

POLICY  
RI SCHOOL FOR THE DEAF  
BOARD OF TRUSTEES

POLICY ON AIDS-INFECTED STUDENTS AND EMPLOYEES

**Guiding Principle**

Promote the health and well-being of students and employees.

**Purpose**

The purpose for establishing a school district policy concerning Human Immunodeficiency Virus (HIV) infected employees and/or students in schools is to:

1. protect against the transmission of HIV from infected employees and/or students to other employees or students;
2. protect the health and well-being of the infected person as well as to enable that person to take part in normal school activities with a minimum of disruption;
3. inform students, parents or guardians, teachers, school employees, and members of the community about safe practices regarding HIV transmission and the school's HIV policy; and,
4. provide a basis for the school committee, Superintendent, principals, teachers, nurses and physicians, school employees and students to establish necessary preventive health measures, and to inform the public about these measures while still maintaining the rights of confidentiality of an infected individual, should any exist in the school district.

**Definitions and Descriptions**

HIV is an acronym for the Human Immunodeficiency Virus. HIV is the virus which causes AIDS, Acquired Immune Deficiency Syndrome. An individual is HIV infected if he/she tests positive on an ELISA test for the presence of HIV antibodies in the blood and is confirmed by a Western Blot (or other medically recognized) test, performed in a qualified medical laboratory. Infected people are described as being HIV positive.

A person may be infected but show no symptoms of illness. People at this early stage of the disease are described as "asymptomatic." Asymptomatic people feel well and are able to work or attend school without limitation.

At a later stage of the disease, the person may exhibit symptoms of AIDS. Persons with symptoms are described as "symptomatic." Symptomatic people may have health limitations, not unlike any other disease, which periodically affect one's ability to work or to attend school.

Both asymptomatic and symptomatic persons carry the virus; however, they cannot transmit HIV through classroom or workplace contact with other students or employees. (See Section 3 for routes of transmission.)

HIV is transmitted from an HIV infected person to a non-HIV infected person in the following ways:

1. sexual activity;
2. needle sharing for tattooing, ear or body piercing or to inject drugs, including steroids;
3. direct infusion from blood or blood products; or
4. during pregnancy, in the birth process, or after birth from breast milk.

### **Policy**

HIV cannot be spread by casual contact, e.g. sitting together, sneezing or coughing on each other or eating together. [RI Gen. Laws § 23-6-22 \(Discrimination Prohibited\)](#) expressly prohibits discrimination against individuals who are infected with, or who are perceived to be infected with HIV. Being HIV positive is not grounds for dismissal from employment or enrollment in school. However, if an HIV infected person demonstrates behavior which puts another at risk of becoming infected with HIV (see routes of transmission listed above) then that behavior might lead to an alternative educational placement outside of the school setting. In the case of an employee, behaviors that pose a risk to others would be handled through the regular disciplinary process. The school physician shall participate in this risk assessment.

When an employee or student has tested HIV positive, it is optional for that person to notify the Director. Notification of an individual's positive HIV status alone does not justify limiting that person's involvement in the school. Informed individuals will be subject to the requirements of the [RI Gen. Laws § 23-6-17 \(AIDS Education Program\)](#) as well as any and all other relevant Federal and State laws and regulations relating to the confidentiality of health care information.

Confidentiality of Employee and/or Student HIV Status Information concerning the identity of HIV positive employees/students must be kept confidential in accordance with [RI Gen. Laws § 23-6-17 \(AIDS Education Program\)](#) and [23-6-18 \(Protection of Records\)](#). Any written or electronic records containing this information should be kept in a file in the Director's, Principal's or School Nurse's office and accessible only to those who have received written permission from the infected person or are otherwise authorized by law to review the information.

Persons Who May Need to Know: Persons in the school system who may need to know the identity of an HIV positive employee or student may include:

1. the certified school nurse teacher and school physician, especially as liaison with the infected person's personal physician (in order to monitor the employee's/student's health status and to help coordinate medical care);
2. certain other employees of the school; and
3. the supervisor(s) of the employee/student.
4. The decision to inform personnel should be made by the Director along with the infected employee/student and parent or guardian and, with a signed release of information, in consultation with the infected person's healthcare provider.

A student, parent or guardian or an employee may seek the amendment of any records, written or electronic, regarding his or her own HIV status.

The Superintendent is responsible for ensuring that the purposes of this policy are implemented fully within the guidelines provided by both Rhode Island and Federal laws.

The Director, as the leader of the school, is expected to demonstrate respect for the infected person and to support that person's regular employment or attendance.

Implementation: This policy shall be implemented in conjunction with an annual review of Universal Precautions and frequent opportunities for students, staff and parents, or guardians, to participate in HIV/AIDS education.

Universal precautions represent a commitment to safety and prevention. Universal precautions shall be taught annually to all staff who are deemed to be at risk of exposure to blood borne pathogens and other similar infectious diseases.

Proper adherence to Universal Precautions shall constitute an essential function of the job of those persons so identified and shall be considered in performance evaluations.

The key to understanding and implementing Universal Precautions is to treat all visible blood, from all students and staff, as potentially infected.

Six procedures are necessary for the implementation of Universal Precautions.

1. Disposable latex gloves should be worn whenever one finds oneself in a position where one could be touching any other person's blood.
2. Washing hands and skin is the single most effective health precaution for all viral and bacterial exposures.
3. Properly cover all wounds, cuts, oozing sores, or rashes.
4. Use bleach to clean up body fluid spills.

5. Clothes soiled with blood, vomitus, urine, or fecal matter should be handled while wearing gloves, placed in leak-proof bags, and washed in water that is at least 160 degrees; in temperature.

6. Avoid accidental needle sticks. (Nurses who administer injections should not recap needles. Needles and other sharp items should be thrown away in puncture-resistant containers.)

AIDS education programs shall be presented to all students, parents, guardians and staff through cooperative efforts of the health education staff, school nurse-teachers and the school administration. Upon written request to the Director, a pupil not less than eighteen (18) years of age or a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the curriculum program instruction materials at the school. A parent or legal guardian may exempt his or her child from the program by written directive to the Director. No child so exempted shall be penalized academically by reason of such exemption.

### **Reference**

[RI Gen. Laws § 16-22-17 - AIDS Education Program](#)

[RI Gen. Laws § 23-6-22 - Discrimination Prohibited](#)

**History – Approved 6/5/12**