

Greater Albany SD 8J
Board Policy

Code: **JHCCB**
Adopted: 2/13/89
Revised/Readopted: 3/12/01, 8/13/07
Orig. Code(s): BP 5130

Students - HIV, AIDS

This policy applies to HIV students five years of age or younger, special risk HIV students as well as all students with AIDS.

“Special risk” students as used in this policy and as defined by the Oregon Health Division means students who lack control of their body secretions or who display behaviors such as biting, spitting or scratching and/or who have uncoverable, oozing lesions.

The district shall adhere strictly in policies and procedures to the Oregon Revised Statutes and Oregon Administrative Rules as they relate to a student infected with HIV or AIDS¹.

A student with HIV or AIDS must notify the district superintendent for continued educational services.

If the parent or guardian² or student does not notify the school district, the Oregon Health Division or local health department will issue an order to exclude the student from school, or the parent (student) may voluntarily withdraw from school. In either case, the district must notify the student and parent of alternative education programs.

If the district is informed, written guidelines shall be requested of the parent or guardian² (student). These guidelines shall include who may have the student information, who will give the information, how the information will be given and where and when the information will be given.

After the Oregon Health Division or local health department evaluates the student’s risks to others, including any restrictions which may be required, this condition will be reported by the parents to the district.

When informed and with written permission from the parent or guardian² (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. Monitoring of the student’s condition shall be included.

¹HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome

²As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005 (18).

The district shall also develop policies and/or procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 332.061](#)

[ORS 336.187](#)

[ORS 339.030](#)

[ORS 339.250](#)

[ORS 433.008](#)

[ORS 433.045](#)

[ORS 433.255](#)

[ORS 433.260](#)

[OAR 333-012-0270](#)

[OAR 333-018-0000](#)

[OAR 333-018-0005 \(1\)](#)

[OAR 333-018-0030 \(3\)\(a\)\(C\),\(D\)](#)

[OAR 333-019-0223](#)

[OAR 581-022-0705](#)

[OAR 581-022-1660](#)

[OAR 581-022-1910](#)

Guidelines for Schools with Children Who Have Hepatitis B Virus or Human Immunodeficiency Virus Infection, Oregon Health Division (1995).