

Polk State College Procedure

Subject	Reference	Date	Number
HIV/AIDS Procedure	DBOT Rule 2.23	10/25/2013	1035

Polk State College has established the following procedure regarding students and employees of Polk State College who have been diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or the Human Immunodeficiency Virus (HIV). This procedure assures compliance with The Americans with Disability Act of 1990, Section #504 of the Federal Rehabilitation Act of 1973, and the Florida Educational Equity Act, which prohibits discrimination against people with disabilities.

1. The College has established DBOT Rule 2.23 to maintain a balance between the rights of people diagnosed with HIV/AIDS to obtain education and employment and the rights of students and state college employees for an environment in which they are protected from contracting the disease. Polk State College will offer its students, faculty, and staff diagnosed with HIV or AIDS the same opportunities and benefits offered to other students and employees in accordance with Center for Disease Control (CDC) guidelines and other laws, except where coursework or employment requires involvement with body fluids. Otherwise, no special rules, procedures, or limits will be imposed on students, faculty, or staff members diagnosed with HIV or AIDS. Polk State College adheres to Florida Statute, Section 760.50, which states “discrimination on the basis of AIDS, AIDS-related complex, and HIV is prohibited.”
2. The College Safety Committee will be responsible for coordinating the College’s efforts to educate students, faculty, and staff on HIV/AIDS, as well as handle individual cases as needed. If there are cases of discrimination, individuals will be referred to Polk State College Procedure 6086. The President shall have the final authority to approve any College action pursuant to the college rule addressing HIV/AIDS.
3. The offices identified by the College Safety Committee shall be responsible for the planning, facilitation, and evaluation of programs related to HIV/AIDS education or procedures relating to HIV/AIDS precautions. Instruction may include but not be limited to the following:
 - A. To promote knowledge and understanding, an educational program for all faculty, staff, and students, which includes information, instruction, or activities that emphasize the known modes of transmission, signs and symptoms, associated risk factors, and the means used to control the spread of HIV/AIDS.

This educational program will include the distribution of literature from community agencies which provide HIV/AIDS testing and counseling,

developing and implementing HIV/AIDS awareness programs on campus, and providing current information to faculty, staff, and students in various forms.

- B. Safety guidelines will be established for laboratories or other instructional sites where contact with blood or other bodily fluids might take place. Safety guidelines will also be established for custodial, physical plant, campus safety, and other employees whose duties may involve contact with blood or other bodily fluids.
- C. Guidelines for employees and students in health-related programs will be established, if needed, in conjunction with program directors in accordance with practices of particular medical facilities.

4. Information on HIV/AIDS rules and procedures will be disseminated to students through the Student Catalog/Handbook.

5. Admissions

Admission to the College shall not be denied to a qualified student solely on the ground that the student is diagnosed with HIV/AIDS. If a student with HIV/AIDS requires reasonable accommodations due to illness, the College will provide said accommodations with required documentation to the Office of Disability Services. Records gathered by the College about a student's disease are confidential as provided by federal regulations. If a determination has been made that a reasonable accommodation cannot be made to grant admission to the College; or if attendance at the College will expose other students, faculty, or staff members to HIV/AIDS, the admission status of the student may be reviewed by the Petitions Committee.

No student will be required to cease attending the College based solely on a diagnosis of HIV/AIDS. Such decisions should be made only after reasonable accommodations have been made and examination of the facts on a case-by-case basis demonstrates that the student can no longer perform as required or that the student presents a health risk to him/herself, or the College community.

6. Employees



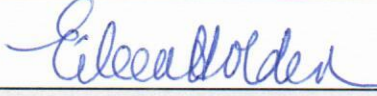
The College shall not require an individual to take a HIV/AIDS test as a condition of hiring, promotion, or continued employment. A current employee that has been diagnosed with HIV/AIDS shall be provided reasonable accommodations after physician documentation has been submitted to Human Resources. Any documentation provided will be kept confidential per state and federal regulations. A diagnosed employee not needing accommodations shall be treated in the same manner as an employee having any other illness, injury, or disability.

In instances where an infected employee is unable to fulfill his/her regular responsibilities, or portions of these responsibilities, but is able and desires to continue working in a less physically demanding capacity, the College shall make a reasonable effort, if requested, to accommodate the employee's physical handicap.

Any infected employee shall be allowed to use accrued sick or annual leave as needed.

History: Adopted: April 20, 2010
 Revised: October 25, 2013

Distribution: All Holders of Polk State College Procedures Manual
 All Polk State College Employees

	11/11/13		11/11/13
Executive Responsible for Procedure	Date	President's Staff Member's Approval	Date
			
President's Approval			Date