

Office for Accessible Education

Modified Attendance

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. Modified attendance is defined as occasional exceptions to absentee/tardiness policies when educationally feasible. Students are expected and encouraged to attend class. Faculty have a right to establish attendance policies. However, modification of attendance policies and making up missed work may be appropriate accommodations for some students with disabilities.

Students who are most likely to request modified attendance policies 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 a regular basis?* 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 process with the student him/herself of functional limitations and need for accommodation.
2. *Is attendance an essential part of the class? Would modification of attendance policies result in a fundamental alteration of the curriculum?* Faculty make this determination in consultation with the OAE.

When is Modified Attendance 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. Student notifies the Professor of their approved attendance accommodation through ClockWork.
2. Professor receives email notification directing them to review the accommodation letter in ClockWork. Professor accesses ClockWork to view and acknowledge the Student's accommodation letter. If there are questions or concerns about the reasonability of an approved accommodation, the Professor contacts the Student's Accessibility Counselor in the OAE (oea@loyno.edu).
3. Student and Professor meet/communicate to discuss the available modifications and document the agreed upon changes in writing for future reference. Both Student and Professor should retain a copy of the modified policies.
4. If the Student has concerns or questions regarding what the Professor has indicated in the agreement, OAE will help to resolve these issues with conversations between both parties.

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. Discuss with instructors if or how the policy for modified attendance may be specified for a particular class.

Instructor Responsibilities

1. Inform students of their class attendance policy.
2. Engage in an interactive process with OAE to discuss a reasonable policy for modified attendance. 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 instructor notification will be handled in case of disability-necessitated absences.

Guidelines for Handling Modified Attendance

1. Students registered with OAE are able to send an accommodation letter to class instructors specifying the accommodations determined in collaboration with OAE. These accommodations will have already been determined to be reasonable and may include 'Modified Attendance'.

This lets you know that:

- a. 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.
 - b. The intent is to remove the "automaticity" from the 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.
2. This accommodation is not a "free pass," 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 well impact their grade, particularly if the class grade includes an element of participation, in-class exercises, quizzes which contribute to the final grade and/or written assignments. Students are also advised that they still bear the responsibility to keep up with the reading, obtain class notes from a fellow student if they do not have note taking support as an accommodation, and make up any written assignments they may have missed. Students are always advised to make in-person contact with class instructors to discuss the way in which this accommodation will work in practice and to agree upon appropriate procedures and protocols.
 3. 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. OAE can engage faculty and students in the legally required "interactive process" considering and determining whether such an accommodation is reasonable given the circumstances.

Additional Guidelines from the Office of Civil Rights

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

- What does the course description and syllabus say?
- What elements of the class experience are used to calculate the final grade?
- What are the classroom practices and policies regarding attendance?
- To what extent is there classroom interaction between the instructor and students and among students?
- Do student contributions constitute a significant component of the learning process?
- Does the fundamental nature of the course rely on student participation as an essential method for learning?
- To what degree does a student's failure to attend constitute a significant loss to the educational experience of other students in the class?