

Book	Policy Manual
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#### 4160 - **PHYSICAL EXAMINATION**

The Board requires any candidate who has been offered a position in which s/he will come in contact with children or prepare food for children, as a condition of employment, to submit to an examination, including a tuberculosis screening questionnaire, subject to further tests, in order to determine the physical capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines and applicable law.

In addition, the School Board has specifically evaluated employee classifications and specific positions in the District and has determined that School District employment is safety sensitive. Therefore, an initial drug screening and satisfactory screening results shall be required of employees prior to assuming active employment for the District.

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/Superintendent and to allow the Superintendent or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 4160 F2).

Reports of all such examinations or evaluations shall be delivered to the Superintendent, 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 4122.02, the successful candidate who is required to submit to a medical examination, as well as the medical 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.

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 the Superintendent, the Board President shall base a consideration of nonemployment 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.

In the event of a report of a condition that could influence job performance of an employee other than the Superintendent, the Superintendent 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 fees for required examinations.

Legal

- 118.25, Wis. Stats.
- 118.25(2)(a), Wis. Stats.
- 121.52(b), 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

Cross References      Policy 3160

Last Modified by Jennifer Hagemann on December 10, 2018