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|  | <i>Responsible Office or Department:</i> | Academic Affairs |
| | <i>Effective Date:</i> | 07/12/2012 |
| <i>Accessibility Services: Attendance Accommodations</i> | | |

PURPOSE:

Providing reasonable attendance accommodations for qualified students with disabilities.

SCOPE:

Students, faculty, Office of Accessibility Services

MAIN PROVISIONS:

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 Accessibility Services 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 accurately predict 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 Accessibility Services and will be considered confidential.

4) Accessibility Services, 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 Accessibility Services 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, Accessibility Services will ask each faculty member for:

- established attendance policies for the class.
- the importance of attendance/participation to the learning process/curriculum. More specifically 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, Accessibility Services 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 Accessibility Services may complete the "Disability Attendance Accommodation Approval" form (available in the office of Accessibility Services, Seton Hall, First Floor) for each class, the student must take them to each of his/her faculty for signature and return them to Accessibility Services. Accessibility Services 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 Accessibility Services immediately. After consulting with the faculty member, Accessibility Services will contact the student to review his/her current situation regarding absences from class and reevaluate the attendance accommodation. As needed and as appropriate, Accessibility Services 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 Accessibility Services including incomplete grades, course withdrawal, and/or withdrawal from the university.

ADDITIONAL INFORMATION:

None

POLICY HISTORY:

- Originated: 7/12/2012
- Current Effective Date: 07/12/2012
- Next Review Date: 11/30/2026
- Revision/Renewal Log:
 - Reviewed 11/30/2023, no substantive revisions
 - updated department and contact names, form removed, reference to form location added

- Replaces “Attendance Accommodations for Students with Disabilities”, effective 07/12/2012