

MONTANA BOARD OF REGENTS OF HIGHER EDUCATION
Policy and Procedures Manual

SUBJECT: MISCELLANEOUS

Policy 1908 – AIDS Policy

Effective: May 6, 1988; Issued: July 8, 1988; Repealed May 18, 2023.

I.— Board Policy

~~The existence of AIDS in an individual does not, in and of itself, present a condition that precludes school attendance or employment. Decisions affecting the current assignment or placement of a student or employee known to be infected with AIDS shall be governed by applicable statutes, health regulations, and policies of the board of regents (BOR).~~

II.— Definitions:

~~A. For the purposes of this policy AIDS means the acquired immune deficiency syndrome, a related complex, or potential AIDS as indicated by the presence of human T-lymphotropic virus type III antibody.~~

~~B. Campus AIDS officer means any person designated by a campus president to carry out the responsibilities of this policy.~~

III.— Procedures:

~~A. Any person with questions or seeking information regarding AIDS may contact the campus AIDS officer. The campus AIDS officer may inform the president if an employee or student identified as an actual or potential AIDS carrier poses a significant risk as a transmitter to other in the school setting.~~

~~B. The president, upon advice of an ad hoc committee, may with good reason exclude the student or employee from a placement or assignment which is deemed to put others at risk. The ad hoc committee, established on a case by case basis, shall include the campus AIDS officer, a physician knowledgeable with the disease, and others deemed necessary to provide information relevant to an informed decision.~~

~~C. The confidentiality of the infected student or employee shall be protected by limiting notice of the report to those persons with a legitimate need for such information.~~

~~D. The above policy shall be applicable unless a campus president has approved separate campus procedures. Campus procedures adopted hereunder shall not serve as the basis for creating substantive legal rights over and above those otherwise existing by virtue of BOR policy or state or federal law.~~

~~E. A copy of any such campus policy shall be forwarded to the office of the commissioner of higher education.~~

History:

Item 58-002-R0388, Montana University System AIDS Policy, May 6, 1988. Repealed May 18, 2023. Item 206-103-R0523.