

PERSONNEL

BP 4280 Reasonable Accommodations

The duty to reasonably accommodate an individual with a disability is limited to those accommodations which do not impose an undue hardship on the County Office of Education. Undue hardship is evaluated on a case-by-case basis and includes any action that is unduly costly, extensive, substantial, disruptive, or that fundamentally alters the nature or operation of the County Office of Education.

To be qualified for a job, a person must not pose a ‘direct threat’ to the health and safety of himself/herself or others in the workplace. A ‘direct threat’ is a significant risk that cannot be eliminated or reduced by reasonable accommodation. Before finding that a person is not qualified by reason of posing such a threat, the County Office of Education will consider whether reasonable accommodation could reduce the risk of harm to an acceptable level. If no such accommodation exists, the County Office of Education may refuse to hire the applicant or may discharge the employee in question.

The determination whether an individual poses a significant risk of substantial harm to others shall be made on a case-by-case basis and shall be based on objective, factual evidence, taking into consideration the duration of the risks, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the imminence of potential harm.

Legal Reference: 29 U.S.C. 791 et seq.; 42 U.S.C. 12101 et seq.; 29 C.F.R. 1630.2

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