

# Bandon School District 54

Code: JHCCB  
Adopted: 4/73  
Revised/Readopted:  
7/8/91  
Orig. Code: 5841

## HIV+ AND AIDS - STUDENTS\*\*

(Applies to students under 6 years of age or under 21 years of age and special education/special needs students with HIV+ and all students with AIDS.)

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.

The district recognizes a student (parent) has no obligation to report an HIV+ condition or AIDS diagnosis to the school district. The district also recognizes the student's legal right to attend school. However, if the parent wishes continued educational services, the school superintendent must be notified.

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 child's risks to others, including any restrictions which may be required, this condition will be reported by the parents to the school district.

When informed and with written permission from the student (parent), 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.

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

END OF POLICY

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### Legal References:

ORS 332.061  
ORS 336.035(2)  
ORS 336.195  
ORS 339.030  
ORS 339.250  
ORS 433.008  
ORS 433.045  
ORS 433.255  
ORS 433.260

(continued)

OAR 333-12-270  
OAR 333-18-000  
OAR 333-18-005(1)  
OAR 333-18-030(3)(a)(C), (D)  
OAR 333-19-223  
OAR 581-22-415  
OAR 581-22-705  
OAR 581-22-717

Oregon Health Division Guidelines, Sept. 1988

\*\* As 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 126.003 - 126.095. 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 policy GBHA. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 126.030.