

Three Rivers School District

8550 New Hope Rd • PO Box 160 • Murphy, OR 97533

Policy: ACA
Adopted: 4/17/06

AMERICANS WITH DISABILITIES ACT

The District, in compliance with the Americans with Disabilities Act (ADA) of 1990, and with the Americans with Disabilities Act Amendment of 2008, 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 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 ADA. Accessibility may be achieved through nonstructural 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. If necessary, final determinations 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

Legal References:

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

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

~~Echazabal v. Chevron, F3d (9th Cir 2000). ("Direct threat" exception to "otherwise qualified" portion of ADA does not apply to employee's own health or safety.)~~

Chevron USA Inc v. Echazabal, 536 US 73 (2002)

Americans with Disabilities Act Amendments Act of 2008