

## AMERICANS WITH DISABILITIES ACT AND THE FAIR EMPLOYMENT AND HOUSING ACT

- A. In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), it is the policy of the District that no qualified individual with a disability shall be subject to discrimination on the basis of disability in any of the District's services, programs, or activities.
- B. In accordance with *Board Policy and Administrative Regulation 7348 (Accommodations for Employees/Applicants With Disabilities)*, the District will not discriminate on the basis of disability in its hiring or employment practices and complies with Title I of the ADA and the California Department of Fair Employment and Housing pursuant to the Fair Employment and Housing Act (FEHA).
- C. The District will generally provide, upon request, appropriate aids and services necessary to ensure effective communication with qualified individuals with disabilities so they can participate equally in employment, District programs, services, and activities. Such aids or services to provide effective communication may include, but are not limited to, qualified sign language interpreters, captioning, documents in braille or large print, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments. The District ensures that all electronic and information technology used or purchased by the District is accessible to and usable by qualified individuals with disabilities.
- D. The District will make all reasonable modifications to policies and programs to ensure that qualified individuals with disabilities have an equal opportunity for employment, and to enjoy District programs, services, and activities. However, in accordance with the ADA/FEHA, the District may decline to take any action that would fundamentally alter the nature of its programs or services, or to impose an undue financial or administrative burden on the District. In such cases, the District will, whenever possible, offer an alternative accommodation, which is equally effective but will not require a fundamental alteration of its programs or activities or impose an undue financial or administrative burden on the District.
- E. Any student with a disability participating in a field trip or field study course may request an accommodation consistent with the procedures described in *Board Policy and Administrative Regulation 4300 (Field Trips, Excursions, and Field Study Courses)* and *Board Policy and Administrative Regulation 5140 (Accommodations for Students With Disabilities)*.
- F. Any student with a disability participating in a study abroad program may request an accommodation consistent with the procedures described in *Board Policy and Administrative Regulation 4351 (Study Abroad Programs)* and *Board Policy and Administrative Regulation 5140 (Accommodations for Students With Disabilities)*.

- G. Any student wishing to request a modification in any other academic policy or requirement, or an accommodation to participate in any academic program or activity, may make a request as described in *Board Policy and Administrative Regulation 5140(Accommodations for Students With Disabilities)*.
- H. Individuals who require an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in any other District program, service, or activity should contact the ADA Compliance and Leave Manager as soon as possible but no later than 48 hours before the scheduled event or activity.
- I. Any qualified individual with a disability may use a service animal in all District facilities, programs and activities, consistent with the requirements of *Board Policy and Administrative Regulation 3440 (Service Animals)*.
- J. The District will not place a surcharge on a particular qualified individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy.
- K. Any employee, student, or member of the public who believes that their rights under the ADA have been or may be violated, may seek resolution of such problems by contacting the District's Executive Director of Human Resources and/or may file a discrimination complaint pursuant to *Board Policy and Administrative Regulation 3430 (Unlawful Harassment and Discrimination Prevention And Complaints)*.

*References:*

*The Americans with Disabilities Act of 1990 – 42 United States Code Sections 12101 et seq.;*  
*California Fair Employment and Housing Act*  
*Section 504 of the Rehabilitation Act*  
*28 Code of Federal Regulations part 35;*  
*29 C.F.R. part 1630;*  
*California Government Code section 12920 et seq.*