

Exhibit

Explanation of Americans With Disabilities Act Policy

The Resolution

The Resolution adopts a nondiscrimination statement, a policy, directs the preparation of transition and self-review plans, and ensures the appointment of an ADA Coordinator.

The Policy

Section 1 of the policy first reiterates the nondiscrimination statement found in the resolution.

Section 2 of the policy requires the appointment of a coordinator to facilitate compliance with the ADA as required by the regulations. This coordinator is required to monitor ADA compliance and answer questions regarding the ADA from employees, students and the general public. The coordinator is required to specifically assist employees in becoming sensitive to the requirements of the ADA. The coordinator also functions as the first step of the grievance procedure required by the Act. It is our opinion that all grievances should first be addressed by the coordinator since that individual should be the most knowledgeable person in the area. Designating the coordinator as the initial contact person should diminish the chance of any inappropriate response or action.

Section 3 of the policy provides for the grievance procedure. An employer with 50 or more employees is required to have a grievance procedure. This grievance procedure is open for use by any individual who has a complaint, including employees, students or the general public. The grievance procedure is designed to start by having the coordinator meet with the grievant and then investigate the alleged concern. The coordinator is then required to make a finding and recommendation which is forwarded to the Superintendent for action. The grievant may object to the finding and recommendation. We suggest that the recommendation be forwarded to the Superintendent before any action is taken because a recommendation could possibly include the expenditure of substantial sums of money to rectify the grievance in addition to other types of action. The procedure also provides that if the remedy found in the recommendation is not within the authority of the Superintendent to implement, the recommendation must then be taken to the Board. The grievant is given an opportunity to appear and respond at both the Superintendent step and the Board step. You should note that while the regulations require the implementation of a grievance procedure, the failure of an individual to use the grievance procedure, or a decision of the District in response to the grievance procedure, does not preclude that individual from filing an action under the ADA.

Section 4 of the Policy requires a posting of the policy and directs inquiries to the

Section 5 of the policy requires the posting of a Notice informing individuals of their rights under the Act and identifying the Coordinator. We have also enclosed a notice form to be

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