

The ADA Process

1. Notice

- a. Put written notice on all fliers, registration materials, agendas, etc.
- b. Remind participants of their right to accommodations at the beginning of the class or event.

2. Purpose

- a. What are you trying to accomplish? Why does the program exist?

3. Qualified?

- a. Someone who meets the essential eligibility requirements for the program or activity.

4. Disabled?

- a. "Substantial limitation in one or more major life activities." Disability is based upon functional limitations, not a diagnosis or label.
 - i. Mitigating measures
- b. Do not "perceive" someone as being disabled.

5. Documentation

- a. Do not keep medical documents. They should be sent to OEODP (Christine Curley)

6. Confidentiality

- a. Do not discuss accommodations in front of other participants.
- b. Do not tell other participants (or parents) about someone's disability.

7. Program Access

- a. Interactive process
 - i. Should be a dialogue/discussion.
 - ii. Doesn't need to use "Magic words."
 - iii. What's the relationship between the request and the disability?
 - iv. Does not have to be exact accommodation that was requested, but must be "effective."
- b. You do not have to provide an accommodation if it would result in an undue hardship: "Significant difficulty or expense."
 - i. It is unlikely that Extension can use this as a defense.
 - ii. Undue hardship= unduly costly, extensive, substantial, or disruptive.
 - iii. Must consider alternative accommodations that would not be an undue hardship.
- c. You do not have to provide an accommodation if it would result in a fundamental alteration of the program or activity.
- d. Safety
 - i. Direct threat= substantial risk of significant harm.
 - ii. Not based upon rumor, stereotypes, or assumptions.
 - iii. Must try to mitigate.