

70-3 HIV and AIDS

70-3-1 Purpose • 70-3-2 Policy • 70-3-3 Administration • 70-3-4 Recommendations and Guidelines • 70-3-5 Admissions • 70-3-6 Access to Facilities and Safety • 70-3-7 Testing • 70-3-8 Confidentiality

1. **Purpose.** The purpose of this policy and procedures is to set forth the guidelines concerning students with AIDS or AIDS-related conditions attending Eastern New Mexico University System (the System).
2. **Policy.** All students or employees who have acquired immunodeficiency syndrome (AIDS), AIDS-related complex (ARC) or a positive human immunodeficiency virus (HIV) antibody test, whether symptomatic or not, shall be allowed regular classroom attendance and access to University facilities in an unrestricted manner as long as they are physically able.

The foregoing purpose and policy are implemented by the following.

Procedures

3. **Administration.** These policies and procedures shall be administered by the director of Health Services with oversight by the vice president for Student Affairs.
4. **Recommendations and Guidelines.** The University shall follow the recommendations and guidelines issued by the American College Health Association, which are based on the best currently available medical information provided by the Public Health Service and the Center for Disease Control.
5. **Admissions.** Affliction with AIDS, ARC or a positive HIV test shall not be part of the initial admission decision for those applying to the System. It is appropriate, however, to encourage new students to inform University or branch community college health authorities if they have AIDS, ARC or HIV so proper medical care and education can be provided.
6. **Access to Facilities and Safety**
 - A. Afflicted students and employees shall be allowed access to common areas (e.g., the student union, theater, cafeteria, snack bar, gymnasiums, recreational facilities, swimming pool, etc. Afflicted students in residential housing shall be assigned private rooms;
 - B. Persons with AIDS (and, possibly, those with other manifestations of HIV infection) may be considered as having handicapping conditions. Existing support services for people with handicapping conditions may be utilized by students or employees disabled by HIV infection.
 - C. The University's Health Services Department shall strictly observe United States Public Health Service reporting requirements for AIDS;
 - D. Guidelines for the handling of blood and body fluids of all students in clinical and laboratory settings shall be strictly observed; no student shall be required to obtain or process the blood of others and
7. **Testing.** University officials shall not undertake programs of mandatory testing of either employees or students for antibodies to HIV. Health Services shall refer students or employees requesting tests to outside sources of testing, counseling and education.

- 8. Confidentiality.** The privacy of afflicted students attending System campuses in Portales, Roswell or Ruidoso shall be protected by the following:
- A. The number of System employees who are aware of the existence and/or identity of students or employees who have HIV infection shall be kept to a minimum.
 - B. System officials shall not reveal the identity of afflicted students or employees to anyone in any capacity (e.g., residence halls).
 - C. No medical information of any kind shall be released without the prior written consent of the student, as required by the United States Family Educational Rights and Privacy Act.
 - D. There shall be no inclusion of any information regarding HIV infection in Health Service medical records.

Approved by Board of Regents, May 12, 2006.

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