The Americans with Disabilities Act Amendments Act of 2008 (ADAAA)

TITLE 1

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of Employment. The ADA covers employers with 15 or more employees, Including state and local governments. It also applies to employment agencies and to Labor organizations. The ADA's nondiscrimination standards also apply to Federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules.

DEFINITION OF KEY TERMS

QUALIFIED INDIVIDUAL WITH A DISABILITY:

An individual with a disability is qualified if:

(1) he/she satisfies the requisite skill, experience, education, and other job-related requirements of the position; and

(2) he/she can perform the essential functions of the position, with or without the accommodation.

REASONABLE ACCOMMODATION:

Any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities.

DISABILITY:

A physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having an Impairment. Major life activities include, but are not limited to, walking, speaking, breathing, hearing, seeing, learning, thinking, performing manual tasks, and caring for oneself.

UNDUE HARDSHIP:

A specific type of reasonable accommodation that causes significant difficulty or expense and focuses on the resources and circumstances of the particular employer in relationship to the cost of difficulty of providing a specific accommodation. Undue hardship refers not only to financial difficulty, but also to reasonable accommodations that are unduly extensive, substantial, or disruptive, or those that would fundamentality alter the nature or operation of the business.

FUNCTIONAL LIMITATION:

The inability to perform an action or a set of actions, either physical or mental, because of a physical or emotional restriction or limitation.

ESSENTIAL JOB FUNCTIONS:

Fundamental job duties of the employment position that the individual with a disability holds or desires. Essential functions are the primary job tasks of why the position exists.

REASSIGNMENT:

In accordance with the Equal Employment Opportunity Commission Guidelines, "Reassignment to another position will be considered ONLY when an accommodation is not possible in an employee's present job or when an accommodation in the employee's present job would cause an undue hardship." In addition, an employer is not required to create a new job or to "bump" another employee from a job in order to provide a reasonable accommodation; nor is an employer required to promote an individual with a disability to make such an accommodation. If reassignment is the accommodation, the employee will be given a "reasonable amount of time" in which to seek alternate employment with the District. The employee must be qualified for, and able to perform the essential functions of the vacant position with or without reasonable accommodation.

MISSION STATEMENT

The Department of Equal Educational Opportunities/ADA Compliance is committed to ensuring equal opportunity and equal access for all stakeholders.

Equal Educational Opportunities/ ADA Compliance
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The School Board of Broward County, Florida, prohibits any policy or procedure which results in discrimination on the basis of age, color, disability, gender identity, gender expression, genetic information, marital status, national origin, race, religion, sex or sexual orientation. The School Board also provides equal access to the Boy Scouts and other designated youth groups. Individuals who wish to file a discrimination and/or harassment complaint may call the Director, Equal Educational Opportunities/ADA Compliance Department & District's Equity Coordinator/Title IX Coordinator at 754-321-2150.

Individuals with disabilities requesting accommodations under the Americans with Disabilities Act Amendments Act of 2008, (ADAAA) may call Equal Educational Opportunities/ADA Compliance Department at 754-321-2150.

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