

STAFF HEALTH (And Medical Evaluation or Examination Requirements)

Through its overall safety program and various policies pertaining to school personnel, Colorado Springs School District 11 (the District) shall seek to ensure the safety of employees during working hours and assist them in the maintenance of good health. An employee with concerns about another employee's health will contact Human Resources (HR) for further guidance and support. HR will utilize appropriate and professional judgment for each situation. If necessary, a special health examination by a licensed physician to be selected by a representative of HR may be required whenever the physical, mental or emotional condition of the employee appears to interfere or is likely to interfere with the health and/or safety of students or other employees or the educational progress of students. The costs of these special examinations shall be paid by the District.

The District may require, to the extent permitted by law, that an employee undergo a health examination, and provide health information to the District in the following circumstances:

1. Whenever the physical, mental or emotional condition of an employee poses a risk to the health and/or safety of the employee, students and/or other employees;
2. Where there is a need to assess the ability of an employee to perform the essential functions of the job, work restrictions, and possible reasonable accommodation;
3. Where the employee has requested a medical or disability leave of absence under the District's policies;
4. To evaluate fitness for duty following a medical or disability leave;
5. In connection with the District's post-offer, pre-placement process conducted by Risk Management;
6. In connection with employment in the early childhood programs and licensed by the State of Colorado as Department of Human Services childcare services.
7. When deemed necessary to evaluate whether the employee has improperly used and/or is under the influence of alcohol or an unlawfully ingested drug while on duty; and
8. Whenever deemed necessary by the District for purposes of maintaining public health and the educational process, and as required by law.

The District reserves the right to require that the examination be conducted by a District designated physician, as opposed to the employee's own treating physician. The employee shall cooperate in signing any release necessary for the disclosure of health information and records to the District and its designated physician. The cost of examinations required by the District shall be paid by the District. The District strives to comply with federal and state laws governing health examinations and confidentiality of employee medical records.

In addition, employees may be required to have a medical examination as a condition of employment in certain positions. For example, all school bus drivers and other designated transportation employees, shall have a Department of Transportation (DOT) physical examination. A valid DOT physical certification must be maintained for continued eligibility to drive a school bus. The cost of the examination shall be paid by the District no more than annually for each designated transportation department employee.

Communicable Diseases

To the extent permitted by law and in keeping with the spirit and intent of the Centers for Disease Control (CDC) recommendations and the Colorado Springs School District 11 Board of Education's objective to adopt policies and approve regulations which promote the safety and welfare of all

students and staff of the District, and in accord with other District policies, when an employee is medically diagnosed as having a seriously debilitating or life-threatening communicable disease, (such as HIV/AIDS, or tuberculosis), the District may consider the following:

1. Each case shall be looked at individually and involve the careful weighing of health and environmental factors by a team of professionals.
2. Human Resources will consult with a group of individuals that may include a physician, public health director or designee, school official(s), Equal Opportunity Officer, Public Information Officer, a Risk Management representative, and/or a representative of the employee in order to assess the situation and determine appropriate actions.
3. The District will strive to maintain confidentiality of the employee's health information to the greatest extent possible, although disclosure to public health authorities and other government agencies, and to District personnel and medical professionals involved in health and safety of the employee, students, and other employees, may be made by the District as it deems necessary in the circumstances.
4. Human Resources shall present the findings of the given situation and recommendation of appropriate action to the Superintendent or designee for a decision.

Consistent with applicable law, this policy is not applicable to compensable, work-related injuries or illnesses. Work-related injuries or illnesses will be administered and adjusted pursuant to the Colorado Workers' Compensation Act, C.R.S. 8-40 through 47, and the Colorado Workers' Compensation Rules of Procedure.

Adopted September 1972

Revised to conform with practice: date of manual adoption

Revised January 13, 1982

Revised January 1985

Revised October 9, 1985

Revised June 1988

Revised to conform with practice May, 1995

Revised February 27, 2019

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)
 C.R.S. 8-2-118
 C.R.S. 22-32-110 (1)(k)
 C.R.S. 22-63-301
 C.R.S. 24-34-401 *et seq.*
 C.R.S. 25-4-101 *et seq.*
 1 CCR 301-26, Rules 4204-R-201

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
 GBAA, Employee Sexual and Racial Harassment/Discrimination
 EEAEAA, Controlled Substances and Alcohol Testing/Prohibited
 Conduct for District Transportation Providers
 GBA, Open Hiring/Equal Employment Opportunity and Affirmative
 Action
 GBEC, Drugs- and Alcohol-Free Workplace
 GBJ, Personnel Records and Files