



Book	Policy Manual
Section	Second Reading by Board
Title	UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY
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1461 - UNREQUESTED LEAVES OF ABSENCE/FITNESS FOR DUTY

It is the policy of the Board to protect the students and employees of this District from the effects of contagious diseases and other circumstances that render school administrators unable to perform their duties.

The Board authorizes the Superintendent to place an administrator on leave for physical or mental condition that affects the employee's ability to perform assigned duties in conformance with the law.

The Superintendent may require that the administrator submit to an appropriate examination by a healthcare provider of the administrator's choice, a health care provider designated by the District, or both.

The employee will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) in order to allow the report of the medical examination to be released to the Board/Superintendent and to allow the Superintendent to speak to the health care provider who conducted the medical examination in order to get clarification. Refusal of the administrator to submit to an appropriate examination requested by the Superintendent or to execute the HIPAA release will be grounds for disciplinary action, up to and including termination.

As required by Federal law and regulation and Board Policy 1422.02 - **Nondiscrimination Based on Genetic Information of the Employee**, the Superintendent shall direct the provider designated by the District to conduct the examination not to collect genetic information or provide any genetic information, including the individual's family medical history, in the report of the medical examination.

Pursuant to State law and in accordance with the Americans with Disabilities Act, as amended (ADA) and the Genetic Information Nondiscrimination Act (GINA), the results of any such examination shall be treated as a confidential medical record and will be exempt from release, except as provided by law. If the District inadvertently receives genetic information about an individual who is required to submit to an appropriate examination from the medical provider it shall be treated as a confidential medical record as required by the ADA.

If, as a result of his/her such examination, the administrator is found to be unable to perform assigned duties, the administrator shall be placed on leave of absence pending further determination of ability to perform duties, including evaluation of any reasonable accommodations in the event of the existence of a disability.

Should an Administrator, as defined in Policy 0100 - Definitions, refuse to submit to the examination requested by the Superintendent, such refusal shall subject the administrator to disciplinary action.

Should a professional staff member refuse to submit to the examination requested by the Superintendent, such refusal shall subject the administrator to disciplinary action.

The Superintendent may designate any period of leave under this policy as qualifying leave under State and/or Federal FMLA leave entitlement consistent with Policy 3430.01 - Family & Medical Leave of Absence (FMLA) as provided by law.

In the event the Superintendent is the administrator subject to this policy, the Board President shall direct the appropriate actions pursuant to this policy and Policy 1260 - Incapacity of the Superintendent.

Revised 2/22/17

Revised 11/18/20

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Legal 111.32, et. seq., the Wisconsin Fair Employment Act
 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 Ellen Suckow on September 22, 2025