



**Section Four: Students**

*“Together We Learn”*

**445R – HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND OTHER  
BLOOD-BORNE VIRUSES (STUDENTS)  
(REGULATIONS)**

**1. Student’s Right to Attend Regular Classes**

- 1.1 A student shall not be excluded from school because of HIV or other blood-borne pathogen infections unless:
  - 1.1.1 the student is excluded pursuant to section 91 of the School Act, or
  - 1.1.2 the Board of Education decides it is otherwise appropriate (with advice from the District Medical Health Officer and the Superintendent of Schools).
- 1.2 In exercising its discretion under Regulation 1.1.2, the Board shall:
  - 1.2.1 request that the District Medical Health Officer assess the student with HIV or other blood-borne pathogens; and
  - 1.2.2 consider the student’s behaviour, physical health status, and the psychosocial benefits of maintaining the student at school.
- 1.3 A student with HIV or other blood-borne pathogens shall be closely monitored by the Superintendent, who shall seek the cooperation and assistance of the student’s parents/guardian, his/her attending physician, and the District Medical Health Officer.
- 1.4 Where the physical condition or behaviour of a student infected with HIV or other blood-borne pathogens poses a health or safety risk to the student or to others in his/her school, alternate arrangements for instruction shall be provided such as a variety of settings, ranging from special instruction within the school to home tutoring.
  - 1.4.1 Decisions regarding alternate arrangements for instruction shall be made on an individual basis.
- 1.5 A non-infected student shall not be excluded from school because of an HIV or other blood-borne pathogen infected family member.



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**2. Obligation to Report**

The Health Act requires that a person who knows or suspects that another person is suffering from a communicable disease make a report to the Medical Health Officer.

**3. Discrimination Against a Student**

As HIV or other blood-borne pathogens cannot be transmitted in the course of the usual interactions in the school, discriminatory acts against a student infected with this virus are unacceptable. The Board will not require HIV antibody testing of any of its students.