

# OSBA Model Sample Policy

Code: JHCCA  
Adopted: D

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

*(Recommend delete: the requirement for this policy was found in OAR 581-022-2220, which has since been revised in lieu of a new requirement for a Communicable Disease Plan.)*

The district will adhere strictly in policies and procedures to the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS<sup>1</sup>.

The district recognizes a parent (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. If the district 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 the infection, 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. The team shall continue to monitor the student's condition. The district will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

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 district may also develop procedures for rumor control, infection control, student accommodations and public relations/media.]

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](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2017). Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

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