

Staff Health

The following procedures shall be followed when evaluating the employment status of an employee with a life-threatening communicable disease such as Acquired Immune Deficiency Syndrome (AIDS). These procedures will apply to all employees known to be infected with Human Immunodeficiency Virus (HIV) including:

1. Those medically diagnosed as having Acquired Immune Deficiency Syndrome (AIDS).
2. Those medically diagnosed as having AIDS Related Complex (ARC) or having an illness due to an infection with HIV but who do not meet the case definition for AIDS.
3. Those who are asymptomatic but who have been medically diagnosed as being infected with HIV.

These procedures also will apply whenever a school official has reasonable cause to suspect that a staff member is seriously ill and the illness is affecting his ability to perform his/her job responsibilities or posing an unacceptable risk to the health and safety of others. Reasonable cause may exist but is not limited to situations where the employee's health is observed to be deteriorating to the point of interfering with the performance of his duties, when the employee displays persistent physical symptoms of illness, or where there is similar reasonable evidence of such disease.

Reporting Suspected or Confirmed Cases

The Executive Director of Human Resources will be the staff member responsible for coordinating the school district's effort to evaluate the employment status of an employee in accordance with these procedures. For purpose of these procedures, the Executive Director of Human Resources shall be referred to as the "school officer."

It is improper for any employee who has knowledge or reasonable grounds to suspect that he/she is infected with a long-term, communicable disease to willfully expose or infect another with such a disease or to knowingly perform an act or engage in conduct which exposes or infects another person with such a disease.

Any staff member afflicted with a long-term communicable disease is encouraged to report this fact directly to the school officer.

If a supervisor has been informed or has reasonable cause to believe that an employee is afflicted with an illness which is interfering with job performance or posing an unacceptable health risk to others, the supervisor will notify the school officer

immediately. The school officer will confer individually with the supervisor and the staff member.

Evaluation of Employment Status of Staff Members with HIV/AIDS

HIV infection is not transmitted casually; therefore, it is not itself a reason to remove a staff member from school. The school officer will determine whether the person who is infected with HIV has a secondary infection such as active tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question which the school officer will answer by consulting with the infected person's physician, a qualified public health official who is responsible for such determinations, and the infected person.

If there is no secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the infected person's job assignment will not be altered unless a reassignment is requested as a reasonable accommodation.

If there is a secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the school officer will consult with the physician, public health official and the infected person. If necessary, they will develop an individually tailored plan for the staff member. Additional persons may be consulted if this is essential for gaining additional information, but the infected staff member must approve of the notification of any additional persons who would know his identity. Utmost confidentiality will be observed throughout this process.

When an employee has exhausted all sick leave options and is deemed unfit to resume duties, employment will be terminated through the employee's resignation, retirement or dismissal in accordance with board policies.

The school official will review the case periodically with the infected person and the medical advisors described above.

Confidentiality

All information gained by the district through the application of this policy and procedure including the identity of an employee affected by a life-threatening disease will be treated as confidential. Information will be disclosed only as appropriate in connection with these procedures.

The personal physician of the infected person, a public health official and the school officer who know the identity of a staff member infected with HIV are those who, with the infected person, will determine whether the person has a secondary infection that constitutes a medically-recognized risk of transmission in the school setting. In some instances, the said individuals may be able to study the facts of the case sufficiently without needing to know the identity of the staff member to make a decision.

The decision makers listed above and the infected person will determine whether additional persons such as the school nurse or principal need to know that an infected person works at a specific school. The additional persons will not know the name of the infected person without his/her consent.

Medical Examination

If there is reason to believe that an employee's physical or mental health is detrimental to the welfare of students or other employees, the school officer may require that the employee submit to a medical examination in accordance with Board policy. The examination will include appropriate medical tests and additional documentation of the staff member's condition as it relates to his ability to carry out assigned duties which involve contact with students and other employees.

All persons will treat all information as highly confidential. No information will be divulged directly or indirectly to any other individuals or groups. All medical information and written documentation of discussions, telephone conversations, proceedings and meetings will be kept by the school officer in a locked file. Access to this file will be granted only to those persons who have the written consent of the infected staff member.

To further protect confidentiality, names will not be used in documents except when it is essential. Any document containing the name or any other information that would reveal the identity of the infected person will not be shared with any person, not even for the purposes of work processing or reproduction.

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