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**SUBJECT: AIDS POLICY AND GUIDELINES**

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## **1.0 Introduction**

- A. Acquired Immune Deficiency Syndrome (AIDS), a condition which renders the human immune system incapable of defending against certain fatal illnesses, was first diagnosed as a distinct disease entity in 1981. AIDS itself is not the entire problem; many more people than have AIDS have a lesser form of the disorder, AIDS-Related Complex (ARC). Some people with ARC will progress to have AIDS. Furthermore, medical research indicates that there are many other apparently healthy people who have tested positive for the AIDS antibody, indicating they are infected with the virus (HIV Positive), but have no symptoms of AIDS. Medical research indicates that persons with full-blown AIDS, ARC and HIV Positive persons are all capable of transmitting the virus to others. AIDS and the related conditions have emerged as a major public health problem for the United States and have an impact on all segments of society. Recognizing the need to protect the health and welfare of students and employees, Lewis Clark State College is adopting the following policy and guidelines to prevent the spread of the virus, to reduce fears and dispel myths, to protect the rights and health of persons who are infected with the virus and the rights and health of other members of the campus community, and to create an informed and supportive environment.

## **1.1 General Policy Statement**

- A. To date, the substantial weight of medical research indicates that students or employees with AIDS, ARC or who are HIV Positive do not pose a health risk to others in the college setting. The HIV infection is thought to be transmitted by intimate sexual contact, and by exposure to contaminated blood through, for example, intravenous drug activity where one shares a needle used by an infected person. Current medical and scientific research indicates that the HIV infection is not transmitted by any casual, ordinary household, office or school contact. The U.S. Public Health Service states that, among other things, there is no risk created by living in the same house as an infected person, eating food handled by an infected person, being coughed or sneezed upon by an infected person, casual kissing, swimming in a pool with an infected person or, with proper precautions, caring for an AIDS patient. (1) The guidelines which follow are based upon the medical and scientific premises set forth above. The guidelines are subject to change in the event these premises change. Members of the college community are expected to abide by these guidelines unless the individual circumstances of a given problem strongly indicate that a different approach should be taken. Authorization for any deviation must be obtained through the office of the President.

## **1.2 Coordinating Committee**

- A. Lewis Clark State College shall maintain a coordinating committee on AIDS to develop administrative procedures that address campus issues related to the AIDS virus. The committee will be broadly representative of the campus community in order to be able to address the medical, social, administrative and legal issues associated with the disease. The membership of the committee shall be selected by the President. The committee shall meet a minimum of once each semester to review and

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update the policy and guidelines. The committee shall also develop and implement a comprehensive AIDS virus education program for students and employees. The implementation of an effective education program, based on current medical and scientific knowledge, provides the best way to dispel fears that safety risks exist in the normal academic and employment environment.

### **1.3 Interpretation**

- A. It is recognized that questions may arise regarding the application of these policies and guidelines to the circumstances to particular individuals with AIDS or AIDS-related conditions. Questions regarding application of these policies and guidelines may be referred to an evaluation committee composed of an administration representative, medical consultants, the individual's own physician and, in the case of a student, a student services representative or, in the case of an employee, a representative of the employee's supervisor (i.e., the academic vice president in the case of a faculty member, the financial vice president in the case of a classified employee, and the president in the case of an administrator). The evaluation committee shall analyze the individual circumstances and may respond by interpreting and applying the guidelines on a case-by-case basis, using the following criteria:
- 1) A reasonable judgment based upon the then current state of medical and scientific knowledge regarding the risk to the health and safety of the individual and to the health and safety of other members of the college community.
  - 2) Protection of confidentiality of information regarding the person's condition.
  - 3) Guidelines available from public health, Center for Disease Control (CDC) officials and professional organizations.

### **1.4 Guidelines**

- A. Students and employees with AIDS, AIDS-Related Complex or who are HIV Positive should be afforded the opportunity for normal classroom attendance, working conditions and participation in co-curricular and extra-curricular activities as long as they are physically and psychologically able to do so. Such persons should be afforded access to residence halls, libraries, student unions, social, cultural and athletic events, dining areas, the gymnasium, recreation facilities and other common areas.
- B. Lewis Clark State College shall provide reasonable accommodation to employees and students with AIDS and related illness in the manner which is consistent with accommodations afforded persons with other medical problems or disabilities.
- C. Consideration of the existence of AIDS, ARC or a positive HIV antibody test will not be part of the initial admissions decision for those applying for admission to the college.
- D. Mandatory screening of students and employees for HIV antibody will not be required this time.

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- E. With regard to employees with AIDS, ARC or positive HIV antibody tests, each employment decision should be made on the basis of job-related criteria. Care should be taken, however, to insure that assigned duties can be carried out in a manner that safeguards the welfare of the individual with AIDS, ARC or a positive HIV antibody test and of others.
- F. Information regarding a person's diagnosis as having AIDS, ARC or having tested positive to the HIV antibody test should be maintained in the strictest confidence possible. The number of people at the college who are aware of the existence and/or identity of students or employees who have AIDS, ARC or are HIV positive should be kept at an absolute minimum. Subject to the reporting requirements required by the laws of the State of Idaho, university officials should make no attempt to identify those students or employees who have AIDS, ARC or are HIV positive. No person, group, agency, insurer, employer, or institution, faculty, administrators or even a parent should be provided any medical information regarding AIDS, ARC or positive HIV antibody tests without the specific written consent of the affected person. The duty of college officials, physician and other health care providers to protect the confidentiality of information is superseded by the necessity to protect others only in very specific life-threatening circumstances. This duty of confidentiality is also superseded by lawfully mandated health reporting requirements.
- G. Individuals who are infected, or have reasonable basis for believing that they are infected with the AIDS virus, are expected to seek expert advice concerning their medical condition. Further, these individuals are ethically and legally obligated to conduct themselves responsibly for the protection of themselves and other members of the campus communities.
- H. Special precautions to protect the health of immunologically compromised individuals should be considered during period of prevalence of such contagious diseases as chickenpox and measles. Those who are known to be immunologically compromised will be excused from institutional requirements for certain vaccinations, notably measles and rubella vaccines, as those vaccinations may lead to serious consequences in those with poorly functioning immune systems.
- I. The following are intended to address certain specific areas of concern:
  - 1) Food Service. Food service contractors are expected to comply with State of Idaho public health standards for handling food.
  - 2) Athletics and Physical Education. Decisions about whether students who identify themselves as having AIDS or AIDS-related should be permitted to participate in organized sports activities with written authorization from his or her physician.
  - 3) Housing. Students with AIDS, ARC or a positive HIV antibody test will have access to college housing at Lewis Clark State College. However, because in some circumstances, there is reasonable concern for the health of those with AIDS, ARC or other immuno-suppressed conditions, who might be exposed to certain contagious diseases (e.g., measles or chickenpox) in a close living situation, students with AIDS or ARC may be assigned private rooms in the

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interests of protecting their health.

- 4) Lewis-Clark KinderCollege Facility.
  - (a) Some children infected with the AIDS virus may pose a risk to others. Children who lack control of their body secretions or who display behavior such as biting and those children who have other medical conditions, such as uncoverable oozing lesions, require a more restricted environment than Day Care offers. Until more is known about the transmission of the virus under these conditions, decisions regarding the placement of HIV-positive children in the child care setting will be made using the team approach. The team should include: the appropriate consulting physician, the parents or guardian of the child, the director of Lewis-Clark KinderCollege, and the Lewis-Clark State College health service coordinator.
  - (b) Those who are known to be immunologically compromised should be excused from the child care facility's requirements for certain vaccines.
  - (c) Lewis-Clark KinderCollege will adopt procedures for handling blood or body fluids. Employees of the facility will be properly educated regarding these procedures.
  - (d) Those involved in the care of HIV-positive children at Lewis-Clark KinderCollege will respect the individual's right to privacy and the confidentiality of medical records.
- J. All faculty and staff and all other persons treating people with open wounds or who are involved in handling blood, blood products or bodily fluid shall be provided the opportunity for training in proper procedures and shall follow CDC guidelines. These procedures should be employed in all instances, irrespective of whether the presence of the AIDS virus is suspected.
- K. If an employee or student has concerns about the presence of a person with the AIDS virus, that individual should be directed to the Counseling and Health Services staff.
- L. Lewis-Clark State College's health center staff will be familiar with sources for testing for AIDS, AIDS related Complex, or the HIV antibody and will provide the appropriate referral when necessary.
- M. Lewis-Clark State College's Health Services Coordinator will review the center's protocols to ensure that they are consistent with the guidelines proposed by the CDC for the handling of blood, blood products and body fluids.
- N. Counseling and Health Services will establish communication links with county health agencies and, where available, area AIDS centers in order to obtain current medical and referral information.