

7.04 DISABILITY ACCOMMODATIONS

Purpose

To provide individuals with disabilities equal access to facilities, courses, and/or materials at the College and offer the tools, reasonable accommodations, and supports services necessary to participate fully on campus. This policy establishes appropriate definitions and guidelines based on the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and New Jersey Law Against Discrimination.

Policy

The College will not discriminate against any qualified individual with a disability with respect to any aspect, term, condition, benefit and/or privilege of hire or employment and/or with respect to participation in or receipt of benefits, services, programs or activities of the College.

The College is committed to providing reasonable accommodations and/or reasonable modifications for qualified individuals with properly documented disabilities in compliance with all applicable laws and/or regulations.²

Students with Disabilities

The College recognizes that the legal rights and responsibilities that affect students with disabilities in a college setting are different than in a high school setting and responds to those differences in compliance with all state and federal laws. Questions about these differences or any other issues affecting students with disabilities should be directed to The Office of Disability Services.

The College is committed to providing equal educational access for qualified students with disabilities in accordance with all applicable laws and/or regulations. An individual with a disability who is qualified for admission to the College has the equal access to programs, services, and activities as any other student. The College will make reasonable accommodations to its rules, policies, practices and procedures and will remove architectural, communication, and/or transportation barriers and provide auxiliary aids and services in order to accommodate the documented disability of a student, unless doing so would fundamentally alter the nature of the particular program, service, or activity, or pose an undue burden on the College. The College's commitment to providing reasonable accommodations extends to students who are temporarily or permanently disabled.

Reasonable accommodations may include appropriate academic adjustments based upon a student's disabilities and individual needs when necessary to avoid discrimination. In providing an academic adjustment, the College is not required to lower or substantially modify essential requirements or to make modifications/accommodations which would result in a fundamental alteration of the programs or activities being offered or impose an undue burden on the College.

Employees with Disabilities

The College is committed to employing, and/or advancing in employment, qualified individuals with disabilities and to providing employees with access to all benefits and privileges of employment. The College will make reasonable accommodation to known disabilities of employees and applicants, provided that the individual is otherwise qualified to safely perform the essential functions of the job and the accommodation does not impose undue hardship on the College.

Public Accessibility

The College is committed to providing a campus environment and physical facilities that are readily accessible to individuals with disabilities. The College is also committed to making every reasonable effort to accommodate a disabled individual's access to and participation in College services, programs, activities and/or events, with appropriate notice.

Definitions

- Disability – Any physical or mental impairment that substantially limits one or more major life activities, or a record of such an impairment or being regarded as having such an impairment or as otherwise defined by law.
- Qualified Individual (Employees/Applicants) - An individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such person holds or desires.
- Qualified Individual (Students/Prospective Students/Others) – An individual who, with or without reasonable accommodation to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential requirements for receipt of services or participation in programs or activities provided by the College.

Procedure

Requests for Accommodation and Grievance Procedures

To request accommodations, students should contact The Office of Disability Services, College Center, room 124, or call 908-526-1200 Ext. 8534 or email: disabilityservices2@raritanval.edu. Determination of eligibility is made on a case-by-case basis. Employees should contact The Office of Human Resources, Assistant Director of Benefits & Payroll, Somerset Hall, RM S221 or call 908-526-1200 ext. 8301.

RVCC has adopted an internal grievance procedure providing for the equitable resolution, within a reasonable time, of complaints by students with disabilities alleging violations of their rights under the Americans with Disabilities Act (ADA) and under Section 504 of the Rehabilitation Act of 1973 (Section 504). If you believe you have been denied equal access as described in the above mentioned laws follow the procedures listed below.

Students should submit a Level I Grievance Form to the Director of Disability Services to resolve the complaint. It is requested that the grievance be filed within 45 days of the alleged violation. If the student does not think that the matter has been resolved at this level, they may submit their complaint to the Dean of Student Affairs within 10 days of the level I appeal. The final appeal is to the Executive Director of Human Resources, Compliance and Security.

No Interference or Retaliation

Individuals who exercise rights under this policy or applicable law are protected from retaliation. Any form of retaliation or interference with exercise of rights under this policy and/or applicable law is strictly prohibited and will result in disciplinary action up to expulsion from the College and/or termination of employment. Retaliation or interference should be reported in accordance with the procedures set forth in this policy.

Cross Reference

- Discrimination and Harassment Policy

Responsible Administrators

- Vice President for Student Affairs and Outreach (Student Issues)
- Vice President for Human Resources, Compliance and Security (Employee Issues)

Revised

- January 2020

Communication – This policy is communicated to the College community in the following media:

- Electronic College Catalog
- Electronic Faculty Handbook
- Electronic Student Handbook
- College Website