

Modified Attendance as an Academic Accommodation for Disability

Salve Regina students are expected and encouraged to attend class and meet deadlines for assignments and tests, and faculty have the right to establish attendance and late work policies.* However, if a student has a disability that involves unpredictable or periodic, acute episodes that occasionally impact her/his ability to attend class and complete tests or assignments at the designated time, flexibility in attendance/assignments may be considered an appropriate accommodation.

In accordance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1990, faculty may be asked to make modifications to attendance or assignment due dates as a reasonable accommodation, to the extent that the modification grants the student equal access without compromising the integrity of the course and the student's ability to meet stated learning objectives. **Faculty are NOT required to waive, lower or substantially modify essential program or course requirements**, as these would render a requested accommodation "unreasonable" under the ADA.

Each faculty member decides on the basis of his or her own course characteristics how much attendance flexibility may be tolerated before the course's essential requirements will have been unacceptably compromised. Faculty are encouraged to identify, in advance if possible and articulated in the course syllabus, those elements of their courses that constitute "essential requirements." These essential requirements then constitute the backdrop against which student requests for attendance modification are evaluated and subsequently articulated to the student. The Office for Civil Rights (OCR) has listed a number of factors to consider in determining the degree to which attendance is an "essential" aspect – therefore an essential required element - of a course:

- a) Is there significant classroom interaction between the instructor and students, and among students?
- b) Do student contributions constitute a significant component of the learning process?
- c) Does the fundamental nature of the course rely upon student participation as an essential method for learning?
- d) To what degree does a student's failure to attend constitute a significant loss to the educational experience of other students in the class?
- e) What do the course description and syllabus say?
- f) Which method is used to calculate the final grade?
- g) What are the stated classroom or department practices and policies regarding attendance?

In other words, the number of allowable absences, and the length of any assignment extensions, depends either on the interactive or participatory nature of a course, or/and is based on department, college or accrediting agency rules. *The specifics of attendance requirements are determined by faculty at the individual or departmental level, not the office of Disability Services.*

If and when a student has been approved by the Office of Disability Services for Modified Attendance as an academic accommodation, the student and each of his or her professors will together fill out a form, given to the student by Disability Services when s/he comes to collect the Notification of Accommodation letters, that specifies the policies regarding absences and deadline extensions *for that class*. These forms will then be returned to Disability Services where they will be held in the student's confidential file.

* In the case of online or hybrid courses, an "attendance and participation" requirement carries different meaning but is no less subject to these guidelines. In addition to standard requirements for normal in-class attendance, "attendance and participation" may include, but is not limited to, online posts to which classmates and faculty provide feedback (and themselves contribute feedback); the timely online or in-person submission of papers or other assignments; and/or completion of online assessments.