

# Multnomah Education Service District

Code: **ACA**  
Adopted: 9/20/94  
Amended: 2/15/05; 9/20/05; 6/15/10  
Reviewed: 10/04/10

## **Americans with Disabilities Act**

The Multnomah Education Service District, in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Amendments Act of 2008 (ADA), is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

MESD shall 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 shall not require significant difficulty or expense; nor present a direct threat to the health or safety of others in the workplace.

MESD services, programs and activities shall be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Federal Rehabilitation Act of 1973 and ADA. Accessibility may be achieved through nonstructural as well as structural methods.

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

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.

The Board directs the Superintendent to develop and implement an appropriate plan that provides for MESD compliance with Federal laws, 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.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.630](#)  
[ORS 326.051\(1\)\(e\)](#)  
[ORS 342.934\(3\)](#)  
[ORS 659.850](#)  
[ORS 659.865](#)  
[ORS 659.870](#)  
[ORS 659.805](#)  
[ORS Chapter 659A](#)  
[ORS 659.815](#)

[OAR 581-021-0046](#)  
[OAR 581-021-0045](#)  
[OAR 581-022-1140](#)

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.

**MESD Policy Cross Reference(s):**

AC - Non Discrimination  
GA- Personnel Policy Goals  
GB - Personnel Policies  
GBA - Equal Employment Opportunity  
GBM - Staff Complaints  
GBNA/JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing  
GCC - Recruitment of Staff  
IGBHA - Alternative Education Programs  
IGBHE - Expanded Options Program  
II/IIA - Instructional Resources/Instructional Materials  
IKF - Graduation Requirements  
IKH - Credit for Proficiency  
IL - Assessment Program  
JA/JAA - Student Policies, Goals and Objectives  
JAB - Learning Supports to Enhance Achievement  
JB - Equal Educational Opportunity  
JE - Attendance  
JECD - Assignment of Students to Classes  
JFE - Pregnant Students