

EMPLOYEES WITH HIV-RELATED ILLNESS

The Board of Education recognizes the public concern over the health issues surrounding Acquired Immune Deficiency Syndrome (AIDS) and Human Immunodeficiency Virus Infection (HIV). The Board also recognizes, based upon the current state of medical knowledge, that the virus associated with AIDS is not easily transmitted and there is no evidence that AIDS or the HIV virus can be transmitted by casual social contact in the open school setting.

The Board acknowledges the interests of employees diagnosed as having AIDS or HIV infection in continuing their employment. The Board also takes notice that under current law and regulations the disclosure of confidential AIDS and/or HIV-related information must be strictly limited.

Accordingly, it is the policy of the Board of Education that no district employee shall be prevented from continuing his or her employment solely on the basis of such information.

In accordance with current law and regulations, it is also the policy of the Board to honor an employee's right to medical confidentiality and prevent any employee from being subjected to adverse or discriminatory treatment or stigma solely because he or she has been diagnosed as having AIDS or being HIV-infected.

The Superintendent of Schools is hereby directed to develop administrative regulations in regard to avoiding employment discrimination against individuals diagnosed as having AIDS or being HIV-infected.

The Superintendent of Schools should consult public health officials and/or the school physician, as appropriate, for the most current methods and information pertaining to procedures commonly known as Universal Precautions and Prudent Avoidance for containment of blood borne pathogens. The Superintendent of Schools shall establish safety guidelines consistent with current standards.

The Superintendent of Schools shall also develop, and immediately implement and enforce, inservice education and training for all school personnel concerning AIDS and HIV infection and procedures to be followed in the case of all spills of blood and other body fluids. The Board expects that all school personnel shall comply with these same guidelines and routine sanitary hygiene procedures for dealing with all spills of blood and other body fluids in or on school premises and grounds or in school vehicles.

References:

- Public Health Law, Article 27-F
- NYS Executive Law, 296
- US Rehabilitation Act 504
- 10 NYCRR Part 63
- 29 CFR 1910.1030 (proposed)
- Arline v. School Board of Nassau Co, 692 F Supp (MD Fla. 1988)
- School Board of Nassau Co. v Arline, 480 US 273 (1987)

ADOPTED: May 7, 1997