

**ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS), OR AIDS-RELATED CONDITIONS
POLICY STATEMENT AND GUIDELINES**

The Southwestern Community College District is committed to providing a safe, fair, sensitive and non-discriminatory environment, protected by maintaining standards of infectious disease control that neither restrict academic or occupational pursuits, nor the daily operation of the campus.

Current knowledge indicates that infected (in particular Acquired Immune Deficiency Syndrome (AIDS) or AIDS-related conditions, etc.) students or employees do not pose a health risk to non-infected individuals in an academic setting; therefore, in compliance with federal, state and local regulations, all individuals, whether infected or not, will not be denied those rights pertaining to privacy, employment, enrollment for instruction, or any other services offered at Southwestern College, unless circumstances warrant special measures.

The District will not deny any individual any benefits or services to which he or she is otherwise entitled. Whenever possible, the District will make available to students and employees current, appropriate educational programs and materials on infectious diseases, in particular AIDS or AIDS-related conditions.

The following guidelines would be utilized in making critical and conscientious decisions based on the best information and professional judgements available. These guidelines should be reviewed, accessed and revised, as necessary, to reflect the newest data regarding AIDS or other infectious diseases.

1. To ensure the safety of individuals participating in college offered courses and any employee with any possible exposure, recommendations and guidelines from the appropriate health agency or authority will be observed and followed (i.e., Center for Disease Control (CDC) recommendations for Prevention of HIV Transmission for individuals involved with blood, blood products, and body fluids, CDC and American Red Cross guidelines for Cardio-Pulmonary Resuscitation Courses, etc).
2. All information and medical records of a student or employee are confidential and will be handled in a strictly confidential manner; such information may not be released without written consent of the individual except as provided by law.
3. The following recommendations apply to all students and employees who are known to be infected and those with conditions related thereto: which shall mean any perception that a person is suffering from the medical condition AIDS whether real or imaginary (AIDS, AIDS-related condition (ARC) or a positive HIV antibody test).

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- a. An infected individual may not be denied employment, enrollment for instruction, or participation in curricular or extra-curricular activities, as long as he or she is physically and psychologically able to perform in accordance with established standards. Nor may any such person be denied any benefit or service to which he or she is otherwise entitled.
- b. It is not recommended that students and/or staff be asked to respond to questions about the existence of AIDS, ARC, or a positive HIV test, nor should mandatory screening be implemented as a condition of employment or enrollment at the present time. Infected persons are encouraged to inform campus health authorities in order that the college can assist them in obtaining proper medical advice, education and to provide appropriate precautions. This information, as with all other medical information, will be handled in a strictly confidential manner in accordance with the procedures and requirements in effect at Southwestern Community College.
- c. Persons with AIDS or ARC, or who are perceived to have such conditions, are considered disabled under state and federal law and should be provided with accommodations necessary to meet their disability-related needs.
- d. There is no medical necessity to advise co-workers or students of the presence of a person who has AIDS, ARC, or a positive HIV-antibody test. Refusal to work with an infected individual should not be allowed to excuse an employee from fulfilling assigned responsibilities.
- e. Those who are known to have AIDS or ARC, or who are infected with HIV should be excused from any institutional requirements for certain vaccines (measles, rubella, etc.) that may cause serious problems for persons with poorly functioning immune systems. Appropriate precautions should be considered to protect the health of such persons during outbreaks of contagious diseases.
- f. Institutional policies on sick leave, medical insurance, non-industrial disability insurance, PERS/STRS disability retirement and other applicable benefits should be applied to infected employees in the same manner as for any other employee with a disability or illness.
- g. Persons with AIDS, ARC, or a positive HIV-antibody test result should be offered assistance with obtaining

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appropriate medical care and counseling. Students and employees with concerns or fears about AIDS or about the presence of persons with AIDS should be provided with counseling and the opportunity for voluntary testing. If necessary medical care, counseling or testing cannot be provided by the District, referrals should be made to appropriate community resources.

h.If circumstances warrant special measures, determination of whether an infected student should be excluded from attending classes or participating in school activities will be made on a case-by-case basis by a committee including, but not limited to: a public health representative; the student's physician; the student, or if a minor, the student's parent or guardian and appropriate campus personnel; the Dean of Student Services or appointed representative; member of the academic staff; the appropriate campus medical advisor. In making this determination, the committee shall consider: (1) the behavior, neurological development, emotional status, the physical condition of the student, (2) the expected type of interaction with others on the campus setting, i.e., compliance with counseling, engaging in conduct known likely to infect others, etc., (3) the impact on both the infected student and others in the setting.

i.If circumstances warrant special measures, determination on exclusion of an infected employee from the workplace will be considered on a case-by-case basis by a committee including, but not limited to: the employee's personal physician, public health personnel, the infected employee or his/her representative, the appropriate campus personnel; Vice President for Administrative Affairs, Director of Personnel Services, etc. In making this determination, the committee shall consider: (1) the physical condition of the employee, (2) the expected type of interaction with others in the campus setting, (3) the impact on both the infected employee and others in the campus setting.

4.Educational Program - The Southwestern Community College District, in keeping with its responsibility to protect the campus population and maintain a safe, healthy environment, will make available appropriate educational programs and materials which promote awareness and provide current and accurate information on the spread of infectious diseases, including AIDS.