

## **AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

Douglas County School District (DCSD) is committed to complying with all applicable provisions of the Americans with Disabilities Act ("ADA"). It is Douglas County School District's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, Douglas County School District will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the District aware of his or her disability, if such accommodation does not constitute an undue hardship on the District.

### **A. Purpose**

The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals based on race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

It is the policy of Douglas County School District to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is DCSD's policy not to discriminate against qualified individuals with disabilities concerning application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

### **B. Procedure for Requesting an Accommodation**

The Douglas County School District encourages individuals with disabilities to come forward and to request reasonable accommodations. The Accommodation Request Form can be found on the [dcsdk12.org](http://dcsdk12.org) website > under A-Z, Letter H (Human Resources) > Americans with Disabilities Act. A medical note might be requested by the Compliance Specialist as well.

After receiving the accommodation request, the Compliance Specialist will contact the employee or candidate via email to confirm the receipt of the request and to start the interactive process with the employee and his/her supervisor to identify the precise limitations resulting from the disability and the potential accommodation that the department or site might be able to implement to help overcome those limitations.

The Compliance Specialist will recommend reasonable accommodations to the employee and supervisor, considering various factors, including, but not limited to the nature, effectiveness and cost of the accommodation, and the employee's ability to perform the essential and/or marginal functions of his/her position.

Once an agreement was reached, the Compliance Specialist will inform the employee and his/her supervisor via email by summarizing the accommodations that will be put in place. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final.

The ADA does not require DCSD to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.).

### **A. General Information**

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

Douglas County School District will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to DCSD. Contact the ADA Manager with any questions or requests for accommodation.

All employees are required to comply with DCSD's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made concerning the employee's immediate employment situation. Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy.