

McMinnville School District #40

Code: JHCCA
Adopted: 4/08/02
Revised/Readopted: 9/13/04; 8/12/13
Orig. Code: JHCCA

Students - HIV, HBV and AIDS**

The District will 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 HBV or diagnosed with AIDS¹.

The District recognizes that a parent or student has no obligation to inform the District of an HIV, HBV or AIDS condition and that the student has a right to attend school. The District shall respect the right to privacy of all students. Knowledge that a student has a communicable disease shall be confined to those persons with a direct need to know. Those persons shall be provided with appropriate information as provided by law and shall be made aware of confidentiality requirements.

If the District is informed, written guidelines shall be requested of the parent(s) or guardian(s). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given. Written consent from the parent(s) or guardian(s) of an HIV, HBV or AIDS infected student is required before disclosure of diagnosis to other persons.

When informed of the infection, and with written permission from the parent or student if age 18 or older, 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. The team shall continue to monitor the student's condition.

Notification of alternative educational programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 332.061](#)
[ORS 336.187](#)
[ORS 336.615 to -336.665](#)

[ORS 339.030](#)
[ORS 339.250](#)
[ORS 433.008](#)
[ORS 433.045](#)
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)
[OAR 581-022-2060](#)
[OAR 581-022-2220](#)

GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE HEPATITIS B VIRUS OR HUMAN IMMUNODEFICIENCY VIRUS INFECTION, OREGON HEALTH DIVISION (1995).

OREGON SCHOOL HEALTH SERVICES MANUAL; COMMUNICABLE DISEASES APPENDIX IV. GUIDELINES FOR SCHOOLS WITH CHILDREN WHO HAVE BLOODBORNE PATHOGENS, OREGON DEPARTMENT OF EDUCATION 2012.

¹ HIV - Human Immunodeficiency Syndrome, HBV - Hepatitis B, AIDS-Acquired Immune Deficiency Syndrome