



## ADA Accommodations and COVID-19

### **What are ADA accommodations?**

Under Title I of the Americans with Disabilities Act (**ADA**), a reasonable **accommodation** is a modification or adjustment to a job, the work environment, or the way things are usually done due to an underlying temporary or permanent medical disability. In most cases it is not leave from work, but adjustments to the way one does their work. However, under certain circumstances, leave could be considered a reasonable accommodation.

### **How do ADA accommodations apply to underlying health conditions and COVID-19?**

Certain underlying chronic medical conditions such as asthma, cancer, diabetes, some pregnancy related conditions, etc. have been identified by the Center for Disease Control (CDC) as posing increased risk from COVID-19 that may justify ADA accommodations (see a more complete list of conditions [here](#)). Certain mental health conditions such as anxiety disorders, obsessive-compulsive disorder and PTSD may also justify ADA accommodations. Other underlying health conditions that prevent the employee from receiving a COVID-19 vaccine can also be considered in a request for accommodation. To date vaccines are not mandated by PGCPD and choosing not to receive the vaccine without a verified medical reason would not be an acceptable reason for an ADA claim.

### **What are possible accommodations PGCPD could use to address underlying health conditions and COVID-19?**

Providing additional PPE, such as shields or plastic dividers in the workspace, additional cleaning of workspaces, reconfiguring of workspace, transfer to a vacant position with less contact with others, remote work such as distance learning, or temporary medical leave are some examples of possible accommodations. Accommodations are made on a case by case basis and not all employees will get the same accommodations.

The employee does not get to dictate their accommodations; it is ultimately up to the employer to determine what reasonable accommodation will be offered. Accommodations cannot impose an "undue hardship" on the school system or fundamentally disrupt or alter the functioning of the school system.

### **How does a Unit I member request a reasonable accommodation related to COVID-19?**

The process for PGCPD employees to request reasonable accommodations is described in Administrative Procedure 4172-Processing Requests for Reasonable Accommodation (see the full AP [here](#)). Those seeking accommodations must submit a request form (a copy of the request form is available [here](#)). The form is to be filled out by the employee and their health care provider with any supporting documentation attached and returned to the ADA Compliance Officer as identified on the request form. PGCPD can require additional medical documentation from an appropriate health care professional if needed.

Individuals suffering from an underlying medical condition as identified by the CDC, which is not otherwise eligible for ADA accommodations, should consider attaching a letter like the one recommended by the NEA. This is useful as these underlying conditions may not fit the existing ADA forms of PGCPD. (A copy of the NEA letter can be found [here](#)).

**What are the responsibilities of the school system once a request form has been filed?**

The system must respond to the employee in a timely manner by investigating and engaging the employee in the “interactive process”, regarding the request. This process is to be a good faith, non-adversarial back-and-forth between the employer and employee that includes collaborative problem solving. Blanket rejections of requests, without engaging the employee in the process, is a violation of Title I of the ADA.

**What are the options of the school system after engaging in this process?**

- The system can propose accommodations and work with the employee and their supervisor to implement their accommodations. The employer does not have to accept the accommodation(s) proposed by the employee without alteration. They can also propose alternative accommodations.
- The system can reject the request for accommodation if they feel it creates undue hardship on the employer, is incompatible with the basic job function of the employee, or the request does not satisfy the requirements for a disability under the ADA.
- If the employer rejects the request for accommodation, they must explain their rejection in writing.

**Is there an appeal process if the request for accommodation is rejected?**

Yes, under AP 4172, the employee has the right to appeal a partial or full rejection of their request. The appeal can ultimately go to the Board of Education. Under this process the rejection would stand unless and until reversed under the appeal process.

## APPENDIX B

### Medical Conditions that Increase Risk from COVID-19

The chart below is based only on the conditions and information [identified by the CDC](#), as of July 23, 2020. The CDC list is updated as new medical evidence becomes available. There may also be other medical conditions, additional risk factors, and other precautions that are recommended for individual patients by their medical providers.

<b>Condition</b>	<b>Bodily system(s) affected</b>	<b>Known/likely COVID risk</b>
Asthma (moderate to severe)	Respiratory system	Likely risk
Cancer	Multiple/depends on type	Known risk Chemotherapy also increases risk of infections
Cerebrovascular disease	Circulatory system	Likely risk
Chronic kidney disease	Kidney function	Known risk at any stage of kidney disease
Chronic Obstructive Pulmonary Disease (COPD)	Respiratory system	Known risk
Cystic fibrosis	Respiratory and digestive system	Likely risk
Hypertension or high blood pressure	Cardiovascular system	Likely risk
Immunocompromised state from solid organ transplant	Immune system	Known risk
Immunocompromised state from blood or bone marrow transplant, immune deficiencies, HIV, or use of immune weakening medicines such as corticosteroids	Immune system	Likely risk
Liver disease	Liver function	Likely risk, especially if you have scarring of the liver
Neurologic conditions such as dementia	Neurological system	Likely risk
Obesity* (BMI of 30 or above)	Multiple	Known risk
Pregnancy**	Multiple	Likely risk; COVID-19 infection may also increase risk of preterm birth

Condition	Bodily system(s) affected	Known/likely COVID risk
Pulmonary fibrosis (damaged or scarred lung tissue)	Respiratory system	Likely risk
Serious heart conditions, such as heart failure, coronary artery disease, pulmonary hypertension, or cardiomyopathies	Cardiovascular system	Known risk
Sickle cell disease	Circulatory system	Known risk
Smoking*** (current or former smokers)	Respiratory and Cardiovascular system	Likely risk
Thalassemia (blood disorder)	Circulatory system	Likely risk
Type 1 diabetes mellitus****	Endocrine system	Likely risk
Type 2 diabetes mellitus*****	Endocrine system	Known risk
Mental Health Conditions (e.g., anxiety disorder, post-traumatic stress disorder, obsessive compulsive disorder)	May effect bodily systems or significantly impact one or more major life activity such as e.g., sleeping, eating, concentrating	<a href="#">Recognized by EEOC</a> to be possible disabilities that may become more acute or disruptive during pandemic
<p>*Obesity: If listing obesity as a medical condition, you should also include related medical conditions like hypertension, diabetes, etc.</p> <p>**Pregnancy: For pregnant, postpartum and breastfeeding patients, you should identify any disabilities or pregnancy-related conditions that require accommodations. In addition to disability law, these patients may also have accommodation rights under pregnancy-specific state laws. For more information and accommodation resources, see <a href="#">Pregnant @ Work – Healthcare Professionals</a>.</p> <p>***Smoking: For patients who are current or former smokers, you should identify any related medical conditions, particularly those that may affect the heart or lungs. Smoking may increase risk for other health conditions that increase risk of severe illness from COVID-19, such as cancer, coronary artery disease, or COPD.</p> <p>****Diabetes: The Americans Diabetes Association also provides a template doctor’s note specific to diabetes, which can be found at <a href="https://www.diabetes.org/coronavirus-covid-19/know-your-rights-covid-19">https://www.diabetes.org/coronavirus-covid-19/know-your-rights-covid-19</a></p>		

**COVID-19 Related Disabilities** – To date, the EEOC has not taken a position on whether or not COVID-19 could be considered a disability under the ADA. However, under the ADA’s broad definition of a disability as a physical or mental impairment that substantially limits one or more major life activity, it is possible that some patients who contract COVID-19 may suffer impairments that would qualify as a disability. For example, there is emerging evidence that some patients, including those who were not ill enough to be hospitalized, experience [prolonged illness and persistent symptoms](#). Patients who experience lingering symptoms that substantially limit one or more major life activity may need accommodations upon returning to work following a COVID-19 infection.

## APPENDIX C

### Possible Accommodations

Options for appropriate accommodations will depend on the individual patient’s medical condition, the degree and severity of risk to the patient’s health from exposure to coronavirus, and the essential functions of their job. The following chart is provided only as a reference to assist patients and medical providers in having a discussion about individual medical needs and provider recommendations.

<b>Job Type*</b>	<b>Potential Points of Exposure to Coronavirus</b>	<b>Examples of Possible Accommodations</b>
Classroom teachers	Multiple daily contacts with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings	Assignment to provide virtual instruction; all “general accommodations” (below); temporary transfer to a position with less student contact; temporary leave
Specialized Instructional Support Personnel (SISP)**	Multiple daily contact with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings	Assignment to provide services and/or instruction virtually; all “general accommodations” (below); temporary transfer to a position with less student contact; temporary leave
Food Service ESPs*** (cooks and food preparation workers; dietitians and dietary technicians; food service workers; cashiers; non-managerial supervisors)	Some prolonged periods of contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); temporary transfer to a position with less student contact; scheduling changes to reduce contact with others; temporary leave
Custodial and Maintenance ESPs (building and grounds maintenance staff; custodians; mechanics (except vehicle) and repairers; laborers, helpers, and warehouse personnel; non-managerial supervisors)	Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); scheduling changes to reduce contact with others; enhanced levels and types of PPE for those working with chemicals and potential contaminants; temporary leave

<b>Job Type*</b>	<b>Potential Points of Exposure to Coronavirus</b>	<b>Examples of Possible Accommodations</b>
<p>Clerical Services ESPs (secretaries, administrative and office assistants; data entry, payroll, and general office workers; bookkeepers and accounting and financial assistants; registration, records, and attendance technicians; receptionists; non-managerial office supervisors)</p>	<p>Some prolonged period of contact with students and co-workers; some contact with parents/guardians and visitors; exposure to surfaces; extended periods of time in buildings</p>	<p>Telework; all “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave</p>
<p>Paraeducators (instructional and non-instructional assistants; teachers’ and program aides; library aides, technicians, and assistants; preschool caregivers; building, bus, and playground monitors; crossing guards)</p>	<p>Multiple daily contacts with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings</p>	<p>Assignment to support instruction and/or other services provided virtually; all “general accommodations” (below); temporary transfer to a position with less student contact; scheduling changes to reduce contact with others; temporary leave</p>
<p>Transportation Services ESPs (bus drivers; truck and van drivers; vehicle mechanics; garage workers; transportation maintenance workers; non-managerial supervisors)</p>	<p>Multiple daily contacts with students and co-workers; exposure to surfaces; extended periods of time in buildings</p>	<p>All “general accommodations” (below); limitations on numbers of passengers; plexiglass shields; requiring cracked windows on the bus, weather permitting; distancing between drivers and students and between students; PPE and hand hygiene protocols; hand sanitation station for students boarding and exiting buses; daily cleaning and disinfecting of buses; temporary leave</p>

<b>Job Type*</b>	<b>Potential Points of Exposure to Coronavirus</b>	<b>Examples of Possible Accommodations</b>
<p>Technical Services ESPs (audiovisual, language, science, mechanical, and electrical technicians; computer operators and programmers; systems analysts; data processing specialists; media and public relations specialists; writers and editors; designers, photographers, and graphic artists)</p>	<p>Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings</p>	<p>Telework; all “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave</p>
<p>Skilled Trade Services ESPs (electricians; carpenters; painters and glaziers; heating, ventilation, and air conditioning mechanics and specialists; machine operators, assemblers, and inspectors; printing services personnel; non-managerial supervisors)</p>	<p>Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings</p>	<p>All “general accommodations” (below); scheduling changes to reduce contact with others; enhanced PPE for those working with ventilation systems and/or chemicals; temporary leave</p>
<p>Security Services ESPs (security workers; guards; non-managerial supervisors)</p>	<p>Multiple daily contacts with students, co-workers and parents/guardians; exposure to surfaces; extended periods of time in buildings</p>	<p>All “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave</p>
<p>Health and Student Services ESPs (licensed practical nurses; nurses’ and health aides; health technicians; family and parent services aides; community welfare services workers; non-managerial supervisors)</p>	<p>Multiple daily close contacts with students, co-workers, and parents/guardians; exposure to surfaces; extended periods of time in buildings</p>	<p>Telework; all “general accommodations” (below); enhanced PPE for nurses and other appropriate staff; temporary transfer to a position with less student contact; temporary leave</p>
<p>Higher education faculty, contingent faculty, and graduate assistants</p>	<p>Multiple daily contacts with students and co-workers; exposure to surfaces; extended periods of time in buildings</p>	<p>Assignment to provide virtual instruction; all “general accommodations” (below); temporary transfer</p>

		to a position with less student contact; temporary leave
--	--	----------------------------------------------------------

\* Where positions are listed, these are examples and may not include every position that falls within that job type.

\*\*SISP – Specialized Instructional Support Personnel: personnel who work with teachers, education support professionals, parents, community members, and other education stakeholders to make sure students have the services they need to succeed academically and socially, inside and outside the classroom. SISP include professionals such as school counselors, psychologists, social workers, occupational therapists, library media specialists, speech pathologists, and others

\*\*\* ESPs – Education Support Professionals are individuals employed in a professional career that falls into one of the following career categories: paraeducators, clerical services, custodial and maintenance services, food services, transportation services, technical services, skilled trades services, security services, and health and student services. ESPs work in both PK-12 systems and in institutes of higher education.

**General Accommodations** (if not already in place):

- **Personal Protective Equipment (PPE) and hand hygiene protocols; cleaning and disinfecting** – [appropriate face covering on patient](#) (if necessary, specifying cloth face covering, mask, or respirator); appropriate face covering on all others in the school building or other worksites (including school buses); face shields; mandatory hand-washing multiple times a day and hand sanitizer; daily cleaning and disinfecting, regular disinfecting of high-touch surfaces.
- **Building/Worksite Modifications** – plexiglass protections; HVAC system and other ventilation modifications to increase air flow, air filtration, and circulation of clean air
- **Distancing / Modifications to Work Environment & Schedules** – reductions in class size or other (e.g. school bus, office space, maintenance shop, etc.) capacity; reconfiguration of all spaces where students and/or staff gather; adjustments to school schedules and traffic patterns

**Temporary Leave:**

If you are recommending a period of temporary leave as an accommodation option because there are no other reasonable accommodations available or because leave is necessary until other accommodations can be put in place, please specify an estimated period of leave. For example, “A period of leave for the one to two weeks that it should take to implement physical or other workplace safety modifications.” OR “A period of leave for approximately \_\_\_\_ weeks, at which time, I want to reassess the patient’s medical condition in light of evolving workplace and community risks from COVID-19.”

**Additional Resources:**

The Job Accommodation Network (JAN) hosts a searchable online accommodation database, by categories such as disability/type of condition, limitations, and work-related functions:

<https://askjan.org/soar.cfm>

# ADMINISTRATIVE PROCEDURE

## PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

- I. **PURPOSE:** To establish procedures for processing requests for reasonable accommodation by employees and applicants of Prince George's County Public Schools (PGCPS). Persons with disabilities will be provided an equal opportunity to participate in or benefit from all services as offered to other individuals. To the greatest extent reasonable and possible, this will be done in the most integrated setting appropriate to the needs of the individual with a disability. Prince George's County Public Schools will not use standards, criteria, or methods of administration that screen out, exclude, or discriminate based on disability.
- II. **SCOPE:** The provisions of these procedures apply to all PGCPS employees and applicants with disabilities.
- III. **DEFINITIONS:**
  - A. **Qualified Individual with a Disability.** An individual with a disability is qualified if (1) he/she satisfies the requisite skill, experience, education and other job-related requirements of the position; and (2) he/she can perform the essential functions of the position, with or without reasonable accommodation. A qualified individual with a disability includes an individual "perceived" as having a disability.
  - B. **Reasonable Accommodation.** Any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.
  - C. **Undue Hardship.** If a specific reasonable accommodation causes significant difficulty or expense, then the school system will not be required under the law to provide that particular accommodation. Determination of undue hardship must be made on a case-by-case basis, considering factors such as the cost of the reasonable accommodation needed and the impact of the reasonable accommodation on the operation of the school system. Undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, and/or that would fundamentally alter the nature or operation of the school system.
  - D. **Essential Functions.** Those job duties that are so fundamental to the position that the individual cannot do the job without performing them. A function can be "essential" if, among other things, the position exists specifically to perform that function; there are a limited number of other

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

employees who could perform the function; or the function is specialized and the individual is hired based on ability to perform. The essential functions of a position must be determined on a case-by-case basis so that it reflects the job as actually performed.

- E. **Extenuating Circumstances.** Extenuating circumstances are factors that could not reasonably have been anticipated or avoided in advance of the request for the accommodation.

IV. **PROCESS:** PGCPS will ensure that requests for reasonable accommodation are handled in an effective and expeditious manner so as:

- A. To enable the individual employee to perform the essential functions of the position, or to gain access to the workplace.
- B. To enable an applicant with a disability to have an equal opportunity to participate in the application process and to be considered for a job.
- C. To allow an employee with a disability an opportunity to enjoy the same benefits and privileges of employment as are enjoyed by employees without disabilities.

V. **ASSIGNMENT OF RESPONSIBILITIES:**

- A. Employees and Applicants. An employee or applicant shall:
1. Initiate a request for reasonable accommodation orally or in writing in accordance with procedures listed below in Section VI.
  2. Provide sufficient information and documentation to support the limitation and effect on employment, the accommodation requested, and an explanation of how it would enable an employee to perform the job or assist an applicant in the selection process.
  3. Provide relevant medical information related to the functional impairment and the requested accommodation. PGCPS recognizes that where a disability is obvious, it will not require medical documentation as a prerequisite for reasonable accommodation.
- B. Compliance Officer. The Compliance Officer shall:
1. Ensure a continuing affirmative application process and vigorous enforcement of the procedures contained herein, including notice to all applicants of their rights to request a reasonable accommodation.

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

2. Request sufficient resources for program implementation to ensure efficient and successful processing of requests for reasonable accommodation. Confirm actions meet all legal compliance.
  3. Manage requests for reasonable accommodations. Provide reasonable accommodation in a prompt, fair and efficient manner.
  4. Maintain confidential records related to an employee's request for accommodation. Ensure that medical records are kept confidential and maintained in files separate from the individual's official personnel file.
  5. Prepare an annual report for the Chief Executive Officer including the number of requests for accommodation (approvals and denials), cost, training, and timeline for completion.
  6. Request relevant supplemental medical information if documentation submitted does not clearly explain the nature of the disability, reason for reasonable accommodation, or does not plainly describe how the requested accommodation will assist the applicant/employee to perform the essential function of the job.
  7. Provide orientation, training, and advice to managers and supervisors regarding the implementation of the procedures.
  8. Determine appropriate actions and coordinate with appropriate personnel involved ensuring timely completion of individual requests.
  9. Recommend alternatives to address specific requests.
- C. Chief Human Resources Officer. The Chief Human Resources Officer or designated official shall:
1. Process requests for reasonable accommodation from applicants during the recruitment and application process, as needed.
  2. Make vacancy announcements available to applicants/employees with disabilities.
  3. Ensure that all vacancy announcements include a statement that accommodations are available upon request by the applicant.
  4. Support the Division of Human Resources to increase the representation of people with disabilities in the PGCPS workforce.
  5. Assist the Compliance Officer with reassignments as a reasonable accommodation in accordance with Employee Equal Opportunity Commission (EEOC) regulations and laws.
- VI. **PROCEDURES:** An employee or applicant with a disability, or his/her family member, health professional or other representative who is acting on behalf of the employee or applicant (requestor) may initiate a request for reasonable accommodation.

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

- A. The process for requesting an accommodation begins with the requestor contacting the Compliance Officer by telephone or by submitting the Request for Reasonable Accommodation and Medical Inquiry Form to Support Accommodation Request (if required), Attachment 1, to the Compliance Officer in the Employee and Labor Relations Office. If the request is initiated by telephone, the requestor will complete the Request for Reasonable Accommodation and Medical Inquiry Form to Support Accommodation Request for record keeping purposes.
- B. After receiving a request, the Compliance Officer will take immediate action of investigating and considering the requested accommodation, including consulting appropriate resources for assistance. Suggested resources available to assist both school system personnel and the requestor in identifying possible accommodations, are listed in Attachment 2. If approved, accommodations will be provided within ten (10) business days, or sooner, from the date the request is received by the Compliance Officer. Extenuating circumstances, including the unavailability of equipment from the manufacturer, delay in installation, etc., may prevent meeting the ten (10) day deadline. Expedited processing might be necessary where, for instance, the reasonable accommodation is needed to enable an individual to apply for a job, or the reasonable accommodation is needed for a specific activity that is scheduled to occur soon after the request is initiated.
- C. If there are extenuating circumstances that will delay either processing a request for, or delivering, a reasonable accommodation, the Compliance Officer will notify the requestor promptly and keep the requestor informed of the approximate date the school system will complete the process or issue a decision. The Compliance Officer will investigate the possibility of temporary measures that could be taken to assist the requestor. Any changes or developments will be communicated promptly to the requestor.
- D. Upon granting or denying the request for reasonable accommodation, the Compliance Officer will either complete the "Reasonable Accommodation Information Report" (Attachment 3) or issue a formal letter; these documents will be maintained for future reporting.
- E. If the Compliance Officer denies the request, the requestor will either be informed, in writing, of the denial (See Attachment 4) or issued a formal letter; these documents will be maintained for future reporting. The reasons for denial are:

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

1. The requestor has failed to satisfy the requirements; or
  2. The accommodation would create an undue hardship on PGCPS.
- F. The denial notice will clearly specify reasons for the denial (e.g., why the medical documentation, if appropriate, was inadequate to establish that a qualified individual with a disability needs reasonable accommodation; or why the accommodation would pose an undue hardship to the school system; or why the requested accommodation would not be effective).
- G. Within ten (10) business days after receipt of the denial notice, if the requestor wishes reconsideration of the decision to deny reasonable accommodations, then he or she may submit additional information for reconsideration. New evidence and sound justification should be presented to support this request. The Compliance Officer will issue a decision on reconsideration within five (5) business days after receipt of the requestor's request for reconsideration. Pursuing reconsideration or any other informal dispute resolution procedures does not toll the time limits for initiating statutory claims.
- H. If the Compliance Officer denies the request a second time, the requestor can appeal the decision to the Director of Employee and Labor Relations within ten (10) business days.
- I. If the Director of Employee and Labor Relations denies the request, the requestor can appeal the decision to the Chief of Human Resources within ten (10) business days of the Compliance Officer's second denial of the requested accommodation.
- J. If the Chief of Human Resources denies the request, the requestor can appeal the decision to the Chief Executive Officer or his/her designee and Labor Relations' denial of the requested accommodation.
- K. If the Chief Executive Officer denies the request, the requestor may appeal the decision to the Board of Education in accordance with Section 4-205 of the Education Article, Annotated Code of Maryland within thirty (30) days of the Chief Executive's denial. The Compliance Officer will also notify the requestor that he/she has a right to file a complaint, pursuant to AP 4170, Discrimination and Harassment, and with a designated local, State or federal equal employment agency.
- L. In instances where the employee has requested an accommodation from his or her immediate supervisor without contacting the Compliance Officer, the immediate supervisor will contact the Compliance Officer only if the

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

requested accommodation is denied. The Compliance Officer will review all information and follow the procedures outlined above.

#### VII. ADDITIONAL GUIDELINES:

##### A. Request for Reassignment.

1. Reassignment will only be considered if accommodations are unavailable to enable the employee to perform his or her current job, or if the only other effective accommodation would cause undue hardship.
2. In considering whether there are positions available for reassignment, the Compliance Officer will work with Human Resources staff to identify possible vacant positions. The Human Resources staff is responsible for conducting the search for reassignment, and will focus on positions which are equivalent to the current job in terms of pay, status, grade level, and other relevant factors. If there is no vacant equivalent position, the school system will consider vacant positions of a lower level for which the employee with a disability is qualified.

##### B. Medical Information.

1. The Compliance Officer has a right to request relevant supplemental medical information if the information submitted: (a.) does not clearly explain the nature of the disability, or the need for the reasonable accommodation, (b.) does not otherwise clarify how the requested accommodation will assist the employee to perform the essential functions of the job or to enjoy the benefits and privileges of the workplace, or (c.) in the case of an applicant, assist him or her with the application process. The school system shall have the right to have medical information reviewed by a medical expert of PGCPS' choosing, at its expense.
2. Where medical documentation is provided by an employee requesting an accommodation is insufficient, the Compliance Officer will explain to the employee why the documentation is insufficient and identify the information still needed. The school system's request for medical information will follow the requirements set forth in the EEOC's Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (available on EEOC's internet sites).

## ADMINISTRATIVE PROCEDURE

### PROCESSING REQUESTS FOR REASONABLE ACCOMMODATION

4172

Procedure No.

August 15, 2013

Date

3. If, after a reasonable period of time, there is insufficient information to demonstrate that the individual has a disability and needs a reasonable accommodation, PGCPS may either deny the request for accommodation or request that the individual requesting accommodation be examined by a physician selected by the school system.

C. Information Tracking.

The Compliance Officer and Director of Employee and Labor Relations will ensure that medical records are kept confidential. Such records will be maintained in files separate from the employee's official personnel file, and will be disclosed only in accordance with EEOC regulations.

- VIII. **RELATED PROCEDURES AND REGULATIONS:** Administrative Procedure 4170, Discrimination and Harassment; Rehabilitation Act of 1973, 29 U.S.C. 701 et reg.; Title I of the Americans with Disabilities Act of 1990, 42 U.S.C. 12101-12117; The ADA Amendments Act of 2008; and Section 4-205 of the Education Article, Annotated Code of Maryland.
- IX. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Office of Employee and Labor Relations and will be updated as needed.
- X. **CANCELLATIONS AND SUPERSEDES:** This Administrative Procedure cancels and supersedes Administrative Procedure 4172 dated August 22, 2011.
- XI. **EFFECTIVE DATE:** August 15, 2013.

Attachments: 1 - Request for Reasonable Accommodations  
2 - Recruitment Resources  
3 - Reasonable Accommodations Information Report  
4 - Denial of Reasonable Accommodations Request

Distribution: Lists 1, 2, 3, 4, 5, 6, 9, 10, and 11

**REQUEST FOR REASONABLE ACCOMMODATION**

*To the Employee/Applicant: To initiate this request, please complete this form and submit to the Equal Employment Opportunity Advisor, Office of General Counsel. Attach additional sheets as necessary. Click here for to download*

Date of Request: \_\_\_\_\_

Name of Employee/Applicant: \_\_\_\_\_

Position Title: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Office/Work Location: \_\_\_\_\_

Reasonable accommodation needed for (check one):

- ( ) Application Process
- ( ) Performing job functions or accessing the work environment
- ( ) Accessing a benefit or privilege of employment (e.g., attending a training program or special event)

Describe your disability(ies) and how it/they affect(s) your ability to do your job? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What is/are your requested accommodations? If accommodation is/are time-sensitive, please explain. Be as specific as possible (adaptive equipment, staff assistant, removal of architectural barrier, reader, interpreter, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How will the requested accommodation be effective in allowing you to perform the essential functions of your job?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Name of Supervisor: \_\_\_\_\_

*All requests for accommodation will be handled in a prompt and expeditious manner. All records of reasonable accommodation will be kept confidential.*

### Medical Inquiry Form to Support Accommodation Request

*Form to be completed by Employee/Requestor's Health Care Provider after discussion with employee.*

**A. A person has a disability under the ADA if the person has an impairment that substantially limits one or more major life activities.**

Does the employee have a physical or mental impairment? ( ) YES ( ) NO

If yes, what is the impairment? \_\_\_\_\_

Is the impairment long term or permanent? If not permanent, how long will the impairment likely last? \_\_\_\_\_

Does the impairment affect a major life activity? ( ) YES ( ) NO

If yes, what major life activity(ies) is/are affected?

- ( ) Caring for Self                      ( ) Walking                      ( ) Hearing                      ( ) Lifting
- ( ) Interacting with Others            ( ) Standing                      ( ) Seeing                      ( ) Sleeping
- ( ) Performing Manual Tasks          ( ) Reaching                      ( ) Speaking                    ( ) Working
- ( ) Bodily Functions                    ( ) Eating                        ( ) Reading                      ( ) Bending
- ( ) Breathing                            ( ) Thinking                      ( ) Learning
- ( ) Toileting                             ( ) Sitting                        ( ) Concentrating
- ( ) Other : (describe) \_\_\_\_\_

Does the impairment affect the operation of a major bodily function? ( ) YES ( ) NO

If yes, what operation of a major bodily function is/are affected?

- ( ) Immune System                      ( ) Special Sense Organs and Skin    ( ) Normal Cell Growth
- ( ) Digestive System                    ( ) Genitourinary                      ( ) Bladder                      ( ) Endocrine
- ( ) Neurological                        ( ) Brain                        ( ) Respiratory                      ( ) Circularly
- ( ) Cardiovascular                      ( ) Hemic                        ( ) Lymphatic                      ( ) Musculoskeletal
- ( ) Reproductive Functions            ( ) Bowel                        ( ) Other: (describe)

Is the employee substantially limited in one of these major life activities? ( ) YES ( ) NO

**B. An employee with a disability is entitled to an accommodation only when the accommodation is needed because of the disability.**

What disability(ies) is/are interfering with job performance? \_\_\_\_\_

What job function(s) is/are the employee having trouble performing because of his/her disability(ies)?

---

---

How does the employee’s disability(ies) interfere with his/her ability to perform the job function(s)?

---

---

---

**C. If an employee has a disability and needs an accommodation because of the disability, the employer must provide a reasonable accommodation, unless the accommodation poses an undue hardship.**

As the Health Care Provider, do you have any suggestions regarding possible accommodations to meet satisfactory job performance? If so, please describe. \_\_\_\_\_

---

---

---

How would your suggestions improve the employee’s job performance? \_\_\_\_\_

---

---

---

**D. Additional Comments:** \_\_\_\_\_

---

Health Care Provider’s Signature: \_\_\_\_\_

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

Phone Number: \_\_\_\_\_

Date: \_\_\_\_\_

*Return completed form electronically to:*

**Amana Simmons, Esq. – EEO Advisor/Title IX Coordinator**  
Prince George's County Public Schools  
Email: [amana.simmons@pgcps.org](mailto:amana.simmons@pgcps.org)  
phone: 301-952-6156

**Sample Letter from Health Care Professional Supporting  
Workplace Request for Accommodations Related to COVID-19**

*[Replace the above text with your professional letterhead. This letter must be individualized.  
Click here to download]*

[Date]

Dear [Supervisor or Human Resources Staff] OR [To Whom It May Concern]:

I am the [treating physician, nurse practitioner, healthcare professional, etc.] for [Patient].

My patient, [patient's name], has been diagnosed with [condition – ***Appendix B contains a list of COVID-19 high-risk health conditions and the bodily systems they impair***], a medical condition that substantially limits [the bodily system impaired]. Specifically, this patient's body [describe the impairment].

People with [condition] face a higher chance of experiencing serious complications from COVID-19. The CDC has advised individuals with [condition] to take additional precautions in order to avoid exposure to the coronavirus. In particular, given my patient's condition, they [Explain any complications the patient has that would make them even more vulnerable to serious illness from COVID-19.]

[Add, if applicable: In general, people with [condition] are more likely to experience severe symptoms and complications when infected with a virus. For example, viral infections can [describe how viral infections in general impact people with the patient's condition.]]

[Include this only if relevant: My patient also has [list any other health conditions that may also increase risk from COVID-19], which makes them even more vulnerable to serious illness from COVID-19.]

Due to ongoing treatment for [condition] it is medically advisable for [patient] to [Select all that apply: avoid contact with others/self-isolate/reduce contact with others/take precautionary measures when in contact with others and in public spaces]. It is my professional opinion that the risk of serious illness related to COVID-19 can be mitigated through the following reasonable accommodations:

[List accommodations that patient is requesting and that are medically supported, such as teleworking; temporary reassignment to another position to accomplish physical distancing; temporary reassignment of specific duties; temporary leave; workplace screening, barriers, distancing, and disinfecting. ***Appendix C lists examples of possible accommodations that may be appropriate for different job classifications.***]

[Where possible: I estimate that these accommodations will be necessary for approximately \_\_\_\_\_ weeks, at which time, I want to reassess the patient's medical condition in light of evolving workplace and community risks from COVID-19.]

[If a period of leave is required, it is best to give an estimated length, because an indefinite period of leave is generally not necessary and might not be considered to be a reasonable accommodation. For example: A period of leave for the one to two weeks that it should take to implement physical or other workplace safety modifications. OR

A period of leave for approximately \_\_\_\_ weeks, at which time, I want to reassess the patient's medical condition in light of evolving workplace and community risks from COVID-19.]

With these accommodations, I am confident that [patient's name] can safely and fully perform all essential job duties. Please contact me if you have any questions.

Sincerely,

[Signature]

[Printed Name]