



The University of Sydney

Policy on Students with HIV or Hepatitis B

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Transfer Guidelines For Students With HIV or Hepatitis B

POLICY ON STUDENTS WITH HIV OR HEPATITIS B

Introduction

This policy has been drawn up to address particular issues that arise in relation to students with HIV or who are carriers of the Hepatitis B virus.

In this policy, the expression "students with HIV or HBV" is used to describe students who are (as the case may be) HIV positive, Hepatitis B e-antigen positive or Hepatitis B DNA positive.

The University will not discriminate unlawfully against students with HIV or HBV. However, current NSW Health Department policy prevents students with HIV or HBV from performing certain procedures, described as "exposure-prone procedures," during the course of their clinical studies.

In adopting this policy, the University wishes to recognise the rights and needs of students with HIV or HBV, while at the same time ensuring that appropriate procedures are in place to comply with NSW government policy and to reduce any risk of transmission of infection.

Students with HIV or HBV in the Faculties of Medicine, Nursing and Health Sciences

Although the clinical work undertaken by students in a number of academic programs at the Faculty of Medicine would normally include "exposure-prone procedures" as defined by the NSW Health Department, students with HIV or HBV who refrain from performing any of these procedures will not be prevented from graduating for this reason. Students in the Faculty of Nursing and the Faculty of Health Sciences do not generally perform any "exposure-prone procedures" as currently defined by the NSW Health Department.

Accordingly, the HIV or Hepatitis B infection status of students in these three Faculties is not relevant to their capacity to graduate.

However, because infection with HIV or HBV may limit students' professional opportunities after graduation, and could therefore affect undergraduate career choices, the University will inform all students and prospective students in the Faculties of Medicine, Health Sciences and Nursing of the following:

- the existence and effect of relevant NSW Health Department and NHMRC circulars and guidelines on health care workers with HIV or HBV, including the fact that people with HIV or HBV are currently prohibited from performing "exposure-prone procedures" in NSW health establishments;
- that while infection with HIV or HBV will not by itself prevent students from graduating, it may affect their career choices and opportunities after graduation, including their professional registration;
- that students who are concerned about their infection status should consider undergoing confidential testing;
- that information, advice and counselling for students with HIV or HBV is available from:
 - the nominated infectious diseases adviser in each Faculty;
 - the University's Disability and Welfare Services Unit;
 - the Student Counselling Service;
 - the Student Health Service;
 - the Students' Representative Council; and
 - the NSW Health Department Advisory Panel for health care workers with HIV or HBV.
- that the University will not discriminate unlawfully against students with HIV or HBV;
- that government policy in this regard may change over time.

It is proposed that this information be provided to students each year in the relevant Faculty handbook. Students will also be given a copy of all current government policies and guidelines relevant to health care workers with HIV or HBV. In addition, each Faculty will develop protocols consistent with this policy to ensure that supervisors and staff can assist students who self-identify as being HIV or HBV positive.

Faculty of Dentistry

It is not possible for students to complete the course requirements for the degree of Bachelor of Dental Surgery without performing "exposure-prone procedures." Students with HIV or HBV are therefore not currently able to graduate from the Faculty of Dentistry.

It is expected that students who know that they have HIV or HBV will refrain from undertaking any further work as part of their course that involves "exposure-prone procedures" and will pursue alternative career options. Transfer to other Faculties is available to these students in accordance with the University's current transfer guidelines.

To assist students with HIV or HBV in the Faculty of Dentistry, the University will inform all students in the Faculty by way of a notice in the UAC Guide and the Faculty handbook:

- that students with HIV or HBV will not be able to complete the course requirements for the degree of Bachelor of Dental Surgery, because NSW Health Department guidelines prevent them from performing "exposure-prone procedures";
- that transfer to other Faculties is available for students with HIV or HBV in accordance with the University's transfer guidelines;
- that information, advice and counselling for students with HIV or HBV is available from:

- the Faculty of Dentistry's nominated infectious diseases adviser
 - the University's Disability and Welfare Services Unit;
 - the Student Counselling Service;
 - the Student Health Service;
- the Students' Representative Council; and
- the NSW Health Department Advisory Panel for health care workers with HIV or HBV.
- that students who are concerned about their infection status should consider undergoing confidential testing and counselling.
 - that the University will not discriminate unlawfully against students with HIV or HBV;
 - that government policy in this regard may change over time.

The Faculty of Dentistry will nominate a member of the academic staff to provide information and advice to students with HIV or HBV or to any other student who has concerns or queries in this area.

Infection control

The University recognises its obligation to ensure that students in the Faculties of Medicine, Nursing, Health Sciences and Dentistry understand and follow infection control procedures at all times.

To this end, the University will ensure that all students in these Faculties receive instruction as to appropriate infection control practices. The University will also supply students with copies of relevant infection control guidelines, including the guidelines of the NSW Health Department on health care workers with HIV or HBV.

The nominated infectious diseases adviser in each Faculty will be available to provide information and advice to students on the implications of relevant government policies and guidelines for students with HIV or HBV (including the meaning of "exposure-prone procedures"), and on infectious diseases and infection control generally. Alternatively, students can seek assistance from the NSW Health Department's Advisory Panel on health care workers with HIV or HBV.

Information, advice and counselling

Students with HIV or HBV in the Faculties of Medicine, Nursing, Health Sciences and Dentistry may have many information and counselling needs, including a need for information about the implications of their infection status for their future professional registration, a need for guidance as to what procedures they can or cannot do, and assistance in dealing with the psychological consequences of their infection.

To meet these needs, the University will ensure that there is a nominated infectious diseases adviser in each of the four Faculties, as well as a nominated person in Disability and Welfare Services Unit, the Student Counselling Service and the Student Health Service, who has an understanding of the issues affecting students with HIV or HBV. All students will be given the names and contact numbers of the nominated people.

The nominated people will receive information and training about the issues affecting students with HIV or HBV, including current government policy, legal requirements, ethical concerns such as

confidentiality and discrimination, and referral points outside the University that are available for students.

Confidentiality

The University recognises the paramount importance of maintaining confidentiality in relation to the infection status of students. Subject to any overriding legal obligations, the University will keep all personal information about students confidential, in accordance with its current privacy policy. For guidance in this area, staff and students should refer to the Faculty protocols described above.

The nominated people for providing information, advice and counselling to students with HIV or HBV will be specifically made aware of the importance of respecting the confidentiality of students' infection status.

Distribution of this policy to staff

This policy will be distributed to all academic staff of the Faculties of Medicine, Nursing, Health Sciences and Dentistry.

TRANSFER GUIDELINES FOR STUDENTS WITH HIV OR HEPATITIS B

These guidelines should be read in conjunction with the University's policy on students with HIV or Hepatitis B in the Faculties of Medicine, Nursing, Health Sciences and Dentistry.

In these guidelines, the expression "*students with HIV or HBV*" is used to describe students who have HIV or who are HbeAg or HBV DNA positive.

Where students with HIV or HBV are prevented, by reason of their infection status, from completing the course requirements of the degree for which they are currently enrolled, the University will be sympathetic to requests by them for transfer of their enrolment to another Faculty. The following principles will apply to such requests:

1. Information about a student's infection status will be kept confidential in accordance with the University's privacy policy.
2. Students with HIV or HBV can apply to transfer from one faculty to another through the normal provisions of the Universities Admissions Centre (UAC) and have that request treated on its academic merits.
3. Where students with HIV or HBV wish to transfer from undergraduate enrolment in one faculty to another outside the normal UAC timelines, they may do so by either:
 - (a) giving written authorisation to their current faculty adviser to disclose the reason for the request to the dean of the faculty to which they wish to transfer; or
 - (b) making a direct approach to the dean of the faculty to which they wish to transfer setting out the reason for the request.
4. In considering such requests, deans should apply the standard academic requirements set by the faculty for considering the transfer of students and, if the student does not satisfy these basic requirements, sympathetically assess the case to see if a reasonable accommodation could be made to effect the transfer.

It is suggested that an appropriate criterion would be to determine whether the student could adequately complete the course of study in which he or she wishes to enrol.

5. Assessment of such cases should be undertaken by the dean alone. If a faculty committee is to be involved, it should make an assessment of academic matters only, and no information should be given to the committee that might reveal the student's infection status.
6. If a dean refuses a student's request, the student may seek a review of this decision by the Chair of the Admissions Committee. In reviewing the decision, the Chair of the Admissions Committee will apply the same standards and criteria as are set out in paragraph 4 above and will then recommend a course of action to the Vice-Chancellor.
7. Requests to transfer to graduate enrolment in another faculty will be considered only where the student meets the academic or other pre-requisites for that graduate enrolment.
8. If a student's request under these guidelines is successful under these guidelines, then it is the responsibility of the dean to ensure that the transfer to that faculty occurs in a timely and confidential manner, that preserves the privacy of the student concerned.