

**Harney County
School District 3**

Code: **ACA**
Adopted: 4/13/99
Readopted: 2/12/13
Orig. Code(s): ACA

Americans with Disabilities Act

The Harney County School District 3, in compliance with the Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), is committed to maintaining employment, facilities, communications and transportation practices that provide equity to individuals with disabilities in all phases of the district's programs, services and benefits.

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 with appropriate advance notice.

Reasonable accommodations provided must not present an undue hardship for the district; must not be unduly costly, extensive or disruptive nor present a direct threat to the health and safety of the individual as others in the workplace.

All district facilities, programs, services and communications will be accessible and usable by disabled persons, consistent with Section 504 of the federal 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 ADA and ADAAA, 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.

In its efforts to ensure equal access to individuals with disabilities, the Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the Americans with Disabilities Act.

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

END OF POLICY

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.