

EMPLOYMENT OBJECTIVES  
EQUAL EMPLOYMENT OPPORTUNITY

DAA2  
(REGULATION)

**Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) of 1990 is a federal anti-discrimination statute designed to remove barriers that prevent qualified individuals with disabilities from having the same employment opportunities as persons without disabilities. The ADA requires employers to provide reasonable accommodation(s) for qualified employees with disabilities.

**Definitions**

The following definitions are provided to aid in the understanding of ADA procedures:

Disability

The ADA defines a disability as a physical or mental impairment that substantially limits one or more major life activities.

Qualified Employee with a Disability

A qualified employee with a disability is one who possesses the necessary skills, experience, education, and other job-related requirements, and can perform the essential functions of ~~his or her~~ their job with or without reasonable accommodation.

Essential Functions of a Job

The essential functions of a job are the fundamental job duties of the position the employee with a disability holds or desires. Essential functions of a job must be performed by employees in the position and may be the reason the job exists.

Reasonable Accommodation

A reasonable accommodation is any modification to a job that makes it possible for an employee with a disability to continue performing the essential functions of the job. The accommodation must be effective in reducing barriers to equal employment opportunities and must be work related. A reasonable accommodation does not have to be the best available as long as it is effective and does not pose an undue hardship to the District.

Undue Hardship

An undue hardship is an action that requires significant difficulty or expense in relation to the District's available resources and daily operations.

**Compliance**

It is the policy of the Houston Independent School District (HISD) to provide reasonable accommodation(s) for qualified employees with disabilities. ~~[See References DAA(LEGAL) and DBB(LEGAL)]~~.

**Requesting Accommodations Under the ADA**

~~The Equal Employment Opportunity (EEO) office provides all work location supervisors with a supply of ADA Accommodation Request Forms. See Reference (f).~~ The employee is responsible for submitting the ADA Accommodation Request Form and all medical documentation to ~~his or her supervisor~~ the District's ADA Coordinator. [See DIA(EXHIBIT) and the Americans with Disabilities Act Accommodation Request Form]

~~The workplace supervisor~~ ADA Coordinator will, in consultation with the employee's workplace supervisor, review and determine if

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accommodation is needed and can be provided within the District's constraints.;

- ~~• Review and determine if accommodation is needed and can be provided within his or her resource constraints; and~~
- ~~• Make accommodations if possible, forward the original request and actions taken to the EEO office, and retain a file copy; or~~
- ~~• Forward the original request with any comments to the EEO office for review by the Accommodation Request Review Committee if unable to accommodate or if accommodation is deemed unreasonable. See Reference (d) and (e). The workplace supervisor will retain a file copy.~~

**Noncompliance**

Complaints regarding allegations of noncompliance with the ADA will be directed to the ~~Manager, EEO~~ Employee Relations Department; for investigation. [See ~~Reference~~ DIA1(REGULATION)].

**Responses to ADA  
Accommodation  
Requests**

~~The Manager, EEO, will remit the ADA Accommodation Request Form to the employee's supervisor after the committee reaches its decision. The worksite supervisor will be responsible for meeting with the employee and informing the employee of the committee's decision. The EEO office will distribute a copy of the ADA Accommodation Request Form with the committee's decision to all affected worksites. The ADA Coordinator will provide the employee and the workplace supervisor with an official ADA response letter, and retain a file copy.~~

**Consultation**

~~This regulation has been through consultation (Administrative: November 6, 2007; Instructional: November 1, 2007; Noninstructional: November 13, 2007).~~

**Maintenance  
Responsibility**

The ~~executive general manager,~~ Chief Human Resources Officer is responsible for maintenance of this regulation.

**Effective Date**

This regulation shall be effective as of the adoption date.

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**REFERENCES:**

- ~~(a) Board Policy DAA(LEGAL)~~
- ~~(b) Board Policy DBB(LEGAL)~~
- ~~(c) DIA1(REGULATION)~~
- ~~(d) DAA1(REGULATION)~~
- ~~(e) DAA(EXHIBIT)~~

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~~(f) — Form — Americans with Disabilities Act Accommodation Request Form~~

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