedure

97 If there is reasonable cause to believe a student or an employee is infected, the Board or its
98 representative shall request that individual submit to appropriate medical evaluation. (Reasonable
99 cause would exist, for example, if the spouse of an individual has AIDS, or an individual recently
100 has given birth to a child who has AIDS. The sexual orientation of a student or an employee shall
101 not constitute reasonable cause to believe that he/she is an infected individual.) The testing shall
102 be performed at the expense of the District and shall not be requested more than once in a six-
103 month period except when there is reason to doubt the test results, in which case the Board has
104 the right to require an independent test.

105 Reporting Procedure

106 Whenever it is determined that a student or employee is infected, the Board Chairman, the
107 superintendent, and the principal/supervisor of the school/program, if applicable, shall be notified
108 that an infected individual has been identified so that school employees with a need to know will
109 be informed.

110 Procedures for Handling Body Fluids

111 All schools shall adopt routine procedures for handling body fluids, regardless of whether
112 infected persons are in attendance. Soiled surfaces should be promptly cleaned with disinfectants,
113 such as household bleach (diluted 1 part bleach to 10 parts water). Disposable towels or tissues
114 should be used whenever possible, and mops should be rinsed in disinfectant. Those who are
115 cleaning should avoid exposure of open skin lesions or mucous membranes to any body fluids.

116 The following guidelines should be followed by school personnel and students when required to
117 handle an ill or injured person. These emergency care guidelines should be followed whenever
118 direct contact with blood or other body fluids is likely to occur.

- 119 1. All reasonable precautions must be taken to avoid direct contact with blood, blood products,
120 excretions, secretions or other body fluids.
- 121 2. Extraordinary care must be taken to avoid accidental wounds with materials that may be
122 contaminated with blood. In accident situations where broken glass, sharp pieces of metal
123 (saw blades) or other similar materials have been contaminated with blood, exposure may be
124 minimized by:
 - 125 a. Wearing HEAVY gloves to avoid being cut by contaminated, sharp objects when
126 cleaning the site.
 - 127 b. Wearing latex gloves when there is little or no risk of being cut with objects
128 contaminated with blood.
- 129 3. Latex gloves should be worn when cleaning wounds, controlling bleeding or handling blood-
130 soiled items (towels, clothing, washcloths). Inexpensive disposable, nonsterile gloves must
131 be readily available in all school offices, physical education departments, shops,
132 maintenance and kitchen areas. A supply of these gloves needs to be available to athletic
133 trainers and coaches during athletic events, including practices. Disposable gloves must not
134 be cleaned and reused.
- 135 4. Disposable airways or reusable airways that have been disinfected should be used whenever
136 possible to administer mouth-to-mouth resuscitation. These airways need to be available in
137 the school offices and athletic departments. Only trained personnel should use these airways.
- 138 5. Hands should be washed thoroughly with soap and water if they become contaminated with
139 blood.
- 140 6. Needles and lancets should be placed in puncture-resistant containers after being used. Many
141 varieties of metal and plastic containers are available for this purpose.
- 142 7. Surfaces that become contaminated with blood should be decontaminated with a 1:10
143 chlorine bleach solution. This solution must be mixed as needed since its potency dissipates
144 after 24 hours. Care should be used to avoid contaminating the solution or container of
145 solution. Sufficient contact time (3 to 5 minutes) should be allowed to ensure surfaces are
146 adequately disinfected.
- 147 8. Clothing, uniforms or cloth materials that become contaminated with blood should be
148 washed separately, using hot water and detergent. Dry cleaning will also inactivate all known
149 pathogens.

- 150 9. If school employees or students are significantly exposed to blood (such as spray in the eyes,
151 mouth, nose, or blood exposure on a previous open wound, etc.), the exposed person should
152 seek medical advice within twelve hours. If the source case is considered "high risk" for
153 infection with HBV, and/or HIV, then HIV testing should be done within 2 weeks,
154 establishing a baseline, and repeated at 3 months and at 6 months. The exposed person
155 should also consider vaccination with Hepatitis B vaccine and Hepatitis B Immune Globulin
156 (HBIG) within 24 hours, with completion of the series of Hepatitis B vaccine to follow.
- 157 10. The source individual (parent/guardian if a minor) may be asked to submit for testing a
158 blood sample to be evaluated for HBV and HIV antibody. Compliance is not mandatory.
159 Even with source case testing, a window period of 3-6 months, where that sample may be
160 infected yet test negative, will exist.
- 161 11. Under no circumstance should faculty sanction activities or exercises which involve students
162 having direct contact with blood from another student. Students can be allowed to stick
163 themselves, but not be allowed to stick other students for scientific experiments.

164 Contact With Media Procedure

165 The following procedures may be sequenced following the identification of an infected student or
166 school employee at the discretion of the Board and/or its representative.

- 167 A. Principal and staff of building involved will be notified immediately (prior to release of
168 any information to press or media).
- 169 B. An evaluation team will be formed immediately to begin assessment of infected student
170 or school employee.
- 171 C. The employee or the parents of the infected student will be contacted to explain steps and
172 procedures to be followed by district in assessing the situation.
- 173 D. Newsletter will be sent as soon as possible to parents of all students and to all employees.
- 174 E. When the Board is informed that an infected student or employee is enrolled or
175 employed, if contacted by the news media, may schedule a news conference. Basic
176 information will be provided, using the following guidelines:
- 177 1. Announcement that District does have an infected student or school employee.
178 2. Confidentiality must be maintained.
179 3. Media must not contact staff or students during regular school day.
180 4. Media has access to superintendent for updates.
- 181 F. The Board and school employees with a need to know will be kept informed of the status
182 of the infected student or employee at regular intervals.
- 183 G. All information concerning the matter will be released only by the Board and/or its
184 representative.

Policy History:

Adopted on: JUNE 21, 2004

Revised on: