

Disabilities/Communicable and Infectious Diseases

The Wallingford 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.

I. MEDICAL EXAMINATIONS

The 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 confidentially.

An employee who is not qualified to perform his or her 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 procedural due process, may be relieved of his or her 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.

II. 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:

1. Upon signed release by the individual.
2. To inform a supervisor or administrator about any restriction or accommodation to accomplish work or duties of the employee.
3. In the event of an emergency medical treatment.
4. In compliance with state or federal law.

Connecticut General Statutes provides that no person shall request HIV-related testing or disclose HIV-related information without written or oral informed consent of such individual.

Disabilities/Communicable and Infectious Diseases (continued)

Legal References: Connecticut General Statutes:
10-209. Records not to be public.
19a-582. Informed consent for testing.
19a-583. Limitations on disclosure of HIV-related information.
46a-60. Discriminatory employment practices prohibited.
46a-61. Discriminatory employment practices: Mental order exception
Section 504 of the Federal Rehabilitation Act – Nondiscrimination under
Federal Grants and Programs
Americans with Disabilities Act

Policy Approved: 6/22/92

Policy Revised: 12/17/01