

## EDMONTON PUBLIC SCHOOLS

May 23, 2006

TO: Board of Trustees

FROM: Trustee Bev Esslinger, Planning and Policy Committee  
Trustee Don Fleming, Planning and Policy Committee  
Trustee Ken Gibson, Planning and Policy Committee

SUBJECT: Board Regulation GBE.BR – *Staff and Students with HIV Infection – AIDS*

ORIGINATOR: Bob Holt, Executive Director

RESOURCE  
STAFF: J. Edey, L. Milton

### RECOMMENDATION

1. That the rescission of Board Regulation GBE.BR – *Staff and Students with HIV Infection – AIDS* (Appendix I) be introduced.
2. That the rescission of Board Regulation GBE.BR – *Staff and Students with HIV Infection – AIDS* (Appendix I) be considered for the first time.
3. That the rescission of Board Regulation GBE.BR – *Staff and Students with HIV Infection – AIDS* (Appendix I) be considered for the second time.

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### RATIONALE:

A more recent Board Policy, GBE.BP – *Health and Safety of Staff and Students* (Appendix II) deals with the health and safety of students and staff, and the roles and responsibilities with regard to health and safety including communicable diseases. It is redundant to have a separate regulation that deals with a specific communicable disease.

### BACKGROUND

Since 1992, more information is known about the transmission of HIV in the workplace. Currently, HIV is considered a blood-borne disease and a biological hazard in the workplace. All blood and body fluids are considered infectious and universally accepted precautions are the best method of preventing transmission.

This policy has been reviewed at three different levels before the recommendation has been put forward. It was reviewed by the health management staff in Personnel Support Services in January, 2006 and by the Personnel Principal Advisory Committee in February. Both of these groups recommended that the policy be rescinded, based on the rationale above.

The policy and recommendation were posted on the district survey from March 24 to April 21. Response to the Web Survey is included in Appendix III. Although the respondents to the survey supported the recommendation, the validity of the data is questionable due to the small number of respondents.

If the board approves the recommendation to rescind this policy, a recommendation will go forward to the superintendent to withdraw the corresponding administrative regulation (GBE.AR), which is attached in Appendix IV. Two other administrative regulations, *GBEA.AR - Health and Safety Roles and Responsibilities* and *IHCC.AR – Communicable Disease (Appendix V)*, deal with the health and safety of students and staff, and the roles and responsibilities with regard to health and safety including communicable diseases.

/JLE:mel

APPENDIX I	Board Policy GBE.BR – <i>Staff and Students with HIV Infection – AIDS (Pages 3-4)</i>
APPENDIX II	Board Policy GBE.BP – <i>Health and Safety of Staff and Students (Page 5)</i>
APPENDIX III	Web Survey Response GBE.BR – <i>Staff and Students with HIV-AIDS (Pages 6-8)</i>
APPENDIX IV	Administrative Regulation GBE.AR – <i>Staff and Students with HIV Infection – AIDS (Page 9-10)</i>
APPENDIX V	Administrative Regulations <i>GBEA.AR - Health and Safety Roles and Responsibilities</i> and <i>IHCC.AR – Communicable Disease (Pages 11-14)</i>

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# Edmonton Public Schools

## Board Policies and Regulations

CODE: GBE.BR

TOPIC: Staff and Students with HIV  
Infection-AIDS

EFFECTIVE DATE: 07-04-1992

ISSUE DATE: 28-04-1992

REVIEW DATE: 04-1997

### A. DEFINITION AND MEDICAL INFORMATION

Acquired Immunodeficiency Syndrome (AIDS) is the end stage of the human immunodeficiency virus (HIV) which seriously disrupts the body's immune system. Without the protection of the immune system, people with AIDS suffer from fatal infections and cancers.

Medical and scientific evidence has demonstrated that neither HIV Infection nor AIDS can be spread through casual contact. There have been no infections caused by shaking hands, hugging, crying, coughing, sneezing, sharing utensils, or from toilet seats, straws, food, water fountains, or telephones. There is no evidence that being in the same office, working in the same facility or using the same equipment as someone with HIV Infection-AIDS, even for a long period of time, puts a non-infected person at risk of becoming infected with HIV.

There are five known ways the human immunodeficiency virus (HIV) can spread:

- through unprotected sexual contact with an infected person;
- through penetrating injuries caused by sharp objects contaminated with the blood of an HIV infected person (sharing contaminated needles or syringes);
- through the transfusion of infected blood or blood products (since October, 1985, all blood donations have been tested for HIV antibodies);
- through open wounds coming into contact with infected blood; and
- from an infected mother to her child during pregnancy or child birth or in rare instances through breast-feeding.

### B. STAFF AND STUDENTS INFECTED WITH HIV INFECTION-AIDS

1. The identity of any staff member or student with HIV Infection-AIDS shall be protected.
2. In accordance with the board's policy on harassment ACA.BP - Discrimination

and Harassment, staff shall not engage in harassment or discrimination against any individuals who have been infected or who associate with individuals with HIV Infection-AIDS.

3. Staff members with HIV Infection-AIDS shall be permitted to work as long as they are able to perform job requirements and do not pose a safety and health hazard to themselves or others. If a staff member with HIV Infection-AIDS is unable to perform job requirements for health reasons, or wishes to be assigned alternate duties, a reasonable effort shall be made to place the staff member in an appropriate job assignment.
4. A staff member with HIV Infection-AIDS shall seek and follow the medical advice of the medical officer of health.
5. Students with HIV Infection-AIDS shall be permitted to attend school and take part in school activities as long as they do not pose a safety and health hazard to themselves or others. If the medical officer of health determines that the physical condition or behaviour of a student infected with HIV Infection-AIDS poses a health or safety risk to others, the medical officer of health may exclude that student from class or school. Alternative arrangements for instruction shall be made in accordance with the student placement and programming regulations IB.AR - Student Placement.
6. The district shall obtain and communicate current and authoritative medical information for the purposes of educating and protecting its staff and students.

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Reference(s):

ACA.BP - Discrimination and Harassment

GAA.BP - Personnel Policies Priority Objectives

GBE.BP - Health and Safety of Staff and Students

GBE.AR - Staff and Students with HIV-Infection-AIDS

IHCA.AR - Hygienic Practices

IHCC.AR - Communicable Disease

IHCD.AR - Administration of Medication

IB.AR - Student Placement

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# Edmonton Public Schools

## Board Policies and Regulations

CODE: GBE.BP

TOPIC: Health and Safety of Staff and Students

EFFECTIVE DATE: 11-01-2005

ISSUE DATE: 13-01-2005

REVIEW DATE: 01-2010

Edmonton Public Schools values its employees and is committed to providing a safe and healthy workplace and learning environment for staff, students and other individuals present at district sites. Edmonton Public Schools believes that work-related incidents are preventable and their elimination is integral in achieving *Superb Results From All Students*. A safe and healthy work environment is a shared responsibility between the board, superintendent, staff, staff group representatives, as well as government, parents, students, volunteers, visitors, contractors and subcontractors.

### Reference(s):

GAA.BP - Personnel Policies Priority Objectives

GBE.BR - Staff and Students with HIV-Infection-AIDS

GBE.AR - Staff and Students with HIV-Infection-AIDS

GBEA.AR - Health and Safety Roles and Responsibilities

IHCA.AR - Hygienic Practices

IHCC.AR - Communicable Disease

Occupational Health and Safety Act

Occupational Health and Safety Regulation

Occupational Health and Safety Code

Environmental Protection and Enhancement Act

Environmental Protection and Enhancement (Miscellaneous) Regulation (AR 118/93)

Public Health Act



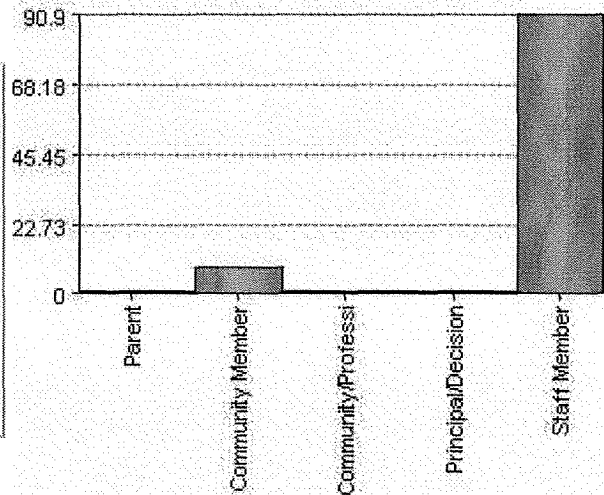
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## GBE.BR - Staff and Students with HIV-AIDS

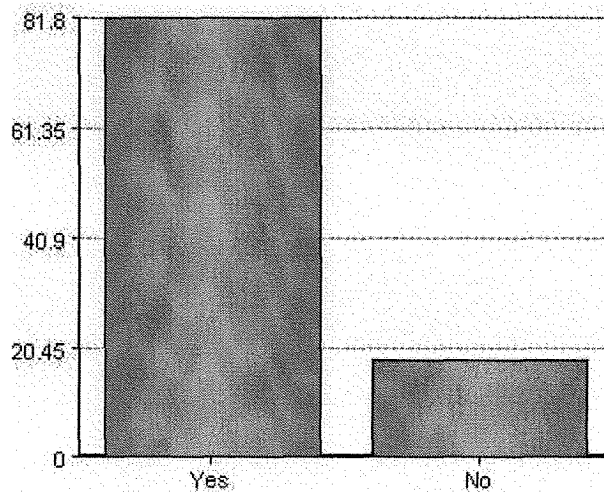
**Question 1:** Please select the one identifier that best describes the perspective from which you are providing feedback: (N=11)

Choices	Count	Percent
Parent	0	0.0
Community Member	1	9.1
Community/Professional Organization	0	0.0
Principal/Decision Unit Administrator	0	0.0
Staff Member	10	90.9



**Question 2:** Do you support the proposed rescission of Board Regulation GBE.BR - Staff and Students with HIV Infection-AIDS? (N=11)

Choices	Count	Percent
Yes	9	81.8
No	2	18.2



# GBE.BR – Staff and Students with HIV-AIDS

Number of Respondents	QUESTION #1 Please select the one identifier that best describes the perspective from which you are providing feedback:	QUESTION #2 Do you support the proposed rescission of Board Regulation GBE.BR - Staff and Students with HIV Infection-AIDS?	QUESTION # 2 Do you support the proposed rescission of Board Regulation GBE.BR - Staff and Students with HIV Infection-AIDS?	QUESTION #2 Please comment.
1	Staff Member		No	This is still an ongoing major issue and should not be just another health issue to be lumped in with all other health concerns
2	Staff Member		No	It should be maintained and expanded to include all forms of Blood Borne Pathogens, as these are specific diseases that impact staff and students, and should be dealt with as such. Including the districts responsibility for training staff in Blood Borne Pathogen procedures.
3	Staff Member	Yes		I don't think it is necessary to single out HIV/AIDS if it is already covered in other section.
4	Staff Member	Yes		The policy is outdated and narrow in scope and does not address the full spectrum of potential biological hazards in the workplace.
5	Staff Member	Yes		It was time to update this policy - thank you.

<b>Number of Respondents</b>	<b>QUESTION #1</b> Please select the one identifier that best describes the perspective from which you are providing feedback:	<b>QUESTION #2</b> Do you support the proposed rescission of Board Regulation GBE.BR - Staff and Students with HIV Infection-AIDS?	<b>QUESTION # 2</b> Do you support the proposed rescission of Board Regulation GBE.BR - Staff and Students with HIV Infection-AIDS?	<b>QUESTION #2</b> Please comment.
6	Staff Member	Yes		
7	Staff Member	Yes		
8	Staff Member	Yes		
9	Staff Member	Yes		
10	Staff Member	Yes		
11	Community Member	Yes		



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# Edmonton Public Schools

## Board Policies and Regulations

CODE: GBE.AR

TOPIC: Staff and Students with HIV  
Infection - AIDS

EFFECTIVE DATE: 21-04-1992

ISSUE DATE: 08-09-1992

REVIEW DATE: 04-1997

### A. GENERAL

1. In accordance with administrative regulation IHCC.AR - Communicable Disease, on receipt of information that a student or staff member has AIDS, the principal or supervisor shall notify the medical officer of health with the Edmonton Board of Health.

### B. STAFF AND STUDENTS INFECTED WITH HIV INFECTION-AIDS

1. Principals and supervisors shall make staff aware of precautionary procedures for those individuals who may be exposed to HIV Infection-AIDS or who may come into contact with blood or other body fluids. Procedures shall be in accordance with administrative regulation IHCA.AR - Hygienic Practices.
2. In the event that concern arises about a district staff member or student with HIV Infection-AIDS, the principal or immediate supervisor shall:
  - a. provide those concerned with an opportunity to freely discuss these concerns;
  - b. attempt to alleviate the concerns by providing current information about the illness;
  - c. emphasize the expectation of the board that all staff members and students will be treated with compassion and without discrimination; and
  - d. inform those concerned of the necessity of ensuring staff members' and students' rights to privacy and medical confidentiality.
3. Principals and supervisors shall not distribute information about the medical condition of a staff member or a student with HIV Infection-AIDS unless written consent is given by the staff member, parent or guardian, or in the case of an independent student, by the student.

### Reference(s):

GAA.BP - Personnel Policies Priority Objectives

GBE.BP - Staff and Student Health and Safety

GBE.BR - Staff and Students with HIV Infection-AIDS

IHCA.AR - Hygienic Practices

IHCC.AR - Communicable Disease

IHCD.AR -Administration of Medication



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# Edmonton Public Schools

## Board Policies and Regulations

CODE: GBEA.AR

TOPIC: Health and Safety Roles and Responsibilities

EFFECTIVE DATE: 21-01-2005

ISSUE DATE: 26-01-2005

REVIEW DATE: 01-2010

### A. GENERAL

Health and safety is a shared responsibility between the superintendent, senior staff, decision unit administrators, supervisors, staff, staff group representatives, as well as parents, students, visitors, temporary employees, contractors and subcontractors present at our work sites. All district staff have:

- the right to know about hazards in the workplace;
- the obligation to report any unsafe practices or conditions that they see; and
- the right to refuse unsafe work.

### B. HEALTH AND SAFETY ROLES AND RESPONSIBILITIES

1. The board and superintendent of schools shall ensure that:
  - a. health and safety considerations receive priority in the planning and implementation of district activities and operations;
  - b. a framework of regulations, protocols and guidelines is developed and maintained which meets or exceeds compliance with the Occupational Health and Safety Act, Regulation, Code and other related federal, provincial/local statutes and by-laws;
  - c. a district occupational health and safety program that promotes the participation of staff and staff group representatives is implemented and maintained;
  - d. employees, contractors, subcontractors, temporary workers, students and volunteers comply with all relevant workplace health and safety legislation and district policies and procedures;
  - e. employees understand the policy and are provided with the training and support necessary to integrate health and safety into their work;
  - f. the effectiveness of the health and safety program is evaluated at appropriate intervals and annually as a minimum, and;
  - g. support is provided to retain employees at work and to return employees with disabilities to active employment in a safe and timely manner.

2. Principals and other senior staff, decision unit administrators, and supervisors shall:
  - a. provide the leadership and management necessary for the overall implementation of the district health and safety policy within their areas of responsibility;
  - b. plan and conduct all worksite activities in a manner that promotes compliance with legislation and the district health and safety program;
  - c. demonstrate commitment to health and safety by their behaviour and actions;
  - d. ensure worksite hazard assessments are completed within their areas of responsibility;
  - e. inform all staff and others present at the worksite about existing or potential worksite hazards and site specific health and safety requirements;
  - f. ensure that all work-related injuries, illness and incidents with the potential to cause serious injury/illness are reported, investigated, and corrective action is taken to prevent a recurrence;
  - g. ensure that staff are given adequate training, instruction and equipment so they can perform their work in a safe manner;
  - h. ensure that work areas are inspected at regular intervals to identify and control potential or existing hazards;
  - i. take corrective action to deal with unsafe acts or conditions identified by staff and/or during workplace hazard assessments, inspections and incident investigations;
  - j. ensure that safeguards and safety devices including personal protective equipment are available and used;
  - k. stop any work they perceive to be presenting imminent danger to an individual present at the worksite;
  - l. ensure reasonable work accommodation opportunities are provided to injured, disabled or ill employees.
3. District staff and students (where applicable ) shall:
  - a. protect themselves and others by adopting responsible behaviours and attitudes toward health and safety;
  - b. observe all safety rules and procedures established by the regulatory authorities, the district, and their decision unit;
  - c. practice safe work habits including use of any safeguards or personal protective equipment provided;
  - d. attend and use mandated health and safety training where applicable;
  - e. promptly report hazardous or unsafe equipment, acts or conditions, to a supervisor, make suggestions for their correction, or take corrective action where authorized;
  - f. immediately report to a supervisor all-work related injuries, illness and incidents with the potential to cause serious injury, and obtain first aid/ medical treatment without delay;
  - g. refuse to perform any task they know to be unsafe, and

- h. actively participate in and support return-to-work accommodation programs for themselves and others.
- 4. District Occupational Health and Safety Consultants shall:
  - a. provide information and assistance to administration and staff regarding interpretation and compliance with legislation, district policies and regulations;
  - b. conduct audits and assist administrators with inspections of facilities at appropriate intervals to identify potential hazards and determine that procedures, equipment, and facilities meet accepted occupational health and safety standards;
  - c. assist administrators in the investigation of serious accidents and incidents and advise regulatory authorities of reportable incidents; and,
  - d. stop any work where they perceive there to be imminent danger to an individual present at a worksite, by either advising the principal or administrator, or in their absence by issuing an internal stop work order.

#### **Definitions:**

**Hazard Assessment:** A process that looks at what could cause harm to employees at a worksite in order to determine what controls are needed to eliminate or reduce the hazard risk.

**Imminent Danger:** Imminent danger means any danger that isn't normal for a job, or any dangerous conditions under which a worker wouldn't normally carry out their work.

**Staff:** Means any worker at the worksite including district staff, temporary workers, worker volunteers, contracted workers and subcontractors present at the worksite.

**Senior Staff:** Means those individuals reporting directly to the Superintendent i.e., principals, Executive Directors, Assistants to the Superintendent, Executive Assistant to the Superintendent, General Counsel

**Decision Unit Administrator:** Means those individuals charged with the responsibility of leading and managing a decision unit i.e. managing directors, directors

**Supervisors:** Means managers, supervisors, school department heads, foremen etc.

#### **Reference(s):**

GBE.BP - Health and Safety of Staff and Students

GAA.BP - Personnel Policies Priority Objectives

GBE.BR - Staff and Students with HIV Infection-AIDS

GBE.AR Staff and Students with HIV-Infection-AIDS

IHCA.AR - Hygienic Practices

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Environmental Protection and Enhancement (Miscellaneous) Regulation (AR 118/93)

Public Health Act

# Edmonton Public Schools

## Board Policies and Regulations

CODE: IHCC.AR  
TOPIC: Communicable Disease

EFFECTIVE DATE: 02-05-2003  
ISSUE DATE: 07-05-2003  
REVIEW DATE: 05-2008

Where a staff member has reason to believe that a student or staff member is infected with a notifiable communicable disease as defined by the regulations related to Sections 22(1) and 26 of the *Public Health Act*, he/she must immediately notify the administrator or designate. The administrator or designate shall notify the Medical Officer of Health of the Capital Region Health Authority.

### Reference(s):

*Public Health Act* Sections 22(1) and 26

*Alberta Regulation 238/85 Public Health Act Communicable Diseases Regulation* Schedule 1 (Notifiable Communicable Diseases)

Capital Health - Healthy Schools Information and Resources Manual