

BOARD OF REGENTS BRIEFING PAPER

NSHE AIDS Guidelines

December 16, 2024

BACKGROUND & POLICY CONTEXT OF ISSUE:

Current language in the *Handbook* (Title 4, Chapter 1, Section 21) provides guidelines concerning Acquired Immunodeficiency Syndrome (AIDS).

- This section of the *Handbook* has not been updated since 2004, missing the opportunity to align with the national movement and culture surrounding the HIV/AIDS strategy. The first coordinated national HIV strategy was published in 2010, updated in 2015, and then again in 2020, [National Strategic Plan: A Roadmap to End the Epidemic for the United States 2021-2025](#). These Plans have shifted the way the nation addresses the HIV/AIDS epidemic, and now highlights the prevention, care, and outcomes of those living with HIV/AIDS. Specifically, the language used by the U.S. Department of Health and Human Services in writing the last decade of plans removes language that would further create stigma and discrimination for individuals living in HIV/AIDS.
- Leaving the NSHE AIDS guidelines section in the *Handbook* promotes singling out this specific population and supports an outdated narrative and culture of not understanding and reacting to the epidemic. The decades-old language may further stigmatize individuals living with HIV/AIDS.
- Additionally, Section 504 of the *Rehabilitation Act of 1973* (504) and *Title II of the Americans with Disability Act of 1990* (Title II), prohibit discrimination on the basis of disability, including individuals who live with HIV/AIDS. Institutions already comply with these federal policies in promoting, supporting and accommodating individuals protected under these Acts.
- Removing the section from the *Handbook* would essentially eliminate the promotion of stigmatizing language impacting individuals with HIV/AIDS. Outdated language and policies can create unintentional barriers and obstacles. Additionally, removing the section would end the singling out of this one epidemic from any others that the CDC recognizes. Furthermore, institutions comply with Federal law for both employees and students under Section 504 and Title II to provide access and opportunity, including individuals living with HIV/AIDS.

SPECIFIC ACTIONS BEING RECOMMENDED OR REQUESTED:

Approval to remove *Title 4, Chapter 1, Section 21*.

IMPETUS (WHY NOW?):

This concern was brought forward by Chair Amy Carvalho.

CHECK THE NSHE STRATEGIC PLAN GOAL THAT IS SUPPORTED BY THIS REQUEST:

- Access (Increase access to higher education)
- Success (Improve student success)
- Close Institutional Performance Gaps
- Workforce (Meet workforce needs in Nevada)
- Research (Increase solutions-focused research)
- Coordination, Accountability, and Transparency (Ensure system coordination, accountability, and transparency)
- Not Applicable to NSHE Strategic Plan Goals

INDICATE HOW THE PROPOSAL SUPPORTS THE SPECIFIC STRATEGIC PLAN GOAL

- An outdated policy may further stigmatize those individuals living with HIV/AIDS.
- Institutions already comply with *Section 504* and *Title II* in creating and promoting access, reasonable accommodations, and inclusion of individuals protected under these Acts.
- The absence of outdated and misaligned language with national norms and cultures removes additional obstacles for these individuals.

BULLET POINTS TO SUPPORT REQUEST/RECOMMENDATION:

- Removing Section 21 of Title 4, Chapter 1:
- Eliminates a decades-old, outdated narrative of the AIDS epidemic;
 - Ceases singling out the need to address this specific population of individuals living with AIDS; and
 - Aligns with the *Handbook* in that there are no other provisions for guidelines concerning CDC-identified epidemics or pandemics at this time.

POTENTIAL ARGUMENTS AGAINST THE REQUEST/RECOMMENDATION:

None have been presented at this time.

ALTERNATIVE(S) TO WHAT IS BEING REQUESTED/RECOMMENDED:

None have been presented at this time.

RECOMMENDATION FROM THE CHANCELLOR’S OFFICE:

The Chancellor’s Office supports approval.

COMPLIANCE WITH BOARD POLICY:

- Consistent With Current Board Policy: Title # _____ Chapter # _____ Section # _____
- Amends Current Board Policy: Title 4, Chapter 1, Section 21
- Amends Current Procedures & Guidelines Manual: Chapter # _____ Section # _____
- Other: _____
- Fiscal Impact: Yes _____ No X
- Explain: _____

POLICY PROPOSAL - *HANDBOOK*
TITLE 4 , CHAPTER 1, SECTION 21
NSHE AIDS Guidelines

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

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[~~Section 21. NSHE AIDS Guidelines~~

~~The Chancellor shall establish guidelines to address the personal, administrative, medical, and legal problems associated with the Acquired Immune Deficiency Syndrome (AIDS).]~~

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RENUMBER SECTIONS 22 THROUGH 41 AS 21 THROUGH 40.