

Title I of the Americans with Disabilities Act of 1990 (the ADA) and Section 504 of the Rehabilitation Act of 1973 protect individuals from discrimination based on a disability and require employers to provide reasonable accommodation to qualified employees or applicants for employment with a disability, unless to do so would cause undue hardship. The District will follow applicable federal and state guidelines as they relate to reasonable accommodation of individuals with disabilities and their capabilities to perform essential job duties. The Human Resources Department will respond to each accommodation request on a case-by-case basis using an interactive process by gathering input from the individual, the individual's treating physician, and the individual's building principal or program director.

Definition of Disability

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is any person 1) who has a physical or mental impairment that materially or substantially limits one or more major life activities, or 2) has record or such impairment, or 3) is regarded as having such an impairment as defined by the ADA.

Reasonable Accommodation

A reasonable accommodation is a modification or adjustment to a hiring practice, a job function, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity and to perform the essential functions of the job.

Initiating the Accommodation Process

Applicants for employment can initiate a request for accommodation by contacting the Human Resources Department. Current employees who wish to request an accommodation of a disability must complete the attached Employee Information Form in its entirety. Any principal or program director who is informed by an employee that a physical or mental condition may be affecting the employee's work performance or ability to perform essential job functions shall immediately notify the Human Resources Department and refer the employee to complete the Employee Information Form so that the official processing of the request can begin.

Interactive Process

When a qualified individual with a disability has requested an accommodation, the Human Resources Department shall, in consultation with the employee and the employee's principal or program director:

- Discuss the purpose and essential functions of the employee's position and determine the precise job-related limitation(s);
- Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job;
- Request documentation of the individual's functional limitations to support the request, including obtaining medical certification in order to determine ADA eligibility;
- Select and implement the accommodation that is the most appropriate for both the individual and the school/department;
- Provide a decision to the employee within a reasonable amount of time;
- Provide technical assistance, as needed.

Undue Hardship

In order to determine whether an accommodation places an undue hardship on the District, the following will be taken into account:

- The nature and cost of the accommodation in relation to the size, financial resources, and the nature and structure of the school or department; and,
- The impact of the accommodation on the school/department.

If an accommodation cannot overcome existing barriers or if the accommodation would cause an undue hardship on the operation of the school or department, the employee and the Human Resources Department shall work together to determine whether reassignment may be an appropriate accommodation. If reassignment is not deemed to be an appropriate accommodation, the employee will be advised of alternative options.

Filing an ADA Complaint

Jordan School District has adopted a procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the ADA and state disability rights. This procedure is available for any individual who wishes to file a complaint alleging discrimination on the basis of the disability in the provision of services, activities, facilities, and programs by Jordan School District.

Any individual wishing to file a complaint must submit a Complaint of Alleged Discrimination Form to the District Compliance Officer. The Compliance Officer will initiate an internal investigation of the alleged discrimination. The availability and use of this grievance procedure via submission of a complaint form does not preclude filing a complaint of discrimination with any appropriate state or federal agency.

Questions regarding alleged discrimination or a denial of an accommodation under the ADA may be directed to:

June LeMaster, Compliance Officer

Jordan School District

Telephone: (801) 567-8222

**Employee Information Form
ADA Accommodation**



(To be completed by the employee who is requesting accommodations¹)

Please provide in detail all of the below-requested information. If you need additional space, please use the reverse side of each page and/or attach additional pages. Please submit the completed form to the Human Resources Department.

Employee Name _____ Social Security No. XXX-XX-_____

1. If you know, what are the current diagnoses of your relevant mental or physical health conditions? (Please only disclose conditions for which you may need an accommodation)

2. Please identify, by name, address, and telephone number, the health care provider(s) who have rendered the diagnoses identified above.

3. Please *detail* how and to what extent (**nature, frequency, severity and duration**) each of your current health conditions are limiting one or more of your major life activities.² (**Quantify the functional limitations** where possible, i.e. **how far, how long, how much**)

¹The Statutory Definition of disability is a person with a physical or mental impairment that substantially limits one or more of the major life activities of such individual. 42 U.S.C. § 12102(2); see also 29 C.F.R. § 1630.2(g).

²According to the Americans with Disabilities Amendment Act, major life activities may include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and major bodily functions. Major bodily functions include but are not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. This is not an exhaustive list of all major life activities. Rather, it is representative of the types of activities that are major life activities. Similar activities in terms of their impact on an individual's functioning, as compared to the average person, may also be major life activities.

4. Are your impairments and/or limitations **permanent, or will there be changes over time**? Please describe any anticipated changes.

5. If your condition is **episodic or in remission**, please identify how the condition affects you when the condition is active. (**nature, frequency, severity and duration of an episode**).

What accommodations are needed during an episode or flare up?

6. To assist in identifying reasonable accommodations, if you experience **detrimental effects from any mitigating measures** (assistive devices, medication, eyeglasses, prosthetic devices) relevant to your current health conditions, please describe in detail how and to what extent those measures are affecting your ability to perform one or more major life activities and/or work activities.

7. Please identify and describe any accommodations you are requesting and detail how these accommodations will enable you to perform those functions you are having difficulty with.

8. Please identify and describe any special equipment, methods, skills, or procedures that may enhance your abilities to perform one or more of the essential functions of your job.

Date: _____

Employee's Signature: _____

School/Place of Work: _____

Contact phone number:: _____

E-mail address: _____

³The U.S. Equal Employment Opportunity Commission has indicated that an **employer never has to remove an essential function of the job** as an accommodation. Additionally, **an employee with a disability must meet the same performance and production standards, whether quantitative or qualitative**, as a non-disabled employee in the same job. Lowering or changing a production standard because an employee cannot meet it due to a disability is not considered a reasonable accommodation. Similarly, **an employee who is chronically, frequently, and unpredictably absent may not be able to perform one or more essential functions of the job**, or the employer may be able to demonstrate that any accommodation would impose an undue hardship, thus rendering the employee unqualified. **Employers generally do not have to accommodate repeated instances of tardiness or absenteeism** that occur with some frequency, over an extended period of time and often without advance notice. *The Americans with Disabilities Act: Applying Performance and Conduct Standards To Employees With Disabilities.*