

Personnel - Certified/Non-Certified

Disabilities

Medical Examinations

The Ledyard Board of Education 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 and in separate medical files and will be treated with confidentiality.

Employees who are 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 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, 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 through 585, "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.

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 not impose an undue hardship on the operation of the school system.

An employee is not qualified to perform his/her duties if:

1. His/her medical condition or disability poses a direct threat to health or safety of

- individuals in the workplace;
2. The condition or disability has been properly established by medical evidence; and
 3. The employee has been afforded proper procedural due process safeguards.

(cf. 4112.4/4212.4 - Health Examinations)

Legal Reference:

Connecticut General Statutes

19-581 through 585 AIDS testing and medical information.

10-209 Records not to be public.

46a-60 Discriminatory employment practices prohibited.

Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20
U.S.C. 706(7)(b).

American Disability Act of 1989.

Chalk v. The United States District Court of Central California.

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LEDYARD PUBLIC SCHOOLS
Ledyard, Connecticut