

Title: #VI-16. Religious Accommodation for Applicants and Students

Date: June 14, 2024

Authority: The Free Exercise Clause provides that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." Title VI of the Civil Rights Act of 1964 protects students who hold sincerely religious beliefs from discrimination based on a student's actual or perceived shared ancestry, ethnic characteristics, citizenship, or residency in a country with a distinct religion. Title IV of the Civil Rights Act of 1964 prohibits discrimination based on religion in federally funded educational institutions. The West Virginia Human Rights Act set forth in West Virginia Code [§ 16B-17-1](#), *et seq.* (formerly cited as West Virginia Code § 5-11-1, *et seq.*) prohibits discrimination in places of public accommodation.

Religious Accommodation Statement

WVU Parkersburg prohibits discrimination, harassment and retaliation on the basis of religion consistent with the requirements of Federal, State and Local Law and West Virginia University Parkersburg policy. WVU Parkersburg will provide reasonable religious accommodations for the sincerely held religious beliefs or practices of applicants and students unless doing so would impose an undue hardship on the institution. Undue hardship includes an accommodation that is disruptive to the educational environment or that would fundamentally alter the nature of the program or activity. Undue hardship also includes an accommodation that would substantially increase costs in relation to the conduct of West Virginia University at Parkersburg business after considering all relevant factors including the particular accommodations at issue and their practical impact in light of the nature, size and operating cost of the institution. (See *Groff v. DeJoy*, 143 S. Ct. 2279 (2023)).

A reasonable religious accommodation is any adjustment to the educational/academic environment that will allow a student or applicant to practice their religious beliefs and applies not only to schedule changes or leave for religious observances, but also to such things as dress or grooming practices that a student or applicant has for religious reasons.

Reasonable accommodations may include, but are not limited to, the following: allowing absences for religious observances, providing the flexibility to wear religious attire or for religious grooming practices (adhering to shaving or hair length observances, etc.), providing flexibility for the observance of a religious prohibition against wearing certain garments, providing makeup exams/alternate assignments and/or permitting adjustments to course work due date schedules that fall on religious holy days.

If a student is granted an accommodation that requires an absence from class, graded assignment or test, etc., students are responsible for making up the work or exams according to an agreed-upon schedule.

Religious Accommodation Process

West Virginia University Parkersburg is not required to provide an accommodation if it is not aware of the individual's need for accommodation. Students and applicants must make the institution aware of the need for an accommodation based on a conflict between the individual's religious belief or practice and the educational/academic requirements or the institution's application/admission process. Students and applicants seeking religious accommodations are required to self-identify by submitting a completed Religious Accommodation Request Form ([RAR Forms](#)) to the Center for Student Support services. RAR Forms are available in the Student Support Services Office and online.

Accommodations are not granted retroactively and must be renewed each academic term for registered students as class schedules and course requirements change.

Requests for religious accommodation should be made early in an academic term and/or the application/admissions process. Students are encouraged to review course syllabi/clinical schedules/internship requirements immediately upon receipt so that accommodation requests for class absences may be timely submitted.

Requests for absences due to religious holiday or day of observance that do not coincide with the institution's holiday schedule must be made at least fifteen working days before the date of the absence from class to provide the institution adequate time to evaluate the accommodation request.

Upon receipt of the RAR Form, a counselor will contact the student for an interactive conversation to discuss the request. The discussion may occur in-person, virtually, by telephone or by email. The coordinator will also work with academic and WVU Parkersburg departments and faculty members as needed to determine, what if any, reasonable religious accommodations that do not pose an undue hardship may be available. WVU Parkersburg will endeavor to protect the requesting student's privacy in evaluating and implementing the accommodation requested to the extent possible. However, following receipt of the request, the coordinator will discuss the accommodation request as necessary with select others in order to further evaluate and/or implement the accommodation.

Accommodation request determinations will be made on a case-by-case basis taking into account different factors, including but not limited to: the fundamental requirements of the applicable academic program and/or related technical standards, the requirements of the major, the duration of the accommodation request, and the availability of alternative accommodations. Reasonable accommodations must be consistent with academic standards and may not include modifications of requirements essential to any program or licensing requirement, or modifications that impose an undue burden on West Virginia University Parkersburg.

Student Support Services will notify the student in writing of the accommodation decision by providing the student with an Accommodation Decision Letter. If the accommodation request is granted, the Accommodation Decision Letter will also be provided to any faculty member as applicable. Faculty members, upon notification, will provide students in writing a reasonable time in which the student may complete an assignment or reschedule a missed examination or other graded assignment scheduled on the day(s) the student is absent for the purpose of observing a religious holy day. If the student fails to satisfactorily complete assignments or examinations, etc., within the reasonable time, loss of credit for work or a failing grade for an examination will result.

Students may appeal the denial of an accommodation by filing complaint in accordance with the Complaint Process set forth below.

Clinical Rotation Students

Some clinical partners may require students to request religious accommodations related to vaccinations, dress and grooming practices through the clinical partner's accommodation process. If a clinical partner does not allow exemptions or accommodations or requires students to go through the clinical partner's accommodation process and the student's request is denied by the clinical partner, the student may still request an accommodation through West Virginia University Parkersburg using the procedure set forth above. However, the institution cannot grant exemptions or accommodations to a clinical partner's requirements. If placement at an alternative clinical site is not a possible accommodation, the only available accommodations may be deferral or temporary withdrawal from the program.

Due to the nature of the fixed scheduling of academic programs that require clinical rotations both on campus and in the clinical setting, WVU Parkersburg will make every effort to help students observe religious holidays but the institution cannot control the clinical schedule or the policies and procedures of the clinical agencies in which students are assigned.

Complaint Process

Discrimination, harassment and retaliation complaints based on religion are filed with:

Center for Student Support Services
Room 1019
Email: studentsupport@wvup.edu
Phone: 304-424-8378

West Virginia University Parkersburg Board of Governors Policy A-44 Harassment and Discrimination and more information about West Virginia University Parkersburg's religious discrimination, harassment and retaliation complaint process, including the complaint form, and an information packet, are available in the Office of Policy and Social Justice and online respectively at:

<https://www.wvup.edu/wp-content/uploads/bsk-pdf-manager/2023/09/A-44.-Harassment-and-Discrimination.pdf>

[How-to-File-a-Discrimination-Complaint](#)

Information about external complaint processes is available online or by contacting:

West Virginia Human Rights Commission
1321 Plaza East 108 A
Charleston, WV 25301
<https://hrc.wv.gov/Pages/default.aspx>

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001
<https://civilrights.justice.gov/#your-rights>

Recordkeeping

Requests for religious accommodation, evaluation documents and/or decisions will be kept in a record separate from the applicant's and/or student's admissions and/or academic information/record and will be stored in a location in the Student Support Services Office that is accessible only to authorized personnel who have a legitimate business need to access the information. Religious accommodation files will be retained in accordance with the institution's records retention schedule and/or policies/procedures.

Responsible Administrator: Vice President for Academic Affairs, 304-424-8242