

SCHUYLKILL VALLEY SCHOOL DISTRICT

SECTION: EMPLOYEES

TITLE: DISQUALIFICATION BY
REASON OF HEALTH

ADOPTED: February 26, 2001

REVISED: September 23, 2013

315. DISQUALIFICATION BY REASON OF HEALTH	
<p>1. Authority Pol. 104</p>	<p>Consistent with law with respect to equal opportunity and nondiscrimination, it is the policy of the Board to ensure that the programs and operations of this district are administered by individuals physically and mentally fit for the assigned duties.</p>
<p>SC 1122</p>	<p>An-employee may be placed on sick leave or be retired for physical or mental disability that makes him/her unfit to perform assigned duties.</p>
<p>2. Guidelines</p>	<p>When an employee, in the opinion of the Superintendent, is unfit to perform assigned duties by reason of physical or mental condition, the following procedures shall be followed:</p>
<p>SC 1418</p>	<ol style="list-style-type: none"> 1. The Superintendent shall present to the Board reasons for questioning the condition of the employee. 2. Should the Board determine that the reasons given constitute sufficient cause to order the employee to be examined, the employee shall be given written notice of the need for examination and an opportunity to appear before the Board, a committee of the Board, or a hearing officer designated by the Board within ten (10) days to explain why such an order will not be followed.
<p>SC 1127, 1128</p>	<ol style="list-style-type: none"> 3. The Board may offer a hearing which, if accepted by the employee, shall be conducted in accordance with law if dismissal is indicated or the following rules if dismissal is not indicated: <ol style="list-style-type: none"> a. The hearing will be held privately. b. Staff members may present witnesses on their behalf. c. Witnesses will be called individually and excused after making their statement.

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<p>SC 1418</p> <p>School Code 1122, 1127, 1128, 1153, 1154, 1418</p>	<ul style="list-style-type: none"> d. Witnesses need not present testimony under oath and will not be subject to cross-examination, but they may be questioned by the person presiding over the hearing. e. Staff members may be represented by counsel or by an individual of the employee's choice. <ul style="list-style-type: none"> 4. Following a hearing, if the Board orders an examination it may be conducted by a physician selected by the employee from a list provided by the Board. 5. The examination shall be conducted within ten (10) days following the hearing. 6. If as a result of the examination the employee is found to be unfit to perform assigned duties, the employee shall be placed on mandatory sick leave for the period as may be indicated with the compensation to which s/he is entitled until proof of recovery, satisfactory to the Board, is furnished. 7. Should an employee refuse to submit to examination following the exhaustion of proper appeals, the Board shall consider such refusal as cause for dismissal. <p>This policy does not conflict with federal or state requirements provided through the Family Medical Leave Act (FMLA) or the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).</p>
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