

POLICY CONCERNING PERSONS WITH A DISABILITY AND PROCEDURES FOR ACCOMMODATION

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It is the policy of the South Tech Charter Academy, Inc. Governing Board, hereafter referred to as the Board, that it shall not discriminate against a qualified individual with a disability because of the disability of such individual, in regard to job application procedures, hiring, advancement, discharge, compensation, job training, or other terms, conditions, or privileges of employment, in accordance with the Americans with Disabilities Act of 1990 (ADA). The Board shall provide reasonable accommodation to a qualified individual, when necessary, to enable the individual to perform the essential functions of the position unless such reasonable accommodation would pose an undue hardship on the operation of the School's business.

DEFINITIONS

1. Qualified individual with a disability: An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.
2. Disability is defined as one or more of the following: A physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of such an impairment; or being regarded as having such an impairment.
3. Physical or mental impairment: Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems neurological, musculoskeletal special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic, skin, and endocrine, or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
 - a. Existing impairments are to be determined without regard to mitigating measures such as medicines or prosthetics (e.g., epileptic using seizure control medicines, or deaf using hearing aid).
 - b. Physical characteristics (i.e., height, weight, muscle tone or other characteristics) that are within a normal range and are not the result of a physiological disorder are not impairments. Personality traits such as poor judgment or a quick temper are not impairments, if not symptomatic of a mental or psychological disorder. Pregnancy is not impairment under this policy.
4. Substantially limits: Causes inability to perform a major life activity that the average person in the general population can perform; or significantly restricts the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity. Factors to be considered include:
 - a. The nature and severity of the impairment;
 - b. The duration or expected duration of the impairment; and
 - c. The permanent or long term impact, or the expected permanent or long term impact of or resulting from the impairment.
5. Major life activities: Functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, standing, lifting, reaching or reading.
6. Essential functions: Capabilities required to perform the fundamental job duties for the employment position the individual with a disability holds or desires. A function may be essential if:
 - a. The reason the position exists is to perform that function;
 - b. There is a limited number of employees available among whom the performance of that job function can be distributed; and/or

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- c. The function is highly specialized so that the incumbent in the position is hired for his or her expertise or ability to perform the particular function;
 - d. Supervisor's assessment of what elements are crucial to the adequate discharge of the job;
 - e. Pre-employment written job descriptions;
 - f. The amount of time on the job spent performing the function;
 - g. The consequences to the department of not having the employee perform the function;
 - h. The terms of a collective bargaining agreement;
 - i. The work experience of past holders of the position;
 - j. The work experience of incumbent employees in a similar position.
7. Direct threat: A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.
8. Reasonable accommodation: Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of the position; or modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated employees without disabilities. Reasonable accommodation may include:
- a. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities;
 - b. Job restructuring;
 - c. Part-time or modified work schedules;
 - d. Effect on expenses;
 - e. Effect on resources;
 - f. Impact on the operation of the facility (beyond resource and expense);
 - g. Overall financial resources of the School;
 - h. Number of employees potentially benefiting from an accommodation and the availability of sufficient funding to defray an accommodation's cost.

ACCOMMODATION PROCEDURE: A person with a disability who is in need of an accommodation may contact, by telephone or in person, the Academy President or Management Company Representative or designee and/or complete the attached REQUEST for ACCOMMODATION and submit it to the Academy President or Management Company Representative, at the following address:

Academy President or Management Company Representative
South Tech Charter Academy, Inc.
1300 SW 30th Avenue
Boynton Beach, FL 33426

Once a request has been received, the President or Management Company Representative shall schedule a meeting with the employee requesting accommodations to discuss how such accommodations will assist the employee in performing the essential functions of his/her job. If necessary to verify the medical need for an accommodation and/or possible effectiveness of request accommodations, a letter shall be sent to the employee's health care provider, with a signed **AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION**. After the meeting and receipt of all relevant documentation, a determination shall be made by the President or Management Company Representative/designee as to whether the individual is a qualified individual with a disability for which reasonable accommodation shall be provided. The Board reserves the right to require that the requesting individual be examined by a physician designated by the Board, at the Board's expense, to verify the health care provider's report.

If the individual is dissatisfied with the determination, the individual may file an appeal in accordance with the applicable grievance procedure.

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REQUEST FOR ACCOMODATION

Name: _____

Phone Number (Home) _____ (Work) _____

Home Address: _____

Social Security Number: _____

Work Location: _____

Description of the disability (please refer to Policy definition):

Date that disability occurred:

Description of specific on-the-job duties or other job-related activities the disability prevents you from performing:

Description of all accommodations which you feel would allow you to perform the essential functions of your job:

Listing of all relevant health care providers, including names, office addresses, and telephone numbers: