



Book	Policy Manual
Section	For 6-14-22
Title	Copy of PHYSICAL EXAMINATION
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3160 - PHYSICAL EXAMINATION

The Board requires any candidate who has been offered employment in a position that involves contact with children or the preparation of food for children, as a condition of employment, to submit to an examination, including a ~~test for~~ tuberculosis screening questionnaire. Additional testing may be required to assure freedom from tuberculosis in communicable form., ~~in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with 118.25 Wis. Stats., the District Administrator's guidelines, and applicable law./or the terms of the collective bargaining agreement.~~

~~The Board shall also require the candidate, based on a contingent job offer, to submit to a test for controlled substances the results of which must indicate there is no evidence of unlawful non-prescribed drug use. Such examinations shall be done in accordance with the District Administrator's guidelines and applicable law.~~

No physical examination may be required of any employee who has filed an affidavit with the District Administrator requesting such exemption on the basis that the employee relies exclusively on prayer or spiritual healing in accordance with the teaching of a bona fide religious sect, denomination, or organization and that the employee is to the best of his or her knowledge and belief in good health. An employee exempt from the physical examination requirement may still be required to submit to an examination if there is reason to believe the employee may have an illness that is detrimental to the health of students. Such examination shall be only to the extent sufficient to determine whether the employee suffers from such illness.

Freedom from tuberculosis in a communicable form is a condition of employment.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator to speak to the health care provider who conducted the medical examination in order to get clarification.

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate. In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 3122.02, the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

The results of any physical examination conducted in the course of the employment process shall be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment shall be consistent with the American's with Disabilities Act (ADA) as amended and the Wisconsin Fair Employment Act (WFEA).

~~Employees will be notified of the results of the medical examination upon receipt. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).~~

~~In the event of a report of a condition that could influence job performance of an employee other than the District Administrator, the District Administrator shall base a non-employment recommendation to the Board upon a conference with the examining physician and substantiation that the condition is directly correlated to defined job responsibilities and reasonable accommodation will not allow the employee or prospective employee to adequately fulfill those responsibilities.~~

~~Freedom from tuberculosis in a communicable form is a condition of employment.~~

The Board shall assume any ~~the~~ fees for required examinations.

Revised 2/13/18

Revised 12/11/18

T.C. 1/12/21

T.C. 2/8/22

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Legal	118.25, Wis. Stats.
	118.25(2)(a), Wis. Stats.
	121.52(3), Wis. Stats.
	29 C.F.R. Part 1630
	29 C.F.R. Part 1635
	42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended
	42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

Last Modified by Coleen Frisch on May 13, 2022