

**DEPARTMENT OF HOMELAND SECURITY  
FEDERAL LAW ENFORCEMENT TRAINING CENTERS**

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<b>FLETC DIRECTIVE NO:</b>	256-05
<b>DIRECTIVE TITLE:</b>	FLETC Reasonable Accommodation and Personal Assistance Services Program
<b>EFFECTIVE DATE:</b>	September 14, 2021

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**I. POLICY:** The Federal Law Enforcement Training Centers (FLETC) is committed to providing reasonable accommodations to ensure that qualified individuals with disabilities enjoy equal access to all employment and training opportunities, unless doing so would cause significant difficulty or expense (“undue hardship”). FLETC is also committed to providing personal assistance services in accordance with the Equal Employment Opportunity Commission’s (EEOC) Final Rule on Affirmative Action for Individuals with Disabilities in Federal Employment to its employees with a targeted disability.

**II. SCOPE:** The provisions of this directive apply to all FLETC employees and detailed Participating Organization (PO) employees, applicants seeking employment with the FLETC, and students participating in FLETC training. This policy also applies to FLETC employees outside the workplace while conducting Government business.

**III. REFERENCES:**

- A. The Americans with Disabilities Act, 42 U.S.C. § 12101, et seq.;
- B. The Rehabilitation Act of 1973, 29 U.S.C. § 701, et seq.;
- C. The Architectural Barriers Act of 1968, 42 U.S.C. § 4151, et seq.;
- D. The Homeland Security Act of 2002, 6 U.S.C. § 463;
- E. Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Homeland Security, 6 CFR Part 15 (2003);
- F. Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation;
- G. Equal Employment Opportunity Commission Procedures for Providing Reasonable Accommodation for Individuals with Disabilities, February 9, 2001;
- H. Equal Employment Opportunity Commission Enforcement Guidance: Reasonable Accommodations and Undue Hardship under the Americans with Disabilities Act, No. 915.002 (October 17, 2002);
- I. Equal Employment Opportunity Commission Management Directive 715;
- J. Equal Employment Opportunity Commission Final Rule, “Affirmative Action for Individuals with Disabilities in Federal Employment”, 29 CFR Part 1614.203 (2017);
- K. DHS Directive No. 259-01, Providing Reasonable Accommodations for Employees and Applicants;
- L. DHS Instruction 259-01-001, Instruction on Providing Reasonable Accommodations for Employees and Applicants with Disabilities;

- M. DHS Instruction 259-01-002, Procedures for Conducting a Department-wide Search for a Reassignment as a Reasonable Accommodation of Last Resort;
- N. DHS Directive 065-01, Nondiscrimination for Individuals with Disabilities in DHS Conducted Programs and Activities (Non-Employment);
- O. DHS Directive 4010.2, Section 508 Program Management Office and Electronic and Information Technology Accessibility;

**IV. CANCELLATIONS:** None.

**V. ADDITIONAL GUIDANCE:** FLETC Manual 256-05, FLETC Reasonable Accommodation and Personal Assistance Services Program.

**VI. OFFICE OF PRIMARY INTEREST:** Equal Employment Opportunity (EEO) Office.

*Signature on File*    9/14/21

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Jennifer E. Tocco    Date  
Chief of Staff  
Director's Office

**FLETC MANUAL 256-05**

**FLETC Reasonable Accommodation and  
Personal Assistance Services Program**

Supporting Publication to FLETC Directive 256-05  
FLETC Reasonable Accommodation and Personal Assistance Services Program

**September 2021**

**SIGNATURE PAGE**

**FLETC Manual 256-05, FLETC Reasonable Accommodation and Personal Assistance Services Program**

APPROVED BY:

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*9/14/21*

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**FLETC MANUAL 256-05**

**FLETC Reasonable Accommodation and Personal Assistance Services Program**

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**I. INTRODUCTION:** The purpose of this manual is to promulgate the Federal Law Enforcement Training Centers' (FLETC) procedures regarding reasonable accommodation and personal assistance services (PAS) for its employees, applicants, and students.

As a model employer, FLETC provides equal employment opportunities to all employees, applicants, and students, including qualified individuals with disabilities. A disability is a physical or mental impairment that substantially limits activities of daily living, including caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning. FLETC is committed to providing reasonable accommodation to qualified employees and applicants with disabilities in accordance with the Rehabilitation Act of 1973 during the hiring and application process, and to workforce members who may need an accommodation to perform their jobs or enjoy the benefits and privileges of employment. FLETC is also committed to providing PAS in accordance with the Equal Employment Opportunity Commission's (EEOC) Final Rule on Affirmative Action for Individuals with Disabilities in Federal Employment to its employees with a targeted disability. PAS may include services such as assistance with performing activities of daily living that an individual would typically perform if they did not have a disability, e.g., assistance with removing and putting on clothing, eating, and using the restroom. Absent undue hardship, FLETC must implement reasonable accommodations and personal assistance services solutions for its students when approved by the student's employing agency. FLETC's Equal Employment Opportunity (EEO) Office highly encourages that all student requests for reasonable accommodation be submitted 30 days prior to arriving at FLETC.

Any employee, applicant, or student who believes that they require a reasonable accommodation or any employee who believes that they require PAS may request an accommodation or PAS pursuant to these procedures.

There are three categories of reasonable accommodations:

- Modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job (such as providing application forms in alternative formats like large print or Braille);
- Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job (such as providing a sign language interpreter); and
- Modifications or adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment (such as removing a barrier that prevents a student or FLETC employee from participating in a training event or program).

Conditions that are minor and temporary such as a sprain are not disabilities under the Americans with Disabilities Act of 1990 (ADA), as amended, therefore resulting workplace modifications are not considered reasonable accommodations covered under this directive and manual. FLETC supervisors have the authority to approve a request for a workplace adjustment for temporary medical conditions in accordance with the FLETC Directive 66-12, *Light Duty and Limited Duty Program*. The FLETC EEO Office highly encourages supervisors to contact the Human Capital Office (HCO) prior to granting light duty accommodations.

**II. SCOPE:** The provisions of this manual apply to all FLETC employees and Participating Organization (PO) employees detailed to FLETC, applicants seeking employment with FLETC,

and students participating in FLETC training. This policy also applies to FLETC employees and PO employees detailed to FLETC while conducting Government business outside the workplace.

### III. FORMS:

A. FLETC Form 256-05-01, FLETC Confirmation of Employee Reasonable Accommodation Request Form (Attachment A).

B. FLETC Form 256-05-02, FLETC Employee Job Analysis Questionnaire for Reasonable Accommodation (Attachment B).

C. FLETC Form 256-05-03 FLETC Employee Reassignment as Reasonable Accommodation of Last Resort Job Search Form (Attachment C).

D. FLETC Form 256-05-04, FLETC Authorization to Release Medical Records/Information (Attachment D).

E. FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request (Attachment E).

F. FLETC Form 256-05-06, FLETC Withdrawal of Reasonable Accommodation Request (Attachment F).

G. FLETC Form FTC-SSD-51, Transportation, Lodging and Meals Accommodation or Waiver Form (Attachment G).

H. Department of Health and Human Services, Federal Occupational Health Service Authorization for Disclosure of Information Form (Attachment H).

### IV. DEFINITIONS:

A. **Assistive Technology:** Any item, piece of equipment, or system, whether acquired commercially, modified, or customized, commonly used to increase, maintain, or improve functional capabilities of individuals with disabilities.

B. **Confidentiality:** The requirement under the ADA and the Rehabilitation Act to protect against disclosure of medical and disability related information. Anyone who receives medical and disability related information is strictly bound by confidentiality requirements. Medical information may only be disclosed in certain limited situations:

1. Management officials and others involved in the implementation of an accommodation who have a “need to know” (including the Deciding Official who requested that the medical information be obtained) may be told about the individual’s functional limitations and about the necessary accommodation(s).

2. First aid and safety personnel, when appropriate, if the disability might require emergency treatment.

3. Government officials when the information is necessary to investigate DHS or FLETC compliance with the Rehabilitation Act.

C. **Day:** Business day, unless noted otherwise. If a deadline falls on a weekend, federal holiday, or other non-business day, the deadline shifts to the following business day.



**D. Direct Threat:** A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation. The determination that an individual poses a direct threat must be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job.

**E. Disability:** A physical or mental impairment that substantially limits one or more major life activities. Exclusions include, but are not limited to, transvestitism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, other sexual behavior disorders, compulsive gambling, kleptomania, pyromania, "normal" pregnancy, old age, current illegal drug use, and current prescription drug abuse. Anyone who is currently using drugs illegally is not protected by the ADA and may be denied employment or separated from service based on such use.

**F. Disability Discrimination:** When an employer or other entity covered by the ADA or the Rehabilitation Act treats an employee, applicant or student who is a qualified individual with a disability (QUID) unfavorably because the individual has a disability. Disability discrimination can occur in two ways:

1. The first occurs when employees, applicants for employment or students are treated differently or unfavorably or subject to adverse actions and/or retaliation on the basis of their physical or mental disabilities.

2. The second occurs when management fails to make reasonable accommodation for a disabling condition.

**G. Essential Function:** A job duty so fundamental to a position that the position requirements cannot be fulfilled without successful performance of the duty. A function is determined to be "essential" if, among other things the position exists specifically to perform the function, there are a limited number of other employees who could perform the function, or the function is specialized and the individual is hired based on their ability to perform it.

**H. Individual with a Disability:** An individual who has a physical or mental impairment that substantially limits one or more major life activities (an "actual disability"), or a record of a physical or mental impairment that substantially limits a major life activity ("record of"), or an actual or perceived impairment that is not both transitory and minor ("regarded as").

**I. Interactive Process:** The process by which the individual requesting an accommodation and the Deciding Official engage with each other, as well as with the Disability Program Manager or Reasonable Accommodation Coordinator, HCO and Office of Chief Counsel (OCC) as needed, about the request for accommodation, the precise limitations resulting from the disability, the process for determining whether an accommodation can be provided, and whether there are alternative accommodations available.

**J. Job Restructuring:** Job restructuring is a form of reasonable accommodation that includes position modifications such as reallocating or redistributing job functions that an employee is unable to perform because of a disability and altering when and/or how a function is performed.

**K. Major Bodily Functions:** Functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and

reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

**L. Major Life Activity (MLA):** Activities of daily living, including major bodily functions, that the average person in the general population can perform with little or no difficulty, such as (but not limited to) caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

**M. Medical Expert:** A medical professional who may assist FLETC in the review of medical information and/or consult with the employee's medical treatment provider, when necessary.

**N. Participating Organization (PO):** Any eligible federal agency involved, directly or indirectly, in the enforcement of federal law, which has applied for and been granted PO status with FLETC.

**O. Personal Assistance Service (PAS):** Services not otherwise required as reasonable accommodations that allow employees with targeted disabilities to fully participate in the workplace by providing assistance with activities of daily living.

**P. Qualified Individual:** An individual who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires, and who, with or without reasonable accommodation, can perform the essential functions of such position.

**Q. Reasonable Accommodation (RA):** Any change or modification in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities.

**R. Reasonable Accommodation Team (RA Team):** The group of individuals who work closely together to conduct the individualized assessment, as appropriate, for reasonable accommodation requests. RA Team typically includes a representative from the EEO Office, HCO, and OCC but may be supplemented with technical experts on an as-needed basis for matters relating to specialized training, safety, medical, etc. As appropriate, the RA Team meets with the Deciding Official to discuss the requester's functional limitations, the essential functions of the position in question, potential effective accommodation(s), and other relevant issues.

**S. Reassignment:** A form of reasonable accommodation that, absent undue hardship, may be provided as a last resort to FLETC employees (not to applicants) who, because of a disability, can no longer perform the essential functions of their job, with or without reasonable accommodation. A reassignment is made only to a vacant position within FLETC or DHS, as requested by the employee. The employee must be qualified for the position and does not have to compete for it. The employee does not have to be the best qualified for the position. As long as the individual is minimally qualified, they must be considered for the vacant position at hand.

**T. Request for Reasonable Accommodation:** A verbal or written statement that an individual needs an adjustment or change in working conditions or requirements, in the application process, or in relation to a benefit or privilege of employment for a reason related to a disability.

**U. Targeted Disabilities:** A subset of conditions that would be considered disabilities under the Rehabilitation Act and for which qualified individuals with certain disabilities (i.e. such as blindness, deafness, paralysis, convulsive disorders, and mental illnesses, among others) have faced significant barriers to employment that are above and beyond the barriers faced by people with the broader range of disabilities. See the Office of Personnel Management's [Standard Form 256 \(https://www.opm.gov/Forms/pdf\\_fill/sf256.pdf\)](https://www.opm.gov/Forms/pdf_fill/sf256.pdf) for a complete list of targeted disabilities.

**V. Training Delivery Point (TDP):** A DHS congressionally funded facility operated by FLETC.

**W. Undue Hardship:** This results when providing an accommodation that is unduly costly, extensive, substantial, or disruptive to operations, or would fundamentally alter the nature or operation of the business. All available resources to DHS as a whole, excluding those designated by statute for a specific purpose, must be considered when making a determination as to undue hardship.

**X. Vacant Position:** A position that is funded and unencumbered when the employee requests a reassignment as reasonable accommodation of last resort. A position is considered vacant until a Certificate of Eligibles has been issued.

## **V. RESPONSIBILITIES:**

**A. The Director** is responsible for ensuring FLETC complies with applicable EEO and reasonable accommodation laws, regulations, and Executive Orders.

**B. The Equal Employment Opportunity (EEO) Officer** is the Director's designee responsible for ensuring FLETC complies with all applicable EEO laws, regulations, and Executive Orders. The EEO Officer administers the EEO Program, which includes the Disability Employment Program. The EEO Officer shall:

1. Review and approve procedures for processing requests for reasonable accommodations and PAS.
2. Develop a tracking system to monitor the responses to requests for reasonable accommodation and PAS FLETC-wide.
3. Coordinate with FLETC divisions to ensure appropriate training is provided to supervisors, managers and hiring officials.
4. Maintain a contract for Sign Language Interpreter services for FLETC, as appropriate.
5. Maintain an Interagency Agreement with the Department of Health and Human Services for Federal Occupational Health medical review services for reasonable accommodation cases, as appropriate.

**C. The Disability Program Manager (DPM)** shall:

1. Manage the reasonable accommodation program FLETC-wide.
2. Develop and implement procedures for processing requests for reasonable accommodations and PAS.

3. The DPM may assign a Reasonable Accommodation Coordinator (RAC) to process a reasonable accommodation or PAS request and determine when it is appropriate to refer a case to an RA Team.

4. Oversee, monitor, and track the FLETC reasonable accommodation process and PAS requests in accordance with 29 C.F.R. § 1614.203(d)(8)(vi); make records available to the EEOC upon the Commission's request; provide case status to employees, applicants, and students upon request.

5. Provide technical assistance on reasonable accommodation and PAS requests and serve as a resource for FLETC management, employees, applicants for employment, students' employing agency representatives, and students.

6. Ensure security of medical information in all reasonable accommodation and PAS cases.

7. Maintain confidentiality of medical information, including not disclosing the existence of a reasonable accommodation or PAS request, to anyone who does not have a "need to know."

**D. The Reasonable Accommodation Coordinator (RAC) shall:**

1. Counsel individuals about reasonable accommodation requests and PAS; consult with DPM for technical assistance as needed.

2. Process assigned reasonable accommodation and PAS cases.

3. Work closely with the individual requesting accommodation, the RA Team, the DPM, and the Deciding Official to facilitate the interactive process.

4. Report to the DPM case status and any incidents of non-compliance with processing timeframes prescribed herein.

5. Ensure security of medical information in all assigned reasonable accommodation and PAS cases.

6. Maintain confidentiality of medical information, including not disclosing the existence of a reasonable accommodation or PAS request, to anyone who does not have a "need to know."

**E. Chief, Office of Chief Counsel (OCC) shall:**

1. Appoint an OCC Representative to serve as a member of the RA Team. This representative provides legal advice and assistance to the RA Team and FLETC management at the earliest possible stage of the reasonable accommodation/PAS process to ensure management's actions comply with applicable laws, directives, and regulations, and are legally defensible and otherwise appropriate.

2. Maintain confidentiality of medical information, including not disclosing the existence of a reasonable accommodation and PAS request, to anyone who does not have a "need to know."

**F. The Human Capital Officer, Human Capital Office (HCO) shall:**

1. Ensure that a reasonable accommodation statement is included in all job

announcements, as applicable.

2. Ensure requests for accommodation by job applicants are processed in a timely manner, and in keeping with DHS and FLETC reasonable accommodation procedures. In these instances, HCO works with the Hiring Official and DPM, as needed, to assess each request on a case-by-case basis.

3. Assign an HCO Workforce Relations Branch (WRB) representative to serve as a member of the RA Team.

4. Assist management officials with identifying essential and marginal functions of positions, as appropriate.

5. Oversee the administration of FLETC-wide procedures for conducting a search for a reassignment as a reasonable accommodation of last resort. Works in an interactive manner with the employee seeking the reassignment and the employee's supervisor, as appropriate.

6. Adhere to DHS-wide job search guidance for requests for reassignment as a reasonable accommodation of last resort. Seek assistance from the FLETC DPM as needed.

7. Ensure unions are provided an opportunity for collective bargaining on reasonable accommodation procedures, as appropriate.

8. Maintain confidentiality of medical information, including not disclosing the existence of a reasonable accommodation and PAS request, to anyone who does not have a "need to know."

**G. IT Operations and Support Division (OSD) Division Chief shall:**

1. Upon request, provide information technology guidance to employees, Deciding Officials, and the DPM and/or RAC in support of FLETC reasonable accommodation and PAS requests.

2. Upon request, assign a representative to serve as an *ad hoc* member of the RA Team to participate in the interactive process in support of an assistive technology reasonable accommodation request.

3. Acquire, install, and support the assistive technology reasonable accommodation in accordance with written decisions of the Deciding Official and consistent with Departmental and Component information technology policy and procedures.

4. Maintain confidentiality, including not disclosing the existence of a reasonable accommodation and PAS request, to anyone who does not have a "need to know."

**H. Chief Financial Officer (CFO) shall:**

1. Upon request, allocate or seek funding guidance for FLETC reasonable accommodation and PAS requests.

2. As appropriate, participate in discussions seeking reimbursement of reasonable accommodation and PAS costs from and facilitate the reimbursement of such costs.

3. Maintain confidentiality, including not disclosing the existence of a reasonable accommodation and PAS request, to anyone who does not have a "need to know."

**I. The Deciding Official** for an employee accommodation request is generally the supervisor, but may be a higher-level individual in the employee's chain of command. In the case of a job applicant, the Deciding Official may be the hiring official or the HCO or their designee. The Deciding Official shall:

1. Participate in the interactive process, to include discussions to clarify the request, and obtain and exchange relevant information.
2. Participate in identifying effective accommodations, including proactively consulting with appropriate FLETC offices (e.g., EEO, HCO, OCC, CIO, and Facilities Management Division) and appropriate external resources for assistance (see Reasonable Accommodation Resources, Attachment I.)
3. Seek guidance related to reasonable accommodation and PAS requests from the DPM, RAC, OCC Representative, or HCO Representative, as appropriate.
4. Complete the FLETC Job Analysis Questionnaire Form (FLETC Form 256-05-02) to accurately identify the essential and marginal functions of the requestor's position within five days of request. Determine the essential functions of a position on a case-by-case basis considering the job as actually performed, and not based only on the components of a position description. Consult with WRB for guidance, as needed.
5. Approve or deny employees' requests for reasonable accommodation and PAS.
6. Authorize funding of costs associated with provision of approved reasonable accommodations and PAS, or seek funding guidance from CFO, as appropriate.
7. Reconsider decisions in accordance with dispute resolution procedures prescribed in section VI of this manual.
8. Ensure that approved reasonable accommodations and PAS are provided within the applicable timeframes identified herein. Failure to provide an accommodation in a prompt manner may result in a violation of the Rehabilitation Act.
9. Ensure recurring needs for accommodations and PAS are met, such as the assistance of sign language interpreter or reader.
10. Maintain confidentiality of medical information, including not disclosing the existence of a reasonable accommodation and PAS request to anyone who does not have a "need to know."

**J. Students' Employing Agency Representatives shall:**

1. Receive and process their students' reasonable accommodation and PAS requests in accordance with their respective agency's procedures.
2. Conduct an individualized assessment of their students' reasonable accommodation and PAS requests in accordance with their respective agency's procedures and in consultation with the appropriate subject matter experts at FLETC (program specialists, classroom coordinators, student services, etc.) or contact the FLETC EEO Office Reasonable Accommodation Coordinator for technical guidance.
3. Notify FLETC of approved reasonable accommodation and PAS decisions in accordance with student procedures identified in section VI(C) below.

4. Fund or reimburse FLETC-funded costs associated with provision of their respective students' approved reasonable accommodations and PAS requests.

## **VI. PROCEDURES:**

### **A. FLETC Employees.**

#### **1. Requesting Reasonable Accommodation or Personal Assistance Services.**

a. An employee may start the reasonable accommodation/PAS process by making an oral or written request to their supervisor, another official in their supervisory chain, HCO, or an EEO official. In the case of a current FLETC employee requesting reasonable accommodation or PAS related to applying for another FLETC position, the request may be made to the HCO point of contact listed on the vacancy announcement.

b. While the requestor may initially make the request orally, the request must be confirmed in writing by the employee, the DPM or RAC using the appropriate FLETC form (Confirmation of Employee Reasonable Accommodation Request Form, FLETC Form 256-05-01). The supervisor or manager must begin processing an oral request for accommodation and/or personal assistance services and the interactive process begins immediately upon receipt of a request and must not wait for written confirmation from the requestor.

c. The requestor is not required to mention the Rehabilitation Act, the ADA or the phrases "disability" or "accommodation." A requester does not need to have a particular accommodation in mind before making a request.

d. An employee may request a reasonable accommodation and/or PAS at any time even if they have not previously disclosed the existence of a disability.

e. A family member, health professional, or other representative may request a reasonable accommodation on behalf of an individual with a disability. For example, a doctor's note outlining medical restrictions of an employee may constitute a request for reasonable accommodation. However, an employee is not required to accept an offered accommodation. If the employee needs a reasonable accommodation to perform an essential function or to eliminate a situation that creates a direct threat to the employee or others, and refuses to accept an effective accommodation, the employee may not be qualified to remain in their assigned position.

f. Sign language interpreter services are managed centrally by the EEO Office. The employee or the supervisor must submit requests for sign language interpreter services to the EEO Officer or their designee. Supervisors must proactively request interpreters for deaf or hearing-impaired employees for crucial events such as meetings, training, safety talks, discussions, and disciplinary actions.

g. Recurring requests are not required for repeating accommodations, such as the assistance of sign language interpreter or reader on a regular basis.

h. If a reasonable accommodation request involves assistive technology, the supervisor or manager or the employee may contact IT Service Desk by phone or via the FLETC Service Portal to explore available solutions. See attachments I, J, and K for additional resources available to FLETC employees, supervisors, and managers.

i. Although supervisors and/or managers have the authority to approve routine requests for reasonable accommodation such as providing a sit/stand desk, ergonomic chair, or modifying a work schedule (adjustments must be within the agency's previously established guidelines such as telework, flexible work schedules, granting short-term leave, etc.), EEO recommends that they contact the FLETC DPM to ensure the accommodation is adequately documented.

j. Supervisors or managers must refer all reasonable accommodation requests that impact the requestor's ability to perform the essential functions of the position to the DPM within two days from the date the request was made.

k. Supervisors or managers must contact the DPM and HCO/WMB if they identify work conditions that pose a direct threat to an employee or others.

l. Supervisors or managers must refer all PAS requests to the DPM within two days from the date the request is made. The following are examples of PAS that may be requested: assistance with removing and putting on clothing, eating, preparing lunch, using the restroom, pushing a wheelchair, assistance with luggage, and assistance with getting into and out of a vehicle at the worksite.

m. Employees may track the processing of their reasonable accommodation or PAS request by contacting the DPM.

## **2. The Interactive Process.**

a. The request for accommodation begins the interactive process between the requester, the supervisor or manager, and the DPM, as needed, whereby the parties engage with each other about the requested reasonable accommodation or PAS. Through this process, relevant information is developed to assess whether or not an accommodation or PAS is required and, if so, to determine if an effective accommodation is available. Communication is a priority throughout the process. FLETC supervisors and managers involved must take a proactive approach in searching for and considering possible appropriate, effective accommodations and PAS, including consulting appropriate resources (e.g. DPM, OSD, Information Technology Service Desk, Computer and Electronics Program, Job Accommodation Network, etc.) for assistance. The employee requesting the accommodation may also participate in identifying effective accommodations and personal services. Ongoing communication is particularly important when (a) the specific limitation, problem or barrier is unclear; (b) when an effective accommodation is not obvious; or (c) when the parties are considering different possible accommodations.

b. In cases when the disability, the need for accommodation or PAS, and/or the type of accommodation is known or obvious to the Deciding Official, and/or the parties agree on the effective reasonable accommodation or PAS, extensive discussions may not be necessary. In such cases, the accommodation or service must be appropriately documented by the Deciding Official in consultation with the DPM and implemented expeditiously.

c. When an individual requests a particular accommodation or service that is not effective, would pose an undue hardship and/or cause a direct threat to the individual or others, or is otherwise not legally required (e.g., removing an essential job function), a supervisor must not stop the interactive process. Instead, the supervisor must explore alternative solutions



with the employee and with the DPM or HCO as appropriate, until either a reasonable accommodation is found or it is determined that no accommodation is available in the employee's current position.

**d.** The employee and supervisor or manager may consult with the DPM and/or RAC for technical assistance at any time.

### **3. Medical Information.**

**a.** When a requestor's disability and/or need for reasonable accommodation or PAS is not obvious or otherwise already known to the Deciding Official, the DPM or RAC may ask the individual to provide reasonable documentation to the DPM from an appropriate professional, such as a doctor, social worker, or rehabilitation counselor. Medical information must be sufficient to explain the nature, severity, and duration of the individual's disability, the individual's limitations, need for reasonable accommodation, and how the recommended accommodation may assist the individual to apply for a job, perform the essential function of a job, or enjoy the benefits and privileges of employment. Documentation unrelated to the disability claimed must not be requested. Only minimal and necessary medical information in order to fulfill the business need may be requested

**b.** In some cases, the individual's disability and need for accommodation is obvious or otherwise already known to the Deciding Official. In these cases, medical information may not be necessary.

**c.** In order to get the most helpful information from the employee's medical provider, the supervisor may fill out the FLETC Job Analysis Questionnaire (JAQ) Form, FLETC Form 256-05-02, which contains information relevant to the employee's job, the essential and marginal job functions the individual is expected to perform, and any other relevant information. The DPM or RAC may provide the completed JAQ form to the employee to discuss with their medical provider if they decide to do so.

**d.** The cost of obtaining the requested medical documentation is the responsibility of the employee requesting the reasonable accommodation.

**e.** Failure by the employee to provide the requested medical information outlined in section VI.A.3.a. above in a timely manner and/or to cooperate with FLETC's efforts to obtain such documentation may result in a denial of the reasonable accommodation request.

**f.** Once medical documentation is received, the DPM or RAC must evaluate it to determine if it sufficiently provides the nature, severity, and duration of the impairment; the activity or activities that the impairment limits; the extent to which the impairment limits the individual's ability to perform the activity or activities; and why the disability necessitates the accommodation requested. If the medical information the employee provides is insufficient to determine whether an accommodation or PAS is appropriate, the DPM or RAC may ask the requestor to provide supplemental medical information.

**g.** In some cases, the employee voluntarily supplies medical information directly to the supervisor or manager. In these cases, the supervisor or manager must work with the DPM as set forth in this section to determine how best to safeguard the information.

**h.** If the RA Team determines that an employee's medical information must be reviewed by a medical expert, the DPM or RAC must coordinate the review; all costs associated with this medical review are incurred by FLETC. The DPM or RAC must hold the case in abeyance (processing time suspended) when it is under medical expert review.

**i.** Under the ADA and Rehabilitation Act, any individual in receipt of medical information obtained in connection with the reasonable accommodation/PAS process must keep it confidential, e.g. the existence of a request, details of the request, whether it has been approved, and information about functional limitations, etc. all must remain confidential.

**j.** Any individual in receipt of medical information must maintain it in accordance with applicable laws and regulations.

**k.** Any individual properly in receipt of medical information may disclose medical information under limited circumstances, including to the following:

**1)** Supervisors and managers may need to know about necessary limitations or restrictions on the work or duties of the employees and about the necessary accommodation(s);

**2)** First aid and safety personnel if the disability might require emergency treatment;

**3)** Government officials to investigate the agency's compliance with the Rehabilitation Act;

**4)** Agency EEO or administrative investigative personnel to maintain records and evaluate and report on the agency's performance in processing reasonable accommodation requests.

**l.** Whenever medical information is appropriately disclosed to meet a business need, the individual disclosing the information must inform the recipients of the information about the confidentiality requirements that attach to it. FLETC employees who obtain or receive confidential medical information are strictly bound by the confidentiality requirements. Only minimal and necessary medical information in order to fulfill the business need may be disclosed. For example:

**1)** OSD or the ITSD may need to know the employee's functional limitations to determine assistive technology options, but they do not need to know the requester's underlying medical condition.

**2)** An employee requests and receives a special lumbar-support chair as a reasonable accommodation. The other employees in the office ask their supervisor why their coworker is receiving "special treatment." The supervisor would violate the Rehabilitation Act if he revealed that the coworker received the chair as a reasonable accommodation. There is no exception to the Rehabilitation Act's requirement of confidentiality that allows disclosure of medical information in this circumstance. An employee's right to privacy must be respected. In this case, the supervisor or manager must explain that personnel matters and workplace issues encountered by an employee are personal and that the agency must respect employee privacy. Violations of privacy may result in liability for the agency.

#### **4. Reassignment as a Reasonable Accommodation of Last Resort.**

**a.** Reassignment as a reasonable accommodation of last resort is available only to FLETC employees after it has been determined by the supervisor or manager that FLETC cannot provide an effective accommodation that would enable the employee to perform the essential functions of their position.

**b.** Upon such determination, the supervisor or manager must notify the employee in writing that, based on the individualized assessment, the employee cannot be accommodated in the current position and must provide the FLETC Employee Reassignment as Reasonable Accommodation of Last Resort (RRAOLR) Job Search Form, FLETC Form 256-05-03 (Attachment C) to the employee. The supervisor or manager must also refer the employee to the DPM and the Workforce Management Branch (WMB) Chief for further counseling on a reassignment of last resort as a reasonable accommodation.

**c.** Within five days of receipt of such notification, the employee may request reassignment as a reasonable accommodation of last resort by providing a current resume and the completed RRAOLR Job Search Form to the DPM and HCO WMB Chief. Failure to provide the requested information in a timely manner may result in a denial of the reasonable accommodation request.

**d.** Within five days of receipt of the employee resume and job search form, utilizing the parameters identified by the employee on the RRAOLR Job Search Form, the WMB Chief must conduct a FLETC-wide job search to identify if there are any vacant, funded positions. A position is considered vacant until a Certificate of Eligibles has been issued. The WMB Chief must also work with appropriate FLETC officials to identify all projected vacancies expected to occur within 30 days of beginning the job search.

**e.** All vacant FLETC positions revealed during the job search must be frozen by the WMB Chief for up to two days; the WMB Chief must then determine which positions the employee qualifies for, based on the employee's current resume and functional limitations. The vacant positions identified for which the employee does not qualify must be released from the hold.

**f.** The employee must be minimally qualified for a position and meet the specialized training, experience and physical requirements of the vacant position, and must be able to perform the essential functions of the position with or without an accommodation. The employee does not need to be the best-qualified individual for the position in order to obtain it as a reassignment. The WMB Chief and employee must engage in the interactive process to enable the WMB Chief to fully understand the employee's current job tasks and skills level.

**g.** The WMB Chief must place all identified qualifying positions on hold for up to five additional days for management to determine which position WMB must offer to the employee. When multiple qualifying positions are revealed, management must prioritize positions within the employee's Directorate. The position WMB offers to the individual should be equivalent in terms of pay, status, benefits, or other relevant factors. If WMB is unable to identify an equivalent position within the employee's directorate, WMB may offer the employee a position outside of the employee's current directorate. When multiple qualifying positions are identified, management must consult with the employee about the available positions, but management ultimately determines the position offered. If there is no vacant equivalent position revealed during the FLETC-wide job search, WMB must offer the employee a vacant lower

graded position for which the individual is qualified unless the employee has indicated on the RRAOLR form that they do not want to be considered for a lower graded position. Reassignment through the Reassignment of Reasonable Accommodation of Last Resort process does not include placing an employee in a higher graded position or a position with higher grade potential than the employee's current position.

**h.** If WMB identifies a position the employee is qualified for, WMB must issue the job offer to the employee within three days of the position being identified. The employee must accept or decline the offered position within three days of receiving the offer. The DPM or RAC must hold the case in abeyance pending the employee's decision. WMB must implement pay administration procedures in accordance with applicable laws, regulations, and FLETC policy. When FLETC reassigns the employee to a lower-graded position, the employee's existing rate of pay must be preserved to the maximum extent possible. If the employee's existing rate of pay is above the top step of the offered lower graded position, the employee is entitled to pay retention as prescribed by FLETC Directive 65-51, *Pay Setting Policy*.

**i.** If the FLETC-wide job search does not produce a qualifying position and the employee has indicated no interest in a DHS-wide job search, the employee must be notified in writing by WMB that no FLETC positions are available. A copy of this written notification must also be provided to the Deciding Official and the DPM.

**j.** If the employee indicates on the RRAOLR form that they are willing to consider a position outside of FLETC, DHS must perform a DHS-wide job search in accordance DHS Instruction 259-01-002, *Procedures for Conducting a Department-Wide Search for a Reassignment as a Reasonable Accommodation of Last Resort*.

**k.** FLETC remains responsible for implementing interim reasonable accommodations that do not create an undue hardship and/or direct threat to the individual or others and will continue to attempt to find potential reassignment opportunities within FLETC during the pendency of the DHS-wide job search.

**l.** The DPM or RAC must hold the case in abeyance pending results of the FLETC-wide and DHS-wide job search.

**m.** If the DHS-wide search results in no qualifying position identified, the reasonable accommodation process is concluded. The Deciding Official must remove the employee from federal service for "inability to perform duties (because of a medical condition.)"

**n.** If the employee declines an offered equivalent position, neither FLETC or DHS will conduct any further job searches and the RRAOLR process is concluded.

**o.** If the employee accepts a position offered in the RRAOLR process, the Deciding Official and HCO must process a personnel action effecting the reassignment and Deciding Official will issue a written decision indicating that the request for reasonable accommodation was granted.

**5. Deciding and Implementing Reasonable Accommodation and PAS.** FLETC must grant a qualified individual with a disability/targeted disability a reasonable accommodation/PAS unless to do so would require altering the essential functions of the

position, pose an undue hardship on FLETC, and/or cause a direct threat to the individual or to others.

**a. Granting an Employee's Request.**

1) A Deciding Official does not have to provide the exact reasonable accommodation requested by the employee; the reasonable accommodation must be effective. If more than one reasonable accommodation or service is effective, the Deciding Official may choose which to approve. Prior to making a decision on the reasonable accommodation request, the Deciding Official may discuss assistive technology reasonable accommodation alternatives with OSD to gain an understanding of potential cybersecurity, technical compatibility, or operational support challenges with proposed alternatives. The Deciding Official may discuss these alternative reasonable accommodations with the requestor. When a supervisor or manager provides a different reasonable accommodation or service than what the employee requested, the supervisor or manager must explain the reasons that they believe that the chosen reasonable accommodation is effective.

2) As soon as the Deciding Official determines that FLETC will provide a reasonable accommodation, even if on an interim basis, the Deciding Official must communicate that decision to the requestor as soon as practicable. This immediate notice does not need to be in writing, but the Deciding Official must issue a written notification within three days after communicating the decision. A supervisor who grants a request is also responsible for making any necessary arrangements to ensure that the reasonable accommodation is provided within the applicable timeframe.

**b. Interim Reasonable Accommodation or PAS.** When a Deciding Official grants a reasonable accommodation and/or PAS that cannot be provided immediately, or when all the facts and circumstances known to FLETC make it reasonably likely that an individual will be entitled to a reasonable accommodation or PAS, FLETC will provide the individual with an interim reasonable accommodation or PAS that allows the employee to perform some or all of the essential functions of the employee's job, as long as it is possible to do so without imposing undue hardship on the agency and/or causing a direct threat to the individual or others. For example, when FLETC grants a request for computer software for a vision-impaired employee, but there will be a delay in obtaining it, the Deciding Official may provide the services of a reader in the interim. In a situation where FLETC agrees to make certain structural renovations, it might permit the individual to telework temporarily until the facility is accessible.

**c. Denying an Employee's Request.**

1) All reasonable accommodation and PAS requests resulting in denials must be reviewed by OCC.

2) When the Deciding Official determines that a request for reasonable accommodation or PAS will be denied, the Deciding Official must issue a written decision to the requestor, with a copy to OCC and the DPM. The explanation for the denial must be written in accessible, plain language, clearly stating the specific reasons for the denial. (e.g., Medical documentation is inadequate to establish that the individual has a disability and/or needs a reasonable accommodation; the requested reasonable accommodation would require the removal

of an essential function; or the requested reasonable accommodation would require the lowering of a performance or production standard.)

3) When evaluating budgetary or administrative concerns to determine if undue hardship exists, FLETC will follow the standards outlined in the Equal Employment Opportunity Commission “*Enforcement Guidance on Reasonable Accommodation and Undue Hardship Under the Americans with Disabilities Act*” and will consider the resources of DHS as a whole, excluding those designated by statute for a specific purpose.

4) A reasonable accommodation must be reevaluated when the employee or management determines that the current reasonable accommodation is no longer effective.

5) All decision letters must inform the employee that the employee has the right to file an EEO complaint of discrimination pursuant to 29 CFR § 1614.106 and may have rights to pursue Merit Systems Protection Board (MSPB), administrative grievance procedures, and union grievance procedures. The notice must also explain FLETC procedures available for alternate dispute resolution.

## **6. Timeframes for Processing Employee Reasonable Accommodation and PAS.**

a. It is FLETC’s policy to review each request for reasonable accommodation and PAS in a timely, consistent manner. All participants in the reasonable accommodation process are expected to act as expeditiously as possible.

b. The requesting employee may contact the DPM or RAC to inquire about the status of their request for reasonable accommodation or personal assistance services.

c. **Regular Processing Timeframe.** The process from the date of the initial request to issuing the decision should take approximately 30 days.

d. **Expedited Processing Timeframe.** In certain circumstances, a request for reasonable accommodation or PAS requires an expedited review and decision in a timeframe shorter than 30 days. This could occur, for example, when a reasonable accommodation is needed to ensure that an employee with a disability has equal opportunity to apply for a job, attend training, or participate in a specific agency activity that is scheduled to occur shortly, such as a training opportunity offered on short notice. Where the expedited process is necessary, the Deciding Official is authorized to take the necessary steps to provide the accommodation or PAS in a timely manner.

### **e. Extenuating Circumstances and Extensions.**

1) On occasion, there may be circumstances that cannot reasonably be foreseen or avoided in advance of the request for reasonable accommodation or PAS, or that are beyond FLETC’s ability to control. In these circumstances, individuals involved in the reasonable accommodation or PAS process may submit a written request for an extension to the DPM. The written notification will indicate the reason for the extension request.

2) When extenuating circumstances are present, the DPM or RAC will extend the 30-day timeframe for processing a request and providing the accommodation or service as reasonably necessary. The supervisor or Deciding Official must notify the individual

and the DPM or RAC of the reason for the delay, including explaining the extenuating circumstance that justifies the delay, and when they expect to conclude processing the request. Such notifications will be in writing and will indicate the reason for the delay.

**3)** An individual requesting a reasonable accommodation or PAS may request additional time to comply with any deadlines prescribed herein. Extensions are rare and granted by the DPM or RAC on a case-by-case basis. Failure to participate in the interactive process and comply with identified timeframes may result in denial of the request by the Deciding Official.

**4)** When the DPM determines that a justifiable delay exists (e.g. employee has requested but not yet received supplemental documentation from their medical provider; case is under review by FLETC's medical expert, etc.), the DPM or RAC will hold the case in abeyance. The DPM will notify all parties in writing upon holding a case in abeyance and upon lifting of abeyance. Supervisors will consider provision of an interim accommodation while the case is in abeyance. See interim accommodations, Section VI.A.5.b.

**f. Provision of Reasonable Accommodation.**

**1)** If granted, a Deciding Official will provide an accommodation as soon as possible, but no later than 10 days from the date the Deciding Official approves the request.

**2)** If the reasonable accommodation cannot be provided within 10 days from the date the Deciding Official approved the request, the Deciding Official must decide whether to take temporary measures to accommodate the employee (see interim accommodation, Section VI.A.5.b.). As part of the interactive process, the Deciding Official will discuss these temporary measures with the employee and with the DPM, RAC or other appropriate personnel, as applicable.

**7. Funding for Approved Employee Accommodations.**

**a.** Each FLETC organization is responsible for authorizing funding to support the provision of reasonable accommodations and PAS. If a Deciding Official does not have sufficient funding available, the Deciding Official must contact the CFO to request funding guidance.

**b.** Relocation costs associated with reassignment as a reasonable accommodation of last resort will be paid by FLETC only if FLETC would have authorized such costs if FLETC had filled the position outside of the reasonable accommodation process.

**8. Alternative Dispute Resolution (ADR).**

**a.** An employee or Deciding Official may request ADR at any stage of the reasonable accommodation/PAS process by contacting the DPM. The DPM will make appropriate arrangements.

**b.** Pursuing ADR in the reasonable accommodation/PAS process will not modify or replace the EEO complaint process governed by EEOC regulations (see 29 C.F.R. part 1614) and ADR does not satisfy the requirements for bringing a claim under EEO process. The DPM or RAC will hold the timeframe for processing the RA request in abeyance until the resolution of ADR. ADR does not affect the time limits for initiating MSPB and union

grievance procedures available to employees and ADR does not satisfy the requirements for bringing a claim under MSPB, administrative grievance procedures, or union grievance procedures.

**9. Reconsideration and Higher-Level Review of Reasonable Accommodation Final Decisions.**

a. An employee may request reconsideration of a final decision of their reasonable accommodation or PAS request by submitting a written request for reconsideration to the DPM within three days of receiving the final decision. The employee may present additional information or supply new or missing records in support of their request for reconsideration.

b. The DPM will review the request for reconsideration and forward to the appropriate Deciding Official. The Deciding Official will issue a written response to the employee's request for reconsideration within five days of receipt of the request.

c. If the Deciding Official does not reverse or modify the decision, the employee may request higher-level review within five days of receiving the reconsideration decision by submitting their request for higher-level review to the DPM or RAC. The higher-level review must be decided by a higher-level individual than the Deciding Official in the employee's chain of command.

d. Management must issue its response to the higher-level review to the employee within 10 days of receipt of the request.

e. An employee has a right to file a complaint of discrimination or a grievance without exhausting the Reconsideration process.

**10. Complaint and Grievance Procedures.**

a. An employee has the right to seek redress of the Reasonable Accommodation decision through any of the processes outlined in the decision letter;

b. File a grievance under the FLETC Administrative Grievance Procedures within 15 calendar days from receipt of this notice (if not a Bargaining Unit Employee);

c. File a grievance under the negotiated agreement procedures within 15 calendar days from receipt of this decision;

d. File an appeal with the Merit Systems Protection Board within 30 calendar days of an appealable adverse action; or

e. File a discrimination complaint **within 45 calendar days** with the EEO Office. Please note that an EEO Complaint may be filed at any time during the Reasonable Accommodation process. Contact may be made by calling (912) 267-3316.

**11. Conflict of Interest.** To avoid any actual or perceived conflict of interest, any EEO, HCO or OCC staff members who performed intake, counseling, or otherwise was involved in processing a reasonable accommodation or PAS request, or providing technical or legal assistance, must recuse themselves from any subsequent related formal or informal complaint or grievance processing. In some cases, if a conflict of interest exists, Complainant cases may be sent to DHS Civil Rights and Civil Liberties and assigned to another DHS Component EEO



Office for processing; that Component’s EEO Office may counsel, investigate and make a decision to accept or dismiss an EEO complaint.

**B. Applicants for FLETC Employment.**

**1. Requesting Reasonable Accommodation.**

a. Applicants for FLETC employment requiring reasonable accommodation for any part of the application and hiring process may contact the HCO specialist listed on the vacancy announcement.

b. The applicant’s request for reasonable accommodation may be oral or written.

c. Applicants may track the processing of their reasonable accommodation or PAS request by contacting the DPM.

**2. Medical Information.** Under the ADA and Rehabilitation Act, information obtained in connection with the reasonable accommodation process must be kept confidential. HCO must maintain medical information in files separate from the individual’s application file. Medical information must only be disclosed to those with a genuine “need to know.” FLETC employees who obtain or receive such information are strictly bound by these confidentiality requirements. Any questions about the RA process may be directed to the FLETC DPM.

**3. Timeframes for Processing Applicant Reasonable Accommodation Requests.** The HCO specialist or hiring official must expedite processing of reasonable accommodation requests from external applicants.

**4. Funding.** HCO is responsible for authorizing or seeking necessary funding to provide applicants with approved reasonable accommodations.

**5. Deciding Reasonable Accommodation Requests.** The Deciding Official must provide written notification to an applicant notifying them of the reasonable accommodation decision. If management denies an applicant’s request for accommodation, a written notice of denial must be provided by HCO informing the applicant that the applicant has the right to file an EEO complaint pursuant to 29 CFR § 1614.106. OCC must conduct legal review before HCO provides a notice of denial to an applicant.

**6. Remedy Procedures.** Applicants for FLETC employment may file a discrimination complaint with the FLETC EEO Office within **45 calendar days** from the date that the applicant became aware of the matter alleged to be discriminatory. Contact the FLETC EEO Office:

- In person: EEO Office/Complaints Manager  
Townhouse 379, Glynco, Georgia 31524
- By phone: 912-267-3316
- By email: [FLETC-EEO@fletc.dhs.gov](mailto:FLETC-EEO@fletc.dhs.gov)

**C. Students.**

**1. Requesting Reasonable Accommodation.** A student seeking reasonable accommodation or PAS while attending training at FLETC TDPs must submit a request for

accommodation to their employing agency in accordance with their agency's reasonable accommodation/PAS procedures.

**2. Agency Decision.** The student's employing agency must evaluate the student's request and conduct the individualized assessment in accordance with their agency's procedures. When it is not clear what accommodations or PAS would be most effective at FLETC, the agency representative must consult with the appropriate subject matter experts at FLETC (program specialists, classroom coordinators, student services, etc.) and/or contact the FLETC EEO Office DPM or RAC for technical guidance. The student's employing agency makes a decision as to which accommodation would be most effective by engaging in the interactive process with the student and FLETC, as needed.

**3. FLETC Implementation of Agency Decision.** When the student's request is approved by their agency, the agency representative must notify the appropriate FLETC official(s) listed below as far in advance of the student's attendance at FLETC conducted programs and activities as practicable:

**a. Artesia TDP.**

**1) Lodging, Meals, and Transportation.** Any accommodations that pertain solely to student lodging, meals, or transportation at FLETC-Artesia must be submitted by the employing agency representative to Artesia Training Management Division Chief using form FLETC Form FTC-SSD-51 (Attachment G). See Attachment L for current contact list.

**2) Any other accommodations.** Any other accommodation needs for students attending training at FLETC-Artesia must be submitted by the agency representative to the FLETC DPM or RAC by email to [FLETC-EEO@fletc.dhs.gov](mailto:FLETC-EEO@fletc.dhs.gov) using form FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request (Attachment E).

**b. Charleston TDP.**

**1) Lodging, Meals, and Transportation.** Any accommodations that pertain solely to student lodging, meals, or transportation at FLETC-Charleston must be submitted by the employing agency representative directly to Charleston Training Management Division Chief using form FLETC Form FTC-SSD-51 (Attachment G). See Attachment L for current contact list.

**2) Any other accommodations.** Any other accommodation needs for students attending training at FLETC-Charleston must be submitted by the employing agency representative to the FLETC DPM or RAC by email to [FLETC-EEO@fletc.dhs.gov](mailto:FLETC-EEO@fletc.dhs.gov) using form FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request (Attachment E).

**c. Cheltenham TDP.** All accommodation needs for students attending training at FLETC-Cheltenham must be submitted by the employing agency representative to the FLETC DPM or RAC by email to [FLETC-EEO@fletc.dhs.gov](mailto:FLETC-EEO@fletc.dhs.gov) using form FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request (Attachment E).

**d. Glynco TDP.**

**1) Lodging, Meals, and Transportation.** Any accommodations that pertain solely to student lodging, meals, or transportation at FLETC-Glynco must be submitted by the employing agency directly to FLETC Student Services Division) using form number FLETC Form FTC-SSD-51 (Attachment G) and emailing the document to [FLETC-Lodging-MealWaivers@fletc.dhs.gov](mailto:FLETC-Lodging-MealWaivers@fletc.dhs.gov).

**2)** Any other accommodation needs must be submitted by the employing agency to the FLETC DPM or RAC by email to [FLETC-EEO@fletc.dhs.gov](mailto:FLETC-EEO@fletc.dhs.gov) using form FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request (Attachment E).

**4. Medical Information.** Student medical information must not be sought or maintained by FLETC.

**5. Timeframes for Implementing Student Accommodations.** The agency submission of the appropriate form (see Section VI.C.3, above) at least 30 days in advance of the student's attendance at FLETC conducted programs and activities arrival generally provides FLETC sufficient time to implement the approved accommodation or PAS. In the event a reasonable accommodation or PAS cannot be implemented in time, the agency may need to defer the student to a future available class.

**6. Funding Student Accommodation Costs.** CFO may charge back to the student's employing agency any costs incurred by FLETC that are associated with the implementation of a student's reasonable accommodation. Student requests for PAS must be funded by their respective employing agencies.

**7. Student Complaint Procedures.** FLETC does not render decisions on students' requests for reasonable accommodation and PAS. Students should adhere to the complaint procedures prescribed by their employing agency. Students may contact the FLETC EEO Office at any time for assistance.

## VII. ATTACHMENTS:

A. [FLETC Form 256-05-01, FLETC Confirmation of Employee Reasonable Accommodation Request Form](#)

B. [FLETC Form 256-05-02, FLETC Employee Job Analysis Questionnaire for Reasonable Accommodation](#)

C. [FLETC Form 256-05-03 FLETC Employee Reassignment as Reasonable Accommodation of Last Resort Job Search Form](#)

D. [FLETC Form 256-05-04, FLETC Authorization to Release Medical Records/Information](#)

E. [FLETC Form 256-05-05, FLETC Record of Implementation of Agency-Approved Student Accommodation Request](#)

F. [FLETC Form 256-05-06, FLETC Withdrawal of Reasonable Accommodation Request](#)

G. [FLETC Form FTC-SSD-51: Transportation, Lodging and Meals Accommodation or Waiver Form](#)

- H. [Department of Health and Human Services, Federal Occupational Health Service Authorization for Disclosure of Information Form](#)
- I. [Reasonable Accommodation Resources](#)
- J. [Personal Assistance Services Frequently Asked Questions](#)
- K. [Computer/Electronic Accommodations Program](#)
- L. [Contact List](#)