



# ADA, Title I Accommodations

## 5.1214.1p

### Standard Operating Procedure Outline

<i>Category:</i>	<b>Human Resources</b>	<i>Department:</i>	<b>Workplace Safety Office</b>		
<i>Procedure:</i>	ADA, Title I Accommodations				
<i>Policy Reference #:</i>	1.802	<i>Version:</i>	2.0	<i>Date Revised:</i>	9/15/23

### Operational Objective(s)

To assure compliance with Title I of ADA Act, and other federal and state laws and regulations pertaining to employees and job applicants with disabilities. The scope of responsibility includes access to programs and facilities for all employees of and job applicants to MNPS.<sup>1,2,3</sup>

- <sup>1</sup> *Students with Individual Education Programs (IEPs), see MNPS Board of Education Policies 4.202 (Special Education) and 6.500 (Special Education Students).*
- <sup>2</sup> *Students with 504 Plans, see MNPS Administrative Procedures 6.205.1p (Section 504 Evaluations & Eligibility) and 6.205.2p (Section 504 Grievance & Due Process).*
- <sup>3</sup> *Members of the general public, see MNPS Administrative Procedure 1.802.1p (ADA, Title II Accommodations).*

### Procedure

#### 1. Requesting ADA Accommodations

Requests for workplace accommodation shall be made in writing by the employee or their designee to the Director of Workplace Safety. Requests shall be filed using an ADA Employee Accommodation Request Form and sent to [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). Alternative means of filing a request shall be made available if needed (e.g., large print, Braille, audiotope). Requests shall include the name, address, email, and telephone number of the employee requesting the accommodation, the location of the program, service, activity, or facility where the accommodation is required and a description of why the accommodation is needed.

Accommodation requests for specific school or district events shall be submitted as early as

possible to allow the Director of Workplace Safety sufficient time to process the request. Such requests shall be submitted to the Director of Workplace Safety at least 72 business hours prior to the event. Accommodation requests submitted less than 72 business hours prior to the event cannot be guaranteed to be provided.

Within 15 calendar days after the receipt of a written request, the Director of Workplace Safety shall make initial contact with the employee to initiate the interactive process for consideration of request made. Once all information has been considered, the employee shall receive a written response to their request. If the response does not satisfy the request for accommodation, the employee or their designee may file an appeal with the Chief of Human Resources within 20 calendar days of the Director's decision in accordance with Step 2 of the ADA Grievance process below.

## **2. Requesting Effective Communication Accommodations**

Employees or their designees shall direct requests for auxiliary aids and services to the Director of Workplace Safety. Auxiliary aids and services may include qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TTY), videotext displays, or other effective methods of making aurally delivered materials available to employees with hearing impairments. Employees in need of interpreting services or their designees shall complete and submit an Interpreter Request Form to [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). All other accommodation requests shall use an ADA Accommodation Request Form. Completed forms shall be forwarded to the Director of Workplace Safety at [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). Requests shall include the name, email, and telephone number of the employee requesting the accommodation; the location, time, and date of the program or event where the accommodation is requested; and name and telephone number for a site contact for coordination of services.

Accommodation requests for specific school or district events shall be submitted as early as possible to allow the Director of Workplace Safety sufficient time to process the request. Such requests shall be submitted to the Director of Workplace Safety at least 72 business hours prior to the event. Accommodation requests submitted less than 72 business hours prior to the event cannot be guaranteed.

Within 15 calendar days after the receipt of a written request, the Director of Workplace Safety shall make initial contact with the employee to initiate the interactive process for consideration of the request. Once all information has been considered, the employee shall receive a written response to their request. The written response shall provide details for plan of accommodation or state reasons for denial. If the response does not satisfy the request for accommodation or if the request is denied, the employee or their designee may file an appeal within 20 calendar days of the Director's decision with the Chief of Human Resources in accordance with Step 2 of the ADA Grievance process below.

The Metropolitan Government shall keep all written requests for accommodation for at least three years.

## **3. ADA Grievance Procedure**

This Grievance Procedure is established to meet the requirements of the ADA. It may be used by employees who have attempted to access one of the Metropolitan Nashville Public Schools' services, activities, or programs and who believe that they have been denied access or

employment due to discrimination based on a disability.

### *Step 1-The Written Complaint*

The Director of Workplace Safety shall hear all complaints. The complaint shall be submitted on MNPS' ADA Complaint Form and contain information about the alleged discrimination such as name, address, email, and phone number of employee and the location, date, and description of the problem. Completed forms shall be submitted by the employee or their designee to [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). Alternative means of filing complaints, e.g., personal interviews or a tape recording of the complaint shall be available for persons with disabilities upon request.

The Director of Workplace Safety shall respond to all complaints within twenty (20) calendar days with a written response as well as information on further grievance procedures that may be followed if the employee is not satisfied with the Director's response.

If the employee is not satisfied with the Director's response, they or their designee may submit an appeal to the Chief of Human Resources as soon as possible but no later than twenty (20) calendar days after the Director's decision.

### *Step 2- Appeal to the Chief of Human Resources*

Appeals of decisions rendered by the Director of Workplace Safety may be filed within 20 calendar days of the Director's decision. Appeals shall be submitted on the MNPS ADA Appeal Form and submitted to [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). Within twenty (20) calendar days after receipt of the appeal, the Chief of Human Resources shall respond to the appeal to discuss the complaint and possible resolutions. Within twenty (20) calendar days after the conclusion of the discussions, the Chief of Human Resources shall respond in writing, and where appropriate, in a format accessible to the employee, such as large print, Braille or audiotape. The response shall explain the position of the Metropolitan Nashville Public Schools and offer options for substantive resolution of the complaint.

If the response does not satisfactorily resolve the issue, the employee or their designee may appeal the decision to the Director of Schools or their designee within twenty (20) calendar days after receipt of the response.

### *Step 3- Appeal to the Director of Schools or Designee*

Appeals of a decision rendered by the Chief of Human Resources may be filed within 20 calendar days of the Chief's decision. Appeals shall be submitted on the MNPS ADA Appeal Form and submitted to [workplacesafety@mnps.org](mailto:workplacesafety@mnps.org). Within twenty (20) calendar days after receipt of the appeal, the Director or their designee shall respond to the appeal to discuss the complaint and possible resolutions. Within twenty (20) calendar days of the conclusion of the discussions, the Director or their designee shall respond in writing, and where appropriate, in a format accessible to the employee, with a final resolution of the complaint.

All written appeals by Metropolitan Nashville Public Schools shall be kept for a minimum of three (3) years.

**MNPS ADA Coordinator**

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**Performance Measure/Accountability**

Continuous evaluation of procedure to ensure efficiency and compliance with all regulations.

**Maintenance Responsibility**

The Director of Schools or their cabinet level designee is responsible for maintenance of this document and questions regarding this memo.