



HIV/AIDS Policy

PREMISES

The formulation of an AIDS policy is based on the following premises:

1. **AIDS is a sexually transmittable disease.** It cannot be transmitted through day-to-day social contact.
2. **AIDS is spread through sexual contact.**
 - 2.1 This will apply to the many young people who are sexually active.
 - 2.2 There is a risk of transmission of HIV through sexual abuse of children.
3. **The risk of transmission** during teaching, sport and play activities is insignificant and any risk of infection is eliminated with **standard infection control measures** and the practice of good principles of hygiene.
4. Compulsory disclosure of the HIV status of any learner- or school staff member would serve no meaningful purpose. Decisions and actions are made on the presumption that all **learners and staff members are HIV positive.**
5. All people of all ages should lead as full a life as possible.
6. **The constitutional rights** of all people must be protected on an equal basis,
7. The reduction of the AIDS epidemic will be promoted by raising **awareness and education** of all members of the community, thereby effecting **behaviour change.**
8. The following individuals could be infected or become infected, which will directly impact upon the school: -
 - Learners
 - Staff
 - Close family members

A. LEARNERS

1. Entrance to School:

Prospective learners will not be denied admission to the school because of their HIV status, but will be subject to the same selection procedures as non-infected learners.

2. Status at School:

- (a) Learner's who become infected will not be asked to leave the school because of their HIV status, but may be asked to leave should they break other rules and regulations that apply to all learners.
- (b) Infected learners will be afforded the same privileges and be required to adhere to the same rules and regulations the other learners, including attendance of classes and other school activities. Non-attendance due to illness will follow the same procedures.
- (c) If learners with HIV/AIDS become incapacitated, the school should make work available for them to study at home and support continued learning where possible.
- (d) The School will try by all means possible to ensure that no prejudice and/or victimisation takes place around the issue of HIV/AIDS. If, after: all efforts have been made to avert this and prejudice and/or victimisation continue, the Principal will take disciplinary action against those concerned.
- (e) With regard to contact sport, any person with an open wound prior to, or sustained during, a game will be asked to leave the sports field and will be given First Aid.

3. Testing:

- (a) No learner is obliged to undergo HIV testing
- (b) Learners wishing to undergo an AIDS test will be assisted by.
 - Ensuring the confidential nature of the request and subsequent results.
 - Referral of the learner to an appropriate centre that will provide pre- and post-test counselling.

4. Confidentiality:

- (a) The learner's HIV status is confidential and no staff member, learner, parent or member of the governing body may have access to this without the permission of the learner's legal guardian and of the infected learner. Any staff member found breaching a learner's confidence will evoke disciplinary procedures.
- (b) Voluntary disclosure should be welcomed and an enabling environment should be cultivated in which confidentiality of information is ensured and discrimination is not tolerated.
- (c) Unauthorised disclosure of HIV/AIDS-related information could give rise to legal liability,

5. Treatment of opportunistic infections.

- (a) Learners and their caregivers will be encouraged to ensure That any learner who is suffering from AIDS seek proper treatment for any infections which are concomitant to

infection with the AIDS virus. This will serve to protect all other members of the school from infectious illnesses.

- (b) Learners suffering from infectious diseases will be required to provide the school with assurance that he/she is receiving medical treatment.
- (c) Appropriate steps should be taken where possible by the school to protect known HIV positive learners from contracting infectious diseases because of their compromised immunity.

B. STAFF

1. Employment:

- (a) No employee will be denied the right to be appointed to a post because of their HIV status.
- (b) No employees will be dismissed or removed from their normal place of work, or their normal duties or be isolated because they are infected
- (c) No employees eligible for promotion will forfeit their promotion as a result of their HIV status.
- (d) The School Governing Body will try by all means possible to ensure -that no prejudice and/or victimisation will take place. If, after all efforts have been made to avert this. prejudice and/or victimisation continues, the Board of Governors will take disciplinary action against those concerned.
- (e) Employees who are HIV positive will be afforded equal access to staff training and career advancement.

2. Staff Status

Staff employed by the Western Cape Education Department will be subject to the policy as laid down by the Department.

Staff employed by The School Governing Body will be subject to this policy.

3. Testing:

- (a) The School Governing Body will not require prospective or current employees to be tested for HIV, either prior to employment or while employed.
- (b) Any employees wishing to undergo tests to establish their antibody status will be assisted by.
 - I. Ensuring the confidential nature of the request and subsequent results:
 - II. Referring the employee to an appropriate centre for testing that will provide pre- and post-test counselling and ensure the confidential nature of the results.

4. **Confidentiality:**

- (a) Should an employee discover that he/she is HIV-positive, he/she will be under no obligation to inform the School Governing Body or the Principal.
- (b) The employee may disclose that he or she is suffering from a disability without disclosing the reason.
- (c) An employee may choose to advise the Principal of his/her HIV status, so that support can be given to that employee.
- (d) Should an employee choose to inform the Principal, the information is confidential and no other staff members and/or members of the School Governing Body may be informed without the infected employee's permission.

5. **Sick leave / incapacity:**

- (a) An employee who is HIV-positive or suffering from AIDS will be subject to the same sick leave privileges as an employee suffering from any other long term illness.
- (b) Any employees who are no longer capable of performing their duties owing to prolonged absenteeism or physical incapability, will be subject to the normal rules regarding the above.
- (c) A person with AIDS is requested (but not obliged) to inform the Principal or the School Governing Body when he/she is unable to perform his/her duties adequately.

6. **Staff Benefits and Treatment:**

- (a) Employees are advised to familiarise themselves with the allocation of benefits by the medial aid and pension funds.
- (b) Employees who are suffering from AIDS are advised to seek appropriate treatment for opportunistic infections that could put other staff and learners at risk.
- (c) Staff who are HIV positive will be subject to the same terms for compensation, grievance procedures and fair terms of dismissal as any other staff member.
- (d) Any staff member who is suffering from AIDS will be afforded reasonable accommodation in terms of employment conditions.

C. CLOSE RELATIVES

The school recognises the fact that the HIV status of learners, and/or their parents and/or other family members will have emotional and financial ramifications that will affect the pupils and staff. While the school recognises the confidential nature of the disease, the effects this disease will have on learners and their families cannot be ignored and the policy has been developed with this in mind.

1. **Confidentiality:** Should a family discover that a member other than the learner is HIV-positive, it is under no obligation to inform the school. If a family chooses to inform the school, this information is to be viewed as strictly confidential. The school will try to support and counsel any pupil whose family suffers from AIDS or HIV through its own counselling services or by helping to facilitate outside counselling and support services.
2. **Responsibility:** The ultimate responsibility for the behaviour and for the care of the learner rests with the parent/legal guardian of the child.

D. HIV/AIDS COMMITTEE

1. The HIV/AIDS Committee is responsible for:
Raising awareness, sharing of knowledge and advice with regard to HIV/AIDS and related diseases by means of programmes that will focus on sexuality, sexual abuse, behaviour towards persons suffering from AIDS, basic First Aid procedures.

The drawing up, consistent implementation and review of the HIV/AIDS Policy

HIV/AIDS education will be incorporated into the Life Orientation curriculum.