

**COMMUNICABLE DISEASES  
HUMAN IMMUNODEFICIENCY VIRUS GUIDELINES**

**PURPOSE**

The purpose of these guidelines is to establish what actions shall be taken in the event that (1) M.S.A.D. No. 75 is made aware that a student attending school is infected with Human Immunodeficiency Virus (HIV) or (2) that M.S.A.D. No. 75 becomes aware of an employee with HIV.

These guidelines have been adopted to assure that the rights and safety of all involved parties are preserved.

**GUIDELINE ELEMENTS**

1. In general, M.S.A.D. No. 75 shall provide educational opportunities for students infected with HIV just as it does for other students.
2. In the event that a public health threat is perceived by the student's private physician, the Bureau of Health must be notified, and will then conduct an evaluation. If the school is notified of a student infected with HIV by the parents/guardians and becomes concerned about the safety of that student, other students or staff, a similar evaluation may be requested. At any time that M.S.A.D. No.75 is concerned that a particular student poses a public health threat to others, advice may be requested from the Bureau of Health. ***The Superintendent may also consult on a strictly confidential basis with the School District's attorney.***
3. ***If*** the Bureau of Health determines that conditions exist which suggest that a student with an HIV infection is a health threat to the school community, the Bureau of Health and/or the Superintendent shall remove the student from the usual classroom setting until other arrangements can be made or until the Bureau of Health determines that the risks have abated. The health status of a student temporarily removed from the usual school setting in order to protect the health of the students or others will be re-evaluated at least quarterly by the Bureau of Health.
4. Current Maine Law protects the confidentiality of HIV test results with certain statutory exceptions. Test results may not be disclosed to anyone ***other than the Bureau of Health*** without written consent of parents/guardians. Records containing information about HIV test results and consent forms relating to test results shall be kept separate from other school records. Only those persons given written consent by the student's parents/guardians shall have access.

**FILE: JHCC-R**

5. With written consent of the parents/guardians, the school shall designate an individual or team to:
  - (a) serve as the liaison between the school and the student's parents, the student's physician and, if necessary, the Bureau of Health; and/or
  - (b) serve as the supervisor of the medical component of the student's educational experience

Any team member or individual entrusted with the knowledge of a student infected with HIV must, by Law, keep his/her knowledge of that child's status confidential; and access to information shall be limited *only* to those persons authorized in writing by the student's parents/guardians.

6. At the parents'/guardians' written request, a designated team member, usually the school nurse, will notify the student's parents/guardians and/or the student's physician in the event that infections occur in the school population that may place an immunodeficient student at increased risk as defined by the student's physician or Bureau of Health. The decision whether or not to remove the student from school will be made by the parents/guardians and the student's physician.
7. Because of the inability to identify individuals who may be infected with HIV or other agents transmissible through blood or other body fluids, M.S.A.D. No. 75 shall follow standard procedures for cleaning and disinfecting all body fluid spills. The procedures for cleaning bodily fluid spills shall be reviewed annually by all school staff members.
8. M.S.A.D. No. 75 will seek to provide educational programs to inform parents/guardians, students and staff regarding HIV and all other communicable diseases even though there may not be student with infection currently enrolled.
9. *In any instance where this policy requires the consent of the parents/guardians of an HIV infected student, consent must be obtained directly from the student if the student is 18 years of age or older.*
10. Any employee's medical condition is *confidential*, and all reasonable precautions must be taken to protect information regarding an employee's health and medical condition. State Law expressly provides for the confidentiality of HIV anti-body tests.
11. An employee with HIV should be treated in the same manner as any other M.S.A.D. No. 75 employee.

**FILE: JHCC-R**

12. If employees who share the work environment with employees afflicted with HIV express concerns over their personal safety and health, supervisors will explain that, based on guidelines established by the Center for Disease Control (CDC) and the Bureau of Health and expert medical opinions, casual contact with a co-worker poses no health risk.
13. All medical records or information coming into the school system shall be given directly to the school nurses before being disseminated to the staff (i.e., classroom teachers).
14. Any written communication on HIV or AIDS shall be forwarded confidentially to the Superintendent to be placed in the confidential file. This information shall not be stored in the individual schools.
15. In keeping with the State Law, our guidelines will require that any employee found to have disclosed personal HIV or AIDS information will have his or her employment terminated.
16. It is to be emphasized that requests for any information, guidelines, etc. shall be directed to the Superintendent of Schools and handled by his/her office.

**FIRST READING:            January 17, 1989**  
**SECOND READING:        January 26, 1989**  
**ADOPTION:                January 26, 1989**

/bb/policyHIVJHCCR