

*Adopted: January 10, 2005*

*Revised: August 22, 2016, November 28, 2022, May 8, 2023*

*Reviewed: September 11, 2017, August 12, 2019*

## **402 DISABILITY NONDISCRIMINATION POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

### **II. GENERAL STATEMENT OF POLICY**

A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.

B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.

C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose undue hardship on the operation of the business of the school district.

D. Any job applicant or employee wishing to discuss the need for accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact the school district's Human Rights Officer or alternate.

Human Rights Officer:

Tammy Albers, Human Resources Director  
5910 Shingle Creek Pkwy  
Brooklyn Center, MN 55430  
763-450-3386 ext. 1002  
[talbers@bccs286.org](mailto:talbers@bccs286.org)

Alternate:

John Huber, POSA  
5910 Shingle Creek Pkwy  
Brooklyn Center, MN 55430  
763-272-4922  
[jhuber@bccs286.org](mailto:jhuber@bccs286.org)

**Legal References:**

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
29 U.S.C. § 794 et seq. (Section 504 of the Rehabilitation Act of 1973)  
42 U.S.C. § 12101 (Americans with Disabilities Act)  
29 C.F.R. Part 32 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)  
34 C.F.R. Part 104 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)  
29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)  
29 U.S.C. § 2615 (Family and Medical Leave Act)  
38 U.S.C. § 4211 et seq. (Employment and Training of Veterans)  
38 U.S.C. § 4301 et seq. (Employment and Reemployment Rights

of

Members of the Uniformed Services)  
42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 et seq. (Equal Opportunity for Individuals with Disabilities)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)