

Emery County School District



Policy: GBGF—Acquired Immune Deficiency Syndrome (Employees)

Date Adopted: 5 December 1989

Current Review / Revision: 10 December 2025

The Emery County School District Board of Education acknowledges the importance of developing guidelines for the enrollment and placement status of employees infected with the Acquired Immune Deficiency Syndrome (HIV) virus. The Board shall cooperate with other agencies in educating its residents, patrons, employees, and students about the disease and risks of transmission, and shall cooperate with the Utah State Dept. of Health and the Southeastern Utah Health District with detection, prevention, and control of communicable diseases.

When it becomes known to the District that an employee has been diagnosed positive with the HIV infection, an evaluation team consisting of the Superintendent, a representative from the local health department, the employee's physician, and the employee shall be convened. The employee shall remain in his/her regular job assignment while the case is under study.

The Superintendent shall notify the employee, in writing, of the decision of the evaluation team. If the decision is continued employment, the Superintendent shall advise the employee that continued employment may result in exposure to other communicable diseases and that responsibility for continued employment shall be left to the discretion of the employee. If or when job continuance is precluded, the employee shall be terminated in accordance with the most lenient policy available to the employee.

Confidentiality: The identity, or other case details of HIV infected employees shall not be disclosed to any person other than the members of the evaluation team and the Superintendent.

Special Procedures: The Superintendent may suspend an HIV infected employee for a period not to exceed ten (10) working days prior to receiving the recommendation of the evaluation team, provided the Superintendent determines that there are emergency conditions which present a reasonable likelihood that suspension is medically necessary to protect the employee and/or other persons.

Appeal Process: The Superintendent, or any member of the evaluation team, may appeal the recommendation of the committee by submitting a written appeal within ten (10) working days after receiving notice of the team's recommendations. If the appellant's concerns relate to medical issues, the appeal shall be submitted to the Executive Director of the Utah Department of Health in accordance with Utah Administrative Code. The appellant shall submit copies of the appeal to the Executive Director of the Utah State Health Department, the superintendent, and all other members of the evaluation team.

If the appeal is related to the District's ability to provide an accommodation, the appeal shall be directed to the Board. The appellant shall submit copies of the appeal to the Board, the Superintendent, and all other members of the evaluation team. The final decision to any appeal shall be given in writing within ten (10) working days. Copies of the appeal shall be given to the appellant, members of the evaluation team, and the superintendent.

Testing: Under no circumstances will the Board utilize mandatory testing of employees for the HIV virus.

Reference: This policy is established in accordance with Utah Administrative Code, Utah State Department of Health, HIV Positive Student or School Employee Rules.

Previous Revision: 11 December 1997