

Religious Accommodations

Policy EM017

Volume 5, Enrollment Management and Student Success

Responsible Administrator(s): Vice President for Enrollment Management and Student Success and Vice President for Human Resource Management and Labor Relations

Responsible Office(s): Enrollment Management and Student Success; Human Resources Management and Labor Relations; Academic Affairs

Issued: N/A

Last Updated: September 2021

Policy Statement

The Fashion Institute of Technology (“FIT” or “the college”) provides an educational and employment environment that encourages and fosters conduct in which all individuals are treated with dignity and respect. FIT adheres to its Nondiscrimination and Anti-Harassment Policy and upholds the values of diversity and inclusiveness, which include religious diversity. The college makes good-faith efforts to provide a reasonable accommodation of an individual’s sincerely held religious belief, unless the college believes such an accommodation would create an undue hardship or is contrary to the college’s commitment to diversity and inclusiveness.

Reason for the Policy

FIT is committed to diversity and nondiscrimination and supports qualified applicants, students, and employees, regardless of religious affiliation, in accordance with state and federal laws and regulations, including Title VII of the Civil Rights Act of 1964, the Equal Employment Opportunity Commission Guidelines on Discrimination Because of Religion, and the New York State Human Rights Law and State Education Law § 224-A. FIT supports individuals regardless of religious affiliation or lack thereof and treats qualified individuals without discrimination based upon religious practice or belief. This policy assists individuals who seek school and/or workplace accommodation for religious reasons.

Who is Responsible for this Policy

- Office of Enrollment Management and Student Success/Dean of Students
- Office of Human Resources

Who is Affected by this Policy

- All members of the FIT community—students, faculty, administrators, and staff.

Definitions

- **Employee** - All individuals hired to perform services on behalf of FIT, or its auxiliary corporations, in exchange for salary or wages. This includes full-time, part-time, and temporary workers hired by FIT. This does not include those individuals paid for services on behalf of FIT and classified as consultants, independent contractors, or temporary workers employed by a third party.

- **Essential Function** - A fundamental job duty of an employment position for employees or a fundamental system or an academic element of a course or program of study for a student.
- **Good Faith** - More than a negligible effort to accommodate the student or employee's request for religious accommodation.
- **Reasonable Accommodation** - Any adjustment to the work environment, academic course or program of study, or activity, that enables an employee or student to participate in their sincerely held religious practice or belief without imposing undue hardship on the college. A reasonable religious accommodation may include, but is not limited to, providing leave for religious observances, scheduling changes, job re-assignment, lateral transfer, providing a time and/or place to pray, and/or providing the flexibility to wear religious attire. Other examples of accommodating religious beliefs or practices may include scheduling changes, arranging for alternative time for a course examination, or alternative project assignments.
- **Student** - A person registered for, or auditing, credit or non-credit FIT courses, on either a full- or part-time basis. Any registered person is considered a student if they enroll in such courses or programs on a physical campus or site or via distance learning, the internet, or any other means of course-delivery technology.
- **Undue Hardship** - An accommodation imposes an undue hardship if it imposes an immoderate financial or administrative burden on the college. This includes, but is not limited to, accommodations that would fundamentally alter the nature or operations of the individual's work or course of study, infringe on the rights of others, or compromise workplace safety. Determination of undue hardship is dependent on the facts of each individual situation.

Principles

FIT may provide a religious accommodation based on a person's sincerely held religious belief or practice. In making this determination, the college reviews a variety of factors, including whether the accommodation would create an undue hardship. The accommodation request imposes responsibilities and obligations on both the individual requesting the accommodation and the college. The person requesting the accommodation is obligated to make the Office of Human Resource Management and Labor Relations or the Office of Enrollment Management and Student Success (Dean of Students Office), as applicable, aware of the need for a religious accommodation as far in advance as possible.

Responsibilities

- **Human Resource Management and Labor Relations:**
 - The Vice President for Human Resource Management and Labor Relations, or their designee, is responsible for decisions regarding religious accommodations for employees as well as general oversight of the guidelines set forth in this policy.
 - Human Resources is responsible for ensuring requests for religious accommodations are reviewed in a timely manner and that each employee's request is considered respectfully, fairly, and without bias. Human Resources is also responsible for communicating, in a timely manner, the final decision on the accommodation request to both the employee and the employee's supervisor.

- **Enrollment Management and Student Success/Dean of Students:**
 - The Dean of Students is responsible for serving as a student liaison to Academic Affairs for decisions regarding religious accommodations for students. The Dean of Students also oversees the guidelines set forth in this policy.
 - The Dean of Students will work in tandem with Academic Affairs to ensure faculty know how to address student requests for religious accommodations, implement accommodations granted by the college, and adhere to the principles set forth in this policy.

Procedures

- **Process for Employee Accommodation**

An employee seeking a religious accommodation must submit a written request for the accommodation, as far in advance as possible, through the [HR Solutions Center](#). The written request should state (1) how the employee's religious belief or practice conflicts with the employee's job duties or administrative requirement(s); (2) the employee's requested accommodation; and (3) how the requested accommodation will resolve the conflict between the religious belief or practice and job duty/responsibility.

Human Resources will review the request, considering whether a work conflict exists and whether a religious accommodation is available, and will ensure the accommodation does not conflict with the Collective Bargaining Agreement or other college policies. Human Resources may request to meet with the employee making the request if further information or clarification is needed to assess available options. Human Resources will also communicate with the Department Supervisor to help determine appropriate accommodations.

In all cases, the Vice President for Human Resources and Labor Relations, or their designee, will make a final determination as to the granting of a religious accommodation requested by an employee. Human Resources will notify the supervisor and employee of the accommodation decision.

- **Process for Student Accommodation**

Student requests for religious accommodations must be in writing. The written request should state (1) how the student's religious belief or practice conflicts with the academic or administrative requirement(s) at issue; (2) the student's requested accommodation; and (3) how the requested accommodation will resolve the conflict between the religious belief or practice and the academic and/or administrative requirement(s). Student requests for religious accommodations should be sent directly to the instructor of the course for which the accommodation is requested, or to Dean of Students Office if the student is seeking an accommodation for an administrative requirement.

It is the obligation of the student to provide the instructor or Dean of Students Office, as may be applicable, with notice of the dates of religious observances on which they will be absent, or when an accommodation will be needed, as far in advance as possible.

Once a request is made, and in consultation with the student, the instructor or Dean of Students Office will explore reasonable accommodation options considering the specific request made and the impacted academic or administrative requirement.

Instructors who have questions or concerns about a student's request for a religious accommodation should consult the department chair or academic dean's office. *An instructor may not unilaterally deny a request for a religious accommodation without first consulting their department chair or academic dean's office.*

Students who expect to miss classes, examinations, or other assignments because of their religious belief or practice shall be provided with a reasonable alternative opportunity to complete such academic responsibilities. A student who is absent from school because of their religious beliefs or practice will be afforded an opportunity to make up any examination, study, or work requirements, which they may have missed because of such absence.

If a student's request for religious accommodation involves an alternative examination time or date, make-up examinations must be comparable, in terms of format and difficulty, to the examinations given to the remainder of the class.

If a student's course registration day and time conflict with a sincerely held religious belief, the opportunity to register shall be made available on an alternate day and time, where it is possible and practical to do so.

While the college will consider all student accommodation requests, it cannot guarantee that all accommodations requests will be granted or that a student's *preferred* accommodation request will be possible. Both the college and the student requesting the accommodation will work together, in cooperative dialogue, to determine appropriate accommodation options.

Should an accommodation be required outside of the academic classroom, for example in a Residence Hall, requests may be made in writing to the Dean of Students at dean_of_students@fitnyc.edu.

Violations

Individuals who believe that there is an alleged violation of this policy, who disagree with a determination regarding their reasonable religious accommodation request, who believe they may have been treated in a discriminatory manner, or who are experiencing possible harassment should contact the Title IX Coordinator/Affirmative Action Officer.

Complaints will be investigated in accordance with the procedure contained in the college's Nondiscrimination and Anti-harassment policy. An individual who files a complaint or participates in an investigation will be protected against retaliation. Complaints will be kept confidential to the extent possible.

Related Policies

- [Nondiscrimination and Anti-Harassment](#)

Related Documents

- [Collective Bargaining Agreement](#)
- [Employee Policy Manual](#)

- [Student Rights and Responsibilities Manual/Student Handbook](#)

Contacts

- **Dean of Students**
Enrollment Management and Student Success
Business & Liberal Arts Center, B221
212-217-3800
- **Human Resource Management and Labor Relations**
333 7th Ave. 16th Floor
212-217-3800
- **Office of Academic Affairs**
Feldman Center, C913
212-217-4040
- **Title IX Coordinator/Affirmative Action Officer**
titleix@fitnyc.edu
(212) 217-3360
333 7th Ave. 14th Floor