

**NEW YORK CITY BOARD OF EDUCATION
DIVISION OF HUMAN RESOURCES
65 COURT STREET
BROOKLYN, NEW YORK 11201**

PERSONNEL MEMORANDUM NO. 51, 1997 – 98

MAY 1, 1998

TO: COMMUNITY SCHOOL BOARD PRESIDENTS, SUPERINTENDENTS, CHIEF EXECUTIVES, EXECUTIVE DIRECTORS, PERSONNEL DIRECTORS, PRINCIPALS AND HEADS OF OFFICES

FROM: HOWARD S. TAMES
EXECUTIVE DIRECTOR

SUBJECT: **REASONABLE ACCOMMODATION REQUESTS UNDER THE AMERICANS WITH DISABILITIES ACT**

It is the policy of the Board of Education to provide equal employment opportunity to qualified individuals with disabilities. Any current employee or anyone who is seeking employment who is a qualified individual with a disability may request a reasonable accommodation in order to assist the individual in performing the essential functions of his/her present assignment. A qualified individual with a disability is a person who has an impairment which substantially limits a major life activity. Board of Education determinations regarding accommodations will be made on an individual basis after a review of the following: (1) the disabled individual's functional limitations; (2) the supporting medical documentation; (3) the essential functions of the job; and (4) whether the granting of the accommodations would impose an undue hardship upon the Board of Education. Information regarding an individual's disability will be kept confidential to the extent required by law.

REQUESTING AN ACCOMMODATION

As a first step, an individual who feels that he/she is in need of an accommodation should first discuss the request with the school, district or office administrator. No accommodation request will be reviewed by the Medical Bureau without this request first being brought to the attention of the local school, district or office administration. Examples of such accommodations are: limited stair climbing, visual aid equipment, elevator accessibility, assistance in the classroom, no escort duty and assignment to a classroom on a lower floor. The administration has the right to request the submission of medical documentation in order to make a decision.

If an accommodation cannot be provided through informal means at the local school, district or office level or if the employee does not wish to discuss his/her disability with school, district or office personnel, the employee has the right to formally apply for an accommodation through the Medical Bureau by completing the attached Accommodation Request Form and attaching medical documentation to support the request. The request should be forwarded to the N.Y.C. Board of Education, Medical Bureau, 65 Court Street, Room 224, Brooklyn, New York 11201, ATT: Accommodation Unit.

PROOF OF RECEIPT

Upon receiving the Accommodation Request Form, the Medical Bureau will mail a letter to the employee's home. This will serve as notification that the Medical Bureau has received the request and that this request is presently under review.

ADDITIONAL MEDICAL DOCUMENTATION OR EXAMINATION

The Medical Bureau may deem it necessary to request additional medical documentation or to examine the employee prior to rendering a determination. This request or examination may be necessary to determine whether a reasonable accommodation is required and if so, the type of accommodation. In such cases, a request for additional information or a medical appointment notice will be mailed to the employee's home.

NOTIFICATION OF DETERMINATION

When a determination has been reached by the Medical Bureau as to the need for and/or nature of a reasonable accommodation(s), a letter will be sent to the employee informing him/her of the approval or denial. A copy of this letter will also be forwarded to the district and school or office.

TRANSFERS

In the event that an employee wishes to request an accommodation in the form of a transfer to a different worksite within his/her superintendency for the start of the next school year, every effort should be made to forward the Accommodation Request Form and the supporting documentation to the Medical Bureau by May 15. This will enable the Medical Bureau to make a determination prior to the fall semester. Requests for spring transfers should be submitted by November 1, to the extent possible. It should be noted that certain employees can also apply for a Medical Hardship Transfer pursuant to applicable collective bargaining procedures. To request an accommodation in the form of a transfer out of the superintendency in which the employee works, a Medical Hardship Transfer Form must be submitted to the Medical Bureau. It should be noted that although the above timeframe is conducive to vacancy availability, a transfer request may be made anytime during the year.

Please contact the Medical Bureau at 718 935-2663 should you require any assistance or clarification.

