

**BERKELEY UNIFIED SCHOOL DISTRICT  
PROCEDURES FOR REASONABLE ACCOMMODATION OF QUALIFIED  
DISABLED EMPLOYEES AND JOB APPLICANTS**

I. Purpose

The purpose of this Administrative Regulation is to establish uniform District procedures for processing requests for reasonable accommodation from qualified disabled employees and job applicants. These procedures are intended to ensure District compliance with the Americans with Disabilities Act of 1990 ("ADA"), Section 504 of the Rehabilitation Act of 1973, California Government Code section 12926 and 12940 ("FEHA"), and California Code of Regulations section 7292-7294.

II. Accommodation Procedure for Job Applicants:

A. A job applicant who is an individual with a disability may request a reasonable accommodation in order to participate in the application and selection process for available District positions.

B. The applicant requesting accommodation must first put the request in writing by completing the District's form entitled, "Request for Reasonable Accommodation – Job Applicant." These forms are available from the District Personnel Office. The form must be returned to the Personnel Office.

C. An applicant requesting reasonable accommodation must submit with his or her request the District's "Disability Certification Form" which has been completed by an appropriate medical professional. The District reserves the right to require that the applicant's need for accommodation in the application process be verified by a District-approved physician at the District's expense.

D. Upon receiving the required paperwork from the applicant, the Personnel Director will make a determination as to whether the applicant is entitled to reasonable accommodation. If the applicant qualifies for reasonable accommodation, the Personnel Director, in consultation with other appropriate management personnel, shall consider the applicant's request in the following manner:

1. Analyze the application and selection process;
2. Consider the accommodation requested by applicant and assess its cost and effectiveness; and
3. Identify potential alternate accommodations and assess the cost-effectiveness of each.

The Personnel Director may consult with the applicant, state and local rehabilitation agencies, and disability constituent organization in order to make a determination regarding a reasonable accommodation.

E. The applicant will be notified in writing by the Personnel Director, or designee, of the District's final decision regarding his or her request for reasonable accommodation in the application or selection process.

III. Accommodation Procedure for Employees:

A. An employee who is a qualified individual with a disability may request a reasonable accommodation in order to perform the essential job duties of his or her position or in order to enjoy the benefits of employment equivalent to those available to non disabled employees.

B. The employee must first put the request in writing by completing the District form entitled, "Request for Reasonable Accommodation-Employee." These forms are available from the District Personnel Office. The form must be returned to the Personnel Office.

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C. An employee requesting reasonable accommodation must submit with his or her request, the District's "Disability Certification Form" which has been completed by an appropriate medical professional. The District reserves the right to require that the employee's need for accommodation be verified by a District-approved occupational physician at the District's expense.

D. Upon receiving the required paperwork from the employee, the Personnel Director will make a determination as to whether the employee is entitled to reasonable accommodation. If the employee qualifies for reasonable accommodation, the Personnel Director in consultation with other appropriate management personnel, shall consider the employee's request in the following manner:

1. Analyze the particular job involved and determine its essential functions and/or analyze the benefits of employment allegedly made unavailable because of employee's disability.
2. Arrange a meeting between the employee and the Personnel Director to discuss the employee's functional limitations and how those limitations may be overcome with a reasonable accommodation.
3. Consider the employee's requested accommodation and identify other potential accommodations, assessing their cost and effectiveness. Rehabilitation agencies, disability constituent organizations and employee representatives may be consulted for assistance in this process.
4. Arrange a meeting between the employee and appropriate management personnel in an effort to reach consensus on an acceptable accommodation.
5. If consensus is reached, the accommodation will be memorialized in writing and sent to the employee and appropriate management personnel. A copy of the agreed-upon accommodation will be placed in the employee's medical records in a separate envelope with the employee's personnel file;
6. If consensus is not reached, the Personnel Director will notify the employee in writing of the District's final decision regarding his or her request for reasonable accommodation.

E. Failure of employee to cooperate with the reasonable accommodation process shall suspend the District's efforts to process the employee's Request for Accommodation.

F. An employee who is dissatisfied with the District's decision may file a Complaint of Unlawful Discrimination with the Personnel Director. Copies of the Complaint forms are available in the Personnel Office.

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To be completed by employee/applicant: (Please print or type)	
Employee's name:	Position:
Position Applying For:	
To be completed by physician/psychiatrist: ( please print or type)	
<p>The medical information below is requested by Berkeley Unified School District so that the District may evaluate a request for reasonable accommodation made by the above employee/applicant under the Americans with Disabilities Act ("ADA") and related state law. The District seeks information to help determine whether the employee/applicant has a "covered disability" and the nature and extent of the employee/applicant's "functional limitations." Under the ADA, a "disability" is defined as "a physical or mental impairment which limits one or more major life activities." Examples of major life activities include performing manual tasks, walking, seeing, hearing, speaking, learning and working.</p>	
1. Does he employee/applicant have a physical or mental impairment which in your opinion limits one or more major life activities? Yes _____ No _____ (Do not state the medical cause/diagnosis of the impairment).	
2. What major life activity(ies) are limited?	
3. What the probable duration of the impairment?	
4. What functional limitations does the impairment place on the employee/applicant's ability to perform the essential job functions of the position or on the applicant's ability to complete the job application and selection process? (See attached job description/functional job analysis, and other relevant documents, attached hereto. Attach additional sheets if necessary.)	
5. In your opinion, would the employment of the above person pose a significant risk of harm to himself/herself or other persons? Yes _____ No _____	
6. If your answer to number 5 is "Yes" what is the specific risk involved?  The duration of the risk? The nature and severity of the potential harm? The likelihood that the potential harm will occur? The imminence of the potential harm? What reasonable accommodation(s), if any, could eliminate the risk or reduce it to an acceptable level?	
7. Please state any suggestions you may have as to how the employee/applicant can perform the essential job functions of position with accommodation(s) provided by the District or how the applicant can complete the job application and selection process with accommodation(s)? (Attach additional sheets if necessary.)	
Physician/Psychiatrist's Name:	
Business Address:	Telephone Number:
Signature:	Date:

**BERKELEY UNIFIED SCHOOL DISTRICT  
 HUMAN RESOURCES/PERSONNEL  
 REQUEST FOR REASONABLE ACCOMMODATION – EMPLOYEE**

**BERKELEY UNIFIED SCHOOL DISTRICT**

This form must be completed in order for a qualified employee of the Berkeley Unified School District to request reasonable accommodation to perform the essential functions of his/her position in order to enjoy privileges or benefits of employment equivalent to non-disabled employees.

Your request for reasonable accommodation will be reviewed in accordance with Board Administrative Regulation \_\_\_\_\_ by the Personnel Director, in conjunction with other management staff as appropriate. You will be notified of the District's decision in a reasonable time after this form is received in the Personnel Office.

Best of luck to you in the application and selection process. We are pleased that you are considering us for your future career plans.  
(This side of form to be completed by job employee)

Your name: \_\_\_\_\_  
(please print)

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Telephone Number: (home) \_\_\_\_\_ (work) \_\_\_\_\_

Current position: Div/Dept: \_\_\_\_\_

Reasonable accommodation is required for the following job functions or privileges/benefits of employment:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if necessary)

In order to perform the job functions listed above or enjoy the privileges/benefits of employment, I will need reasonable accommodation, and request that the District do the following: (Describe)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if necessary)

NOTE: In order for your request to be considered, you must attach to this form the District's Disability Certification Form which has been completed by your physician.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Job Applicant)

Return this completed form and the completed Disability Certification Form to [Director of Personnel/Assistant Superintendent/Human Resources, Berkeley Unified School District, Berkeley, CA; fax ( ) \_\_\_\_\_].