



Office for Accessible Education

Consideration for Disability Related Absences

Regular class attendance is a student obligation, and a student is responsible for all the work, including tests and written work, for all class meetings. This accommodation is defined as occasional exceptions to a course absence policy when educationally feasible. Students are expected and encouraged to attend class. Instructors have a right to establish attendance policies. However, allowance for some absences and making up missed work may be appropriate accommodations for some students with disabilities.

Students who are most likely to request this accommodation are those with chronic health related disabilities that flare up episodically. This might include students with lupus or fibromyalgia, sickle cell anemia, seizure disorders, cancer, migraines, and conditions requiring dialysis. Students with mental health disabilities may experience an exacerbation of symptoms that adversely impact class attendance. Such students typically do not go to the doctor when feeling poorly and might not be able to provide a doctor's note for each absence.

Federal law requires colleges and universities to consider reasonable modification of attendance policies if required to accommodate a student's disability. In making this determination, two questions must be answered:

1. *Does the student have a documented disability that directly affects his/her ability to attend class on occasion?* The Office for Accessible Education (OAE) will make this determination based on documentation from the student's physician, psychologist or other appropriate specialist and through an interactive registration with the student, medical professional, discussion of functional limitations and the need for accommodation.
2. *Is attendance an essential part of the class? Would absences about what is typically allowed result in a fundamental alteration of the course/program of study or curriculum?* The instructor should make this determination in consultation with the OAE.

When is this Accommodation Not Reasonable?

There are some classes in which the attendance policy cannot be adjusted for an individual student without resulting in fundamental changes to the course design. These tend to be classes in which the course relies upon regular classroom interaction between instructors and/or students as an essential method for learning. These can also be classes in which student learning is sequentially and directly assessed in the classroom, thereby making attendance an essential requirement for the course. In such cases, or if absences become excessive, the student may need to consider a course withdrawal as a more appropriate option.

Some students may wait to register with the OAE late in the term or wait to give instructors notification of their accommodations. In such cases, instructors are not expected to provide accommodations retroactively.

Process for Implementing Modified Attendance

1. The student provides the instructor notice of their approved attendance accommodation via the accommodation letter.
2. The instructor receives email notification directing them to review the accommodation. If there are questions or concerns about the reasonability of an approved accommodation, the instructor contacts the Student's Accessibility Counselor directly or via oae@loyno.edu.
3. On days that this student will be unable to make it to class, they must send an email (or otherwise notify their instructor) to their instructor informing them of the absence. This email may be sent after the missed class as opposed to beforehand, depending on the particular circumstance for this student or the instance of the absence.

Student Responsibilities

1. Meet all core learning objectives for each class, including course content covered or work done during any absences.
2. Keep up with the class and complete all coursework. The accommodation of modified attendance does not mean the student will automatically get an extension for work that is due on a day that they are absent.
3. On days that this student will be unable to make it to class, the student must send an email to their instructors informing them of the absence. This email may be sent after the missed class as opposed to beforehand, depending on the nature of the particular absence.
4. Setting a meeting or meeting with the instructor after an absence to discuss what might have been missed and to discuss how to make up any missed work or complete any assignments that are left pending due to their absence.

Instructor Responsibilities

1. Inform students of their class attendance policy.
2. Engage in an interactive process with OAE to discuss a reasonable limit to a student's absences. Instructors should never deny an accommodation authorized by OAE without first consulting with our office.
3. Establish clear expectations of how classroom attendance, missed quizzes/exams, assignment deadlines, and how instructor notification will be handled in case of disability-necessitated absences.

Guidelines for the Accommodation of Consideration for Disability-Related Absences

- The student's medical condition or disability has been verified by the submission of appropriate documentation, that they are registered with OAE and that the student's medical condition or disability may result in unavoidable absences and that absences should NOT trigger the kind of sanction you would ordinarily apply.
- The intent is to remove the "automatic" application of the attendance policy, and enable the instructor to consider the absence as 'excused' even if the standard limit of excused absences has been reached.
- This accommodation is not a "free pass" for absences and students with this accommodation are cautioned by OAE that even if their absence is due to their medical condition or disability and beyond their control, such absences may impact their grade, particularly if the class grade includes an element of participation or in-class exercises which contribute to the final grade. Students are also advised that

they still bear the responsibility to keep up with the reading, obtain class notes, and make up any written assignments they may have missed. Students should always meet with class instructors to discuss the way in which this accommodation will work in practice and to agree upon appropriate procedures and protocols.

- Instructors are not obligated to create extra work for either the student or themselves as a substitute for “participation” in class or missed assignments. However, instructors are encouraged to consider whether there are opportunities for the student to mitigate or “make up” their absence. Again, this is particularly relevant for classes that are highly interactive and include assignments and group work.

As Part of the Interactive Process, Course Instructors and OAE Should Consider

1. How many absences can occur before it is not possible for the student to meet essential course requirements/experiences/learning outcomes?
2. How should the instructor be notified of each disability-related absence (ex. email, text, etc.) and what is the preferred timing, when possible? (**Note: because of documentation previously submitted to the OAE, a doctor's note will not be automatically required for each disability-related absence and should not be requested of the student.**)
3. For disability-related absences, are there other ways to obtain material missed in class or substitute means of participation? (Attend another section of the same lecture or lab; class notes; etc.)
4. In general, assignments are still due when disability-related absences occur. However, when extenuating circumstances occur (i.e. incapacitation, hospitalization, etc.) what is the procedure for turning in homework/projects/assignments due the day of a disability-related absence?
5. What options (when possible) exist for contribution to group assignments if absences interfere? Is there an alternative to group assignments that will accomplish/meet the course requirements and/or learning objectives?
6. What is the course policy on missed tests/quizzes/in-class graded assignments? How would the student arrange to take a missed test/quiz due to a disability-related absences? (for example Use OAE Test Proctoring with advance notice, take a make up with the instructor, etc.)

Additional Guidelines from the Office of Civil Rights

To determine if attendance is an essential part of class, consider the following:

1. Are there classroom interactions between the instructor and the students and among students?
2. Do student contributions constitute a significant component of the learning process?
3. Does the functional nature of the course rely on student participation as an essential method for learning?
4. To what degree does a student’s failure to attend constitute a significant loss to the educational experience of the other students in the course?
5. What do the course description and syllabus say?
6. What are classroom practices and policies regarding attendance?