

Personnel – Certified/Non-Certified

Disabilities

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.

Legal Reference: Connecticut General Statutes

10-209 Records not to be public.

19-581 AIDS testing and medical information.

46a-60 Discriminatory employment practices prohibited.

Federal Law

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

American Disability Act of 1989, 42 U.S.C. 12101 et. seq., as amended by the ADA Amendments Act of 2008.

29 CFR, Part 1630, Regulations to Implement the Equal Employment Provisions of the ADA, as amended, published in the Federal Register, Vol. 76, No. 58, 3/25/11.

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

Policy adopted: April 11, 2016

THOMASTON PUBLIC SCHOOLS
Thomaston, Connecticut

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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 and in separate medical files and will be treated with confidentiality.

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 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 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.

**SECTION 504/ADA
EMPLOYEE REQUEST FOR ACCOMMODATION**

1. Name of Employee: _____ Title/Position: _____

2. Eligibility Determination

Individuals considered eligible for protection from discrimination under Section 504/ADA are those who have a physical or mental impairment which substantially limits a major life activity; has a record of such impairment; or is regarded as having such an impairment.

A. Please describe your mental or physical disability:

B. Please describe the major life activity substantially limited by your disability:

C. Please describe how your disability affects your ability to perform essential job functions:

D. Please describe the specific accommodation(s) being requested:

E. Have you attached medical documentation to support your request? Yes No

F. If "no", please provide the name and contact information for your treating physician:

Name:

Address:

Telephone#:

3. **Authorization to Communicate with Medical Provider**

I hereby authorize my employer, the _____ District to obtain, and for the medical provider listed above, to release confidential protected health information to the Director of Pupil Personnel Services for the limited purpose of determining any work related restrictions and/or accommodations which may be necessary in order to fulfill the essential function of my employment responsibilities. Any information received by my employer pursuant to this authorization shall be subject to all applicable state and federal confidentiality laws governing further use and disclosure of such information.

Employee Signature

Date

**ONCE COMPLETED, THIS FORM, ALONG WITH SUPPORTING DOCUMENTATION
SHOULD BE FORWARDED TO THE DIRECTOR OF PUPIL PERSONNEL SERVICES.**