

KENYATTA UNIVERSITY



HIV AND AIDS POLICY

MARCH 2011

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Forward

It is with great pleasure and honour to write a forward for this revised and updated Kenyatta University HIV and AIDS Policy. HIV/AIDS remains the greatest threat to humanity and the epidemic has affected all sectors of development and service delivery. It is against this background that Kenyatta University developed its first HIV/AIDS Policy in 2006.

During the process of implementing the policy, KU identified certain challenges and gaps which necessitated a comprehensive review to incorporate the emerging issues in the management of HIV/AIDS, and in the context of the current Kenya National HIV/AIDS Strategic Plan (KNASP, 2010 -2013). This review has further been necessitated by the various changes that have taken place, such as the HIV/AIDS Prevention and Control Act 2006, Employment Act 2007, Sexual Offences Act 2006, the Persons with Disability Act, and the Occupational and Safety Act.

The purpose of this revised policy is to introduce changes that are envisaged to accommodate the dynamic situation and experiences, as well as addressing coordination and implementation challenges. In addition, it will provide a monitoring and evaluation framework to drive annual programme reviews that conforms to the new KNASP and the Kenya country Performance Contracting M&E frameworks. It further takes into consideration the harmonization of the current policy with other related institutional and national policies.

The University therefore, through this revised policy is committed to ensuring that its interventions of prevention, treatment, care, support and research actively address the ravages of the epidemic. Furthermore, it is a commitment to the development of a working and learning environment that is free of unfair discrimination, stigmatization of HIV, and where people living with HIV/AIDS are assured of their rights being upheld and protected, and ultimately to ameliorating the impact of HIV/AIDS within the University and its surrounding community.

I wish to thank the Association of African Universities for the financial support, and the task force from KU's AIDS Control Unit headed by Prof Callistus Ogol for their expertise contribution in the revision of the policy. I wish to call upon the entire university community to support this policy as we join the national and international community in the fight against HIV and AIDS.

Thank you

Prof. Olive M. Mugenda, Ph.D, EBS

Vice Chancellor Kenyatta University

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ACRONYMS AND ABBREVIATIONS

ACU	Aids Control Unit
AIDS	Acquired Immune Deficiency Syndrome
ARVs	Antiretrovirals
BCCGs	Behaviour Change Communication Groups
CCC	Comprehensive Care Clinic
CHE	Commission for Higher Education
CBO	Community Based Organization
FBO	Faith Based Organization
FM	Frequency Modulation
HBTC	Home Based Testing and Counselling
HIV	Human Immunodeficiency Virus
HTC	HIV Testing and Counselling
IEC	Information Education and Communication
KAIS	Kenya Aids Indicators Survey
KNASP	Kenya National HIV/AIDS Strategic Plan
KU	Kenyatta University
M & E	Monitoring and Evaluation
NACC	National Aids Control Council
NGO	Non Governmental Organization
PEP	Post Exposure Prophylaxis
PLWHA	People Living with HIV and AIDS
PMTCT	Prevention of mother to child transmission
UNAIDS	United Nations Joint Programme on AIDS
VC	Vice Chancellor
VCT	Voluntary Counselling and Testing

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1.0 INTRODUCTION

The estimated number of deaths due to AIDS in 2008 was 2.0 million [1.7-2.4 million] worldwide of which 76% occurred in sub-Saharan Africa (UNAIDS, 2009). More than two out of three (68%) adults and nearly 90% of children infected with HIV live in this region. In Kenya, HIV/ AIDS has profoundly disrupted the economic and social bases of families, as it mainly affects people in their prime years of life. The Kenya AIDS Indicator Survey (KAIS, 2007) estimated that 7.1% of adults aged between 15-64 years are infected with HIV, which translates to 1.4 million adults. Women continue to be disproportionately infected with HIV (8.7%) compared to men (5.6%). Furthermore, the proportion of adults aged 15-49 years who were newly infected with HIV in 2007 has remained the same since 2003. Thus, strengthening HIV prevention programs to reduce new infections remains a key priority for the national HIV/AIDS response.

HIV/AIDS remains a major development and social issue. Indeed, the Government of Kenya recognizes that HIV/AIDS epidemic poses a severe threat to the Kenyan economy, with major social and economic impact on individuals, households, communities and society as a whole. Among other things, it has negative implications for the productive capacity of individuals and households as well as accumulation and transfer of human capital between generations. Within the education sector, HIV/AIDS is reducing the availability of financial resources for education and compromising the quality of education. Education is one of the best “social vaccines” against HIV because it equips young people with invaluable tools to increase their self confidence, social and negotiation skills, improve earning capacity and family well-being, fight poverty and promote social progress (Nzioka *et al.*, 2007). Though young people are the most threatened by the epidemic, they offer the greatest hope for turning the tide against HIV/AIDS.

According to CHE (2004) institutions of higher learning must respond to HIV/ AIDS since no institution is immune to the pandemic and its impact. This demands a coordinated response from such institutions by mainstreaming through the formulation of policies, plans, programmes and activities which effectively address the concerns arising from the epidemic. Kenyatta University AIDS Control Unit (KU-ACU) is one of the major interventions developed as a response to the HIV/AIDS pandemic in the institution. The KU-ACU falls under the ACU of the Ministry of Education through the Commission for Higher Education’s ACU, which coordinate ACU activities among the universities. The overall goal of the KU-ACU is to formulate programmes for the control and management of HIV/AIDS crisis within the university and its

neighbourhood. Key among the various objectives of the ACU is the formulation of HIV/ AIDS policies with respect to students and staff. Further, to sensitise and advice Senate, students and staff on various aspects of the policy. The first edition of the KU HIV/ AIDS policy was developed in 2006.

The University therefore, through this revised policy is committed to ensuring that its interventions of prevention, treatment, care, support and research actively address the ravages of the epidemic. Through its core competencies, KU aims to ameliorate the impact of HIV/AIDS within the University, and its surrounding community. The fundamental principle at KU is that of a comprehensive approach to HIV/AIDS with educational and preventive interventions as the foundation activities to safeguard the interests of KU staff and students.

This policy should be read in conjunction with the KNASP III. Furthermore, this policy is the University's commitment to the development of a working and learning environment free of unfair discrimination, stigmatization of HIV, and where people living with HIV/AIDS are assured of their rights and dignity being upheld and protected. The University is further committed to applying the same statutes, policies, procedures and regulations to student and employee applicants with HIV/AIDS, as are applied to persons with other disabling conditions.

2.0 RATIONALE

Kenyatta University aims to ameliorate the impact of HIV/AIDS within the University, and the neighbouring community by harnessing its strengths, core competencies and societal values.

Having developed its first HIV policy in 2006, KU has identified gaps existing within the current policy. Using newly available information in the context of the current strategic review of The Kenya National HIV/AIDS Strategic Plan (KNASP, 2010 -2013), it was imperative to embark on reviewing the policy. This review has further been necessitated by the various changes that have taken place, such as the HIV/AIDS Prevention and Control Act 2006, Employment Act 2007, Sexual Offences Act 2006, the Persons with Disability Act, and the Occupational and Safety Act.

The revised policy is to introduce changes that are envisaged to accommodate the dynamic situation and experiences, as well as addressing coordination and implementation challenges. In addition, it will provide an M&E framework to drive annual programme reviews that conforms to the new KNASP and the Kenya country Performance Contracting M&E frameworks. Furthermore, the policy will take into

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consideration the harmonization of the current policy with related institutional policies such as the Policy on gender-based violence and sexual assault, policy on alcohol and drug abuse, and other relevant national policies such as the policy on male circumcision and the education sector policy on HIV/AIDS.

The reviewed policy will be the University's commitment to the development of a working and learning environment that is free of unfair discrimination, stigmatization of HIV, and where people living with HIV/AIDS are assured of their rights being upheld and protected. The fundamental principle at KU is that of a comprehensive approach to HIV/AIDS, with educational and preventive interventions as the foundational activities to safeguard the interests of its staff, students and neighbouring community. Finally, it is anticipated that this revised policy will demonstrate the University's commitment to effective and sustainable programming and align the efforts with the national long term strategy as defined by Kenya's Vision 2030.

3.0 GUIDING PRINCIPLES AND CORE VALUES OF THE POLICY

- **Recognition of HIV and AIDS as a workplace and study environment issue:** HIV is a workplace and study environment issue, and therefore should be treated like any other serious illness or condition, with all parties playing a role in the wider efforts to mitigate the effects and impacts of the pandemic.
- **Fighting stigma and discrimination:** There should be no discrimination and/or stigma of staff and students on the basis of real or perceived HIV status, and to those affected. This constitutes a major element towards the success of efforts aimed at promoting HIV prevention.
- **Gender responsiveness:** HIV/AIDS affect and impact women more adversely than men due to biological, socio-cultural and economic circumstances. Thus, the application of all aspects of this policy should be cognisant of the different needs of men and women, boys and girls.
- **Confidentiality:** There will be no compulsory HIV testing as a requirement for appointments, student admission, or continued training and promotion. The University will observe strict confidentiality about the HIV status of an employee or student. Voluntary disclosure by staff or student will be encouraged within a supportive environment that upholds confidentiality and non discrimination. No person may disclose information relating to the HIV status of another person without his/her verifiable consent, or in special circumstances, by members of

his/her immediate family. The University will not require to learn the HIV status of an individual unless on medical grounds

- **Access to information:** Every person has a right to relevant and factual HIV/AIDS information, knowledge and skills that are appropriate to their social context
- **Access to treatment, care and support:** All infected staff, their spouses and dependants will have the right to care, treatment and support within the available resources. Similarly, students living with HIV/AIDS will receive the appropriate care, treatment and support within the available resources. The University shall set mechanisms to address the psycho-social, physical, emotional, educational and spiritual needs for students and staff living with HIV/AIDS, and pay special attention to those with special needs
- **Involvement with PLWHA:** The involvement of People living with HIV/AIDS (PLWHA) in educating and informing staff and students shall be promoted and encouraged in the University
- **Partnerships:** The University will seek collaboration and strategic engagements with the government, NGO's, FBOs, CBOs and the private sector in the fight against HIV and AIDS

4.0 POLICY GOALS, OBJECTIVES AND SCOPE

Goal

The goal of this policy is to provide a framework for the holistic and comprehensive management of HIV/AIDS as a medical and social challenge in the work and study environment at Kenyatta University

Objectives

The objectives of this policy are to;

- provide sustained support in the national efforts towards the reduction of new HIV infections
- provide appropriate care and support for the infected and affected

- promote progressive and non discriminatory working and study environment that is free of stigma and has respect for individual human rights
- promote the uptake of VCT and positive behaviour change
- empower the University community on issues of HIV/AIDS through knowledge
- enhance the University's capacity to generate and disseminate new knowledge on HIV/AIDS for the national and global audience.

Scope

This policy provides guidelines and sets the standards for preventing and managing HIV/AIDS at Kenyatta University. It applies to staff, their spouses and dependants, and students of Kenyatta University. It will also guide outreach services to some of the communities surrounding KU campuses.

5.0 THE LEGAL FRAMEWORK

Kenyatta University recognizes the existing legislation within Kenya which applies to HIV/AIDS, and in terms of which this policy shall be applied.

This national legislation includes, but not limited to:

- The Constitution of Kenya
- The Service Commission Act 185 (Revised 1985)
- Sessional paper No.4 of 1997 on HIV
- HIV and AIDS Prevention and Control Act, 2006
- The Employment Act Cap 2007
- The Occupational Safety and Health Act, 2007

International instruments including, but not limited to:

- The Universal Declaration of Human Rights
- The Human Rights Charter
- The African Charter of Human and Peoples' Rights.

6.0 POLICY COMPONENTS AND STATEMENTS

6.1 OBLIGATIONS AND RESPONSIBILITIES OF THE UNIVERSITY

Kenyatta University has an obligation to provide a safe working, study and living environment where employees and students living with HIV and AIDS are free from any prejudice, stigma and discrimination. In addition, to organize awareness and prevention activities for students and staff, aimed at reducing exposure to HIV. To achieve these;

- KU is committed to protecting the human rights and dignity of people living with HIV/AIDS, and to creating a balance between the rights and responsibilities of those infected and affected.
- Staff and students will not be denied, directly or indirectly, opportunities to further their goals and objectives professionally or academically on the basis of their HIV status.
- KU may require a student or staff member to take leave of absence, in the interests of protecting the health and welfare of staff and students. If an individual's HIV status develops any symptoms that pose a health risk to the well being of other students or staff members, normal procedures as stipulated in the Occupational Health and Safety Act 2007, and those regarding leave of absence shall be applied.
- Any special measures taken by the University in respect of a student or staff member's HIV/AIDS status or condition will be based on objective medical facts, and should promote equality, and between HIV/AIDS and other comparable health/medical conditions. It should also not encourage unfair-discrimination between individuals with HIV infection and those without.
- Departments or units whose academic and research programs involve risk of exposure to HIV contaminated blood and body fluids are responsible for the education and training of those potentially at risk. Appropriate action will be taken against any student or staff member who willfully undermines the safety, privacy and dignity of another person on the basis of their known or perceived HIV status.

6.2 OBLIGATIONS AND RESPONSIBILITIES OF STUDENTS AND STAFF

Members of Kenyatta University Community have the responsibility to protect themselves and others from HIV infection through all means possible and to become informed about all aspects of HIV/AIDS prevention, care and support, and alleviation of impact. To achieve these;

- Students and employees living with HIV and AIDS are ethically, morally and legally obliged to behave in such a way as to pose no threat of infection to others. They are urged to continuously seek medical advice to ensure they live a healthy, normal and productive life as possible.
- All members of the University community including those with HIV /AIDS are expected to perform the duties assigned to them. Unless medically justified, no student may use their HIV/AIDS status as an excuse for absence from scheduled classes, assignments and tests, examinations, study/course requirements or other academic activities. Likewise, no member of staff shall use their HIV/AIDS status, unless medically justified, as an excuse for failing to come to work or complete duties.

6.3 EDUCATION, PREVENTION AND OUTREACH

The University shall continue to prioritize prevention interventions as key to mitigating the impact of the pandemic through initiatives and activities which inform staff and students of HIV/AIDS issues. The University will promote values and practices that will prevent new infections. To achieve these;

- KU shall introduce an HIV/AIDS testing and awareness week in the University Calendar. Furthermore, important international and national calendar days and other relevant commemorative days will be used to raise HIV/AIDS awareness and provide education to members of the University and surrounding community
- Staff and students will have access to free VCT services on-campus throughout the year, and the University encourages staff and students to know their HIV status
- To accelerate uptake of HTC services within the KU community, outreaches will target the regular student population, and expand to other student groups such as IBP students, staff and members of the surrounding community

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- The HBTC strategy will be utilized in the neighbouring community, staff quarters and student hostels. In this approach, HTC service providers will physically go to homes and hostels to test individuals or couples from door to door. This strategy will be used to primarily strengthen the social elements of HTC for prevention, family level counselling, and links to support groups. When opportunity presents itself, HTC will be provided to children of HIV-infected or deceased mothers
- Information, education, and communication (IEC) materials relating to HIV/AIDS shall be made available to students and staff through the KU-ACU Support Units in each campus. Staff members and students will be encouraged to become involved in HIV/AIDS initiatives and activities on campuses and in their communities
- Conduct behaviour change communication through frequent seminars, workshops and public lectures on HIV/AIDS and encourage formation of BCCGs
- Conduct peer education and life skills training to empower both women and men to take responsible sexual decisions
- KU shall provide all new students with vital information on HIV/AIDS in their orientation package and also sensitized during orientation and induction day
- KU shall use its FM radio station to reach, educate and inform the community on HIV/AIDS matters and activities
- KU shall maintain, as part of its website, information on HIV/AIDS activities

6.4. TREATMENT, CARE AND SUPPORT

- KU shall provide within its budget access to basic treatment, care and support services to those members of staff and students infected with HIV needing such treatment. Where additional treatment is required the necessary referrals will be made. For those requiring palliative care and support for the last stages of the terminal illness, efforts will be made to refer the individual to an appropriate environment such as a hospital, hospice or for home-based care

- KU shall establish a comprehensive care clinic (CCC) within the KU Health Unit. All infected students and staff on or not on University Medical Insurance Scheme will have access to the University's CCC, where they will have access to ARVs, continuous care and support including nutritional support, and treatment of opportunistic infections. The CCC will be linked with the reproductive health clinic to provide family planning services as well as PMTCT services when necessary
- KU shall facilitate the setting up of support groups for infected and affected members of the University community in each campus to get psychosocial support and enhance principles of prevention with positives
- Counseling and post-exposure prophylaxis (PEP) will be provided at the CCC for cases of rape or sexual assault and other acts of violence, and those who become accidentally exposed to the risk of HIV in their occupational environments
- Confidential supportive counseling, including bereavement counseling, will be offered by the KU Wellness Centre and/or other identified service providers on an individual and/or group basis
- Adequately equipped First Aid resources shall be easily accessible at the Campus Health Clinic at all hours, and identified emergency medical service providers shall be available to all staff and students, to deal with injuries that occur on campus with potential risk of HIV transmission
- The level of treatment, care and support offered by the University shall be determined by budgetary considerations, and the sustainability of such care interventions.

6.5 STAFF EMPLOYMENT AND PROMOTION

- KU shall not require pre-employment or conduct compulsory testing for HIV among staff, but will promote a non-discriminatory workplace in which PLWHA are able to be open about their HIV status without fear of stigma or rejection

- All staff will be encouraged to go for VCT. The University may implement special VCT programmes to provide scientific information to monitor and assess the impact of the University's HIV/AIDS Policy in order to help with the improvement of existing intervention programmes. Such testing will be implemented within current legal and ethical guidelines
- The HIV status of a staff member shall not be an adverse consideration for them to be dismissed, denied benefits or their contract or employment discontinued on account of their HIV status, provided they are able to work normally and effectively
- If and when a staff member with HIV/AIDS becomes medically unfit to continue working under normal conditions, current legal provisions for alternatives will be followed. However, if the person is no longer able to work, the appropriate provisions in the conditions of service relating to termination of work on medical grounds and standard University disability and incapacity procedures shall be invoked.
- The HIV status of staff shall not be a consideration in respect of staff training, development, and promotions and the awarding of any loans or financial advances
- Any internal transfer of a staff member on the basis of their HIV/AIDS status shall be done with their consultation and best interests.

6.6 DISCLOSURE AND CONFIDENTIALITY

- KU shall not coerce any staff or student to disclose their HIV status but will treat any disclosure of positive HIV status in strict confidentiality and prohibit discrimination and victimization on that basis.
- When a staff or student voluntarily discloses his/her positive HIV status, the information may not be disclosed to others including management or supervisors without the individual's written consent. However, individuals will be encouraged to consider shared confidentiality in order to enable them to get assistance that they may require.
- Voluntary disclosure of a staff members' or students' HIV status to the appropriate authority is encouraged. Management will ensure an enabling

environment in which the confidentiality of such information is ensured and that unfair discrimination is not tolerated.

- Any breach of confidentiality shall be subject to the fullest extent of the legal remedies available, and the University will assist in ensuring that confidentiality is protected.

6.7. HIV/AIDS MAINSTREAMING/INTEGRATION INTO THE CURRICULUM

With the understanding that currently there is no cure for HIV and AIDS, one key “social vaccine” is knowledge. The University therefore recognizes the need to produce graduates that are competent to deal with the reality of HIV/AIDS and to meet the demands of the society. To achieve these;

- KU shall provide a compulsory core curriculum on HIV and AIDS for all undergraduate students, irrespective of their field of study. This will provide each student with the opportunity to raise their awareness of HIV and AIDS which they will cascade.
- Support will be provided to departments and staff to develop and implement plans to mainstream/integrate HIV/AIDS issues into their specific curricula.

6.8 RESEARCH

Kenyatta University is expected by the society to be in the forefront in HIV/AIDS research. While the University is committed, and has been undertaking extensive empirical and operational public health, biomedical and social science research on HIV/AIDS, this has not been well monitored, coordinated, monitored and disseminated within the University and beyond. To achieve these;

- KU shall promote, support and coordinate all ethically and legally compliant research on HIV/AIDS, and shall encourage such research focused on the University community
- KU through the ACU shall maintain an inventory of all on-going and completed research and publications thereof, and avail them at their resource facility for easy access to the University community and the wider society

- KU shall continuously strengthen the HIV/AIDS research capacity and continue to source funding from all possible sources to support innovative and multi-disciplinary research on HIV/AIDS
- The ACU shall undertake HIV/AIDS related studies to inform sector-specific HIV programmes and facilitate the generation of bench mark indicators for monitoring and evaluating the programmes.

6.9. IMPLEMENTATION, MONITORING AND EVALUATION

- The ultimate responsibility for the implementation of the policy lies with the Vice Chancellor
- The KU-ACU will be headed by a Director, and supported by an Advisory Board, and shall be responsible to the VC.
- KU shall facilitate capacity building initiatives for the ACU staff for effective implementation of this policy
- The ACU will mobilize and manage resources for the implementation of the policy
- The ACU shall design, coordinate, implement, manage and monitor the process of implementation of HIV/AIDS programmes in line with the current KNASP Monitoring and Evaluation Framework
- The ACU will promote collaborations, partnerships and network with key stakeholders to ensure advocacy and implementation of HIV/AIDS activities are mainstreamed into core University functions
- The ACU will provide quarterly reports to National AIDS Control Council (NACC) using the sectoral HIV mainstreaming and reporting tool
- The ACU shall integrate strategies and mechanisms for monitoring and evaluating the quality and quantity of programmes, responses to intervention, and efficiency of utilization

- The ACU shall review this policy from time to time to ensure it remains relevant to the realities regarding the fight against HIV/AIDS

Annex 1

GLOSSARY OF TERMS AND CONCEPTS

Affected	A person who is feeling the impact of HIV & AIDS through sickness or loss of relatives, friends or colleagues or a person whose life has changed in any way by HIV & AIDS due to the broader impact of the epidemic
Aids	Acquired Immunity deficiency Syndrome is the latter phase of HIV infection associated with a cluster of medical conditions often referred to as opportunistic infections
Comprehensive care	A variety of services given to HIV positive persons that includes treatment, clinical, physical, nutritional and psychosocial support
Community	People living, working and studying within Kenyatta University and the surroundings
Confidentiality	The right of every person to have his/her medical information including HIV status kept secret.
Discrimination	Any direct or indirect discrimination against anyone; on the basis of their HIV status and/or one or more, but not exclusive to race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth".
Employer	Kenyatta University
Employee`	Any person engaged by KU to perform any task with the goal of earning a wage/salary
Informed consent	Giving permission without coercion by an individual with full knowledge and understanding of the implications of giving such permission.
PEP	The administration of antiretroviral medication to a person who has been exposed to HIV or risk of, to prevent transmission of the disease.

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Policy	Kenyatta University HIV/AIDS Policy.
Prevention with Positives	Any intervention that addresses the specific prevention needs of HIV-positive persons. HIV-positive people should be involved in the planning and implementation of all prevention with positive programs
Staff member	All those appointed on University Conditions of Service. (It excludes external contractors, visitors and honorary appointments).
Student	A person registered at Kenyatta University for purposes of studying of which the possession of a valid University identity card is essential.
The University	Kenyatta University
VCT	Testing an individual for HIV voluntarily with the individual's permission, where such testing includes counseling before and after the test.

Annex 2

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Annex 3

Contributors

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