

HUMAN IMMUNODEFICIENCY VIRUS (HIV) ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

Background

The Division is committed to the compassionate and responsible treatment of individuals with HIV/AIDS.

The School Division will continue to employ an employee and maintain enrolment of a student who has been infected with Human Immunodeficiency Virus (HIV) until such time as a physician has advised that there may be a danger either to the individual, other students or staff. Confidentiality must be paramount in dealing with individual cases.

Procedures

1. Whenever school officials are informed of the identity of an individual with HIV/AIDS, the Superintendent or designate shall ensure that all subsequent actions are consistent with Ministerial Directive 4.1.1 HIV/AIDS in Educational Settings.
2. The identity of the employee or student infected with HIV shall be protected.
 - 2.1 When the Superintendent has been informed by an employee or a student that he/she is HIV positive, he shall call a meeting to which the Principal, the attending physician, the employee or student, and the students' parents (unless the student qualifies as an independent student) shall be invited to determine any further course of action. All records of such meetings shall remain confidential to those attending.
 - 2.2 Dissemination of any information shall be restricted to those who "need-to-know".
3. Unless the physical condition of the employee or student who is HIV positive poses a health risk, the employee may continue to fulfill the duties of employment and the student shall have the opportunity to attend regular classes.
4. Where a physician determines that the physical condition of a student who is HIV positive poses a health risk in a regular classroom, alternative instruction will be provided.
 - 4.1 Alternative instruction may include a variety of arrangements ranging from special instruction within the school setting to home schooling.
 - 4.2 Decisions regarding alternative instruction shall be made on a case-by-case basis.
 - 1.3 Alternative instruction for students who are HIV positive will only be provided by teachers who agree to provide such instruction.
5. Where the physical condition of any employee who is HIV positive poses a health risk, that person may be excluded from employment on the advice of the attending physician. The employee shall have full access to sick leave and medical benefits as provided for the employee.

Reference: Section 24, 105, 106, 107, School Act
Ministerial Directive 4.1.1 – HIV/AIDS in Educational Settings
Public Health Act