

**Linn Benton Lincoln
Education Service District**

Code: **ACA**
Adopted: 6/9/99
Readopted: 3-14-12

Americans with Disabilities Act

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

The ESD will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment 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 ESD, be unduly costly, extensive, or disruptive; nor present a direct threat to the health or safety of the individual or others in the workplace.

ESD services, programs, and activities will be accessible and useable by qualified individuals with disabilities, 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 ESD 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 ESD.

The Board directs the superintendent to develop and implement an appropriate plan that provides for ESD 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 non-compliance.

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.

Cross Reference(s):

AC - Nondiscrimination

GBA - Equal Employment Opportunity

JB - Equal Educational Opportunity