

POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

Date Submitted: March 17, 2009 Date Reviewed: March 17, 2009	Number: 700-41
Subject: 504 Employee Guidelines	Date Approved: May 26, 2009 Date Revised: May 26, 2009 Date Effective: May 26, 2009

1. PURPOSE

The purpose of this policy is to establish 504 Employee Guidelines.

2. PROCEDURE

A. Section 504 is part of the Rehabilitation Act 1973. The primary purpose is to ensure that persons with disabilities are not discriminated against. Employees with a documented disability or a mental impairment that substantially limits a major life skill, such as learning are entitled to accommodations. Section 504 focuses only on accommodations and modifications in general education.

B. Employment

Neither the Board nor its employees or agents shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, hiring, discharge, advancement, employee compensation, job training, or other terms, conditions or privileges of employment.

Applicants for employment by the Board shall not be required to undergo a physical examination prior to an offer of employment by the Board. During the application process neither the Board nor its employees or agents shall make inquiries of an applicant as to whether such person is an individual with a disability or as to the nature or severity of his/her disability, unless such inquiry is related to the applicant's ability to perform essential job-related functions.

The Board is committed to making reasonable efforts to accommodate individuals with disabilities to allow them to perform the essential functions of the job. Such reasonable accommodations may include, but are not limited to, one or more of the following: job restructuring, part-time or modified work schedules, reassignment to a vacant position,

acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

C. Enforcement

- 1) Appointment - The Director of Transportation & Facilities is designated as the school system's coordinator for the ADA and Section 504 as it pertains to facilities. The Supervisor of Special Education is designated as the schools Coordinator for ADA and Section 504 as it pertains to education. The Director Of Human Resources is designated as the school system's coordinator for ADA And Section 504 as it pertains to employees.
- D. Facilities - The educational program of this County shall be equally accessible to all employees. Barrier-free access to facilities shall be provided to the extent that no handicapped person is denied an opportunity to participate in a School System program available to non handicapped persons.
- E. Evaluation and Compliance - The Board of Education directs the Superintendent to evaluate district programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Board will submit such assurances of compliances as are required by law.

3. GRIEVANCE PROCEDURE

The Board shall establish grievance procedures to address complaints under (1) the ADA and the employment and program accessibility provisions of the Section 504 Regulations at 34 C.F.R. Subparts B and C, and (2) the Section 504 provisions set forth in 34 C.F.R. Subpart D with respect to identification, evaluation and educational placement of students with disabilities. The ADA/Section 504 Coordinator shall provide the complainant with a copy of the grievance procedures which are appropriate to the nature of the complaint.

Reference: 29 U.S.C. 794 (Sec. 504, Rehabilitation Act or 1973)
34 C.F.R. Part 104
20 U.S.C. 1401 et seq, (P.L. 94-142)