

APPENDIX C

AIDS POLICY

AIDS POLICY

HOWARD UNIVERSITY AIDS POLICY

Approved by the Board of Trustees on April 23, 1988

It is the policy of Howard University that no person shall be discriminated against based on acquired immune deficiency syndrome (AIDS), AIDS related complex (ARC) or a positive human immunodeficiency virus (HIV) antibody test.

AIDS is a leading public health problem in the nation that has reached epidemic proportions. AIDS is a serious condition characterized by a defect in the body's natural immunity against disease. This defect is caused by the human immunodeficiency virus (HIV) or the "AIDS virus" which can destroy important cells in the immune system.

The University will attempt to address AIDS issues in a caring, compassionate, responsible manner and will strive to ensure the confidentiality and dignity of persons with AIDS, ARC or a positive HIV antibody test. The primary response of the University to AIDS will be one of education. The most important goals for the University will be those of increasing awareness and providing education to prevent further spread of the disease.

The current state of medical evidence regarding AIDS and its transmission indicates that, in the majority of circumstances persons with AIDS, ARC or a positive HIV antibody test do not pose a substantial risk to the safety and health of others. Moreover, AIDS has been designated a handicap under the D.C. Human Rights Act of 1977, D.C. Code section 1-2501 et seq. (1981 ed.). Discrimination against persons with AIDS is a violation of D.C. law. In addition, Section 504 of the Rehabilitation Act of 1979, 29 U.S.C. section 794 (1982) also protects handicapped individuals from discrimination under federal law.

The University will analyze and respond to each case of AIDS, ARC or a positive HIV antibody test as required by its guidelines. The guidelines will be reviewed periodically and revised as necessary to reflect new information regarding AIDS.

There shall be a University-wide AIDS Task Force which will meet on a regular basis to keep abreast of any new developments concerning AIDS. The Task Force will be chaired by the Vice President for Health Affairs. The membership of the Task Force shall consist of:

1. Chief of the Division of Infectious Diseases
Howard University Hospital;
2. Administrator of the University Student
Health Center;
3. Assistant Vice President for Human Resources;
4. Representative from the Office of the General Counsel;
5. Chairman of the University Faculty Senate;
6. President of the University Student Association;
7. Director of University Student Housing;
8. Dean of the University Chapel

The Task Force will recommend education programs for all segments of the University community and will coordinate dissemination of educational information to faculty, staff, and students. In addition, the Task Force will review and make recommendations to the

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President on specific situations and issues that may arise. The decision of the President shall be final.

All issues relating to persons with AIDS, ARC or a positive HIV antibody test should be referred to the Task Force through the Vice President for Health Affairs.

Notwithstanding the foregoing Howard University AIDS Policy and Guidelines, the AIDS Guidelines in effect at Howard University Hospital regarding patient care procedures for persons with AIDS, ARC or a positive HIV antibody test shall govern such issues. The Howard University Hospital Guidelines currently in effect and as from time to time amended, are hereby incorporated in the University AIDS Policy and Guidelines.

ADMINISTRATIVE GUIDELINES FOR THE HOWARD UNIVERSITY AIDS POLICY

On the basis of presently available medical and legal information, the University adopts the following guidelines:

I. STUDENTS

1. University students who have AIDS, ARC or a positive HIV antibody test, whether they are symptomatic or not, will be allowed regular classroom attendance and regular campus employment activities in an unrestricted manner as long as they are physically able to attend class or perform their job duties in a manner that does not pose a health or safety risk to themselves or to others.
2. Students with AIDS, ARC or a positive HIV antibody test will not be restricted from access to instructional, recreational, dining or other common areas, facilities and equipment.
3. The presence of AIDS, ARC or a positive HIV antibody test will not be part of the admission decision for any student applying to attend the University. All enrolled students shall be encouraged to attend an educational lecture on AIDS conducted by the University Student Health Center.
4. Decisions about residential housing of students with AIDS, ARC or a positive HIV antibody test will be made on a case-by-case basis by the appropriate University administrators in consultation with the Task Force. Current medical information does not support the existence of a risk to those sharing dormitories with persons with AIDS, ARC or a positive HIV antibody test; there may, however, be in some circumstances reasonable concern for the health of persons with AIDS, ARC or a positive HIV antibody test because of their depressed immune system, who might be exposed to certain contagious diseases (e.g., measles or chicken pox) in a close living situation. Where possible, students with AIDS, ARC or a positive HIV antibody test may be assigned private rooms in the interest of protecting the health of those students.
5. No information concerning the health status of persons with AIDS, ARC or a positive HIV antibody test will be provided to faculty, staff, students,

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family or others without the express written permission of the student in each case. Additionally, no person, group, agency, insurer, employer or institution will be provided any medical information without the prior express written consent of the student, with the exception of reporting requirements imposed by law.

6. The University encourages regular medical follow-up for students who have been diagnosed as having AIDS, ARC or a positive HIV antibody test. Any student requesting HIV antibody testing may obtain appropriate confidential medical counseling at the University Student Health Center and a referral for free testing at a public health facility.
7. Those students who are known to have AIDS, ARC or a positive HIV test may be excused from the University requirements for certain vaccines, if those vaccinations could lead to serious consequences in those with poorly functioning immune systems.

II. EMPLOYEES (FACULTY AND NON-FACULTY)

1. Employees who have AIDS, ARC or a positive HIV antibody test, whether they are symptomatic or not, will be allowed regular employment activities in an unrestricted manner as long as they are physically able to perform their job duties in a manner that does not pose a health or safety risk to themselves or to others. Before taking any adverse action regarding an employee, the University will consider the possibility of reasonably accommodating the individual. Every attempt will be made to render a well-informed judgment grounded in a careful and open-minded weighting of alternatives.
2. Employees with AIDS, ARC or a positive HIV antibody test will not be restricted from access to instructional, recreational, dining, or other common areas, facilities and equipment.
3. The presence of AIDS, ARC or a positive HIV antibody test will not be part of the employment decision for anyone applying to work at the University. All employees shall be encouraged to attend an educational lecture on AIDS to be developed by the Task Force.
4. If an employee develops AIDS, the University will permit the employee to continue to work so long as he/she is able to perform his/her job, and will extend the same sick leave and benefits as may be applicable under the relevant University Handbooks. The risks and problems in each case will be considered on an individual basis and this information will be held strictly confidential.
5. The University encourages regular medical follow-up for employees who have been diagnosed as having AIDS, ARC or a positive HIV antibody test. Any employee who requests HIV antibody test may obtain appropriate confidential medical counseling and confidential testing at the Infectious Disease Clinic at Howard University Hospital by appointment. Regular clinic fees will be charged for this service.

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III. ADDITIONAL GUIDELINES FOR HEALTH CARE WORKERS,¹⁷ HEALTH CARE STUDENTS AND FOOD SERVICE WORKERS

1. Any health care worker or health care student who has oozing lesions or weeping dermatitis - regardless of that person's status with respect to infection with the AIDS virus - will not be allowed to have direct contact with patients until the condition clears and the person has been approved for duty by a physician.
2. Food service workers known to have AIDS, ARC or a positive HIV antibody test will not be restricted from work unless they show evidence of another infection, condition or illness for which there should be such a restriction. Any food service worker who has oozing lesions or weeping dermatitis - regardless of that person's status with respect to infection with AIDS virus - will not be allowed to prepare or serve food until the condition clears and the person has been approved for duty by a physician. Food service workers in general should take care to avoid injury to their hands when preparing food. If such injury should occur, food contaminated with blood will be discarded and the food service worker will not be allowed to prepare or serve food until the injury heals and the person has been approved for duty by a physician.
3. The University may take action affecting a health care worker's or food service worker's employment status on the basis of the worker having AIDS, ARC or a positive HIV antibody test only when it substantially interferes with his/her ability to do his/her job or when it poses a substantial risk of harm to the employee or others. Before taking any adverse action against any employee, the University will consider the possibility of reasonably accommodating the individual. Every attempt will be made to render a well-informed judgment grounded in a careful and open-minded weighing of alternatives.
4. Health care workers and health care students who have AIDS, ARC or a positive HIV antibody test, but who do not perform invasive procedures will not be restricted from work unless they have some other infection or illness for which any worker or student should be restricted. Health care workers and health care students who have AIDS, ARC or a positive HIV antibody test may not be assigned to jobs that involve the performance of invasive procedures on patients. The work assignment of a health care worker or health care student who has AIDS, ARC or a positive HIV antibody test will be considered on an individual basis and will include an assessment of the health and safety risks to patients and to the worker or student.
5. Any University health care worker or health care student may receive an appropriate confidential medical evaluation for AIDS virus exposure at the University's expense in the Employee Health Unit, Howard University Hospital, if there is reasonable cause to believe that the worker or student may have been exposed to the AIDS virus in the course of the individual's work or school related duties. With respect to known infected health care workers and students, the University will take affirmative action to disclose to these employees and students the potential health risks these employees and students the potential health risks these employees and students face

¹⁷ Health care worker includes health care administrators, faculty, staff, and non-employed health care providers.

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due to their depressed immune system and that these employees and students are at particular risk for contracting infectious diseases due to their work or school duties.

6. Patients with AIDS, ARC or a positive HIV antibody test are entitled to the same standard of care as any other patient. Employees, students, and others with patient care responsibilities will not be excused from carrying out their regularly assigned duties solely because the employee, etc. may be required to interact with a patient or employee who has been diagnosed as having AIDS, ARC or a positive HIV antibody test.

IV. REPORTING REQUIREMENTS

1. The University will strictly observe public health reporting requirements for AIDS. Persons diagnosed at University health facilities who meet criteria for the revised surveillance definition of AIDS shall be reported to the District of Columbia Department of Public Health and such other agencies as may be required by the laws of the District of Columbia and of the United States.

APPENDIX D

**POLICY STATEMENT
CONCERNING...CONTROLLED
SUBSTANCES**

POLICY STATEMENT CONCERNING...CONTROLLED SUBSTANCES

HOWARD UNIVERSITY POLICY STATEMENT CONCERNING THE USE OF, THE POSSESSION FOR SALE, TRANSFER, OR EXCHANGE OF, AND THE MANUFACTURE, TRANSFER, SALE, OR EXCHANGE OF, CONTROLLED SUBSTANCES

Approved by the Board of Trustees on September 23, 1989

One among the most serious menacing phenomena facing urban communities in general and black communities in particular is that of the ever-spreading use of controlled substances or illegal drugs. Attending this phenomenon are not only the debilitating effects on the human system, but the many unsettling events which are inescapably its by-products. Howard University, as an urban institution and thus a part of the larger District of Columbia community, is not insulated against this problem and its accompanying or precipitating ills and recognizes that an effective response to this menace must be on a community-wide basis.

Proper consideration of this subject must take into account and be addressed to those not yet involved as users or purveyors, those who may be helped through medically related therapy and treatment programs, and those who are engaged in the illegal possession, manufacture, transfer and/or sale of such items.

For the past several years considerable effort has been directed toward acquainting the University community with this subject in its most salient aspects. With some exceptions, work in this area has been concerned primarily with the conduct of special educational programs. These efforts, with expansion and increased emphasis, will be continued. In addition, the University through the Counseling Service, the Student Health Center, the Employee Health Unit and the Institute on Drug Abuse and Addiction, will make a major effort to marshal appropriate resources, on an inter-disciplinary basis, to contribute to me resources, on an inter-disciplinary basis, to contribute to the campaign currently being waged against this destructive force. Thus, all of these University resources will be concerned with comprehensive drug prevention/treatment programs and services.

NON-MEDICALLY PRESCRIBED USE OF DRUGS

Howard University does not sanction the use of drugs which are not prescribed by authorized health professionals. It is strongly urged that persons who have not experimented with or made use of such substances should avoid their use at all costs. Science to date has made no showing or claim that such non-prescribed use is in any way medically beneficial. For individuals interested in this subject, educational materials are available at the Counseling Service, the Student Health Center, the Employee Health Unit and the Institute on Drug Abuse and Addiction, as well as selected locations throughout the District of Columbia. Individuals with drug-related problems should seek professional help, without delay, from these University resources, where such assistance is handled with the utmost confidentiality. Students with drug problems or concerns in this area are encouraged to seek help from or visit these agencies without fear of punitive consequences such as disciplinary police actions or expulsion from school.

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POSSESSION OF CONTROLLED SUBSTANCES FOR SALE, EXCHANGE, OR TRANSFER, OR THE SALE, EXCHANGE, TRANSFER OR MANUFACTURE OF CONTROLLED SUBSTANCES.

The subject of individual involvement in the handling of illegal drugs is viewed by the University in an entirely different light. Federal and local laws make it abundantly clear that possession of controlled substances for the purpose of sale, exchange, or transfer as well as the manufacture, sale transfer or exchange of controlled substances are prohibited, and individuals responsible for violations of such laws are to be treated with severity. The University, as part of that larger community, is similarly bound by law and of necessity must act in similar fashion with offenders of its own regulations operative in this area. Although the University recognizes the need to provide a variety of remedial services to persons who fall victim to drugs, in the hope that causes of such problems can be removed, it does not intend to offer a haven for persons who intentionally violate its own standards of conduct or Federal and local laws dealing with this subject.

Howard University views illegal conduct in this connection with complete seriousness and the urgency of the matter deserves the immediate attention of each individual. It should especially be noted in this regard that students engaged in illegal conduct of this type are subject to summary SUSPENSION, EXPULSION, and/or TERMINATION, aside from or in addition to penalties which may flow from court disposition of such matters. Persons not formally connected with the University but who nevertheless are involved in illegal drug activity on University premises will be subject to ARREST and PROSECUTION. Involvement with illegal drugs subjects a person to criminal penalties, including felony conviction and often times imprisonment.

The University feels that each individual should give serious consideration to the possible permanent harm a conviction may do later in life. It is possible that the affected person will face the loss of many employment and citizenship privileges, such as professional licensing (law, medicine, certified public accountant, and the like), the right to vote and employment by governmental agencies and in many instances, private industry.

For those who would require proof, it has been clearly demonstrated that neither slavery nor compulsory segregation succeeded in robbing our people of their potency. To now permit the drug menace to signal the demise of our people would be no contemporaries who have labored long and hard in the vineyard toward total liberation than would it be a proper legacy for future generations of our youth.