

**Administrative Procedures for Policy #1118 (Administration)
Regarding Discrimination in Calvert County Public Schools**

Reasonable Accommodation Procedure

I. Policy

- A. The Board of Education of Calvert County (the “Board of Education”) is committed to providing an educational and work environment that is free of discrimination on the basis of disability. The Board of Education is also committed to providing open access to all individuals to Calvert County Public Schools (“CCPS” or the “District”) facilities, programs, and activities. The Board of Education prohibits discrimination on the basis of disability in its educational programs, co-curricular and extra-curricular activities, and in the workplace. To that end, the Board of Education maintains this process to address allegations of discrimination on the basis of disability and to provide reasonable accommodations to qualified individuals with disabilities.

II. Definitions

- A. Disability means a physical or mental impairment that substantially limits a major life activity.
- B. Major Life Activities means functions that include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working.
- C. Essential Functions means those job duties that are fundamental to the position, as determined on a case-by-case basis.
- D. Qualified Individual With a Disability means:
1. With respect to employment, an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the position;
 2. With respect to the District’s programs and activities, generally, an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.
- E. Reasonable Accommodation means:
1. With respect to employment, a reasonable accommodation may include making facilities used by employees readily accessible to and usable by a qualified individual with a disability, job restructuring, part-time or modified

work schedules, acquisition or modification of equipment or devices, the provisions of readers or interpreters, and other similar actions.

2. With respect to the District's programs and activities, generally, a reasonable modification or adjustment to the policies, practices, or procedures of the District that affords the qualified individual with a disability an equal opportunity to participate in the District's programs and activities, unless such a modification would fundamentally alter the nature of the service, program, or activity.

- F. Undue Hardship means, with respect to employment, any action that is unduly costly, extensive, substantial, and disruptive, considering, on a case-by-case basis, the cost of the accommodation needed and the impact of the accommodation on the operation of the District's programs and activities.

III. Section 504/ADA Coordinator

- A. Employee and Third Party Complaints should be addressed to the Director of Human Resources or his/her designee, who has been designated to coordinate ADA and Section 504 compliance efforts.

Contact information:

Director of Human Resources
1305 Dares Beach Road
Prince Frederick, Maryland 20678
443-550-8000

- B. Student and Parent Complaints should be addressed to the Director of Student Services or his/her designee, who has been designated to coordinate ADA and Section 504 compliance efforts.

Contact information:

Director of Student Services
1305 Dares Beach Road
Prince Frederick, Maryland 20678
443-550-8000

IV. Reasonable Accommodation Procedure

- A. The District will make reasonable modifications to its policies, practices, or procedures whenever such modifications are necessary to ensure equal opportunity for a qualified individual with a disability to participate in the District's programs and activities, unless the requested modification would result in the fundamental alteration of the program or activity.
- B. The District will make reasonable accommodations to known physical or mental limitations of an otherwise qualified applicant or employee unless the accommodation would impose an undue hardship on the operation of the District's programs or activities.
- C. In considering whether a reasonable modification is required, the District will engage in an individualized inquiry to determine whether the modification is necessary. In order

Administration 1118.4

Procedures Written: 1/16/18

Procedures Revised:

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to be effective, auxiliary aids and services will be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

- D. Requests for accommodations should be made in writing to the appropriate Section 504/ADA Coordinator or their designee. The request must describe the claimed disability, how it affects the employee's performance of essential job functions or the individual's ability to participate in the District's programs and activities, and how the requested accommodation would enable the employee to perform these functions or the individual to participate in these programs and activities. The request shall contain the name, address, email, and telephone number of the individual making the request. Requests for accommodations needed for meetings or presentations should be made in writing at least ten (10) business days in advance of the meeting or presentation or as soon as possible prior to the day of the event.
- E. The appropriate Section 504/ADA Coordinator or their designee will review the request, conduct an investigation, and engage the individual in an interactive process to resolve the request. The Section 504/ADA Coordinator or their designee will contact the individual within ten (10) business days of receiving the request to respond or ask for additional information if necessary to determine whether the employee is a qualified individual with a disability, and the type of accommodation that may be effective. The Section 504/ADA Coordinator or their designee may gather and/or request additional information if needed, including medical documentation, needs assessments, etc., consider input from the Section 504/ADA input or designee and the District's medical expert, if necessary, and coordinate with other District offices. If the request is complicated or cannot otherwise be resolved within ten (10) business days, a reasonable extension may be provided. In determining what type of accommodations are necessary, the District shall give primary consideration to the requests of the individuals with disabilities.
- F. At the conclusion of the initial interactive process, the Section 504/ADA Coordinator or their designee will issue a determination in writing informing the individual whether: 1) the request has been granted, 2) the request has been denied, or 3) if an alternative accommodation has been granted.
- G. The District will continue to engage the individual in an interactive process to address any issues that may arise with the District's provision of the agreed-upon accommodation(s). The District will address any instances where it is determined that there was a failure to provide any accommodations granted, that accommodations provided were ineffective, and to ensure the delivery of effective accommodations.
- H. An individual may request a reconsideration of the decision of the Section 504/ADA Coordinator or their designee in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) business days to the Section 504/ADA Coordinator or their designee.
- I. The Section 504/ADA Coordinator or their designee will maintain a file or database for all accommodation requests made under this procedure which shall contain the following: 1) date(s) of requests for accommodation, 2) nature of each request and any supporting documents provided, 3) reason(s) for any denials, 4) the date of

communication from any individual indicating any concerns with the provision or effectiveness of the accommodations provided, and 5) the steps taken by the District to engage in an interactive process to resolve such concerns. Records pertaining to requests for accommodation shall remain confidential in accordance with applicable law.

V. Grievance Procedures

- A. All complaints regarding this procedure will be reported and investigated in accordance with Procedures 1118.1 Regarding Discrimination: Investigation and Resolution of Complaints.
- B. The right of a person to a prompt and equitable resolution of a complaint filed thereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.