

# Creswell School District 40

Code: **ACA**  
Adopted: 3/95  
Readopted: 4/8/98; 11/10/10  
Orig. Code(s): ACA

## **Americans with Disabilities Act**

The district, in compliance with the Americans with Disabilities Act, is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

The district will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment application procedures; hiring, advancement or discharge; employee compensation; job training; other terms, conditions and privileges of employment upon request and advance notice.

A reasonable accommodation must not present an undue hardship for the district, be unduly costly, extensive or disruptive; nor present a direct threat to the health or safety of the individual or others in the workplace.

District services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, the district will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the Board. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

The Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the Americans with Disabilities Act, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Officer of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY

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**Legal Reference(s):**

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).

Americans with Disabilities Act Amendments Act of 2008.

**Cross Reference(s):**

AC - Nondiscrimination

FA - Facilities Development Goals

FJ - Temporary District Facilities

GAB - Job Descriptions

GBA - Equal Employment Opportunity

GBL - Personnel Records

G CBD/GDBD - Leaves and Absences

G CBDB/GDBDB - Early Return to Work

JB - Equal Educational Opportunity