



Title: **Disqualification by Reason of Health**

Code: 415

Book: Policy Manual

Section: 400 Professional Employees

Consistent with law with respect to equal opportunity and non-discrimination, it is the policy of the Board to ensure that the professional employees of the district shall be physically and mentally fit to perform their assigned duties.

A professional employee may be placed on sick leave or retired for physical or mental disability to perform assigned duties.

In the case of a teacher or other professional employee who, in the opinion of the Superintendent, is unfit to perform assigned duties by reason of physical or mental condition, the following procedure shall be followed:

- a. The Superintendent shall present to the Board reasons for questioning the condition of the employee. The employee may be transferred to an available position for which she/he is qualified and fit upon the recommendation of the Superintendent/
- b. Should the Board determine that the reasons given constitute cause to order the employee to be examined, said employee shall be given written notice of the need for such examination and an opportunity to appear before the Board, or a committee of the Board, or a hearing officer designated by the Board, within 10 days to explain why such an order will not be followed.
- c. Should a hearing ensue, the hearing shall be conducted in accordance with Sections 1127 and 1128 of the School Code if dismissal is indicated or the following rules if a dismissal is not indicated:

The hearing will be privately held.

Staff members may present witnesses on their behalf.

Witnesses will be called individually and excused after making their statement.

Witnesses need not present testimony under oath and will not be subject to cross-examination, but may be questioned by the person conducting the hearing.

d. Should the Board, following a hearing order an examination, said examination may be conducted by a physician designated by the Board and compensated by the Boar

e. The examination shall be conducted 10 days following the hearing.

f. If as a result of such examination, the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave for such period as my be indicated and with such compensation to which she/he is entitled until proof of recovery, satisfactory to the Board is furnished.

g. Should an employee refuse to submit to examination following the exhaustion of proper appeals, the Board shall consider such refusal as cause for dismissal.

Adopted: **October 21, 1981**

Last Revised: **January 17, 2023**

Last Reviewed: **January 17, 2023**
