

## **Dixon Montessori Charter School Governing Board Policy Employee Health and Tuberculosis Policy**

### **Policy for New and Continuing Employees**

The Executive Director shall ensure that new employees comply with all the health examination requirements of California law. In addition, the Executive Director may require applicants for employment to undergo an ADA post-offer of employment medical examination to show that they are physically able to perform the duties of specific jobs.

All employees are required to undergo tuberculosis examinations and provide a certificate showing that they are free of communicable tuberculosis. Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law. (Education Code section 49406)

The Board is concerned about the prevalence of tuberculosis in our community and may require continuing employees to undergo tuberculosis tests when warranted upon the recommendation of the local health officer. Additionally, employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of Dixon Montessori Charter School students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position. (Education Code section 44839, 45122)

No person shall be initially employed by Dixon Montessori in a certificated or classified position unless the person has submitted to an examination within the past 60 days to determine that he or she is free of active tuberculosis. This examination shall consist of either an approved intradermal tuberculin test or any other test for tuberculosis infection that is recommended by the federal Centers for Disease Control and Prevention (CDC) and licensed by the federal Food and Drug Administration (FDA), which, if positive, shall be followed by an X-ray of the lungs in accordance with subdivision (f) of Section 120115 of the Health and Safety Code.

The Executive Director may exempt, for a period not to exceed 60 days following termination of the pregnancy, a pregnant employee from the requirement that an X-ray of the lungs follow a positive intradermal tuberculin test.

Employees who test negative by either the tuberculin skin test or any other test for tuberculosis infection recommended by the CDC and licensed by the FDA shall be required to undergo the foregoing examination at least once each four years or more often if directed by the governing board upon recommendation of the local health officer for so long as the employee's test remains negative.

Once an employee has a documented positive test for tuberculosis infection conducted pursuant to this subdivision which has been followed by an X-ray, the

foregoing examination is no longer required, and a referral shall be made within 30 days of completion of the examination to the local health officer to determine the need for follow up care. After the examination, each employee shall cause to be on file with the district superintendent of schools a certificate from the examining physician and surgeon showing the employee was examined and found free from active tuberculosis.

The tuberculosis examination is a condition of initial employment and the expense shall be borne by the applicant. However, if an applicant is accepted for employment Dixon Montessori Charter School may, at its discretion, reimburse the employee for the cost, if any, of a tuberculosis examination.

At the discretion of the governing board, this policy shall not apply to those employees not requiring certification qualifications who are employed for any period of time less than a school year whose functions do not require frequent or prolonged contact with pupils.

If the governing board of Dixon Montessori Charter School determines by resolution, after hearing, that the health of pupils at Dixon Montessori would not be jeopardized, the tuberculosis examination and testing shall not apply to any employee who files an affidavit stating that he or she adheres to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion and that to the best of his or her knowledge and belief he or she is free from active tuberculosis. If at any time there should be probable cause to believe that the affiant is afflicted with active tuberculosis, he or she may be excluded from service until the Dixon Montessori Charter School Governing Board is satisfied that he or she is not so afflicted.

A person who transfers his or her employment from one school or school district to another shall be deemed to meet the tuberculosis testing requirements if that person can produce a certificate which shows that he or she was examined within the past four years and was found to be free of communicable tuberculosis, or if it is verified by the school previously employing him or her that it has a certificate on file which contains that showing.

A person who transfers his or her employment from a private or parochial elementary school, secondary school, or nursery school to Dixon Montessori Charter School shall be deemed to meet the tuberculosis testing requirements if that person can produce a certificate as provided for in Section 3450 of the Health and Safety Code which shows that he or she was examined within the past four years and was found to be free of communicable tuberculosis, or if it is verified by the school previously employing him or her that it has a certificate on file which contains that showing.

### **Policy for Classroom Volunteers and Presenters**

Classroom volunteers are required to provide proof of tuberculosis that they are free of communicable tuberculosis prior to service in the classroom or as field trip chaperones or attendees. People associated with Dixon Montessori Charter School who have not provided proof of a negative tuberculosis test, may not join a field trip in progress off site as this defeats the purpose of this policy in limiting student exposure to individuals who may potentially have tuberculosis.

Classroom teachers may ask a presenter who has not provided proof of a negative tuberculosis test to speak to or give a demonstration to students provided that the activity offers little opportunity for close contact between the individual and students as would occur in a small group setting. This provision does not extend to any situation where there is reason to think that the presenter might have active tuberculosis.

### **Maintenance of Employee Tuberculosis Records**

The Office Manager will keep a database of employee tuberculosis records.

The Office Manager will provide an annual notification to those employees who will require a new tuberculosis test on file within the current school year.

Employees are expected to provide the school with updated tuberculosis testing as indicated in the school's Health and Tuberculosis Policy prior to their expiration date.

The Office Manager will notify the Executive Director of any employees who are delinquent in proving that they are free of active tuberculosis.

The Executive Director has the authority to prevent DMCS staff from working with students until proof has been furnished. The Executive Director is also responsible for notifying the Governing Board if the employee will be temporarily exempted or is requesting exemption through one of the provisions outlined above.

### **Maintenance of Volunteer Tuberculosis Records**

The office manager will record the names of each volunteer associated with the charter school who has provided proof of a negative tuberculosis test. These records will be maintained in a binder in the office.

It is the responsibility of the staff member who is requesting volunteer assistance to make certain that each classroom volunteer or person who will be in contact with students has fulfilled the tuberculosis requirements for volunteer service prior to any contact with Dixon Montessori students.

Adopted: