Staff Health
(And Physical and Mental Health Examination Requirements)

Through its overall safety program and various policies pertaining to school personnel, the Board shall seek to insure the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain good health and practice good health habits.

Under the following circumstances, the Board may require physical examinations of its employees or applicants for employment. The district shall pay for all such physical examinations. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only in limited circumstances.

Routine physical examinations
Subsequent to a conditional offer of employment and prior to commencement of work, the district shall require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the state. The district shall condition an offer of employment on the results of such examination if all entering employees in the applicable job category are subject to such examination. A 30-day grace period may be allowed if approved by personnel services.

All bus drivers, including full-time, part-time or temporary drivers shall be required to have a physical examination once every two years to obtain or renew an operator's permit.

Special examinations
The Board recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with his ability to perform his duties or there is a risk to the health and safety of the employee or others, the district shall take necessary steps to evaluate the employee's condition and make appropriate employment decisions.

The Board may request physical examinations and/or mental health examinations of any employee at any time to determine if the employee has a physical and/or mental condition, disease or illness which may interfere with employee's ability to perform his duties or which may pose a significant risk to the health, safety or welfare of the employee or others. The school district shall select the medical professional to conduct such examination and shall pay the costs associated with such examination.

When the employee cannot perform the essential functions of the job with reasonable accommodation, or medical evidence established that the employee's condition poses significant risk to the health, safety or welfare of the employee or others, the school district may suspend and/or terminate the employee in accordance with applicable policies, regulations, and applicable law.

Readily-transmitted Communicable diseases
An employee with an acute, common communicable disease shall not report to work during the period of time in which he is contagious/infectious. The district reserves the right to require a physician's statement prior to the employee's return to work.

Any employee who becomes aware that he has a long-term, communicable disease, which although life-threatening poses little risk of transmission in a school setting, is encouraged to report to a designated school administrator that he is afflicted with the disease. The administrator shall follow the procedures accompanying this policy to evaluate the employment status of the staff member.
HIV Infection
Any employee who becomes aware of personal infection with the human immunodeficiency virus (HIV), which although life-threatening poses little risk of transmission in a school setting, is encouraged to report to a designated school administrator the diagnosis of HIV. The administrator shall follow the procedures accompanying this policy to evaluate the employment status of the staff member.

To encourage disclosure, the school district shall endeavor to treat these employees in a fair, nondiscriminatory and confidential manner consistent with the district's legal obligations. Federal and state law mandate, pursuant to provisions protecting persons with disabilities, that such employees shall not be discriminated against on the basis of their disabilities and that, reasonable accommodations be made to enable qualified individuals with disabilities to continue working.

Confidentiality
In all instances, district personnel shall respect the individual's right to privacy and treat any information regarding the medical condition or medical history of an employee or applicant as confidential information. The superintendent shall develop procedures to ensure that all medical information will be held in strict confidence. Any school staff member who violates the confidentiality shall be subject to appropriate disciplinary measures.

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42 U.S.C. §12101 et seq. (Americans with Disabilities Act)
C.R.S. 8-2-118 (employer must bear cost of medical exam)
C.R.S. 22-32-110 (1)(k) (board’s power to adopt policy related to safety, conduct and welfare of employees)
C.R.S. 22-63-301 (grounds for teacher dismissal)
C.R.S. 24-34-401 et seq. (discriminatory or unfair employment practices)
C.R.S. 25-4-101 et seq. (disease control and sanitary regulations)
1 CCR 301-26, Rules 4204-R-201 (regulations regarding operation of school transportation vehicles; requirement of physical exam every two years)

CROSS REFS.: ACE, Nondiscrimination on the Basis of Handicap/Disability (Compliance with Section 504)
EBBA, Prevention of Disease/Infection Transmission
GBA, Open Hiring/Equal Employment Opportunity and Affirmative Action
GBJ, Personnel Records and Files
GCCCA/GCCBA, Instructional Staff/Administrative Staff Sick Leave
GCQF, Discipline, Suspension and Dismissal of Professional Staff Members
GDCA, Support Staff Sick Leave
GDQD, Discipline, Suspension and Dismissal of Support Staff Members