



PERSONNEL - CERTIFIED/NON-CERTIFIED

4118.14

Disabilities/Communicable and Infectious Diseases

The board of education prohibits discrimination against a qualified individual with a disability with regard to job application procedures, hiring, advancement, employee compensation, or job training. The board will afford qualified disabled individuals reasonable accommodations. The Supreme Court of the United States has recognized that individuals with a communicable disease may be considered disabled.

Disabled employees who can no longer perform essential job functions are encouraged to advise their supervisors or administrators of the nature of their disability and which functions cannot be performed. The board will consider any reasonable suggestions of accommodation that would enable performance of those functions so long as the accommodation will not impose an undue hardship on the operation of the school system.

Policy Adopted: 1/21/92  
Revised: 5/17/16

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## Disabilities/Communicable and Infectious Diseases

Medical Examinations

The school board may make pre-employment inquiries into the ability of an applicant to perform job related functions. Medical examinations may be required after an offer of employment has been extended to an applicant and before commencement of employment duties. Any information obtained from such medical examinations will be collected and maintained on separate forms in separate medical files and will be treated confidentially.

An employee who is not qualified to perform their duties or whose medical condition or disability poses a direct threat to the health or safety of individuals in the workplace, once properly established by medical evidence and after proper procedural due process procedures, may be relieved of their duties or reassigned.

The board of education may lawfully refuse to assign a person having a communicable disease, which is transmittable through the handling of food to such duty or position as specified in the Federal Register Food and Drug Administration Regulations of May, 1991.

Privacy

The confidentiality of medical records of applicants or employees shall be strictly observed in accordance with the state and federal laws. Medical records shall be maintained separately from an applicant or employee personnel file. Such information may be released in limited circumstances:

- A. Upon signed release by the individual;
- B. To inform supervisor or administrator about any restriction or accommodation to accomplish work or duties of the employee;
- C. Emergency medical treatment;
- D. In compliance with state or federal law.

Connecticut General Statutes Section 19a-581, "Aids Testing And Medical Information", provides that no person shall request HIV-related testing or disclose HIV-related information without written or oral informed consent of such individual.

4118.14(b)

4218.14

### Alternative Accommodations

The Supreme Court has recognized that individuals with contagious diseases will be considered as having a disability. Disabled certified employees who can no longer perform essential job functions are encouraged to advise their administrators of the nature of their disability, indicating which functions cannot be performed and suggest accommodations that would enable them to perform those functions. Accommodations will be considered if such accommodation does impose an undue hardship on the operation of the school system.

A certified employee is not qualified to perform his/her duties, whose medical condition or disability poses a direct threat to health or safety of individuals in the workplace, if it has been properly established by medical evidence and the employee has been afforded proper procedural due process safeguards.

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