

**Linn Benton Lincoln  
Education Service District**

Code: **JHCCA**  
Revised: 3/8/06  
Readopted: 3/12/14

**Students - HIV, HBV and AIDS \*\***

(Human Immunodeficiency Virus, Hepatitis B Virus, and Acquired Immune Deficiency Syndrome)

The ESD 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, HBV or diagnosed with AIDS<sup>1</sup>.

The ESD recognizes a parent and/or student has no obligation to inform the ESD of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the ESD is informed of such a student, written guidelines shall be requested of the parent (student). 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.

When informed of an infectious medical condition and with written permission from the parent and/or student, the ESD 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 education programs shall be made to the parent or eligible student, if an HIV, HBV or AIDS student withdraws from school.

The ESD shall also develop procedures for rumor control, infection control, student accommodations and public relations/media on a case by case basis.

Legal Reference(s):

[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 334.125\(7\)](#)  
[ORS 336.187](#)  
[ORS 339.030](#)  
[ORS 433.008](#)  
[ORS 433.045](#)

[OAR 333-018-0000](#)  
[OAR 333-018-0005](#)  
[OAR 581-022-0705](#)  
[OAR 581-022-1660](#)

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

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<sup>1</sup>HIV - Human Immunodeficiency Virus; HBV-Hepatitis B Virus; AIDS - Acquired Immune Deficiency Syndrome

\*\* "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 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 581-015-2000."