

Attendance Accommodations for Students with Disabilities

Niagara University expects its students to attend class regularly. Attendance requirements specific to each course are outlined in course syllabi. However, the University will consider on a case-by-case basis, attendance modifications for students with disabilities who have documented medically-related conditions (episodic in nature) or other reasons why their disability may make it difficult for them to fulfill typical attendance requirements. The outcome may be different from student to student and, from class to class, and even from faculty member to faculty member depending on the student's documented disability and how it impacts attendance AND in light of the significance that attendance plays the course itself (interactive class discussions, lab, practicum, etc.). If the student isn't attending class on a regular basis, in some cases the student may not be able to do well or get the full benefit of the class. In these cases, accommodations, such as incomplete grades and/or course withdrawal, should be considered by the student.

Faculty need to understand that students with disabilities have the right to ask for this type of accommodation if their disability impacts attendance. Due to the nature and severity of the disability, the student may miss class to receive necessary medical treatment or to recover from a flare up of the condition. However, if regular attendance is essential to the course and/or curriculum or if the number of accommodated absences becomes excessive, then the student will be asked to consider alternative accommodations (e.g., a grade of incomplete or course withdrawal). Note that the extension of deadlines for assignments due or arrangements for making up tests and exams missed during an absence are NOT included in this assigned accommodation and must be negotiated individually with faculty as the need arises.

Procedures:

- 1) The student will meet with each of his/her faculty within the first two weeks of each semester or as soon as the condition is known, to discuss his/her situation and to discuss and clarify the class attendance policy with regard to meeting the course requirements.
- 2) A student with a disability who feels that he/she will have difficulty attending classes specifically because of his/her disability must make a request for an attendance accommodation from the Coordinator of Disability Services (CDS) at the beginning of each semester or as soon as the condition is known.
- 3) The student will be required to provide documentation of the disability from a qualified professional (appropriate to diagnosis and responsible for monitoring the student's disability/condition).

Documentation must be provided that indicates both why the student may need to miss classes and to what extent. While it is understood that the student or the student's doctor cannot always predict accurately the number or percent of absences anticipated, the student and/or the doctor is asked to provide some indication of the scope of the request.

Note that the impact of the disability on attendance will likely have to be episodic in nature for the request to move forward. If the student's absences become excessive, then the accommodation may necessitate the need to explore grades of incomplete or withdrawal from a course or the university.

Documentation will be held in the CDS's files and will be considered confidential.

- 4) The CDS, in consultation with appropriate campus professionals (e.g., Counseling Services, Health Services), will review/evaluate the documentation as needed to determine if the student has provided justifiable disability-based reasons for requesting consideration of attendance requirements.
- 5) If the student's request for an attendance modification is documented and deemed reasonable, then the CDS will contact each of the student's faculty members individually to determine how an attendance accommodation may impact the student's ability to access the essential requirements of each class.

Specifically, the CDS will ask each faculty member for:

- established attendance policies for the class.
- the importance of attendance/participation to the learning process/curriculum. More specifically, the each faculty member may be asked to answer the following questions:

NOTE: The following questions are from an OCR Letter of Finding in 1996 which helped to define the questions to ask regarding the definition of "essential course requirements" when attendance is an issue. (Letter of Finding from the Office for Civil Rights to Cabrillo Community College in California [Case No. 09-96-2150; OCR Region IX, 1996]). The answers to these questions helped OCR determine whether attendance was indeed essential to the course in question and if it could be accommodated.

- a. Is there regular classroom interaction between the instructor and students and among the students themselves?
- b. Do student contributions in class constitute a significant component of the learning process?
- c. Does the fundamental nature of the course rely upon student participation as an essential method of learning?
- d. To what degree does a student's failure to attend class constitute a significant loss of the educational experience of other students in the class?
- e. What does the course description and syllabus say regarding attendance?
- f. What is the method by which the final course grade is calculated?

In the final analysis, the faculty member needs to determine how much attendance leeway can be allowed without altering an essential feature of the course and/or curriculum.

The exact number of absences that may need to be accommodated may fluctuate from student to student based on the disability and its exacerbations during any given semester. Again, the determination of what is "reasonable" at any point in time depends on the impact of the student's disability and the essential nature of class attendance.

- 6) At this point, the CDS will consider the student's request, all documentation, input from faculty, and make a determination on the student's request.

If an attendance accommodation is found to be reasonable, the student and CDS must complete the "Disability Attendance Accommodation Approval" form for each class, the student must take them to each of his/her faculty for signature and return them to the CDS. The CDS will distribute the copies of the signed forms to the student and to each of the designated faculty. This form provides an explanation of both the established boundaries of the accommodation and the responsibilities of both faculty and student in carrying out this accommodation. Specifically:

- a) Students are responsible for contacting the faculty member as soon as possible when a disability-related absence will occur/has occurred and, as necessary, inform the faculty member as to when the student will return to class. If the student is unable to reach the faculty member directly, the student or someone designated to act on his/her behalf may contact the faculty member.
- b) Unless designated in writing by the faculty, the student is responsible for any material covered or work done in or outside of class during the disability-necessitated absences AND must adhere to all scheduled deadlines for class assignments and tests. The extension of deadlines for assignments due or arrangements for making up tests and exams missed during an absence are NOT included in this assigned accommodation and must be negotiated individually with faculty as the need arises. If the student has missed a deadline due to a disability-related absence, the student, as soon as he/she is able, should contact the faculty to discuss the possibility of making up the missed work. Requests for accommodation must be timely and reasonable.
- c) No special accommodations will be provided for any absence **not** due to the documented disability.
- d) If, at any time, the faculty member believes that the student's absences from class threaten the academic integrity of the class or the accomplishment of established learning objectives, the faculty member should contact the CDS immediately. After consulting with the faculty member, the CDS will contact the student to review his/her current situation regarding absences from class and reevaluate the attendance accommodation. As needed and as appropriate, the CDS will discuss possible alternatives with the student (e.g., grade of incomplete, course withdrawal, withdrawal from university).

If it is determined that it is not possible to consider the attendance accommodations because attendance is an essential requirement of the class, then the student will be informed and will be given the opportunity to discuss other accommodation options with the CDS including incomplete grades, course withdrawal, and/or withdrawal from the university.

Niagara University: Disability Attendance Accommodation Approval

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, this student has presented documentation that verifies a disability that may affect his/her attendance. The student understands that regardless of the disability, he/she remains responsible for fulfilling the requirements of the course.

Student Name: _____ Student #: _____

Email: _____ Phone/Cell: _____

Date: _____ Course: _____ Professor: _____

Absences: The exact number of absences that may need to be accommodated may fluctuate based on a student's disability and its exacerbations during the semester. The determination of what is "reasonable" depends on the impact of the student's disability and the essential nature of class attendance; ***sometimes extended absences cannot be considered a reasonable accommodation because they would interfere with the student's ability to access essential requirements of a course.***

If at any point during the semester, the faculty member believes that the student's absences from class threaten the academic integrity of the class or the accomplishment of established learning objectives, the faculty member should contact the Coordinator of Disability Services (CDS) immediately.

After consulting with the faculty member, the CDS will contact the student to review his/her current situation regarding absences from class and reevaluate the attendance accommodation. As needed and as appropriate, the CDS and faculty will determine if other accommodations (e.g., grade of incomplete, course withdrawal) may be more appropriate given the student's needs at that time.

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**1. The student will notify instructor when a disability-related absence occurs as well as the expected date of return. If the student is unable to contact the faculty directly in order to facilitate this process, the student gives the following person(s) permission to contact the faculty and to access educational records on the student's behalf:**

Name: \_\_\_\_\_ Relationship to the student: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship to the student: \_\_\_\_\_

**Permission is granted for the following specified time period:**

Until the end of this semester: \_\_\_\_\_

Other: \_\_\_\_\_

**2. Method by which student and/or the person(s) listed above will notify professor when a disability-related absence occurs:**

Professor Email: \_\_\_\_\_ \*Request a delivery & read receipt for this email message\*

Phone: \_\_\_\_\_ Other: \_\_\_\_\_

**3. Faculty and student will need to renegotiate new due dates/deadlines for tests, papers, projects, etc. as needed and if possible.**

**4. Signatures below indicate that faculty and student have read and understand the Attendance Accommodation Policy and Procedures:**

\_\_\_\_\_  
Faculty signature Date: \_\_\_\_\_

\_\_\_\_\_  
Student signature Date: \_\_\_\_\_

\_\_\_\_\_  
Coordinator, Disability Services Date: \_\_\_\_\_

## Student responsibilities:

- The student will meet with each of his/her faculty within the first two weeks of each semester or as soon as the condition is known, to discuss his/her situation and to discuss and clarify the class attendance policy with regard to meeting the course requirements.
- If the student feels that he/she requires/needs an attendance accommodation, he/she must meet with the Coordinator of Disability Services (CDS) to request this accommodation. The student must provide the CDS with documentation of the disability and impact on attendance from a qualified professional. At this point, the CDS will consider the student's request, all documentation, input from faculty, and make a determination on the student's request. If an attendance accommodation is found to be reasonable, the student and CDS must complete the "Disability Attendance Accommodation Approval" form for each class impacted, take the form to each of his/her faculty for a signature, and return to the CDS. The CDS will distribute a copy of the signed forms to the student and to each of the designated faculty.
- When absent due to the documented disability, the student should, as soon as he/she is able, contact faculty to inform them of the absence and his/her expected date of return to class. If not able to contact faculty directly, the student or a designated individual should contact the faculty member.
- Unless designated in writing by the faculty, the student is responsible for adhering to all scheduled deadlines for class assignments and tests. If the student has missed a deadline due to a disability-related absence, the student, as soon as he/she is able, should contact the faculty to discuss the possibility of making up the missed work. Requests for accommodation must be timely and reasonable.
- No special accommodations will be provided for any absence **not** due to the documented disability.

## Faculty responsibilities:

- Be available for an initial appointment to discuss disability accommodation issues. Often drop-in hours do not provide enough time to arrange this accommodation.
- Clearly state essential course requirements and the course attendance policy on each course syllabus.
- Work collaboratively with the CDS and the student to consider an attendance accommodation and identify reasonable, but equivalent, alternatives for the student to complete essential course requirements without compromising course standards.
- Provide a written response to the student, outlining deadlines or, if granted, extensions for exams and papers. Students must discuss missed deadlines for exams, papers, and other assignments during the semester with the faculty member and renegotiate new deadlines as appropriate on a case-by-case basis.
- After meeting with the student, sign the "Disability Attendance Accommodation Approval" form and ask the student to return it to the CDS. The CDS will distribute a copy of the signed forms to the student and to each of the designated faculty.
- If at any point during the semester, the faculty member believes that the student's absences from class threaten the academic integrity of the class or the accomplishment of established learning objectives, the faculty member should contact the Coordinator of Disability Services (CDS) immediately.

After consulting with the faculty member, the CDS will contact the student to review his/her current situation regarding absences from class and reevaluate the attendance accommodation. As needed and as appropriate, the CDS and faculty will determine if other accommodations (e.g., grade of incomplete, course withdrawal) may be more appropriate given the student's needs at that time.

**Attendance accommodations are not standard** but are individually tailored to the student's documented needs, the course requirements, and the faculty's expectations. If students cannot meet the attendance requirements with or without a reasonable accommodation, withdrawal from the course may be the only option to avoid academic penalty.