

# Policy

**BOARD OF EDUCATION  
HORTONVILLE AREA SCHOOL DISTRICT**

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## PHYSICAL EXAMINATION

The Board requires any candidate who has been offered employment, in a position that involves contact with children or the preparation of food for children, as a condition of employment, to submit to a physical examination, including a tuberculosis screening questionnaire. Additional testing may be required to assure freedom from tuberculosis in communicable form. Such examinations shall be done at the expense of the employer. Please note, any employee who fails to report to a scheduled physical examination appointment, will be responsible for payment.

No physical examination may be required of any employee who has filed an affidavit with the District Administrator requesting such exemption on the basis that the employee relies exclusively on prayer or spiritual healing in accordance with the teaching of a bona fide religious sect, denomination, or organization and that the employee is to the best of his or her knowledge and belief in good health. An employee exempt from the physical examination requirement may still be required to submit to an examination if there is reason to believe the employee may have an illness that is detrimental to the health of students. Such examination shall be only to the extent sufficient to determine whether the employee suffers from such illness.

Freedom from tuberculosis in a communicable form is a condition of employment.

Employees will be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/District Administrator and to allow the District Administrator or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification.

Reports of all such examinations or evaluations shall be delivered to the District Administrator, who shall protect their confidentiality. Reports will be discussed with the employee or candidate.

Employees will be notified of the results of the medical examination upon receipt. Any and all reports of such examination will be maintained in a separate confidential personnel file in accordance with the Americans with Disabilities Act, as amended ("ADA") and the Genetic Information Nondiscrimination Act (GINA).

The results of any physical examination conducted in the course of the employment process shall be solely for the purpose of determining employment eligibility or as may otherwise be required by law. Consideration of physical information in employment shall be consistent with the American's with Disabilities Act (ADA) as amended and Wisconsin Fair Employment Act (WFEA).

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The Board shall assume any fees for required examinations.

The Board may permit the new employee to submit proof of an examination and a tuberculin test, in lieu of the above requirement, providing it is dated not more than ninety (90) days before the date of employment.

118.25, Wis. Stats.

118.25(2)(a), Wis. Stats

121.52(3), Wis. Stats.

29 C.F.R., Part 1630

29 C.F.R. Part 1635

42 U.S.C. 12101 et seq. Americans with Disabilities Act of 1990, as amended

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

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