

# MANUAL OF POLICY

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**POLICY NUMBER:** I-19

**PAGE** 1 of 2

**POLICY TITLE:** All Personnel: Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Guidelines

**LEGAL AUTHORITY:** FLORIDA STATUTES 1001.64(3)(b) and (18), 1006.50 and 1006.68; Rehabilitation Act of 1973 as Amended ; Americans with Disabilities Act of 1990 (ADA); Civil Rights Act 1991; Civil Rights Act 1964 as amended; Americans with Disabilities Act Amendment Act (ADAAA) of 2008

**DATE OF LAST REVIEW:** 9/29/2005, 6/19/2007, 7/21/2009, 7/19/2011 and 7/16/2013

**DATE OF BOARD ACTION:** 5/23/1989, 9/21/1999, 10/23/2001, 9/29/2005, 6/19/2007, 7/21/2009 and 7/19/2011

This policy was established to inform students and employees of the College's guidelines affecting those diagnosed with Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS). This policy is subject to applicable laws, including the Americans with Disabilities Act, the Rehabilitative Act of 1973, as amended and Americans with Disabilities Act Amendments Act (ADAAA). Throughout this policy, "HIV" and "AIDS" shall be collectively referred to as "HIV".

MDC will offer its students and employees diagnosed HIV positive the same opportunities and benefits offered to other students and employees in accordance with appropriate laws and Center for Disease Control (CDC) guidelines. These include access to educational programs, advisement and counseling services, employment opportunities and, financial aid.

The College is committed to a policy of non-discrimination in the conditions and privileges of employment for those diagnosed HIV positive, but who are otherwise qualified and able to perform the essential functions of the job. Except where course work or employment requires involvement with body fluids, no special policies, procedures or rules will be imposed on students or employees diagnosed with HIV that will limit or restrict the students' participation in College activities and programs or the employees' rights to employment, use of benefits, or livelihood. The College will exercise an appropriate level of privacy and confidentiality in the provision of rights and benefits as required by law.

See College Procedure 2408: All Personnel: Human Immunodeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Guidelines

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College Policy I-21: Equal Access/Equal Opportunity and College Procedure 1665: Discrimination and Harassment Grievance Process are available at [www.mdc.edu](http://www.mdc.edu) including the MDC Students Rights and Responsibilities Handbook at [www.mdc.edu/policy/student\\_rights\\_and\\_responsibilities](http://www.mdc.edu/policy/student_rights_and_responsibilities) and the MDC Employee Handbook at [www.mdc.edu/hr/EmployeeHandbook/Default.asp](http://www.mdc.edu/hr/EmployeeHandbook/Default.asp)

	7/16/13
<b>CHAIRMAN</b>	<b>DATE</b>