Introduction

Lincoln Public Schools (LPS) recognizes the magnitude and severity of the development of HIV/AIDS in the workplace. As a school district, LPS is committed to the development of policies and the implementation of programs on HIV/AIDS non-discrimination, awareness, prevention, and health support.

Purpose

This policy serves to provide information to the general school district about LPS's position on employees or students who may or have tested positive for HIV/AIDS. To this end, the LPS seeks to develop programs and policies to adhere to the following guidelines:

Non-Discrimination

When community member has tested HIV positive, it is optional for that person and their family to notify the Employer/Superintendent of Schools. Notification of an individual's positive HIV status 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 23-6.3-7 and 5-37.3-4 as well as any other relevant federal and state laws and regulations relating to the confidentiality of health care information. HIV related information cannot be transferred or released except as allowed by Rhode Island General Laws 23-6.3-7.

Confidentiality and Disclosure

Information concerning the identity of a "potentially or confirmed" HIV positive employee or student must be kept confidential in accordance with Rhode Island General Laws 23-6.3-7; 23-6.3-10; and 5-37.3-4. Any written or electronic records containing this information should be kept in a respective file in the appropriate secured area:

Employee information shall be kept in a locked file in the Superintendent's office and/or in Human Resources 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 written permission from the "potentially or confirmed" infected person and/or parent/legal guardian.

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

Persons in the school system who may need to know the identity of a "potentially or confirmed" HIV positive employee or student may include: The certified school nurse teacher

and/or school physician, especially if acting as a liaison with the potentially or confirmed infected person's personal physician (in order to monitor the employee's or student's health status).In addition, certain other employees of the Lincoln Public Schools as well as the Principal of the potentially or confirmed person may be made aware on a 'need to know' and confidential basis.

The decision to inform personnel should not be made without the consent of the affected employee and the school nurse; and should not be made without the consent of the affected student, the school nurse, and/or the parent/guardian. If applicable, a signed "release of information" shall be completed by the potentially or confirmed person/parent. A consultation with the potentially or confirmed persons' physician is recommended.

Due to confidentiality, staff will not be made aware if an employee or a student is HIV positive. Therefore, it is critical that Universal Precautions are practiced by everyone.

Promoting a Safe Environment

LPS's commitment recognizes that HIV/AIDS cannot be transmitted through casual contact. Employees and students who know the facts about HIV infection and AIDS are less likely to react negatively or inappropriately to a colleague's or student's illness. Therefore, LPS shall manage the risk of HIV/AIDS discrimination by:

- Annual lessons on the nature, transmission, and prevention of HIV/AIDS;
- Training for supervisors to communicate and ensure compliance with LPS's HIV/AIDS policy; and
- Promote medically accurate, relevant information on HIV/AIDS prevention and treatment.

A copy of this policy will be included in each student handbook, which is distributed annually.

Development of protocol

The Superintendent of School or the appropriate designee shall develop a protocol and procedures to facilitate this policy.

First Reading: November 21, 2023
Second Reading December 11, 2023
Adopted: December 11, 2023