

Personnel

Employment of Persons with Disabilities

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

A. 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 promotions and includes fringe benefits and other elements of compensation.

B. The district shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:

1. Making facilities used by staff readily accessible and usable by persons with disabilities, and
2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.

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.

C. The district shall not make use of any employment test or criteria that screens out persons with disabilities unless:

1. The test or criteria is clearly and specifically job-related, and
2. Alternative tests or criteria that do not screen out persons with disabilities are available.

D. 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.

E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Cross References:

(cf. 5240 Resolution of Staff Complaints)

Legal References:

42 USC12101 - 12213 Americans with Disabilities Act

29 USC 706

45 C.F.R. 84 Sec 504 Vocational Rehabilitation Act of 1973

RCW 49.60.030 Freedom from discrimination

RCW 49.60.180 Unfair practices of employer defined

WAC 162-22-050 Unfair practice

Loon Lake School District #183

Adoption Date:

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