

Americans with Disabilities Act Policy

Consistent with the requirements of the Americans with Disabilities Act of 1990, the Lynwood Unified School District will not discriminate against any qualified employee, or job applicant, with respect to privileges or conditions of employment because of the person's physical or mental disability. The Lynwood Unified School District will make reasonable accommodations, for qualified individuals who meet the ADA definition of disability, when they do not pose a direct threat to the health and safety of others, and the accommodations do not produce an undue hardship or fundamentally alter the nature of the employment or program.

The term "disability" means, with respect to an individual:

1. a physical or mental impairment that substantially limits one or more of the major life activities
2. a record of such impairment or
3. being regarded as having such impairment

If a qualified individual meets any one of these three tests, he or she is considered to be an individual with a disability, for the purposes of coverage under the Americans with Disabilities Act.

The term "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodations, can perform the essential functions of the employment position that such individual holds or desires.

The Lynwood Unified School District's Americans with Disabilities Act Policy applies to all personnel and employment practices, including:

- Advancement
- Award of tenure
- Company-sponsored recreational and social activities
- Compensation and/or benefits of any kind
- Educational program

- Hiring
 - Job assignment
 - Job Training
 - Layoff or termination
 - Leaves of absence, sick leave, or any other leave
 - Recruitment or recruitment advertising
 - Transfer
 - Upgrading

All individuals, and qualified individuals with disabilities, are assured that all information regarding their disability shall be kept completely confidential except that:

1. Appropriate supervisors and managers may be informed regarding job related restrictions in the work, or duties, of employees with disabilities and any accommodations that have been made.
2. If the condition may require emergency treatment or first aid.
3. Government officials investigating compliance with federal and state laws may be informed.

The Lynwood Unified School District will take affirmative steps to provide “reasonable accommodation” for qualified individuals with disabilities. An accommodation consists of any change in the work environment or the manner in which a job is usually performed that “enables an individual with a disability to enjoy equal employment opportunities”

The term “reasonable accommodation” is defined as any modification or adjustment to:

1. The job application process that enables a qualified individual with a disability to be considered for an employment position.

2. The work environment or the manner in which a job is performed, that enables a qualified individual with a disability to perform the essential functions of that position.
3. Enable an employee with a disability to enjoy equal benefits and privileges of employment as similarly situated employees without disabilities.

A “reasonable accommodation” will not be made if it is judged that this accommodation is unduly costly, extensive, substantial, disruptive, or will fundamentally alter the nature of the job or employment program in the District.

A job applicant or employee, who believes he or she has been discriminated against on the basis of disability, may make a written complaint as soon as possible after the incident to his or her immediate supervisor or, Classified Personnel, for investigation. The complaint shall include: a description of the offending behavior(s) or violations; date(s), time(s) and locations(s) of incident(s); name(s) of witnesses, if any. If it is determined that discrimination occurred, appropriate disciplinary action will be commensurate with the severity and/or frequency of the offense.