

## **Policy: Communicable Disease**

### **File Code: GBE**

In addressing the issue of employees with communicable diseases, Chittenden Central Supervisory Union is committed to maintaining the necessary balance between the rights of an employee and the school district's duty to provide a safe environment for all employees and students. The committee recognizes and respects an employee's right to confidentiality and continued employment. It also expects that this policy will be followed with sensitivity to the special needs and support employees with contagious diseases may require.

#### Reporting Procedures

1. As with any prolonged or special medical condition, a staff member with a contagious disease is expected to inform his/her supervisor if his/her health status will prevent safe, regular and reliable work attendance or performance. Existing sick leave and leave of absence policies and procedures will govern these circumstances. It is hoped that employees will inform their supervisors of such conditions in a timely manner and will feel secure in the District's assurance of confidentiality.
2. The identity of an employee who has or is believed to have a contagious disease (such as tuberculosis, AIDS, AIDS related complex, tests positive for HTLV-III virus or has a similar contagious disease) shall not be revealed by any District employee or official to anyone including other District employees except as is authorized herein or as is necessary to implement the procedures referred to herein.
3. The Superintendent shall notify the Department of Public Health if an employee of the district has a condition for which reporting is required by said Department's regulations.

#### Review Procedures

1. If the Superintendent has reasonable grounds to believe that an employee of the District has a contagious disease, the Superintendent shall immediately contact the employee and require that she submit a letter from his/her physician indicating whether or not the employee is able to perform his/her regular duties without risk to him/herself or others. The opinion of the employee's physician will be considered but will not be

controlling. The Superintendent may require a confirming-opinion from a district selected physician at the district's expense.

2. If it is determined that the employee is infected with a contagious disease, the Superintendent shall determine, with the advice of medical personnel, whether the employee remains otherwise qualified to perform his/her duties. In making such determination, the following factors will be considered:
  - a. The nature of the risk (how the disease is transmitted).
  - b. The duration of the risk (how long is the carrier infectious).
  - c. The severity of the risk (what is the potential harm to third parties; what is the affected person's physical condition, behavior, and ability to control bodily functions and secretions) and
  - d. The probabilities that the disease will be transmitted and will cause varying degrees of harm.

After consideration of the foregoing factors, the employee shall be considered otherwise qualified if s/he can continue to perform the essential functions of his/her position or can do so with reasonable accommodation. (Accommodation shall not be considered reasonable if it imposes undue financial and administrative burden on the District or requires a fundamental alteration in the nature of the program). However, an employee who poses a significant risk of communicating the disease to others in the work place will not be considered otherwise qualified to continue in his/her position if reasonable accommodation will not eliminate that risk.

First Reading: January 26, 1998  
Date: March 3, 1998  
Chittenden Central Supervisory Union