

Acquired Immune Deficiency Syndrome (AIDS)

Upon the request of either the Health Department or the parents/guardians of a student with AIDS, the Board in executive session will review the case and will decide whether school attendance poses a risk to the student with AIDS or to his/her classmates or staff. In reading its decision, the Board will consider opinions of the student's physician, district personnel, and the county public health official. The Board may consider, as well, the written opinion of a physician of the Board's choosing. The Board will also secure written analysis of its liability and legal status from the Board's legal counsel and agent. After receiving all relevant information, the Board may decide to exclude or admit the child. Pending the Board's decision, the student with AIDS will be excluded. No information regarding students with AIDS will be released without parent permission in accordance with state and federal laws and with the Board's policy on student records. Before releasing any information regarding students with AIDS, the Board will consult legal counsel. All Board discussion of issues related to students with AIDS must be in executive session. As additional information becomes available regarding AIDS, the Board may re-evaluate this policy and District procedures in light of: legal rights of students and employees; information regarding appropriate hygienic procedures; to reduce the risk of exposure to the AIDS virus; instructional materials and techniques designed to inform students, staff, and community about AIDS; additional medical findings.

END OF POLICY

Legal Reference(s):

[ORS 431.035 to -431.530](#)
[ORS 433.255](#)
[ORS 433.260](#)

[OAR 333-019-0010\(5\)](#)
[OAR 437-002-0360](#)

[OAR 581-022-0705](#)