

# Policies

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## Westerly Public Schools HIV / Hepatitis

No. 5030  
page 1 of 8

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### Intent:

The purpose for establishing a Westerly Public Schools policy concerning Human Immunodeficiency Virus (HIV)/ Hepatitis infected employees and/ or students in schools is to:

- A. Protect against the transmission of HIV/ Hepatitis from infected employees and/ or students 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 activities with a minimum of disruption;
- C. Inform students, parents, teachers, school employees, and members of the community about safe practices regarding HIV/ Hepatitis transmission and the School District's HIV/ Hepatitis policy; and
- D. Provide a basis for the School Committee, Superintendent of Schools, principals, teachers, nurses and physicians, school employees and students to establish necessary preventive health measures, and to inform the public about these measures while still maintaining the rights of confidentiality of an infected individual, should any exist in the school district

This policy should be implemented along with the OSHA Bloodborne Pathogens Policy and "Guidelines for Prevention of Transmission of Human Immunodeficiency Virus and Hepatitis A/B/C Virus to Health-care and Public-safety Workers" (better known as the "Universal Precautions" policy). One version of the Universal Precautions, adapted from Taking Action on AIDS, is detailed in Section 10 of this policy.

### Definition of HIV Infection:

HIV is an acronym for the Human Immunodeficiency Virus. HIV is the virus that causes AIDS, Acquired Immune Deficiency Syndrome. An individual is 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.

A person may be infected but show no symptoms 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.

# Policies

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## Westerly Public Schools HIV / Hepatitis

**No. 5030**  
page 2 of 8

---

At a later stage of the disease, the person may exhibit symptoms of AIDS. Persons with symptoms are described as "symptomatic." Symptomatic people may have health limitation, not unlike any other disease, which periodically affect one's ability to work or to attend school.

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

### **Definition of Hepatitis Infection:**

There are three (3) major types of Hepatitis, all of which attack the liver and can cause lifelong infection.

1. **Hepatitis A virus** is spread from person to person through fecal-oral transmission.
2. **HBV-Hepatitis B virus** is spread from person to person through blood or body fluids i.e. sharing of needles, sexual activity, needle sticks, from a mother during pregnancy to fetus. The Hepatitis B virus can survive outside the body from seven (7) to ten (10) days and remains active to transmitting the disease.
3. **HCV-Hepatitis C virus** is spread similar to Hepatitis B virus, and is the leading cause of cirrhosis and liver cancer.

### **Routes of Transmission:**

HIV/ Hepatitis B/C is transmitted from an HIV/ Hepatitis infected person to a non-HIV/ Hepatitis B/C 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; or
- D. During pregnancy, in the birth process, or after birth from breast milk.

HIV and Hepatitis B/C 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

# Policies

---

## Westerly Public Schools HIV / Hepatitis

No. 5030  
page 3 of 8

---

prohibit discrimination against individuals who are infected with, or who are perceived to be infected with HIV/ Hepatitis. Being HIV and /or Hepatitis positive is not grounds for dismissal from employment or enrollment in school. However, if an infected HIV and/or Hepatitis person demonstrates behavior which puts another at risk of becoming infected with HIV/ Hepatitis (see routes of transmission listed above) then that behavior might lead to an alternative educational placement outside of the school setting. In the case of an employee, behaviors that pose a risk to others would be handled through the regular disciplinary process. The school physician shall participate in this risk assesment.

### **Reporting HIV Status:**

When an employee or student has tested HIV and/ or Hepatitis positive, it is optional for that person to notify the Superintendent. Notification of an individual's positive HIV/ Hepatitis status alone does not justify limiting that person's involvement 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 of health care information. HIV/ Hepatitis related information cannot be transferred or released except as allowed by Rhode Island General Laws (23-6-17).

### **Confidentiality of Employee and/ or Student HIV Status:**

Information concerning the identity of HIV/ Hepatitis positive employees/ students 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.

**Employee** information shall be kept in a locked file in the superintendent's office and/ or in the Human Resource in the Administration Office and accessible only to those who have received written permission from the infected person.

**Student** information shall be secured in a locked file in the superintendent's office and/or in the individuals' school nurse office, and accessible only to those who have received written permission from the "potentially or confirmed" infected person and/or parents/guardian.

All School District employees and/ or students who receive this information are bound by state and federal confidentiality laws.

# Policies

---

## Westerly Public Schools HIV / Hepatitis

**No. 5030**  
page 4 of 8

---

### **Persons Who May Need To Know:**

Persons in the school system who may need to know the identity of an HIV/ Hepatitis positive employee or student 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/ student's health status and to help coordinate medical care);
- B. Certain other employees of the School District; and
- C. The supervisor(s)/ principal of the employee/ student;

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

### **Dissemination:**

This policy should be distributed annually through a minimum of the following methods:

- A. Posting in a conspicuous place in each school and school administration building;
- B. Inclusion in school committee, parent, and student handbooks;
- C. Dissemination to officials of collective bargaining units;
- D. Inclusion in a staff in-service training program for all members of the school community, including professionals and support staff, coaches, bus personnel, building maintenance and all others.

### **Right of Appeal:**

This policy shall provide a student, parent/ guardian or an employee with the opportunity to seek amendment to any records, written or electronic regarding his/ her own HIV/ Hepatitis status. This does not foreclose the use of any other remedy such as grievances under a collective bargaining unit.

### **School Decision Authority:**

# Policies

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## Westerly Public Schools HIV / Hepatitis

No. 5030  
page 5 of 8

---

The Superintendent, as chief personnel officer, is responsible for ensuring that the purposes of this policy are implemented fully within the guidelines provided by both Rhode Island and federal laws.

The Superintendent, as the leader of the School District, is expected to demonstrate respect for the infected person and to support that person's regular employment or attendance.

### **Implementation:**

This policy should be implemented in conjunction with an annual review of Universal Precautions and frequent opportunities for students, 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 addition to all staff job descriptions and performance evaluations.

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

1. Disposable gloves should be worn whenever a person finds himself or herself in a position where they could be touching any other person's blood, body fluids or contaminated clothing.
2. Washing hands and skin is the single most effective health precaution for all viral and bacterial exposures.
3. Properly cover all wounds, cuts, oozing sores, or rashes, etc...
4. Use Environmental Protective Agency (EPA) registered disinfectant to clean up blood, body fluid spills and/or surfaces in accordance with manufacturers' recommendations.
5. Clothes soiled with blood, vomit, urine, or fecal matter should be handled while wearing gloves, and placed in disposable leak-proof

# Policies

---

## Westerly Public Schools HIV / Hepatitis

No. 5030  
page 6 of 8

---

red colored waste liner that is permanently labeled "BIO-HAZARD WASTE", and permanently labeled with universal symbol and prepared to be transported home.

6. Avoid accidental needle sticks. Needles are not to be recapped or reused.
7. Needles and other potentially contaminated sharps should be discarded in a puncture resistant container (Sharps Disposal Container).

### **B. Education:**

A comprehensive AIDS education program should be available for all students and employees. School nurse teachers and health educators should be involved in the planning and implementation of all communicable blood borne disease education programs for staff.

#### **Students:**

Students are required to receive AIDS/ Hepatitis education annually as part of comprehensive health education. At each grade level, they are provided with information that addresses their concerns about contracting AIDS/ Hepatitis, strategies for confronting their concerns and examples of how they can enhance the lives of others who maybe infected with HIV/ Hepatitis. Universal Precautions should be outlined early on the curriculum.

At each level the information on prevention, high-risk behaviors and medical information about the virus is more detailed.

#### **Parents:**

If students are to benefit from communicable blood borne disease education or any communicable blood borne disease policy, schools must provide a means for parents to become involved with on-going communicable blood borne disease informational sessions, discussion groups and programs.

#### **Staff:**

All staff need regular professional development in the area of HIV/Hepatitis. Those who work with and around students need to participate in similar activities as parents. Staff who coach a team, drive buses, clean buildings, provide support services and teach, counselor administer education are all likely to be confronted with situations where

# Policies

---

## Westerly Public Schools HIV / Hepatitis

**No. 5030**  
page 7 of 8

---

proper use of Universal Precautions and a thorough understanding of how HIV/ Hepatitis 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, just like parents, students, and other staff, need to deal with their own misconceptions/ concerns both related to their past and present behavior as well as their role as health educators, school nurse/ teachers or elementary teachers of students who may be HIV/ Hepatitis positive.

Once these misconceptions/ concerns are broken down, they need to participate in professional development experiences, which will increase their knowledge and personal comfort level with teaching about HIV/ Hepatitis and provide them with assistance in planning and developing meaningful experiences for students.

### **Technical Assistance:**

Staff from the Department of Health, AIDS Office and Department of Education, Office of School Improvement and Support Services is available to assist school administrators and health personnel in planning sessions for and with parents and staff.

# Policies

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## Westerly Public Schools HIV / Hepatitis

No. 5030  
page 8 of 8

---

### HIV/ AIDS Glossary of Terms:

**Acquired Immunodeficiency Syndrome (AIDS)** – a life- threatening for 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 that are undertaken to treat all visible blood, and any bodily fluid that 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.

### Resources:

For more information, contact the:

- Superintendent of School, Thomas P. DiPaola, Ph.D.: (401) 348- 2700
- Department of Education, Office of School Support and Family Engagement, HIV/ Sexuality Specialist: (401) 222- 8952
- Department of Health, Office AIDS/STDs: (401) 222- 2320
- CDC National AIDS/STDs Hotline: (800) 342- AIDS

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