

1 **5130 PERSONNEL**

2 Staff Health

3 Medical Examinations

4 Through its overall safety program and various policies pertaining to school personnel, the Board shall
5 promote the safety of employees during working hours and assist them in the maintenance of good
6 health. It shall encourage all its employees to maintain optimum health through the practice of good
7 health habits.

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

11 Physical Examinations

12 The District participates in a Pre-Placement Physical Program for all custodial, maintenance, grounds,
13 craft, warehouse and food services personnel and other positions deemed inclusive of this policy as
14 determined by specific Board action. Subsequent to a conditional offer of employment in a position for
15 which the District may require participation in a pre-placement physical but before commencement of
16 work, the District may require an applicant to have a medical examination and to meet any other health
17 requirements which may be imposed by the state. The District may condition an offer of employment on
18 the results of such examination, if all employees who received a conditional offer of employment in the
19 applicable job category are subject to such examination. The report shall certify the employee's ability to
20 perform the job-related functions of the position for which the employee is being considered. Such
21 examination shall be used only to determine whether the applicant is able to perform with reasonable
22 accommodation job-related functions.

23 Communicable Diseases

24 The term "communicable disease" refers to the diseases identified in [37.114.203, ARM](#), Reportable
25 Diseases, with the exception of common colds and flu.

26 If a staff member has a communicable disease, the staff member must notify their immediate Supervisor
27 of the communicable disease which could be life threatening to an immune-compromised person. The
28 immediate Supervisor must determine, after consultation with and on the advice of public health officials,
29 if the immune-compromised person needs appropriate accommodation to protect their health and safety.

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

36 Confidentiality

37 In all instances, District personnel shall respect the individual's right to privacy and treat any medical
38 diagnosis as confidential information. Any information obtained regarding the medical condition or
39 history of any employee shall be collected and maintained on separate forms and in separate medical files
40 and be treated as confidential information. Only those individuals with a legitimate need to know will be
41 provided with necessary medical information.

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

4 Cross Reference:

5 Policy 2162 - Section 504 of the Rehabilitation Act of 1973
6 Policy 2162R - Section 504 of the Rehabilitation Act of 1973
7 Policy 5002 - Accommodating Individuals with Disabilities
8 Policy 5230 - Prevention of Disease Transmission

9 Legal Reference:

10 29 U.S.C. 794, et seq. Section 504 of the Rehabilitation Act
11 29 CFR, Part 1630.14(c) Examination of Employees
12 42 U.S.C. § 12101, et seq. Americans with Disabilities Act
13 Title 49, Chapter 2, MCA Illegal Discrimination
14 Title 49, Chapter 4, MCA Rights of Person with Disabilities
15 37.114.203, ARM Reportable Diseases
16 Admin. R. Mont. 37.114.1010 Employee of School: Day Care Facility Care Provider
17 Admin. R. Mont. 37.111.825 Health Supervision and Maintenance

18 Policy History:

19 Adopted on: July 1, 2000
20 Revised on: August 23, 2010
21 Revised on: March 26, 2018