

Policy 2.16 Statement regarding Aids Awareness

In response to the AIDS epidemic, The City University of New York will foster education, awareness, and compassion. Throughout this policy, the term AIDS, where appropriate, includes ARC (AIDS-Related Complex) and other conditions due to infection by HIV (Human Immunodeficiency Virus). the University will address its resources and its efforts to tasks that include (BTM,1988,03-21,005,_A):

- a) Educating the University community about AIDS and related issues
- b) Providing information on transmission and risk reduction to prevent further spread of the disease
- c) Facilitating access to proper medical, administrative, counseling, and other assistance
- d) Identifying those educational and work institutions where special precautions may be advisable
- e) Encouraging research on AIDS and its related issues
- f) Lessening the fears and the unwarranted reactions associated with the diseases, towards those who have it, and those who may be at risk

The University believes that since there is currently no available cure for AIDS, preventative education is of paramount importance. the University also believes that, as AIDS education increases, misinformation about the disease and its transmission, and unwarranted reactions to it, will decrease. (BTM,1988,03-21,005,_A)

2 Statement of Principles

University policy is based on the consensus of medical authorities that AIDS is not readily communicable. It is also based on the opinion of legal counsel that various Federal and State anti-discrimination laws pertain to AIDS victims and to persons perceived as such. Consistent with these underlying medical and legal premises, it is University policy that each AIDS-related problem be addressed individually, with a focus on the medical facts involved and with due regard to issues of privacy and confidentiality. The answers given in this policy are meant as a framework from which can be developed specific responses to individual cases. (BTM,1988,03-21,005,_A)

The University's policy is further based on recommendations issued by the U.S. Public Health Service, the Centers for Disease Control (CDC), and the New York State Department of Health and City of New York Department of Health. As those recommendations may be modified or expanded, the University will review and, where appropriate, revise this policy. (BTM,1988,03-21,005,_A)

Within this context, the University has formulated the following questions and answers regarding these policy issues. (BTM,1988,03-21,005,_A)

3 Student Concerns

3.1 What will The University do if a student has, or suspects he or she has, AIDS?

If a student is uncertain of his or her medical condition and seeks help, the University will offer to refer the student for a medical evaluation, including counseling and further medical follow-up, if appropriate. This referral will be made on a confidential basis. (BTM,1988,03-21,005,_A)

With the concurrence of his or her physician, a student with AIDS will be permitted to continue regular classroom attendance at the University. (BTM,1988,03-21,005,_A)

3.2 How will The University respond to complaints of discrimination or harassment against students with AIDS, or students who simply are perceived to be in high risk groups?

The University will respond to any conflict or harassment first by informal means, counseling and educating the individuals involved. However, if harassment continues, such conduct may be dealt with as a disciplinary matter under established University procedures, with due regard to privacy concerns. (BTM,1988,03-21,005,_A)

3.3 How will The University respond to students who wish to change class schedules because a person in their class has AIDS?

Concern about casual transmission of AIDS is not supported by medical evidence. A concern that a professor or classmate has, or is believed to have, about AIDS in the classroom, will not be considered a legitimate reason for a student's dropping a course, requesting a section reassignment, or making other program changes. the University's response to concerns of this nature will be able to provide AIDS education and appropriate counseling to those involved. (BTM,1988,03-21,005,_A)

3.4 What guidelines will be followed for students working in hospital settings pursuant to University-hospital affiliations, or in campus clinics?

The University and its students will abide by the hospitals' established policies and procedures for employees and staff regarding the care of patients with AIDS and the treatment of employees with AIDS. the University clinics will follow the CDC guidelines with respect to AIDS and will modify established policies and procedures if those guidelines are changed. (BTM,1988,03-21,005,_A)

3.5 Are student medical records confidential?

Medical records are confidential and may not be released without the student's consent, except as otherwise required by law. Persons working in offices where such information is kept will be made aware of this policy and that sanctions will be imposed for improperly divulging confidential information. (BTM,1988,03-21,005,_A)

3.6 Will students be routinely tested for HIV antibodies?

No. The CDC guidelines do not recommend such routine testing. (BTM,1988,03-21,005,_A)

4 Personnel Concerns

4.1 What will The University do if a professor or employee has, or suspects he or she has, AIDS?

If a professor or employee is uncertain of his or her medical condition and seeks help, the University will offer to refer the professor or employee for a medical evaluation, including counseling and further medical follow-up if appropriate. This referral will be made on a confidential basis. (BTM,1988,03-21,005,_A)

If a professor or employees has AIDS, it will be treated in accordance with established personnel policies and guidelines, as any other illness is treated. For example, if a professor is unable to teach a class, arrangements will be made for others to teach the class. If a professor is totally unable to carry out assigned duties, he or she can be placed on temporary disability leave or, if eligible, long-term disability leave. (BTM,1988,03-21,005,_A)

4.2 What will happen if a supervisor knows or suspects an employee has AIDS and needs medical attention and/or counseling?

All decisions will be made case-by-case, based on the medical and other facts of each situation and with due regard to issues of privacy and confidentiality. Where appropriate, the University will offer to make confidential medical or counseling referrals. (BTM,1988,03-21,005,_A)

4.3 How will The University respond to requests for transfers or changes in working conditions based on concerns about AIDS?

Concern about the casual transmission of AIDS is not supported by medical evidence. A concern that a colleague or co-worker has, or is believed to have about AIDS, will not be considered a legitimate reason for requiring transfers or making other changes in working conditions. the University's response to concerns of this nature will be to provide AIDS education and appropriate counseling to those involved. (BTM,1988,03-21,005,_A)

4.4 What if an employee (or a student) working in a food service has, or is suspected of having AIDS?

According to the CDC, no instances of food borne AIDS transmission have been documented. Consistent with the CDC guidelines, University employees infected with HIV will not be restricted from work unless they have evidence of other infections or illnesses for which any food service worker must be restricted. The CDC advises that all food service worker follow existing recommended standards and practices of good personal hygiene and food sanitation, and should exercise care to avoid injury to hands when preparing food. (BTM,1988,03-21,005,_A)

4.5 What about concerns by employees engaged in cleaning activities?

Employees working in areas where exposure to body fluids or blood spills is likely should follow relevant CDC guidelines. The CDC recommends that individuals cleaning up such spills should wear disposable gloves, and that any objects or surfaces exposed to blood or body fluids be cleaned with detergent followed by an EPA-approved hospital disinfectant or

a freshly prepared solution of household bleach diluted 1:10 in water. (BTM,1988,03-21,005,_A)

4.6 What about concerns regarding children in The University-supported Child Care Centers?

The CDC has not reported cases of AIDS transmission in school or day care settings. Guidelines issued by the CDC, however, do recognize a minimal, potential risk of transmission by preschool children who do not have control over behavior or bodily functions. Because of the slight risk, the University will provide training for its employees in the day care centers to understand AIDS, and to ensure necessary precautions are taken. (BTM,1988,03-21,005,_A)

If a child enrolled in a University day care center is diagnosed as having AIDS or has a positive HIV test result, the case will be handled in accordance with the CDC guidelines and guidelines from the New York State Department of Health, based on the child's medical condition. (BTM,1988,03-21,005,_A)

4.7 Are employee medical records confidential?

Medical records are confidential and may not be released without the employee's consent, except as otherwise required by law. Persons working in offices where such information is kept will be made aware of this policy and that sanctions will be imposed for improperly divulging confidential information. (BTM,1988,03-21,005,_A)

4.8 Will employees be routinely tested for HIV antibodies?

No. The CDC guidelines do not recommend such routine testing. (BTM,1988,03-21,005,_A)