

This Reasonable Accommodation Policy replaces and supersedes the University's Employment-Related Reasonable Accommodation Policy and Procedure (last updated August 31, 2017) and the University's Student Grievance Procedure for disability accommodations. This Policy reflects NJIT's commitment to compliance with all applicable federal, state, and local laws prohibiting discrimination based on disability.

I. INTRODUCTION

New Jersey Institute of Technology (NJIT or University) is committed to fostering an inclusive, accessible, and equitable learning and working environment. Through the Office of Accessibility Resources and Services (OARS), NJIT provides reasonable accommodations to qualified individuals with disabilities to ensure equal access to academic programs, campus life, and employment opportunities in accordance with applicable law. OARS facilitates the interactive process in good faith and in partnership with students, employees, and applicants to identify effective and reasonable accommodations that support both individual needs and institutional operations. This process is individualized, collaborative, and grounded in promoting access while maintaining the essential requirements of academic programs and job responsibilities.

II. PURPOSE

This Policy outlines NJIT's commitment to ensuring equal access to its programs, services, facilities, and employment opportunities for qualified individuals with disabilities. This Policy also affirms the right to request reasonable accommodations and the University's responsibility to provide such accommodations in a timely manner. This Policy is administered in accordance with the Americans with Disabilities Act (ADA), as amended; Section 504 of the Rehabilitation Act of 1973; the New Jersey Law Against Discrimination (NJLAD); and other applicable federal, state, and local laws and regulations that prohibit discrimination on the basis of disability.

III. SCOPE

This Policy applies to all requests for disability accommodations and/or equal access related to University programs, operations, services, and facilities by prospective and current employees, students, third-party vendors and visitors.

IV. CONFIDENTIALITY

The University is committed to maintaining the confidentiality of disability-related information for both students and employees. Documentation and information regarding accommodations are treated as private and are shared only on a need-to-know basis to facilitate the interactive process and implement approved accommodations.

For students, disability-related information is maintained as part of their educational record and is protected under the Family Educational Rights and Privacy Act (FERPA). Information is not disclosed without the student's consent, except as permitted by law. For employees and applicants, disability-related documentation is maintained separately from personnel files and treated as confidential in accordance with the ADA and applicable employment laws. Access is limited to individuals involved in the accommodation process or with a legitimate business need.

Faculty, staff, and supervisors are expected to maintain the privacy of individuals receiving accommodations and must not disclose disability-related information without appropriate authorization.

V. DEFINITIONS

- A. Disability:** A physical or mental impairment that substantially limits one or more major life activities, record of such impairment, or being regarded as having such impairment, or has a disability as otherwise defined by applicable laws such as the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and the New Jersey Law Against Discrimination (NJLAD).
- B. Interactive Process:** An individualized, collaborative dialogue between OARS and the individual requesting accommodations to determine appropriate and reasonable accommodations. This process may include reviewing documentation, discussing functional limitations, and identifying effective accommodations that provide access while maintaining essential academic or job requirements.
- C. Major Life Activities:** Activities that are of central importance to daily life. Major life activities include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, sleeping, eating, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, working, and the operation of a major bodily function.
- D. Qualified Individual:** A student is considered qualified if they meet the academic and technical standards required for admission, participation, or continued enrollment in the relevant program or activity, with or without reasonable accommodation or academic adjustments. An employee or applicant is considered qualified if they meet the required skill, experience, education, and other job-related qualifications for the position; and are able to perform the essential functions of the position, with or without reasonable accommodation.
- E. Reasonable Accommodations:** A modification or adjustment to an academic environment, campus experience, or workplace that enables a qualified individual to have equal access and opportunity. Accommodations must not fundamentally alter essential program requirements or job functions, nor impose an undue hardship on the institution.
- F. Undue Hardship:** A determination made on a case-by-case basis that a specific accommodation would cause significant difficulty or expense for the University to provide. In such instances, the University is not required to provide the accommodation. Factors considered in assessing undue

hardship include, but are not limited to: the nature and cost of the accommodation; the overall financial resources of the University; and the impact of the accommodation on University operations. If an accommodation would impose undue hardship, the University may consider whether another reasonable accommodation is available.

VI. REQUESTING ACCOMMODATIONS

The Office of Accessibility Resources and Services (OARS) is the primary office responsible for reviewing requests for disability-related reasonable accommodations.

Office of Accessibility Resources and Services (OARS)

Fenster Hall Room 173

Phone: (973) 596-8994

Website: njit.edu/oars

Email: oars@njit.edu (student requests)

employee_accommodations@njit.edu (employee requests)

Throughout this Policy, specific offices and/or designated employees are identified as responsible for carrying out certain roles and duties. However, NJIT reserves the right to assign or reassign these responsibilities to other qualified University offices or personnel, as needed, to ensure the effective implementation of this Policy.

A. Students

Students seeking disability-related reasonable accommodations should contact OARS as the designated office responsible for coordinating and providing accommodations for students with disabilities. Through the interactive process, OARS will determine whether reasonable accommodations can be made by working with the student and other University departments involved in reviewing or implementing the requested accommodation. Information about the OARS registration process, including how to request accommodations and submit documentation, is available on the [OARS website](#). Students are encouraged to connect with OARS as early as possible to ensure timely review and implementation of accommodations. OARS will make accommodation determinations in a timely manner, taking into account the nature and complexity of the request.

Students who are also employed by the University and are seeking accommodations related to their employment should follow the procedures set forth below in Section VI.B. Approval of an academic accommodation through OARS does not guarantee approval of an accommodation related to employment. Employment-related accommodation requests are reviewed separately in accordance with applicable University policies and procedures.

B. Employees

The Director of OARS (Director), or designee, coordinates the University's efforts to provide disability-related reasonable accommodations to current and prospective employees and

employment-related disability accommodations for students who are employed by the University. Employees seeking disability-related accommodations can submit a request through the Employee Accommodation Request process or contact the Director directly. Information about the process, including documentation requirements and procedures, is available on the [OARS website](#) or via email at employee_accommodations@njit.edu.

The Director will initiate an interactive process to determine whether a reasonable accommodation can be made by working with the individual making the request and the individual's department and/or division supervisor and/or manager. Where the disability and/or need for an accommodation is not obvious, the Director will ask the individual to submit supplemental documentation, including the Healthcare Provider Questionnaire and/or supporting medical documentation from their healthcare provider about their disability and functional limitations. The Director will make accommodation determinations in a timely manner, with consideration for the nature and complexity of the request.

C. Visitors and Third-Party Vendors

Visitors and third-party vendors seeking disability-related accommodations or access assistance should contact OARS or the University office, department, or program sponsoring the visit, event, service, or activity. The University will review the request and coordinate with appropriate personnel to determine whether a reasonable accommodation or modification can be provided. NJIT is not responsible for accommodations for visitors attending non-University affiliated events on campus property. Concerns or complaints regarding equal access or the accommodations process can be reported to the ADA/504 Coordinator at institutional-access@njit.edu.

VII. STUDENT INFORMAL RESOLUTION PROCESS

The Informal Resolution Process provides students with a prompt and practical means to raise and resolve concerns related to disability accommodations, equal access, the accommodation request process, and the implementation of approved accommodations. The objective of the Informal Resolution Process is to allow students to raise concerns and provide the University with an opportunity to promptly address them. Any student with a disability enrolled at NJIT can utilize the Informal Resolution Process. The Informal Resolution Process may be appropriate when the concern involved is not of a serious or repetitive nature; disciplinary action is not required to remedy the situation; or the student has tried to resolve the issue with the parties involved and a disagreement has occurred.

A student may initiate the Informal Resolution Process by contacting OARS directly or by submitting the concern through the [Informal Resolution Process form](#). OARS will review the concern and work with the student and applicable university personnel to determine an appropriate resolution.

At the conclusion of the Informal Resolution Process, OARS will provide the student with a written response that will summarize the concern, explain OARS' conclusion, and identify any proposed resolution or next steps, as appropriate, within ten (10) business days. Participation in the Informal Resolution Process is voluntary. A student may proceed directly to the appeal process or may also use the appeal process if the concern is not resolved through the Informal Resolution Process.

VIII. REVIEW AND APPEAL OF ACCOMMODATION DETERMINATIONS

Students and employees may use the appeal process to request review of a disability-related accommodation determination or to raise unresolved concerns regarding equal access. An individual seeking review should submit an [Appeal Request online](#) or in writing to the ADA/504 Coordinator (Coordinator) within ten (10) business days from the date of the accommodation determination.

ADA/504 Coordinator

Assistant Vice President of Institutional Access

Phone: (973) 596-3446

Online Appeal Form: njit.edu/access/reporting

Email: institutional-access@njit.edu

The written appeal should describe the concern, relevant dates, individuals or offices involved, supporting information, and the resolution or accommodation requested. Failure to submit an appeal by the deadline will render the accommodation determination final and conclude the accommodation process for that request. Appealing the determination does not stop the implementation of the accommodation decision while the appeal is under review, unless the University determines otherwise.

Following review, the ADA/504 Coordinator, or their designee, may affirm, modify, or return the accommodation determination for further consideration, or identify steps to address implementation or access concerns. The ADA/504 Coordinator will notify the appealing party, OARS, and other applicable parties as appropriate of the decision in writing within ten (10) business days after receiving the appeal, unless additional time is needed for good cause. The determination made by the ADA/504 Coordinator will be considered final; an individual may appeal only once per accommodation determination. When a student's concern is time-sensitive due to an examination, course deadline, field placement, housing assignment, or other academic requirement, the University may expedite review when practicable.

IX. ALLEGATIONS OF DISCRIMINATION, HARASSMENT OR RETALIATION

This Policy does not apply to complaints of alleged discrimination, harassment, or retaliation based on a disability. Any form of discrimination or harassment that interferes with opportunities for University members to fully participate in the academic and work environment will not be tolerated. When a complaint alleges discrimination, harassment or retaliation based on disability and/or other protected classes or activities, NJIT's Policy Prohibiting Discrimination and Harassment will apply. Complaints can be reported directly to the following department:

Department of Institutional Access (DIA)

Fenster Hall Rooms 158-159

Phone: (973) 596-3446

Online Reporting: njit.edu/access/reporting

Email: institutional-access@njit.edu

X. APPLICABLE UNIVERSITY POLICIES

- Policy Prohibiting Discrimination and Harassment
- Pregnancy and Related Conditions Policy
- Sexual Misconduct and Title IX Policy

REVIEW:

Sandy A. Curko, Esq. General Counsel and Senior Vice President of Legal Affairs	Date
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APPROVAL:

Teik C. Lim, Ph.D. President	Date
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William Brady Senior Vice President of Human Resources and Institutional Access	Date
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