

III. Human Resources

F. HIV Infected Employees

- I. The Narragansett School Committee recognizes that employees who are infected with the Human Immunodeficiency Virus (HIV), at any stage of infection, have the right to equal opportunity and non-discrimination in employment in the Narragansett School System. The School Committee also recognizes its responsibility to protect the health and safety of the entire school community. To accommodate the best interests of employees with HIV infection, as well as provide for the health and safety of other employees and students, the School Committee directs the administration to establish and implement this policy.
- II. PURPOSE: The purpose in establishing a policy concerning Human Immunodeficiency Virus (HIV) infected employees is to:
 - A. Protect against the transmission of HIV from infected employees to other employees or students.
 - B. Protect the health and well-being of the infected person as well as to enable that person to take part in normal school and workplace activities with a minimum of disruption.
 - C. Inform students, parents, teachers, other school employees, and members of the community about safe practices regarding HIV transmission and the school's HIV policy.
 - D. Provide a basis for the school committee, superintendent, principals, teachers, nurses and physicians, school employees and students to establish necessary preventive measures, and to inform the public about these measures while still maintaining the rights of confidentiality of an infected individual, should any exist within the school district.
 - E. Utilize the OSHA Bloodborne Pathogens Policy and "Guidelines for Prevention and Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health-Care and Public-Safety Workers" (better known as the "Universal Precautions" Policy) in the implementation of this policy.
- III. DEFINITION OF HIV INFECTION: 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.

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A person may be infected but show no symptom 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 some symptoms of AIDS. Persons with symptoms are described as “symptomatic”. Symptomatic people may have a health limitation, not unlike any other disease, which periodically affects one’s ability to work or to attend school.

Both symptomatic and asymptomatic persons carry the virus. However, they cannot transmit HIV through classroom contact with other employees or students. (See section IV for Routes of Transmission).

IV. ROUTES OF TRANSMISSION: HIV is transmitted from an HIV infected person to a non-HIV infected person in the following ways:

- A. Sexual activity.
- B. Needle sharing for tattooing, ear or body piercing or to inject drugs, including steroids.
- C. Direct infusion from blood or blood products.
- D. Biting, scratching or other injurious behavior.
- E. During pregnancy, in the birth process, or after birth from breast milk.

HIV cannot be spread by casual contact (e.g. sitting together, sneezing or coughing on each other, or eating together). Both Rhode Island Law (G.L. 23-6-22) and the Americans with Disabilities Act of 1990 (P.L. 101-336) expressly prohibit 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. However, if an HIV infected person demonstrates behavior which puts another at risk for becoming infected with HIV (see Routes of Transmission listed previously), then that behavior may lead to alternative employment (if such exists) within the school system, where others are not at risk. The School Physician shall participate in this risk assessment.

V. REPORTING HIV STATUS: When an employee has tested positive for HIV, it is **optional** for that person to notify the Superintendent of Schools. Notification of an individual’s positive HIV status alone does not justify limiting that person’s employment in the school. Informed individuals will be subject to the requirements of the Rhode Island General Laws 23-6-17 and 5-37.3-7 in the Confidentiality of Health Care

Information Act, as well as any and all other relevant federal and state laws and regulations relating to the confidentiality of Health Care Information Act as well as any and all other relevant federal and state laws and regulations relating to the confidentiality

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of health care information. HIV related information cannot be transferred or released except as allowed by Rhode Island General Laws 23-6-17.

V. CONFIDENTIALITY OF EMPLOYEE HIV STATUS: Information concerning the identity of HIV positive employees must be kept confidential in accordance with Rhode Island General Laws 23-6-17 and 23-6-18. Any written or electronic records containing this information should be kept in a locked file in the Superintendent's Office and accessible only to those who have received written permission from the infected person. All school department employees who receive this information are bound by state and federal confidentiality laws.

VII. PERSONS WHO MAY NEED TO KNOW: Persons in the school system who **may** need to know the identify of an HIV positive employee may include:

- A. 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 health status and to help coordinate medical care.
- B. Certain other employees of the school department.
- C. The supervisor of the employee.

The decision to inform personnel should be made by the Superintendent of Schools along with the infected employee and, with a signed release of information, in consultation with the infected person's physician.

VIII. DISSEMINATION: This policy should be disseminated annually through a minimum of the following methods:

- A. Inclusion in a staff in-service training program at the beginning of each year for all members of the school community including professional and support staff, coaches, bus personnel, building maintenance, and all others.
- B. Posting in a conspicuous place in each school and school administration building.
- C. Inclusion in school committee, parent, and student handbooks.
- D. Posting of this policy in all faculty rooms.
- E. Dissemination to all officials of collective bargaining units.
- F. Dissemination and in-service to meet the needs of those employees whose language is other than English.

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- IX. RIGHT OF APPEAL: This policy shall provide an employee with the opportunity to seek amendment to any records, written or electronic regarding his/her own HIV status. This does not preclude the use of any other remedy.
- X. SCHOOL DECISION AUTHORITY: The Superintendent of Schools, as chief personnel officer, is responsible for ensuring that the purposes of this policy are implemented fully within the guidelines provided by both the Rhode Island and federal laws.
- XI. IMPLEMENTATION: This policy should be implemented in conjunction with an annual review of Universal Precautions and opportunities for employees, staff, and parents to participate in HIV/AIDS education.

- A. UNIVERSAL PRECAUTIONS

Universal Precautions and the provision of supplies necessary for implementing them.

Universal Precautions represent a commitment to safety and prevention. This policy can only work if Universal Precautions are taught annually to all staff and the supplies necessary for implementing them are available and current. Adherence to Universal Precautions should be considered for inclusion, as appropriate, to all staff job descriptions and performance evaluations.

The key to understanding and implementing Universal Precautions is to treat all visible blood and secretions from all employees, staff, and students as potentially infected. Seven procedures are necessary for the implementation of Universal Precautions:

1. Disposable gloves must be worn whenever you find yourself in a position where you could be touching another person's blood.
2. Washing hands and skin after removing gloves. This 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 an approved disinfectant solution (such as bleach and water or AiRx #78) to clean up body fluid spills. Properly dispose of all materials used for clean-up procedures.
5. Reusable cleaning equipment or supplies must be properly cleaned and disinfected.
6. Clothes soiled with blood, vomit, 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.

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7. Avoid accidental needle or other sharp sticks. (Nurses who administer injections should not recap needles. Needles and any other sharp items must be thrown away in puncture-resistant containers). Containers must be properly labeled and disposed of by appropriately certified disposal agencies.

B. AIDS EDUCATION

A comprehensive ongoing AIDS/HIV education program should be available for all employees. School nurse-teachers and health educators should be involved in the planning and implementation of all components of an AIDS/HIV education program for all staff.

1. EMPLOYEES

Employees are required to receive AIDS/HIV and Universal Precautions education annually as part of comprehensive health education as required by OSHA. They are provided with information which addresses high-risk behaviors and medical information about the virus. The annual training is designed to help address their fears and concerns about getting AIDS, strategies for confronting their fears, and examples of how they can enhance the lives of friends or family who may be infected with HIV.

At each level, the information on prevention about the virus is more detailed.

2. PROFESSIONAL DEVELOPMENT

All staff must have regular in-service training in the area of HIV/AIDS in accordance with the Narragansett School System's OSHA Bloodborne Pathogens Policy and "*Guidelines for Prevention and Transmission of Human Immunodeficiency Virus and Hepatitis B Virus to Health Care and Public Safety Workers*" (better known as the "Universal Precautions" Policy). Staff who coach a team, drive busses, clean buildings, provide support services, teach, counsel, or administer education are all likely to be confronted with situations where proper use of Universal Precautions and a thorough understanding of how HIV is and is not transmitted is very important to their and others health and comfort.

Those who teach about the disease and its relationship to other high-risk behaviors need to deal with their own fears & questions in their role as educators, school nurse-teachers, or teachers with employees who may be HIV positive. The opportunity to ask questions and have them answered must be provided during the annual in-service program. They must participate in professional development experiences which will increase

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their comfort level with teaching about HIV and provide assistance in planning and developing meaningful experiences for employees.

C. TECHNICAL ASSISTANCE

Staff from the Department of Health, AIDS Office and Department of Education, Office of Integrated Social Services are available to assist school administrators and health personnel in planning sessions for and with parents and staff.

D. REVISION AND REVIEW

This policy will be reviewed annually and revised as necessary to remain current with evolving information about HIV/AIDS infection and transmission.

HIV GLOSSARY OF TERMS

Acquired Immunodeficiency Syndrome (AIDS) -- a life threatening form of HIV infection wherein the body's immune system is incapable of fighting off certain types of disease.

Enzyme-Linked Immuno-Sorbent Assay Test (ELISA) -- a test used to detect antibodies in blood samples, used to detect the presence of antibodies to HIV.

Human Immunodeficiency Virus (HIV) -- the accepted name for the recognized casual agent of AIDS.

Sexual Activity -- any sexual contact which may involve the transfer of infectious fluids (i.e. blood, semen, vaginal secretions, breast milk).

Universal Precautions -- precautions which are undertaken to treat all visible blood, and any bodily fluid which may contain blood, as potentially infected.

Western Blot -- a confirmatory blood test for HIV; used after an ELISA test is positive.

REFERENCES

“HIV/AIDS Terminology”, American College Health Association, Rockville, MD, 1989.

Taking Action on AIDS, The Albert E. Trieschman Center, Needham, MA, 1990.

OSHA Bloodborne Pathogens Standard, 29 CFR 1910.1030.

Narragansett School System, Bloodborne Pathogen Control Plan.

www.cdc.gov/hiv/

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www.cdc.gov/hiv/partners/ahp.htm

RESOURCES

For more information, contact:

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Superintendent of Schools
25 Fifth Avenue
Narragansett, RI 02882
401-792-9450

RI Department of Education
Office of Integrated Social Services
HIV/AIDS Specialist
401-222-4600

RI Department of Health
Office AIDS/STDs
401-222-2320

Rhode Island Project AIDS
1-800-726-1010

CDC National AIDS Hotline
1-800-342-AIDS

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Narragansett School System
Narragansett, Rhode Island