

1 **Browning Public Schools**

2  
3 Policy #5130

4 Policy Name: *Staff Health*

5 Regulation: -----

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7 **Medical Examinations**

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9 Through its overall safety program and various policies pertaining to school personnel, the Board of  
10 Trustees of School District No. 9 shall promote the safety of employees during working hours and  
11 assist them in the maintenance of good health. It shall encourage all its employees to maintain  
12 optimum health through the practice of good health habits.

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14 Under the circumstances defined below, the Board may require physical examinations of its  
15 employees. Results of such physical examinations shall be maintained in separate medical files and  
16 not in the employee's personnel file and may be released only as permitted by law.

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18 **Physical Examinations**

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20 If the work is of a physically demanding nature, subsequent to a conditional offer of employment and  
21 prior to a commencement of work, the District may require an applicant to have a medical  
22 examination and to meet any other health requirements that may be imposed by federal or state rules  
23 and regulations. The District may condition an offer of employment on the results of such  
24 examination, if all entering employees in the applicable job category are subject to such examination.  
25 If approved by the superintendent or his or her designee, a thirty-(30)-day grace period beginning  
26 from the date of employment may be allowed for the employee to obtain the required medical  
27 examination.

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29 All bus drivers, including full-time, regular part-time or temporary part-time drivers, are required by  
30 state law to have a satisfactory medical examination prior to employment.

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32 **Communicable Diseases**

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34 If a staff person has a communicable disease and has knowledge that a person with compromised or  
35 suppressed immunity attends the school, the staff person must notify the school nurse, the person's  
36 supervisor or the superintendent or his or her designee that he or she has a communicable disease  
37 which could be life threatening to an immune compromised person. The school nurse or other  
38 responsible person designated by the Board must determine, after consultation with and on the  
39 advice of public health, if the immune compromised person needs appropriate accommodation to  
40 protect their health and safety.

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42 An employee with a communicable disease shall not report to work during the period of time in  
43 which the employee is infectious. An employee afflicted with a communicable disease capable of  
44 being readily transmitted in the school setting (e.g., airborne transmission of tuberculosis) shall be  
45 encouraged to report the existence of the illness in case there are precautions that must be taken to  
46 protect the health of others. The District reserves the right to require a statement from the employee's  
47 primary care provider prior to the employee's return to work.

1 **Confidentiality**

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3 In all instances, District personnel shall respect the individual’s right to privacy and treat any  
4 medical diagnosis as confidential information. Any information obtained regarding the medical  
5 condition or history of any employee shall be collected and maintained on separate forms and in  
6 separate medical files and be treated as confidential information. Only those individuals with a  
7 legitimate need to know (i.e., those persons with a direct responsibility for the care of or for  
8 determining work place accommodation for the staff person) will be provided with necessary  
9 medical information.

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11 Supervisors and managers may be informed of the necessary restrictions on the work or duties of the  
12 employee and necessary accommodations. First aid and safety personnel may be informed, when  
13 appropriate, if the disability might require emergency treatment.

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15 The superintendent is directed to establish and implement procedures to carry out this policy.

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17 **Cross Reference:**

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19 **Legal Reference:** 29 U.S.C. 794, Section 504 of the Rehabilitation Act  
20 29 CFR, Section 1630.14(c)(1)(2)(3) Examination of Employees (ADA)  
21 42 U.S.C. 12101, et seq. Americans with Disabilities Act  
22 Title 49, Chapter 4, MCA Rights of Persons with Disabilities  
23 Title 49, Chapter 2, MCA Illegal Discrimination  
24 § 20-10-103(4), MCA School bus driver qualifications  
25 16.28.1005, ARM Employee of School-Day Care Facility Care Provider  
26 (Communicable Disease Control)  
27 ARM 37.111.825 Health Supervision and Maintenance

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29 **Policy History:**

30 Adopted on: 4/10/01

31 Revised on: 5/30/07 (Formerly Policy #5160)

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