

HIV / AIDS

Background

The Division is committed to assisting students and staff members who are diagnosed as having AIDS or who test positive for HIV. The well-being and rights of students and staff members shall be duly considered in all educational and work environments in accordance with provincial Human Rights legislation and this administrative procedure.

Procedures

1. Staff Members

- 1.1 Upon receipt of a medical diagnosis that a staff member has AIDS or is infected by HIV, the Director shall consult with and follow the advice of the Division's medical advisor and the Medical Officer of Health. The Medical Officer of Health shall be requested to consult with the staff member and the attending physician.
- 1.2 Dissemination of information regarding the infected staff member shall be restricted to those who need to know, as determined by the Director, in consultation with the Medical Officer of Health and the patient's attending physician. The staff member's health information will be treated in confidence and not shared without the consultation with, and knowledge of the staff member.
- 1.3 An HIV infected staff member shall not be prevented from working for the Division except on the recommendation of the Director, following consultation with the Medical Officer of Health and the staff member's physician.
- 1.4 Where an infected staff member is excluded from his/her usual place of employment, every attempt shall be made to provide alternate employment. Decisions regarding appropriate settings shall be made on case-by-case basis.

2. Students

- 2.1 Upon receipt of a medical diagnosis that a student who is enrolled or seeking enrolment in the school system has AIDS or is infected with HIV, the Director shall consult with and follow the advice of the Medical Officer of Health. The Medical Officer of Health shall be requested to consult with the student's parent(s)/guardian(s) and the attending physician.

- 2.2 Dissemination of information regarding the infected student shall be restricted to those who need to know, as determined by the Director, in consultation with the Medical Officer of Health and the student's attending physician. The student's health information will be treated in confidence and not shared without the consultation with and knowledge of the student's parent or guardian.
- 2.3 An HIV infected student shall not be excluded from the regular educational program except on the recommendation of the Director following consultation with the Medical Officer of Health and the student's attending physician.
- 2.4 Where an infected student is excluded from school, attempts shall be made to provide an alternate educational program. Decisions regarding appropriate educational settings shall be made on a case-by-case basis.

Reference: Sections 85, 87, 141, 175, 178, 190, 231 Education Act
The School Division Administration Regulations 45, 49
Public Health Act

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