

**Personnel****SUBJECT: EMPLOYEE MEDICAL EXAMINATIONS****Preemployment Medical Examinations**

In accordance with the Americans with Disabilities Act, as amended in 2008, the Port Jervis City School District shall not require applicants for positions to undergo a medical examination prior to an offer of employment. Further the District will not make inquiries of a job applicant as to whether the applicant is an individual with a disability or as to the nature or severity of a disability.

However, the District may make preemployment inquiries into the ability of an applicant to perform job-related functions.

**Subsequent Medical Examinations**

The Port Jervis School Board reserves the right to request a medical examination at any time during employment, at School District expense and by the medical professional approved by the School District, in order to determine whether any employee can perform the essential functions of the position with or without reasonable accommodation.

Any information obtained regarding the medical condition or history of the employee is to be maintained in a separate medical file and is to be treated as a confidential medical record, except that:

- a. Supervisors may be informed regarding necessary restrictions on the work or duties of the employee and the necessary accommodations.
- b. First aid or safety personnel may be informed, when appropriate, if the disability might require emergency treatment.

The final acceptance or rejection of a medical report with reference to the health of an employee lies within the discretion of the School Board.

Americans with Disabilities Act Amendments Act (ADAAA) of 2008, Public Law 110-325)  
Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191  
45 Code of Federal Regulations (CFR) Parts 160 and 164  
Education Law Sections 913 and 3624  
8 New York Code of Rules and Regulations (NYCRR) Section 156.3(2)  
10 New York Code of Rules and Regulations (NYCRR) Part 14  
15 New York Code of Rules and Regulations (NYCRR) Part 6

Adopted: 08/24/10