

PHYSICAL EXAMINATION

The Board of Education, acting through the Superintendent, reserves the right to require, after a conditional offer of employment, that the successful candidate submit to medical examination in order to determine his/her physical and/or mental capacity to perform the essential functions of the position, with or without reasonable accommodation, provided that the Board requires other successful candidates for the same position (or job classification) to do so. Such examinations shall be done in accordance with the Superintendent's guidelines and/or the terms of the negotiated, collectively-bargained agreements.

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/Superintendent and to allow the Superintendent or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification (see Form 3160 F2). Such report should indicate whether the candidate can perform the essential functions of the position, with or without reasonable accommodation.

In compliance with the Genetic Information Nondiscrimination Act (GINA) and Board Policy 3122.02 the successful candidate who is required to submit to a medical examination, as well as the health care provider that is designated by the Board to conduct the examination, are directed not to collect genetic information or provide any genetic information, including the candidate's family medical history, in the report of the medical examination.

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).

In the event of a report indicating that the candidate is not qualified to perform the position's essential functions, with or without reasonable accommodation, the Superintendent will make a recommendation to the Board of non-employment. The Superintendent or his/her designee may discuss the results of the report with the healthcare provider who conducted the medical examination prior to the Superintendent making a recommendation to the Board.

The Board shall pay for required examinations.

The Board may require, at initial employment, that all professional staff members undergo a tuberculosis examination in accordance with law and at the direction of the Ohio Department of Health, the local health department, or the District's medical advisor.

~~Any information and record(s) obtained will be kept confidential and shall not be released or disseminated.~~

R.C. 3313.71, ~~3319.02~~
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
29 C.F.R. Part 1630
29 C.F.R. Part 1635
A.C. 3701-15-02

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