

**“Special Risk” 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 Oregon Department of Human Services, Health Services, 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 AIDS.

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

If the parent or student does not notify the school district, the Oregon Department of Human Services, Health Services, 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 student (parent). 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 (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.

The planning team shall make recommendations regarding the student’s educational program based on current available medical information and on any factors governing the student’s expected type of interactions with others. The team shall prepare a written report which the superintendent will promptly implement, with copies going to the student’s parent(s) or guardian(s) and to a limited access file in the school office.

The planning team shall review the student’s educational program and placement upon request by the student’s parent(s) or guardian(s).

## END OF POLICY

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### 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](#)

[OAR 333-018-0030](#)

[OAR 333-019-0031](#)

[OAR 581-022-0705](#)

[OAR 581-022-1660](#)

[OAR 581-022-1910](#)

OR Health Division, Guidelines for Schools with Children Who Have Hepatitis B Virus or HIV Infection (2001).