

REASONABLE ACCOMMODATION

The District provides reasonable accommodation to employees or job applicants who are “qualified individuals” with known mental or physical “disabilities,” as those terms are defined by the Americans with Disabilities Act (“ADA”) and the California Fair Employment and Housing Act. The District’s goal in providing reasonable accommodation is to enable a qualified individual with a disability to enjoy equal employment opportunities when compared to a similarly-situated employee who does not have a disability. It is the responsibility of the applicant or employee with a disability to inform the District that an accommodation is needed to participate in the application process, to perform essential job functions, or to receive equal benefits and privileges of employment.

Any employee who feels that he or she needs accommodation to perform his or her job duties should first speak to his or her supervisor or site administrator. If that is not possible or practical, the employee should contact the office of the District’s Nondiscrimination Coordinator, Dr. Pat Jaurequi, at 686-7795.

The site supervisor or administrator may request assistance from the District’s Human Resources Department or any appropriate District staff. The reasonable accommodation process is generally an interactive process, which begins with an exchange of information. The goal is to work together to identify a disability-related problem and to discuss possible solutions. As part of this process, the employee should generally describe the disabling condition, its effect on his or her job, and some potential solutions. It may be necessary for the employee to provide documentation of his or her functional limitations to support the request for accommodation. The District also requires medical examinations and makes medical inquiries to provide the necessary information to properly address a reasonable accommodation request, a noted difficulty in an employee’s ability to perform his or her job effectively, or when an employee’s injury or illness may have become a “disability.”

If an accommodation cannot be made at the site, the site administrator or supervisor shall ask that the reasonable accommodation request be submitted in writing to the District’s Nondiscrimination Coordinator (the Coordinator). The site administrator or supervisor shall provide the employee or applicant with any assistance he/she may need in order to submit this request.

(cf. 1312.1 - Complaint Procedures)

Reasonable accommodation may consist of a modification or adjustment to a job, a work environment or customary work practices and may include, but is not limited to:

1. Job restructuring.

REASONABLE ACCOMMODATION (Continued)

2. Part-time or modified work schedules.
3. Reassignment to a vacant position.
4. Acquisition or modification of equipment or devices.
5. Appropriate adjustment or modification of examinations.
6. The provision of qualified readers or interpreters.
7. Use of accrued paid leave or unpaid leave for necessary treatment.
8. Reserved parking space for persons with mobility impairment.

Upon receiving a request to reasonable accommodate the physical or mental disability of a district employee or qualified job applicant, the Coordinator shall:

1. Determine the essential functions of the job.
2. Consult with the employee or applicant to determine his/her precise limitations and how they may be mitigated.
3. With the employee or applicant's help, review the request for accommodation, identify potential means for providing accommodation, and assess their effectiveness; and
4. If possible, develop a plan for the accommodation that would satisfy the employee or applicant's concerns without imposing undue hardship on the District.

The determination of whether an individual poses a significant risk of substantial harm to others shall be made on a case by case basis and shall be based on objective, factual evidence, taking into consideration the duration of the risks, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the imminence of potential harm. (Code of Federal Regulations, Title 29, Section 1630.2)

The Coordinator may confer with the site administrator, the District medical advisor and/or other district staff before making a final decision.

The Coordinator shall notify the employee or applicant of the results of his/her determination.

REASONABLE ACCOMMODATION (Continued)

Complaint Process

At the end of this process, if a disabled employee or applicant who has requested accommodation is dissatisfied with the District's response on his/her request, he or she may file a complaint in accordance with Administrative Regulation 1312.1 - Complaint Procedures.

Legal Reference: UNITED STATES CODE, TITLE 29
 791 et seq. Vocational Rehabilitation Act of 1973, Sections 503 and 504
 UNITED STATES CODE, TITLE 42
 12101 et. seq. Americans With Disabilities Act
 CODE OF FEDERAL REGULATIONS, TITLE 29
 1630.2 Direct Threat

Regulation
Approved: May 16, 1994
Revised: April 6, 1998

ELK GROVE UNIFIED SCHOOL DISTRICT
Elk Grove, California