



Administrative Procedures for Board Policy 5014

Reasonable Accommodations

Title I of the Americans with Disabilities Act of 1990 (ADA) require the District to provide reasonable accommodations to qualified individuals with disabilities who are employees, unless doing so would cause an undue hardship. The primary purpose of this procedure is to provide employees a process for requesting a reasonable accommodation.

Accommodation Request

An employee may request a reasonable accommodation at any time during the period of their employment. The request should be submitted directly to the employee's supervisor, and may be submitted verbally or in writing. An employee should request a reasonable accommodation when they know that there are workplace barriers that are preventing them, due to a disability, from effectively performing a job. As a practical matter, it may be in an employee's interest to request a reasonable accommodation before performance suffers or conduct problems occur.

Upon receipt of a request, a supervisor will engage in an informal process to clarify what the individual needs and identify the appropriate reasonable accommodation. The supervisor may ask the individual relevant questions that will enable them to make an informed decision about the request. This includes asking what type of reasonable accommodation is needed. While the employee with the disability does not have to be able to specify the precise accommodation, they do need to describe the problems posed by the workplace barrier.

Documentation

If an employee's disability and/or their need for an accommodation is not obvious, the District may ask the individual for reasonable documentation about their disability and functional limitations. Reasonable documentation, for the purpose of this procedure, means that the District may request only documentation that is needed to establish that a person has an ADA disability, how to provide a reasonable accommodation, or other types of inquiries that are permissible under the ADA such as whether the employee poses a direct threat to safety. The District may require the documentation about the disability and the functional limitations come from an appropriate health care or rehabilitation professional. Appropriate professionals include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals who are qualified to give an opinion related to the employee's disability.



Accommodation Selection

The District may choose among reasonable accommodations as long as the chosen accommodation is effective. As part of the interactive process, the District may offer alternate suggestions for reasonable accommodations and discuss the effectiveness in removing workplace barriers that are impeding the employee with the disability. If there are multiple possible reasonable accommodations, and one costs more or is more burdensome than the other, the District may choose the less expensive or burdensome accommodation as long as it is effective. The District does not have to show that it is an undue hardship to provide the more expensive or more difficult accommodation. The preference of the employee with the disability will be given consideration. However, the District has the ultimate discretion to choose between effective accommodations.

Benefits and Privileges of Employment

As required by the ADA, the District will provide reasonable accommodations so that employees with disabilities can enjoy the “benefits and privileges of employment” equal to those enjoyed by similarly-situated employees without disabilities. Benefits and privileges of employment include, but are not limited to, employer-sponsored: training, services (e.g., employee assistance programs, lounges, training programs, etc...), and District-sponsored social functions. If an employee with a disability needs a reasonable accommodation in order to gain access to, and have an equal opportunity to participate in, these benefits and privileges, then the District will provide reasonable accommodation unless it creates an undue hardship for the District.

Undue Hardship

The District does not have to provide a reasonable accommodation that would cause an undue hardship to the District. Undue hardship is based on an individual assessment of current circumstances that show a specific reasonable accommodation would cause significant difficulty or expense.

Timeframe

The District will respond expeditiously to a request for reasonable accommodation. If the District and the employee with the disability need to engage in an interactive process, this will happen as quickly as possible.

Review of Decisions

An employee who does not receive a requested accommodation in a timely manner should feel free to contact the Human Resources office for assistance. Supervisors should also work with Human Resources to address questions of reasonable accommodation. In addition, employees who believe they have not been provided a



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reasonable accommodation after following this process may pursue the grievance procedures set forth in Policy and Procedure 5010, Nondiscrimination.