

THE SCHOOL DISTRICT OF SOUTH ORANGE AND MAPLEWOOD, NEW JERSEY

TEACHING STAFF MEMBERS
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Physical Examination-M

3160 PHYSICAL EXAMINATION

The Board of Education requires each newly employed teaching staff member to undergo a physical examination. This examination shall not be used to determine a candidate's disabilities and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to P.L. 101-336, Americans with Disabilities Act of 1990 (ADA). School employee physicals, examinations, and/or annual medical updates do not require screening or disclosure of HIV status.

The physical examination shall include, but is not limited to, a health history to include past serious illnesses and injuries; current health problems; allergies; and a record of immunizations. The physical examination shall also include a health screening to include, but not limited to: height and weight; blood pressure; pulse and respiratory rate; vision screening; hearing screening; and Mantoux test for tuberculosis.

All candidates for employment who have received a conditional offer of employment will be required to undergo a fitness for duty examination. This examination shall not be used to determine a candidate's disabilities and shall be used only to determine whether the applicant is able to perform with reasonable accommodation job-related functions pursuant to the ADA. A fitness for duty examination may include, but not be limited to, range of motion, lifting, carrying, agility, etc., and other skills which may be identified which are necessary for the performance of the job responsibilities as indicated in the applicable job description. This examination shall not be used to determine a candidate's disabilities and shall be used only to determine whether the applicant is able to perform with reasonable accommodation the job-related functions pursuant to the ADA.

If upon completing an examination(s) it is determined a candidate for employment who received a conditional offer of employment is unable to perform with reasonable accommodation the job-related functions pursuant to the provisions of the ADA, the conditional offer of employment will be rescinded either by the Superintendent of Schools, if the Board has not yet approved the appointment, or by the Board, if the Board had approved the appointment at a Board meeting.

All candidates for employment who have received a conditional offer of employment will be required to be tested for the usage of controlled dangerous substances as they are defined in N.J.S.A. 2C:35-2. This testing will be completed in accordance with New Jersey Department of Health and Department of Education guidelines.

Pursuant to N.J.S.A. 18A:16-3, the Board shall bear the cost of physical examinations required by this Policy performed by a physician or institution designated by the Board. However, the candidate shall bear the cost if the examination is performed by a

physician or institution designated by the **candidate with approval of the Board. In the event the Board approves the physician or institution designated by the candidate to complete an examination required by this Policy, the candidate will be provided with the detailed requirements of the examination.**

A Mantoux tuberculosis test shall be given to all student teachers, school bus drivers on contract with the district, and contractors or volunteers who have contact with students.

All staff members' medical and health records, including computerized records, will be secured, stored, and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee. **Health records may be shared only with authorized individuals in accordance with N.J.S.A. 18A:16-5. The staff member may provide health-status information, including medications that may be of value to medical personnel in the event of an emergency requiring treatment. In such instances, the staff member may also choose to share with the staff member's Building Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.**

Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6A:32-6.3. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 or disability in accordance with Policies 3425 and 3435.

42 U.S.C.A. 12101

N.J.S.A. 18A:16-2 N.J.A.C. 6A:32-6.1; 6A:32-6.2; 6A:32-6.3

~~The Board of Education may include testing for controlled dangerous substances, as defined in N.J.S.A. 2C:35-2, as part of any physical examination required of a candidate who has received a conditional offer of employment. Such testing shall be conducted in accordance with guidelines developed by the Department of Education in consultation with the Department of Health. Any testing shall be conducted by a physician or institution designated by the Board of Education. Costs shall be paid by the Board of Education.~~

~~A teaching staff member may provide health status information, including medications, which may be of value to medical personnel in the event of an emergency requiring treatment. School employee physicals, examinations and/or annual medical updates do not require screening or disclosure of HIV status. The staff member may also choose to share with the Principal and, if desired, with the certified school nurse, information regarding current health status to assure ready access in a medical emergency.~~

~~Physical examinations required by this policy shall be limited to those assessments or information necessary to determine the individual's physical and mental fitness to perform with reasonable accommodation in the position he/she seeks or currently holds and to detect any health risks to pupils or other employees. The pre-employment physical examination shall not be used to~~

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~~determine a candidate's disabilities. Such examination shall be used only to determine whether the applicant is able to perform, with or without reasonable accommodation, job functions pursuant to the Americans with Disabilities Act.~~

~~If the result of any such examination indicates mental abnormality or communicable disease, the employee shall be ineligible for further service until proof of recover, satisfactory to the Board of Education, is furnished. Employees under contract or tenured may be granted sick leave with compensation as provided by law and shall, upon satisfactory recovery, be permitted to complete the term of his/her contract, if under contract, or be reemployed with the same tenure, unless the absence exceeds a period of two years.~~

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~~All records and reports relating to any such examination shall be the property of the Board of Education, and shall be filed with its medical inspector as confidential information but shall be open for inspection by officers of the New Jersey Department of Health and the local board of health. All staff members' medical and health records, including computerized records, will be secured and maintained separately from other personnel files. The information contained in medical records will be kept confidential. Except as set forth herein, only the staff member, the Superintendent, and the school medical inspector shall have access to medical information regarding an individual employee, except as follows: (1) records of an employee having HIV infection or AIDS may be disclosed only as authorized by the employee; and (2) the section of the medical record that contains the health history may be shared with the staff member's Building Principal and the school nurse with the consent of the staff member.~~

~~Additional individual psychiatric or physical examinations of any staff member may be required by the Board whenever, in the judgment of the Board, a staff member shows evidence of deviation from normal physical or mental health. Any additional individual examinations will be pursuant to the requirements of N.J.A.C. 6:3-4A.4. Additional examinations and/or certifications may be required to verify fitness in accordance with Policy 3161 or disability in accordance with Policy 3425.~~

~~Americans with Disabilities Act, 42 U.S.C.A. 12101 et seq.
N.J.S.A. 18A:16-2 et seq; 18A:16-2 through 16-5
N.J.A.C. 2C:35-2; 6:3-4A.1 et seq.~~

Cross References: 4160, 3161, 3425

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