

PERSONNEL

Employment of Persons with Disabilities

The district supports equal opportunity for individuals with disabilities as provided for in RCW Chapter 49.60, Americans with Disabilities Act (ADA) and Section #504 of the Rehabilitation Act of 1973. The superintendent shall designate ADA and Section #504 compliance officers to ensure that the provisions of the ADA and Section #504 are implemented. The compliance officers shall post notices describing the applicable provisions of the ADA and Section #504 and develop compliant and grievance procedures.

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions shall prevail:

1. No qualified person with disabilities shall, solely by reason of a disability, be subjected to discrimination, and the district shall not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotion and includes fringe benefits and other elements of compensation.
2. The district shall make reasonable accommodations necessary to permit the known physical or mental limitations of an otherwise qualified applicant or staff member with a disability to participate in the job application process, to perform the essential functions of the job, or to enjoy the benefits and privileges of employment equal to those enjoyed by employees without disabilities, unless it is clear that accommodation would impose an undue hardship on the operation of the district program. In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.
3. The district shall not make use of any employment test or criteria that screens out persons with disabilities unless:
 - a. the test or criteria is clearly and specifically job-related; and
 - b. alternative tests or criteria that do not screen to persons with disabilities are available.
4. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.

Prohibition against discrimination because of a disability shall not apply if the particular disability prevents the proper performance of the worker involved.

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Employment of Persons with Disabilities (continued)

Any individual who has reason to believe that the school district is violating this policy or the law (ADA) prohibiting discrimination may initiate a grievance through the procedures for staff complaints, by reporting it to their immediate supervisor or the compliance officer.

Legal reference:	RCW 49.60.180	Unfair practices of employers
	RCW 49.60.400	Discrimination, preferential treatment prohibited
	RCW 49.60.010	Purpose of chapter - law against discrimination
	WAC 392-190	Equal education opportunity-Unlawful discrimination prohibited
	42 USC 1211-12213	Americans with Disabilities Act (ADA)
	Public Law 101-336	July 26, 1990
	34 CFR 104	Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance.

Adopted

June 15, 2015

June 3, 2002

November 20, 1995

January 25, 1993