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DESCRIPTOR TERM:

District 370 Policy  
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School Board Governance and Operations

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AIDS Acquired Immune Deficiency Syndrome

HIV Human Immunodeficiency Virus

1993

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The Board of Education recognizes the importance of protecting the health and welfare of students, teachers, and other employees of the school district from the spread of Acquired Immune Deficiency Syndrome (AIDS). The following policy statements will be reviewed and revised, as necessary, to reflect the latest public health research, medical research, and legal opinion.

## I. Definitions

As used herein, the following terms shall have the meanings indicated.

- A. AIDS (Acquired Immune Deficiency Syndrome) -- As defined by the Center for Disease Control (CDC) in Atlanta.
- B. Infected student, employee or person -- Any person who has AIDS or is HIV positive.
- C. HIV -- Human Immunodeficiency Virus.
- D. Reliable positive results on testing for HIV -- A true positive result as defined by the CDC in Atlanta and the patient's licensed medical physician.
- E. Reliable negative results on testing for HIV -- A true negative result as defined by the CDC in Atlanta.
- F. Employee -- Any employee of Homedale School District
- G. Volunteer -- Any patron who donates time to the school district.

## II. Students

Students infected with HIV/AIDS will be permitted to attend any of the schools in the Homedale School District. Teachers and coaches will be notified of students who are known to be infected with the HIV/AIDS virus although all students are considered to be potential carriers when it comes to illness or injury and the handling of a student's body fluids.

### III. Employees

The determination of whether an infected employee shall be permitted to perform the essential functions of his/her job shall be recommended by an evaluation team on a case by case basis to the Board of Trustees. The Board of Trustees shall consider the evaluation team's recommendation and make final nonprecedential determination. The evaluation team shall be composed of public health personnel, the employee's physician, school district legal counsel, and appropriate school personnel as determined by the Board of Trustees.

Infected employees shall inform appropriate school officials of the infection so that proper precautions for the protection of the students, other employees, and the infected employee can be taken. Failure to do so could be grounds for termination.

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

The employee will be excluded from school, with pay, throughout the review process. This process shall be concluded within ten days.

- IV. When the school becomes aware that an infected student (employee) is enrolled (employed) or plans to enroll, staff and parents will be informed immediately.

### V. Confidentiality

All notices, reports, actions, hearings, and decisions concerning an infected person or a person suspected of being infected in which the name or any personally identifiable characteristics of the person is communicated shall be maintained strictly confidential. They shall not be released without the consent of the individual so named to anyone except education officials or health professionals without a valid subpoena. No meeting or hearing concerning an infected person or a person suspected of being infected shall be open to the public. Notwithstanding anything else to the contrary herein, while it is expected that Joint School District No. 370 will take every reasonable step to maintain confidentiality, there is no guarantee of confidentiality.

### VI. Education

Joint School District No. 370 shall provide educational programs to its students, teachers, and employees on AIDS, its spread, its effects, and procedures to be followed for handling body fluids (Universal Precautions).

### VII. Procedures for Handling Body Fluids

Follow Universal Precautions issued by the Idaho Department of Education, which are posted in all staff work rooms, the nurse's office, training room and other areas as may be necessary.