

**DISQUALIFICATION BY REASON OF PHYSICAL CONDITION**

Staff members who are absent for more than ten consecutive days are required to provide medical documentation stating the reason for the absence and the anticipated date of return. Such staff members will be required to request a leave of absence until the designated return date.

The Board of Education reserves the right to place on sick leave or request retirement of a staff member when that member suffers a physical or emotional disability that significantly interferes with the proper performance of his or her duties.

Where a staff member shows evidence of deviation from normal physical or mental health, the Superintendent shall recommend to the Board of Education that the member submit to a physical or mental examination. Written notice of the Superintendent's recommendation shall be furnished to the member setting forth the reasons for the demand for examination and the opportunity for the member to appear before the Board within ten days to explain or refute those reasons. An employee who requests a hearing before the Board may be represented by counsel and may present witnesses. Any such hearing will be privately conducted, and the employee shall be notified in writing of its outcome.

If the Board accepts the Superintendent's recommendation, the staff member shall be ordered to submit to an appropriate examination by a physician selected and paid by the Board. The results of the examination shall be reviewed by the Board and a determination shall be made on the issue of whether the employee possesses a mental abnormality or communicable disease.

An employee found to be unfit to perform assigned duties shall be deemed ineligible for service until proof of recovery, satisfactory to the Board, is furnished in accordance with N.J.S.A. 18A:16-4. The employee may utilize any sick days that he/she may have during his/her period of ineligibility.

A staff member who refuses to submit to the examination required by the Board and has exhausted the hearing procedures established by this policy shall be subject to discipline, which may include the certification of tenure charges to the Commissioner of Education, if tenured.

N.J.S.A.            18A:6-10 et seq.; 18A:16-2 et seq.; 18A:25-6;  
                         18A:30-1 et seq.; 18A:66-39  
N.J.A.C.            6:29-7.4

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