

Americans with Disabilities Act Compliance Policy

Code: **ACA**

Amity School District 4J

Adopted: 12/09/92 Revised/Readopted: 10/06/93, 09/12/01

Americans with Disabilities Act

The district, in compliance with the Americans with Disabilities Act, is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

The district will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment application procedures; hiring, advancement or discharge; employee compensation; job training; other terms, conditions and privileges of employment upon request and advance notice.

A reasonable accommodation must not present an undue hardship for the district, be unduly costly, extensive or disruptive; nor present a direct threat to the health or safety of others in the workplace.

District services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, the district will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the Board. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

The Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the Americans with Disabilities Act, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

END OF POLICY

Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794. Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Echazabal v. Chevron, _F3d_ (9th Cir 2000). ("Direct threat" exception to "otherwise qualified" portion of ADA does not apply to employee's own health or safety.)

