

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

October 11, 2011

MEMORANDUM

To: Members of the Board of Education

From: Patricia O'Neill, Chair, Board of Education Policy Committee

Subject: Final Action, Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities* and Rescission of Policy GBH, *Employment of Individuals with Disabilities*

On May 10, 2011, the Montgomery County Board of Education tentatively adopted the updated Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities*. The tentatively adopted policy was distributed for public comment. No comments were received.

On September 20, 2011, the members of the Board of Education Policy Committee further discussed Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities*. A reference was added to demonstrate the commitment to the goals of the *Americans with Disabilities Act Amendments Act of 2008* (ADAAA) with regard to access of the school system's facilities and services by members of the public with disabilities. The updated draft provides for the rescission of Policy GBH, *Employment of Individuals with Disabilities*.

The Policy Committee recommended minor changes to the tentatively adopted policy that are reflected in the Committee Recommended Draft as Attachment A. The Draft for Public Comment is included as Attachment B. Policy GBH, *Employment of Individuals with Disabilities*, is included as Attachment C. Attachment D is a chart that shows how certain provisions of Policy GBH were incorporated into Policy ACG.

Recommended Resolution

WHEREAS, Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities*, provides a clear and comprehensive mandate for the prohibition and elimination of any unlawful discrimination against individuals with disabilities and also affirms a strong commitment to the goals of the ADAAA as well as other applicable laws as they relate to employees, job applicants, and access to the school system's services by members of the public with disabilities; and

WHEREAS, Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities*, incorporates relevant provisions of Policy GBH, *Employment of Individuals with Disabilities*, but the title does not reflect that incorporation; and

WHEREAS, The draft revision of Policy ACG, *Access to Services, Programs, and Activities by Individuals with Disabilities*, tentatively was adopted by the Montgomery County Board of Education on May 10, 2011, and sent out for public comment; and

WHEREAS, The Montgomery County Board of Education has received no comments with regard to the Board of Education Policy Committee's recommendations; now therefore be it

Resolved, That the Montgomery County Board of Education rename Policy ACG to "*Access to Employment, Services, Programs, and Activities by Individuals with Disabilities*"; and be it further

Resolved, That the Montgomery County Board of Education adopt Policy ACG, *Access to Employment, Services, Programs, and Activities by Individuals with Disabilities*, as updated in the attached committee recommended draft; and be it further

Resolved, That Policy GBH, *Employment of Individuals with Disabilities*, be rescinded.

Present at the table for the discussion are Mrs. Carole C. Goodman, associate superintendent, Office of Human Resources and Development; Ms. Ann L. Bauman, coordinator, Performance, Evaluation, and Compliance Unit, Office of Human Resources and Development; and Mrs. Stephanie P. Williams, director, Department of Policy, Records, and Reporting, Office of Shared Accountability.

PO:hp

Attachments

1 Related Entries: ACA, ACB, ACG-RA
2 Responsible Office: Superintendent of Schools
3 **Human Resources and Development**
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6 Access to **Employment**, Services, Programs, and Activities by
7 Individuals with Disabilities
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10 A. PURPOSE
11

- 12 1. To provide a clear and comprehensive mandate for the
13 prohibition and elimination of any **unlawful**
14 discrimination ~~or harassment~~ against qualified
15 individuals with disabilities. ~~in regard to their~~
16 ~~participation in the school system's services~~
17
18 ~~2. To make clear to the public and to the staff and students~~
19 ~~of Montgomery County Public Schools (MCPS) that no~~
20 ~~qualified individual with a disability shall, on the~~
21 ~~basis of disability, be excluded from participation in or~~
22 ~~be denied the benefits of an MCPS service~~
23
24 32. To affirm a strong commitment to the goals of the
25 *Americans With Disabilities Act Amendments Act of*
26 *1990*~~2008~~ (ADAAA), as well as ~~to the Rehabilitation Act of~~
27 ~~1973~~ and other applicable disability laws as they relate
28 to **employees, job applicants, and access to** the school
29 system's **facilities and** services by members of the public

30 with disabilities. This policy is to be construed to
31 comport with the ADA and its implementing regulations
32 including 28 CFR 35-137 Mobility Devices.
33

34 3. To affirm to the citizens of the county, to staff of
35 Montgomery County Public Schools (MCPS), and to students
36 that MCPS is committed to the participation of such
37 individuals in the life and work of the schools in
38 accordance with applicable laws.
39

40 4. To affirm that present policies and regulations will be
41 administered to ensure that the rights of individuals
42 with disabilities will be upheld in MCPS, consistent with
43 the long-standing interest on the part of the Montgomery
44 County Board of Education (Board) and MCPS in prohibiting
45 discrimination against and in promoting affirmative
46 action in employment and reassignment for individuals
47 with disabilities.
48

49 5. To affirm that MCPS will not discriminate on the basis of
50 disability against any qualified individual with a
51 disability with respect to participating in or benefiting
52 from MCPS services.
53

54 6. To declare that MCPS will not deny, on the basis of
55 disability, a qualified individual with a disability the
56 opportunity to participate as a member of planning or
57 advisory boards or committees.

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61 B. ISSUE

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63 ~~MCPS has expressed its commitment to nondiscrimination against~~
64 ~~individuals with disabilities in policies such as human~~
65 ~~relations and nondiscrimination. With the enactment of the~~
66 ~~ADA, MCPS adopted Policy GBH: Employment of Individuals with~~
67 ~~Disabilities. Since the adoption of that policy, federal~~
68 ~~regulations have been issued regarding the other areas~~
69 ~~protected under the ADA; i.e., services, programs, and~~
70 ~~activities. The ADA is a comprehensive civil rights~~
71 ~~statute, which provides protection to qualified individuals~~
72 ~~with disabilities in the areas of employment, state and local~~
73 ~~government services, and telecommunications. By issuing a~~
74 ~~companion ADA policy, on services for individuals with~~
75 ~~disabilities, the Board of Education Board seeks to clarify~~
76 ~~and reaffirm its commitment to nondiscrimination in all areas~~
77 ~~for individuals with disabilities.~~

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79 C. POSITION

80

81 1. MCPS will not discriminate on the basis of disability
82 against any qualified individual with a disability with
83 respect to participating in or benefiting from MCPS
84 services; job application procedures; the hiring,
85 advancement, or discharge of employees; employee

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86 compensation; job training; and other terms, conditions,
87 and privileges of employment.

88
89 2. MCPS will provide reasonable accommodations or
90 modifications as required for participation in services,
91 the job application process, employment, continued
92 employment, or reassignment of qualified individuals with
93 disabilities.

94
95 3. In accordance with requirements of ADA, reasonable
96 accommodations or modifications will be provided unless
97 such accommodations or modifications would impose undue
98 hardship on the school system; fundamentally alter the
99 nature of the service, program, or activity; or present a
100 direct threat to the individual or others.

101
102 ~~1. Definitions~~

103
104 ~~a) An individual with a disability as defined by~~
105 ~~applicable law is one who has a physical or mental~~
106 ~~impairment which substantially limits one or more~~
107 ~~major life activities, has a record of such~~
108 ~~impairment, or is regarded by MCPS as having an~~
109 ~~impairment.~~

110
111 ~~b) The term qualified individual with a disability~~
112 ~~means an individual with a disability who, with or~~
113 ~~without reasonable modifications to rules,~~

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114 ~~policies, or practices; the removal of~~
115 ~~architectural, communication, or transportation~~
116 ~~barriers; or the provision of auxiliary aids and~~
117 ~~services, meets the essential eligibility~~
118 ~~requirements for the receipt of an MCPS service or~~
119 ~~the participation in an MCPS program or activity~~
120 ~~and does not pose a direct threat to the health or~~
121 ~~safety of himself/herself or others.~~

122
123 ~~e) The term principal means the principal of an MCPS~~
124 ~~school or an individual in charge of an MCPS unit~~
125 ~~that is not a school.~~

126
127 ~~d) The term services includes any services, programs,~~
128 ~~or activities provided by MCPS.~~

129
130 ~~e) The term auxiliary aids includes any auxiliary~~
131 ~~aids, benefits, or services provided by MCPS.~~

132
133 ~~2. Commitments~~

134
135 ~~a) MCPS will not discriminate on the basis of~~
136 ~~disability against any qualified individual with a~~
137 ~~disability with respect to participating in or~~
138 ~~benefiting from MCPS services.~~

139
140 ~~b) In providing any aids, program benefits or~~
141 ~~opportunities, or services, either directly or~~
142 ~~through contractual, licensing or other~~

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143 ~~arrangements, MCPS will afford a qualified~~
144 ~~individual with a disability an equal opportunity~~
145 ~~to participate or benefit.~~

146

147 ~~e) MCPS will provide a qualified individual with a~~
148 ~~disability auxiliary aids that are effective and~~
149 ~~afford equal opportunity to obtain the same result,~~
150 ~~gain the same benefit or reach the same level of~~
151 ~~achievement as that provided to others.~~

152

153 ~~d) MCPS will not provide separate auxiliary aids to~~
154 ~~individuals with disabilities except where such~~
155 ~~action is necessary to provide such aids that are~~
156 ~~as effective as those provided to others.~~

157

158 ~~e) MCPS will notify applicants, participants,~~
159 ~~beneficiaries and other interested persons of the~~
160 ~~rights and protections of the ADA, including the~~
161 ~~right not to accept an auxiliary aid.~~

162

163 ~~f) MCPS will not perpetuate any discrimination against~~
164 ~~qualified individuals with disabilities by~~
165 ~~providing significant assistance to any agency,~~
166 ~~organizations, or persons that discriminate on the~~
167 ~~basis of disability.~~

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169 ~~g) MCPS will not deny, on the basis of disability, a~~
170 ~~qualified individual with a disability the~~
171 ~~opportunity to participate as a member of planning~~

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- 172 ~~or advisory boards or committees.~~
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- 174 ~~h) MCPS will not otherwise limit a qualified~~
175 ~~individual with a disability the enjoyment of any~~
176 ~~right, privilege, advantage, or opportunity enjoyed~~
177 ~~by others.~~
- 178
- 179 ~~i) MCPS will not deny, on the basis of disability, a~~
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- 184 ~~j) MCPS will not, in determining the site or location~~
185 ~~of any facility, make selections that unlawfully~~
186 ~~discriminate against individuals with disabilities.~~
- 187
- 188 ~~k) MCPS, in selection of procurement contractors, will~~
189 ~~not use criteria that subject qualified individuals~~
190 ~~with disabilities to discrimination on the basis of~~
191 ~~their disability.~~
- 192
- 193 ~~l) MCPS will make reasonable modifications in~~
194 ~~policies, practices, and procedures when the~~
195 ~~modifications are necessary to avoid discrimination~~
196 ~~on the basis of disability unless such~~
197 ~~modifications would fundamentally alter the nature~~
198 ~~of the service, or, where applicable, result in an~~
199 ~~undue financial or administrative burden.~~
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203 ~~disabilities from fully and equally enjoying any~~
204 ~~service unless such criteria are necessary to the~~
205 ~~provision of the service.~~

206
207 ~~n) MCPS will administer its services in the most~~
208 ~~integrated setting appropriate to the needs of~~
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210
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212 ~~individual with disability to cover the costs~~
213 ~~entailed in ensuring nondiscrimination.~~

214
215 ~~p) MCPS will not deny services to an individual based~~
216 ~~on his/her relationship or association with an~~
217 ~~individual with a disability.~~

218
219 ~~q) MCPS will provide communications to qualified~~
220 ~~individuals with disabilities that are as effective~~
221 ~~as communications with others.~~

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223 D. DESIRED OUTCOMES

- 224
225 1. All qualified individuals with disabilities will be able
226 to access MCPS services, **programs, and activities** and be
227 provided **reasonable accommodations or modifications**
228 ~~appropriate auxiliary aids whenever necessary~~ to ensure
229 participation, so long as the **accommodations or**

230 ~~modifications do not present provision of the auxiliary~~
231 ~~aids results neither in an undue burden hardship nor a~~
232 ~~fundamental alteration of the service, program or~~
233 ~~activity, or present a direct threat to the individual or~~
234 ~~others.~~

235
236 2. All qualified job applicants, including individuals with
237 disabilities who are seeking employment with MCPS will
238 have equal employment opportunities.

239
240 3. Individuals with disabilities who are job applicants or
241 employees, if requested, may receive reasonable
242 accommodations.

243
244 E. IMPLEMENTATION STRATEGIES

245
246 1. Procedures for implementing this policy will be set forth
247 in administrative regulations as needed.

248
249 2. The ~~ADA~~human resource compliance E coordinator designated
250 by the superintendent of schools will be responsible for
251 coordinating the efforts of MCPS to comply with and carry
252 out its responsibilities under the ADA~~AA~~, including
253 participating in investigation of any complaint, and will
254 be available to provide guidance, and support in matters
255 related to the rights of individuals with disabilities.

256
257 3. Complaint procedures for prompt and equitable resolution

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258 of ADA**AA** complaints will be described in administrative
259 regulations. MCPS will not discriminate or retaliate
260 against an individual for filing a charge or
261 participating in an investigation or proceeding under the
262 ADA**AA**.

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264 F. REVIEW AND REPORTING

265

266 A report regarding the status ~~for implementation and~~
267 ~~monitoring of this policy~~MCPS ADA**AA** claims will be prepared
268 annually~~annually~~**quarterly** for Board review.

269

270

271 *Policy History:* Adopted by Resolution No.26-96, January 11, 1996;
272 **revised.**

1 Related Entries: ACA, ACB, ACG-RA
2 Responsible Office: Superintendent of Schools
3 **Human Resources and Development**

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6 Access to **Employment**, Services, Programs, and Activities by
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10 A. PURPOSE

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25 *Americans With Disabilities Act Amendments Act of*
26 *1990***2008** (ADAAA), as well as ~~to the Rehabilitation Act of~~
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29 system's services by members of the public with

30 disabilities. This policy is to be construed to comport
31 with the ADA and its implementing regulations.

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34 MCPS, and to students that the Montgomery County Public
35 Schools are committed to the participation of such
36 individuals in the life and work of the schools in
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39 4. To affirm that present policies and regulations will be
40 administered to ensure that the rights of individuals
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43 Education and MCPS in prohibiting discrimination against
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B. ISSUE

~~MCPS has expressed its commitment to nondiscrimination against individuals with disabilities in policies such as human relations and nondiscrimination. With the enactment of the ADA, MCPS adopted Policy GBH: Employment of Individuals with Disabilities. Since the adoption of that policy, federal regulations have been issued regarding the other areas protected under the ADA; i.e., services, programs, and activities. The ADA is a comprehensive civil rights statute, which provides protection to qualified individuals with disabilities in the areas of employment, state and local government services, and telecommunications. By issuing a companion ADA policy, on services for individuals with disabilities, the Montgomery County Board of Education (Board) seeks to clarify and reaffirm its commitment to nondiscrimination in all areas for individuals with disabilities.~~

C. POSITION

1. Montgomery County Public Schools (MCPS) will not discriminate on the basis of disability against any qualified individual with a disability with respect to participating in or benefiting from MCPS services; job application procedures; the hiring, advancement, or discharge of employees; employee compensation; job

87 training and other terms, conditions, and privileges of
88 employment.

89
90 2. MCPS will provide reasonable accommodations or
91 modifications as required for participation in services,
92 the job application process, employment, continued
93 employment, or reassignment of qualified individuals with
94 disabilities.

95
96 3. In accordance with requirements of ADA, reasonable
97 accommodations or modifications will be provided unless
98 such accommodations or modifications would impose undue
99 hardship on the school system; fundamentally alter the
100 nature of the service, program or activity; or present a
101 direct threat to the individual or others.

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134 ~~2. Commitments~~

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- 173 ~~or advisory boards or committees.~~
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- 189 ~~k) MCPS, in selection of procurement contractors, will~~
- 190 ~~not use criteria that subject qualified individuals~~
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- 195 ~~policies, practices, and procedures when the~~
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224 D. DESIRED OUTCOMES

- 225
226 1. All qualified individuals with disabilities will be able
227 to access MCPS services, **programs, and activities** and be
228 provided **reasonable accommodations or modifications**
229 ~~appropriate auxiliary aids whenever necessary~~ to ensure
230 participation, so long as the **accommodations or**

231 modifications do not present ~~provision of the auxiliary~~
232 ~~aids results neither in an undue burden hardship nor a~~
233 fundamental alteration of the service, program or
234 activity, or present a direct threat to the individual or
235 others.

236
237 2. All qualified job applicants, including individuals with
238 disabilities who are seeking employment with MCPS will
239 have equal employment opportunities.

240
241 3. Individuals with disabilities who are job applicants or
242 employees, if requested, may receive reasonable
243 accommodations.

244
245 E. IMPLEMENTATION STRATEGIES

246
247 1. Procedures for implementing this policy will be set forth
248 in administrative regulations as needed.

249
250 2. The ~~ADA~~human resource compliance ~~E~~coordinator designated
251 by the superintendent will be responsible for
252 coordinating the efforts of MCPS to comply with and carry
253 out its responsibilities under the ADA~~AA~~, including
254 participating in investigation of any complaint, and will
255 be available to provide guidance, and support in matters
256 related to the rights of individuals with disabilities.

257
258 3. Complaint procedures for prompt and equitable resolution

259 of ADA~~AA~~ complaints will be described in administrative
260 regulations. MCPS will not discriminate or retaliate
261 against an individual for filing a charge or
262 participating in an investigation or proceeding under the
263 ADA~~AA~~.

264

265 F. REVIEW AND REPORTING

266

267 A report regarding the status ~~for implementation and~~
268 ~~monitoring of this policy~~MCPS ADA~~AA~~ claims will be prepared
269 ~~annually~~quarterly for Board review.

270

271

272 *Policy History:* Adopted by Resolution No.26-96, January 11, 1996;
273 revised.

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: ACA, FAA, GBH-RA, GEG-RA, IGO-RA
Responsible Office: Superintendent of Schools
Personnel Services

Employment of Individuals with Disabilities

A. PURPOSE

1. To provide a clear and comprehensive mandate for the prohibition and elimination of any discrimination against individuals with disabilities
2. To ensure equal employment opportunities for job applicants who have physical or mental disabilities
3. To ensure that every effort is made to provide for reasonable accommodation for the employment, continued employment in a presently held position, or reassignment to a vacant position for which the individual is qualified
4. To make clear to the citizens of the county, to staff of MCPS, and to students that the Montgomery County Public Schools are committed to the full participation of such individuals in the life and work of the schools, and that the policy of MCPS is to provide for that participation
5. To affirm a strong commitment to the goals of the Americans with Disabilities Act of 1990 (ADA) as well as other applicable laws as they relate to employees and applicants for employment
6. To reaffirm that present policies and regulations will be administered to ensure that the rights of individuals with disabilities will be upheld in MCPS, consistent with the long-standing interest on the part of the Board of Education and MCPS in prohibiting discrimination against and in promoting affirmative action in employment and reassignment for individuals with disabilities

B. ISSUE

The Americans with Disabilities Act of 1990 (ADA) is a comprehensive civil rights statute which provides protection to individuals with disabilities in the areas of employment, state and local government services, and telecommunications. MCPS has expressed its commitment to nondiscrimination against individuals with disabilities in policies such as human relations and nondiscrimination. With the enactment of the ADA, the Board of Education seeks to reaffirm its commitment to nondiscrimination with regard to employment of individuals with disabilities.

C. POSITION

1. Definitions

- a) *An individual with a disability* is one who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded by MCPS as having such an impairment.
- b) The term *qualified individual with a disability* means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

2. MCPS will not discriminate against any qualified individual with a disability in regard to job application procedures; the hiring, advancement, or discharge of employees; employee compensation; job training and other terms, conditions, and privileges of employment. In addition, in accordance with its affirmative action plan, MCPS will continue to make outreach efforts to employ and to advance in employment individuals with disabilities.

3. MCPS will provide reasonable accommodations as required for the application process, employment, continued employment, or reassignment of individuals with disabilities, unless such accommodations would impose undue hardship on the school system. The burden of demonstrating undue hardship will be with the school system in accordance with applicable laws.

D. DESIRED OUTCOME

1. All qualified individuals with disabilities who are seeking employment with the Montgomery County Public Schools will have equal employment opportunities.

2. Reasonable accommodations for the employment, continued employment in a presently held position, or reassignment to a vacant position for which an individual with disabilities is qualified will be made to ensure participation of individuals with disabilities.

E. IMPLEMENTATION STRATEGIES

1. Procedures for implementing these goals will be set forth in administrative regulations as needed.
2. The ADA Coordinator designated by the superintendent will be responsible for coordinating the efforts of MCPS to comply with and carry out its responsibilities under the ADA, including participating in investigation of any complaint, and will be available to provide guidance, and support in matters related to the rights of individuals with disabilities.
3. Complaint procedures for prompt and equitable resolution of ADA complaints will be described in administrative regulations. MCPS will not discriminate or retaliate against an individual for filing a charge or participating in an investigation or proceeding under the ADA.

F. REVIEW AND REPORTING

A report regarding the status of implementation and monitoring of this policy will be prepared annually for Board review.

Policy History: Adopted by Resolution No. 374-91, April 22, 1991, amended by Resolution No. 26-96, January 11, 1996.

Crosswalk: Policy GBH and Policy ACG

Proposed for Deletion from GBH	Proposed for Inclusion in ACG
<p>Title: “Employment of Individuals with Disabilities”</p>	<p>Title: “Access to Employment, Services, Programs, and Activities by Individuals with Disabilities”</p>
<p>Purpose 1: “To provide a clear and comprehensive mandate for the prohibition and elimination of any discrimination against individuals with disabilities.”</p>	<p>Purpose 1: “To provide a clear and comprehensive mandate for the prohibition and elimination of any unlawful discrimination against individuals with disabilities.”</p>
<p>Purpose 2: “To ensure equal employment opportunities for job applicants who have physical or mental disabilities.”</p>	<p>Purpose 2: “To affirm a strong commitment to the goals of the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), as well as other applicable laws as they related to employees, job applicants, and access to the school system’s services by members of the public with disabilities.”</p>
<p>Purpose 3: “To ensure that every effort is made to provide for reasonable accommodation for the employment, continued employment in a presently held position, or reassignment to a vacant position for which the individual is qualified.”</p>	<p>Position 2: “MCPS will provide reasonable accommodations or modifications as required for participation in services, the job application process, employment, continued employment, or reassignment of qualified individuals with disabilities.”</p>
<p>Purpose 4: “To make clear to the citizens of the county, to staff of MCPS, and to students that the Montgomery County Public Schools are committed to the full participation of such individuals in the life and work of the schools, and that the policy of MCPS is to provide for that participation.”</p>	<p>Purpose 3: “To affirm to the citizens of the county, to staff of MCPS, and to students that the Montgomery County Public Schools are committed to the participation of such individuals in the life and work of the schools in accordance with applicable laws.”</p>
<p>Purpose 5: “To affirm a strong commitment to the goals of the Americans with Disabilities Act of 1990 (ADA) as well as other applicable laws as they relate to employees and applicants for employment.”</p>	<p>Purpose 2: “To affirm a strong commitment to the goals of the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), as well as other applicable laws as they related to employees, job applicants, and access to the school system’s services by members of the public with disabilities. This policy is to be construed to comport with the ADAAA and its implementing regulations.”</p>
<p>Purpose 6: “To reaffirm that present policies and</p>	<p>Purpose 4: “To affirm that present policies and regulations</p>

Proposed for Deletion from GBH	Proposed for Inclusion in ACG
regulations will be administered to ensure that the rights of individuals with disabilities will be upheld in MCPS, consistent with the long-standing interest of the Board of Education and MCPS in prohibiting discrimination against and in promoting affirmative action in employment and reassignment for individuals with disabilities.”	will be administered to ensure that the rights of individuals with disabilities will be upheld in MCPS, consistent with the long-standing interest on the part of the Board of Education and MCPS in prohibiting discrimination against and in promoting affirmative action in employment and reassignment for individuals with disabilities.”
<p>Issue: “The Americans with Disabilities Act of 1990 (ADA) is a comprehensive civil rights statute which provides protection to individuals with disabilities in the areas of employment, state and local government services, and telecommunications. MCPS has expressed its commitment to nondiscrimination against individuals with disabilities in policies such as human relations and nondiscrimination. With the enactment of the ADA, the board of Education seeks to reaffirm its commitment to nondiscrimination with regard to employment of individuals with disabilities.”</p>	<p>Issue: “The ADA is a comprehensive civil rights statute, which provides protection to qualified individuals with disabilities in the areas of employment, state and local government services, and telecommunications. By issuing a companion ADA policy, the Montgomery County Board of Education (Board) seeks to reaffirm its commitment to nondiscrimination in all areas for individuals with disabilities.”</p>
<p>Definitions</p>	<p>Definitions Deleted from policy and included in Regulation ACG-RA; updated and expanded to align with ADA.</p>
<p>Desired Outcome 1: “All qualified individuals with disabilities who are seeking employment with the Montgomery County Public Schools will have equal employment opportunities.”</p>	<p>Desired Outcome 2: “All qualified job applicants, including individuals with disabilities who are seeking employment with MCPS will have equal employment opportunities.”</p>
<p>Desired Outcome 2: “Reasonable accommodations for the employment, continued employment in a presently held position, or reassignment to a vacant position for which an individual with disabilities is qualified will be made to ensure participation of individuals with disabilities.”</p>	<p>Desired Outcome 3: “Individuals with disabilities, who are job applicants or employees, if requested, may receive reasonable accommodations.”</p>
<p>Implementation Strategy 1: “Procedures for implementing these goals will be set forth in administrative regulations as needed.”</p>	<p>Implementation Strategy 1: “Procedures for implementing these goals will be set forth in administrative regulations as needed.”</p>
<p>Implementation Strategy 2:</p>	<p>Implementation Strategy 2:</p>

Proposed for Deletion from GBH	Proposed for Inclusion in ACG
<p>“The ADA Coordinator designated by the superintendent will be responsible for coordinating the efforts of MCPS to comply with and carry out its responsibilities under the ADA, including participating in investigation of any complaint, and will be available to provide guidance, and support in matters related to the rights of individuals with disabilities.”</p>	<p>“The human resources compliance coordinator designated by the superintendent will be responsible for coordinating the efforts of MCPS to comply with and carry out its responsibilities under the ADAAA, including participating in the investigation of any complaint, and will be available to provide guidance, and support in matters related to the rights of individuals with disabilities.”</p>
<p>Implementation Strategy 3: “Complaint procedures for prompt and equitable resolution of ADA complaints will be described in administrative regulations. MCPS will not discriminate or retaliate against an individual for filing a charge or participating in an investigation or proceeding under the ADA.”</p>	<p>Implementation Strategy 3: “Complaint procedures for prompt and equitable resolution of ADAAA complaints will be described in administrative regulations. MCPS will not discriminate or retaliate against an individual for filing a charge or participating in an investigation or proceeding under the ADAAA.”</p>
<p>Review and Reporting: “A report regarding the status of implementation and monitoring of this policy will be prepared annually for Board review.”</p>	<p>Review and Reporting: “A report regarding the status of MCPS ADAAA claims will be prepared quarterly for Board review.”</p>