

**Neah-Kah-Nie  
School District 56**

Code: **ACA**  
Adopted: 1/08/01  
Readopted: 11/12/07; 2/09/15  
Orig. Code(s): ACA

**Americans with Disabilities Act**

The district, in compliance with the Americans with Disabilities Act Act of 1990 and the Americans with Disabilities Act Amendment Act of 2008 (ADA), is committed to maintaining employment, facilities, communications and transportation practices that provide equity to qualified 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 for positions and current employees upon request and with appropriate advance notice. Primary consideration will be given to the requests of the individuals with disabilities in the selection of appropriate auxiliary aids and services. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

Reasonable accommodation 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 or others in the workplace.

All district services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the federal Rehabilitation Act of 1973 and the ADA. 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, 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 Office 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  
BD/BDA - Board Meetings/Regular Board Meetings  
BDDA - Notification of Board Meetings  
FJ - Temporary District Facilities  
GAB - Job Descriptions  
GBA - Equal Employment Opportunity  
GBL - Personnel Records  
GCBG/GDBD - Leaves and Absences  
GCBDB/GDBDB - Early Return to Work  
JB - Equal Educational Opportunity