

College Operating Procedures (COP)



Procedure Title: HIV/AIDS and Other Life-Threatening Illnesses
Procedure Number: 05-0802
Originating Department: Office of Human Resources

Specific Authority:

Board Policy 6Hx6:5.01
Florida Statute 1001.64/68
Florida Administrative Code n/a

Procedure Actions: Adopted:4/23/92;11/3/04;12/2/08;11/1/10;
4/16/12;11/20/20;03/11/2025

Purpose Statement:

To establish procedures for College employees and students to have a safe working environment and equal opportunity, including those with a life-threatening illness.

Related Documents/Policies:

District Board of Trustees Policy – Employment of Personnel (6Hx6: 5:02)
Unlawful Harassment, Discrimination and Retaliation Complaint Procedure (05-0107)
Family Medical Leave (05-0507)

Guidelines:

The College President or designee may designate the office(s) responsible for coordinating the College's efforts to inform the College community on the nature of HIV and the AIDS disease; and responsible for handling each specific HIV/AIDS case on an individual basis. The College President or designee shall have final authority to approve any action by the College pursuant to the provisions of the policy on HIV and AIDS.

All information regarding an employee with a life-threatening illness will remain private and confidential.

FSW will:

1. Offer students and employees with HIV and AIDS the same opportunities and benefits offered to other students and employees while at the same time attempting to balance the rights of all individuals in order to maintain a safe educational and workplace environment;
2. Maintain confidential information as authorized and allowable by law. All members of the FSW community are expected to protect such information through proper safeguards and follow all related College policies pertaining to confidentiality in the regular conduct of College business.

3. For purposes of this policy, a student or employee with Human Immunodeficiency Virus falls into one of the following categories:
 - a. An individual who tests positive for HIV antibody but who has no symptom manifestations, or
 - b. An individual who is diagnosed as having AIDS Related Complex (ARC) – debilitating symptoms but no opportunistic infections, or
 - c. An individual who is diagnosed as having Acquired Immune Deficiency Syndrome.

Employees:

1. The College shall not; refuse to hire or discharge any individual; segregate or classify an individual in any way which would deprive or tend to deprive that individual of employment opportunities or adversely affect their status as an employee; or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment on the basis of the results of an HIV-related test or belief that the individual has taken an HIV test, or the results or perceived results of such test, unless the absence of the HIV virus is a bona fide occupational qualification for the job in question.
2. The College shall not discriminate against an otherwise qualified individual based on the fact that such individual has or is regarded as having HIV or AIDS.
3. The College will not subject a potential employee to serological testing to determine the presence or absence of HIV.
4. The College will not require an individual with HIV or AIDS to cease working on the basis of a diagnosis unless such person has been determined to be not otherwise qualified based upon a determination that no reasonable accommodation can be made to prevent the likelihood that the individual will, under the circumstances involved, expose other individuals to a significant possibility of being infected with HIV or to enable such person to perform the essential functions of the job.

Students

1. The College will not deny the admission or deny continued attendance of a student otherwise qualified for admission or continued attendance on the basis of HIV or AIDS diagnoses unless a determination has been made that no reasonable accommodation can be made to prevent the likelihood, under the circumstances involved, that such admission or attendance will expose other individuals to a significant possibility of being infected with HIV or to enable such persons to meet the substantial requirements of the educational program. For more information on student accommodations, see the Office of Adaptive Services webpage <https://www.fsw.edu/adaptiveservices> or contact the office at 239-432-7354.

- Applicants, employees, prospective students, and active students should refer to College Policy Unlawful Harassment, Discrimination and Retaliation Complaint Procedure (05-0107) if questions or concerns arise regarding allegations of harassment, discrimination, or retaliation.

Appendix A: HIV and AIDS Information and Resources

Table and Additional Resources:

HIV AND AIDS INFORMATION		
DEFINITIONS		
Term	Definition	
Human Immunodeficiency Virus (HIV)	A virus that attacks the body's immune system and weakens a person's immune system by destroying important cells that fight disease and infection.	
Acquired Immunodeficiency Syndrome (AIDS)	People with HIV normally progress through three stages. AIDS is the most severe stage (Stage 3) of HIV infection.	
MODES OF TRANSMISSION*		
Sexual Contact	Sharing Needles to Inject Drugs	Mother to Baby During Pregnancy, Birth, or Breastfeeding
*Note: HIV is not transmitted by air or water; saliva, sweat, tears, or closed-mouth kissing; insects or pets; or sharing toilets, food, or drinks		
SIGNS AND SYMPTOMS*		
Fever	Chills	Rash
Night Sweats	Muscle Aches	Sore Throat
Fatigue	Swollen Lymph Nodes	Mouth Ulcers
*Note: Some individuals may have no symptoms or may have flu-like symptoms within 2 to 4 weeks after infection. Flu-like symptoms may last for a few days or several weeks. These symptoms do not mean you have HIV as other illnesses can cause these same symptoms.		
ASSOCIATED RISK FACTORS		
Viral Load - the amount of HIV in the blood of someone who has HIV	Other Sexually Transmitted Diseases	Alcohol and Drug Use

PROTECT YOURSELF FROM HIV		
Get tested at least once or more often if you are at risk	Use appropriate protection	Choose activities with little to no risk
Don't inject drugs; or if you do, don't share needles, syringes, or other drug injection equipment	If you are at risk for HIV, speak to your health care provider	Get tested and treated for other sexually transmitted diseases

Resources:

Florida Department of Health

<https://www.floridahealth.gov/diseases-and-conditions/aids/index.html>

HIV.gov: <https://www.hiv.gov/hiv-basics>

Center for Disease Control and Prevention-HIV 101 Info Sheet:

<https://www.cdc.gov/high-quality-care/media/pdfs/2024/04/cdc-hiv-consumer-info-sheet-hiv-101.pdf>