

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

**Personnel
HEALTH EXAMINATIONS**Policy Statement:

The Fresno County Superintendent of Schools ("FCSS" or "County Superintendent") will ensure that prior to and as a condition of employment, an applicant shall submit a certificate from an authorized health provider stating that the applicant was assessed and/or examined and found to be free of infectious tuberculosis in accordance with this policy.

Tuberculosis Tests

No applicant shall be initially employed by the FCSS, or employed under contract, in a classified or certificated position unless they have submitted a tuberculosis risk assessment within the past 60 days and, if tuberculosis risk factors are identified, has submitted to an intradermal or other approved tuberculosis examination to determine that they are free of infectious tuberculosis. If the results of the examination are positive, the applicant shall obtain an x-ray of the lungs. At their discretion, an applicant may choose to submit to the examination instead of the risk assessment. (Education Code 49406)

An applicant who was previously employed in another school district or private or parochial school shall be deemed to have fulfilled the tuberculosis testing requirement if they produce a certificate showing that they were found to be free of infectious tuberculosis within 60 days of initial hire or if their previous employer verifies that it has a certificate on file showing that the applicant is free from infectious tuberculosis. (Education Code 49406)

Thereafter, each FCSS employee who was found free of infectious tuberculosis shall undergo a tuberculosis risk assessment, and an examination whenever risk factors are identified, at least once every four years or more often when required by the FCSS upon recommendation of the county health officer. However, once an employee has a documented positive test for tuberculosis infection followed by an x-ray, they shall no longer be required to submit to the tuberculosis risk assessment but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care. (Education Code 49406)

The cost of the pre-employment tuberculosis risk assessment and/or examination shall be paid by the applicant, unless the FCSS has determined that the FCSS will reimburse an applicant who is subsequently hired by the FCSS. The FCSS shall reimburse the employee for the cost, if any, of subsequent tuberculosis risk assessments and examinations. The FCSS may provide for the risk assessment and examination or may establish a reasonable fee for the examination that is reimbursable to the employee. (Education Code 49406)

Whenever the FCSS contracts for the transportation of students, the contract shall require that all drivers who will be transporting students complete the tuberculosis risk assessment and, if indicated, the examination for infectious tuberculosis within 60 days of initial hire. (Education Code 49406)

The following applicants or employees shall be exempted from the requirement to submit to a tuberculosis risk assessment and/or examination: (Education Code 49406)

1. An applicant/employee who files an affidavit stating that they adhere to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS

accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of their knowledge and belief, they are free from infectious tuberculosis

Such an exemption shall be allowed only if the FCSS determines by resolution, after a hearing, that the health of students would not be jeopardized. If at any time there is probable cause to believe that the applicant/employee is afflicted with infectious tuberculosis, they may be excluded from service until the FCSS is satisfied that they are not afflicted.

2. A classified employee who is employed for less than one school year and whose functions do not require frequent or prolonged contact with students.
3. A pregnant employee who has positive results on a tuberculosis skin test, in which case they shall be exempted from the requirement to follow up with an x-ray of the lungs for a period not to exceed 60 days after the end of the pregnancy.

Note: The FCSS will accept negative Quanti FERON blood test results as well as x-ray results for those who test positive with a purified protein derivative (PPD) test.

Examination of Certificated Employees for Disabling Diseases

To fill a certificated position with an applicant who has not previously been employed in a certificated position in California, or with a retiree who has not been employed as a retiree, the FCSS shall have on file a medical certification indicating that the applicant or retiree is free from any disabling disease which would render them unfit to instruct or associate with children. (Education Code 44839, 44839.5)

The certificate shall be completed and submitted directly to the FCSS by an authorized health care provider. The medical examination referenced in the certificate must have been conducted within six months of the date that the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)

Applicants and retirees shall pay for the cost of obtaining the medical certification. (Education Code 44839, 44839.5)

Certificated employees and/or retirees shall be required to periodically undergo, at the FCSS' expense, a medical examination pursuant to Education Code 44839 or 44839.5 to determine that they are free from any communicable disease that would make them unfit to instruct or associate with children.

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CSBA

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