

All Personnel

BP 4112.4

4212.4

HEALTH EXAMINATIONS

4312.4

It is the policy of the Board to require every employee to present evidence of freedom from tuberculosis as required by state law, and to require of every certificated employee who has not previously held a position requiring certification qualifications to submit a medical certificate in a form prescribed by the State Board of Education.

The Board reserves the right to require, at the district's expense, periodic medical examinations by a physician and surgeon licensed under the Business and Professions Code of all certificated employees in order to determine that each such employee is free from communicable diseases which render the employee unfit to instruct or associate with children.

On the request of the Superintendent of Schools, and for reason, the Board may require any employee who shows evidence of physical, mental or emotional disorder which is interfering with job performance to undergo examination by his/her own physician, who may also attend the employee during the district examination.

Legal Reference:

EDUCATION CODE

44839 *Medical certificate; periodic medical examination*

44839.5 *Requirements for employment of retirant*

44932 *Grounds for dismissal of permanent employee*

44942 *Suspension or transfer of certificated employee on ground of mental illness*

45122 *Physical examinations*

49406 *Examination for tuberculosis*

BUSINESS AND PROFESSIONS CODE

2700-2838 *Nurses*

3500-3546 *Physician assistants*

HEALTH AND SAFETY CODE

121525 *Private and parochial school employees, examination for tuberculosis*

CODE OF REGULATIONS, TITLE 5

5502 *Filing of notice of physical examination for employment of retired persons*

5503 *Physical examination for employment of retired persons*

5504 *Medical certification procedures*

COURT DECISIONS

Doe v. Lincoln Unified School District, (2010) 188 Cal.App.4th 758

Leonel v. American Airlines, Inc., (2005) 400 F.3d. 702

Raven v. Oakland Unified School District, (1989) 213 Cal.App.3d 1347