

**Burlington School District Policy
D 9: COMMUNICABLE DISEASES/SCHOOL PERSONNEL**

Former Policy GB

For purposes of this policy, a communicable disease is one which is capable of being transmitted from one individual to another and which poses a direct threat of transmission of a significant health hazard.* Communicable diseases include, but are not limited to, hepatitis B virus (HBV), cytomegalovirus (CMV), giardiasis and tuberculosis (TB). See Appendix A for a full listing of reportable diseases.

The Burlington School District recognizes its obligation to protect the health and safety of all persons in the school community. The District encourages all school personnel to voluntarily report communicable diseases to the District so as to allow the District to take any appropriate measures to protect the health and safety of school personnel that have a communicable disease and all persons in the school community.

If requested by the District, the employee shall provide the District with a written statement from the employee's treating physician or the District's medical advisor supporting the employee's continued employment. To the extent permitted by law, the Burlington School District respects the privacy of employees with communicable diseases.

All persons associated with the Burlington School District including, but not limited to, the School Board, the administration, the faculty, the staff, and the students, shall not discriminate against nor tolerate discrimination against any person who has or is perceived as having a communicable disease which qualifies as a disability/handicap as defined by law.

No applicant shall be denied employment nor shall any employee be prevented from continuing employment solely on the basis of having or being perceived as having a communicable disease which also qualifies as a disability/handicap as defined by law if the applicant or employee can perform the essential functions of the position with or without reasonable accommodation.

The Administration shall develop appropriate procedures to implement the above policy.

*For HIV/AIDS see District Policy on HIV/AIDS F 26

Cross References: HIV/AIDS Policy, F 26
 Nondiscrimination on the Basis of Disability, ACAC
 Equal Employment Opportunity, A 4

Legal References:
29 U.S.C. § 601, et seq., as amended. Occupational Safety and Health Act of 1970.
29 U.S.C. §794, as amended. Section 504 of the Rehabilitation Act of 1973.
42 U.S.C. § 12101, et seq., as amended, and 47 U.S.C. §§225 and 611. Americans with Disabilities Act.
1 V.S.A. § 317 (7) and (11), Exceptions to public records disclosure, as amended;
3 V.S.A. §3003 as amended.
18 V.S.A. §102, as amended, Duties of State Board of Health, authority to make regulations
18 V.S.A. §107, Life and Health of Inhabitants, Inspections, Investigations
18 V.S.A. §1001, as amended, Duties of School Health Official to report communicable diseases.
21 V.S.A. §§ 201 and 224, statutes adopting federal Occupational Safety and Health Act of 1970, as standard under Vermont Occupational Safety and Health Act (VOSHA).
21 V.S.A. SubChapter 6, Fair Employment Practices, Vermont Department of Health, Communicable Disease Regulations, Part IV. §§ 4-101 - 4-206.

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