

Staff Health (Examination Requirements)

Through its overall safety program and various policies pertaining to school personnel, the Board will seek to ensure the safety of employees during working hours and assist them in the maintenance of good health. It shall will encourage all its employees to maintain good health and practice good health habits.

Under the following circumstances, the Board may require medical examinations of its employees. The district will pay for all such physical examinations. Results of such medical examinations must be maintained in separate medical files and not in the employee's personnel file and may be released only in limited circumstances.

Routine medical examinations

Subsequent to a conditional offer of employment and prior to commencement of work, the district may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the state. The district may condition an offer of employment on the results of such examination if all entering employees in the applicable job category are subject to such examination. A 30-day grace period may be allowed if approved by the district.

Temporary part-time drivers school transportation vehicle operators are required to have a medical examination once every two years in accordance with applical state and federal law.

Special examinations

The Board recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with the ability to perform required duties or there is an unacceptable risk to the health and safety of the employees or others, the district must take necessary steps to evaluate the employee's condition and make appropriate employment decisions.

The Board may request physical examinations and/or mental health examinations of any employee at any time to determine if the employee has a physical and/or mental condition, disease or illness which may interfere with the ability to perform required duties or which may pose an unacceptable risk to the health, safety or welfare of the

employee or others. The school district will select the medical professional to conduct such examination. And will pay the costs associated with such examination.

When the employee cannot perform the essential functions of the job with reasonable accommodation or medical evidence establishes that the employee's condition poses a significant risk to the health, safety or welfare of the employee or others, the school district may take action to suspend and/or terminate the employee in accordance with applicable policies and regulations.

Readily-transmitted communicable diseases

An employee with an acute, common communicable disease must not report to work during the period of time when contagious/infectious. The district reserves the right to require a physician's statement prior to the employee's return to work.

An employee afflicted with a serious, readily-transmissible disease or condition is encouraged to report the existence of the condition or illness in case there are precautions that must be taken to protect the health of others.

Confidentiality

In all instances, district personnel must respect the individual's right to privacy and treat any medical diagnosis as confidential information. The superintendent shall must initiate procedures to ensure that all medical information will be held in strict confidence. Any school staff member who violates confidentiality will be subject to appropriate disciplinary measures.

Adopted: February 9, 1988
Revised: February 12, 1991
Revised: August 1994
Revised: December 12, 2006
Revised: October 9, 2018
Revised: August 10, 2020

LEGAL REFS.: 29 U.S.C. 794 (1983) (*Section 504 of the Rehabilitation Act*)
42 U.S.C. 12101 *et seq.* (*Americans with Disabilities Act*)
49 C.F.R. 391.43 (*medical examination requirements for commercial driver's license holders*)
C.R.S. 8-2-118 (*employer must bear cost of medical exam*)

C.R.S. 22-32-110 (1)(k) *(board's power to adopt policy related to safety, conduct and welfare of employees)*

C.R.S. 22-63-301 *(grounds for teacher dismissal)*

C.R.S. 24-34-401 *et seq. (discriminatory or unfair employment practices)*

C.R.S. 25-4-101 *et seq. (disease control and sanitary regulations)*

1 CCR 301-26, Rules 4204-R-201 *(regulations regarding operation of school transportation vehicles; requirement of medical exam every two years)*

CROSS REFS.: ACE, Nondiscrimination on the Basis of Handicap/Disability (Compliance with Section 504)
EBBA, Prevention of Disease/Infection Transmission
GBA, Open Hiring/Equal Employment Opportunity
GBJ, Personnel Records and Files
GBGG, Staff Sick Leave
GCQF, Discipline, Suspension and Dismissal of Professional Staff
GDQD, Discipline, Suspension and Dismissal of Support Staff

Garfield School District No. Re-2, Rifle, Colorado