

HIV MODEL POLICY – MDOE & BOH - 1987

MODEL SCHOOL ATTENDANCE POLICY FOR STUDENTS INFECTED WITH HUMAN IMMUNODEFICIENCY VIRUS

PURPOSE

(School administrative unit) has as its primary goal the provision of quality education in a safe environment for all students.

Public law in Maine guarantees all children the right to an education. The purpose of this policy is to establish what actions shall be taken in the event that (school administrative unit) is made aware that a student attending school is infected with HIV.

This policy has been adopted to assure that the rights and safety of all involved parties are preserved.

POLICY ELEMENTS

1. In general, (school administrative unit) shall provide educational opportunities for students infected with HIV just as it does for other students. This shall include attendance in regular class settings. Students infected with HIV shall be entitled to all the rights, privileges, and services provided by Maine law and (school administrative unit) policies.
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 (school administrative unit) is concerned that a particular student poses a public threat to others, advice may be requested from the Bureau of Health.
3. In the rare event that the Bureau of Health determines that conditions exist which suggest that a student with a Human Immunodeficiency Virus 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 student 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 without written consent of parents/guardians. Records containing information about Human Immunodeficiency Virus 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.

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 Human Immunodeficiency Virus or other agents transmissible through blood and other body fluids, (school administrative unit) shall follow standard procedures for cleaning and disinfecting all body fluid spills. If there is a need to handle items that are soiled with body fluids or to clean surfaces that are contaminated with body fluids, gloves shall be used in this process. Such contaminated articles shall be cleaned with soap and water and disinfectant with a 1:10 dilution of household bleach or other appropriate disinfectant. All staff members shall participate in the training on how to deal with body fluids that they may encounter as part of their daily tasks. The procedures for cleaning bodily fluid spills shall be reviewed annually by all school staff members.