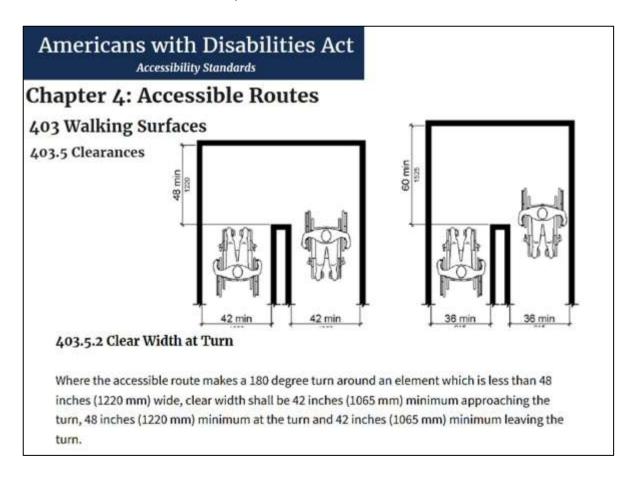
DEPARTMENT OF EDUCATION REASONABLE DISABILITY ACCOMMODATION (RDA) REQUEST & APPROVAL FORM

Date of Request: July 31, 2023			
School/Complex/Office: Naʻalehu Elementary / Kau-Keaau-Pahoa Complex Area			
Disabled Person's Name: Suzanne Marie Aina			
Disabled Person is: [] Job Applicant [X] Employee			
If an Employee, list:			
Employee's Position Title and Level: <u>Teacher</u>			
Employee's Worksite Address: <u>95-5547 Mamalahoa Hwy, Naalehu, Hawaii 96772</u> Employee's Work Phone & Extension: <u>school phone</u> 808-313-4000			
Requestor is: [] Disabled Person [X] Third-Party			
Requestor's Address:			
Requestor's Email Address (optional): MsVOtt@gmail.com			
Requestor's Primary Phone: 808-854-1018 Requestor's Secondary Phone:			
APPLICATION			
1) In order to assist the Civil Rights Compliance Branch in making a determination,			
information describing the nature of the disability is:			
-			
[X] In Employee's Personnel Record (not first RDA request) [] Described in attached Form RA-3			
2) The following reasonable accommodation(s) are requested:			
A.) The employee shall be assigned to a classroom workspace that offers two routes of			
exit, both to the left <i>and</i> to the right once out the door, so that she will not be			
trapped should there be an obstruction to the right or the left respectively.			
B.) The employee shall be assigned to a classroom workspace, as she was before, that			
provides an evacuation route that enables her to maintain control of her students			
and minimize wear and tear on her wheelchair from monthly drills.			
C.) The employee shall be assigned to a classroom workspace at Na'alehu Elementary			
School that is large enough to accommodate her wheelchair per per the ADA			
AccessibilityStandards Chapter 5 section 403.5.2 so that she is able to access all of			
her students, and navigate the workspace while students are seated at their desks.			

- 3) The Disabled Person needs to have the reasonable accommodation(s) for the following reasons:
 - A.) These accommodations meet the ADA criteria as "reasonable" because they pose no undue hardship to the employer. They cost nothing and will not disruption business operations *unless* the CRCB is negligent, and refuses to act now.
 - B.) The employee has a right to a safe workplace.
 - C.) The employee has the right to not be discriminated against which occurs when she is segregated from the school during evacuations, and demeaned by the implication that she is unable to perform her job duties because of her disability as has occurred in the past, prior to being afforded this accommodation that has now disappeared.
 - D.) The employee has the right to an evacuation drill procedure that does not put unnecessary wear and tear on her wheelchair.
 - E.) The employee has a right to a worplace that adheres to the Americans with Disabilities Act AccessibilityStandards.



F.) The employee was granted these accommodations in the past, or at least that was what the Defense represented to the Court in *Aina v. Department of Education*

Hawai'i First Circuit Court Case No. 1CC191000694. Based on Findings of Fact which included the representation by CRCB Executive Director Schimmelfennig that these accommdations had been granted, the judgement was against the employee, Ms. Aina, on November 10, 2022. Less that a year later, those accommodations have disappeared, and the ADA violations resume. There is something very unethical about this, and the accommodations need to be restored for all the arguments given over the last decade and the reasons stated above.

G.) Not granting these very reasonable disability accommodations is discriminatory.

		July 31, 2023	
Re	questor's Signature	Date	
DETERMINATION (For Civil Rights Compliance Branch Use ONLY)			
[] Individual has a disability that s	ubstantially limits a major life	activity.	
[] Individual does NOT have a dis	ability that limits a major life	activity.	
The request for reasonable accomm [] Approved by Civil Rights Comagreed upon:		asonable accommodation	
Disapproved by Civil Rights Coaccommodation was denied:	mpliance Branch. Reason(s) reasonable	
Civil Rights Compliance Branch Dire	ector	Date	
	B-1	FORM RA-1	

RS 19-1566, June 2019