

STAFF PHYSICAL EXAMINATIONS

Employees are responsible for obtaining all physical examinations that may be required under this policy and relevant law.

As a condition of employment, new District employees shall complete a health examination performed by a qualified medical practitioner. Any such new-employee health examination shall include a screening questionnaire for tuberculosis (approved by the Wisconsin Department of Health Services) and, if indicated, a test to determine the presence or absence of tuberculosis in a communicable form.

By policy or rule, the District may require employees to complete additional health examinations at intervals deemed appropriate by the School Board. Any such additional examination may include the completion of a screening questionnaire for tuberculosis that is administered by a qualified medical practitioner, school nurse, or registered nurse.

Evidence that employees are of sound health, sufficient to perform the essential functions of their assignment, is necessary to make binding the offer of employment or the initial contract, as applicable, with the District. To the extent provided under state law, freedom from tuberculosis in a communicable form is a condition of employment.

At the discretion of the Superintendent or his/her administrative-level designee and upon the request of an individual who has been offered employment, the District may accept proof of a qualifying health examination that was completed by a medical practitioner in the 90-day period preceding initial employment in lieu of requiring a separate examination. In such a situation, the employee must be willing to provide any consent that is necessary to authorize the practitioner to provide the District with a copy of the relevant report and any appropriate confidential recommendations therefrom.

To the extent mandated by applicable law, new-employee physical examinations and any interval-based re-examinations that are not separately required by a state or federal law shall not be mandatory for any employee (or applicant who has been offered employment) who files a written affidavit with the District that sets forth (1) that that he/she depends exclusively upon prayer or spiritual means for healing in accordance with the teachings of a bona fide religious sect, denomination or organization; (2) that the employee is, to the best of the employee's knowledge and belief, in sound health; and (3) that the employee claims exemption from a physical examination on these grounds. No employee shall be discriminated against by reason of his/her filing of such an affidavit. However, notwithstanding the filing of any such affidavit, the District reserves the right to require a physical examination by an appropriate medical practitioner where the District has reasonable cause to believe that the employee (or applicant) is suffering from a condition that would be detrimental to the health of students and in any other circumstances permitted or required by law.

The District may also require a physical and/or mental examination at the expense of the District where reasonable doubt arises in the minds of the District concerning the current health of the employee, and consistent with the limitations imposed by applicable state and federal law. Failure to comply with this request or failure to provide a medical practitioner's certification of sufficiently sound health to perform duties assigned may result in discipline up to and including discharge/termination.

ADOPTED: January 22, 2001

REVISED: August 13, 2018

REVIEW DATE: August 13, 2018

Legal References:

Wisconsin Statutes:

Section 103.15	[restrictions on use of HIV test]
Section 111.321	[prohibited bases for employment discrimination under state law]
Section 111.322	[discriminatory actions prohibited]
Section 118.195	[discrimination against teachers with a disability prohibited]
Section 118.25	[school employee health examinations; including a statutory definition of “practitioner”]
Section 121.555(2)(c)	[medical examinations required of employees who provide transportation to students]
Section 146.81 – 146.84	[patient health care records]
Section 343.12(2)	[school bus operator requirements; includes physical examination requirement]

Federal Laws

Americans with Disabilities Act	[nondiscrimination on the basis of disability; employee medical examinations and recordkeeping]
Health Insurance Portability and Accountability Act	(HIPAA) [restrictions on disclosure of personal health information]

CROSS REF.: Employee Handbook