

Consideration for Flexibility with Attendance

Although it is not mandated by law that faculty members change their attendance policy for students with disabilities, there is the expectation that modifications in attendance policies will be provided when such changes do not fundamentally alter the curriculum. It is likely that courses with heavy participation may have much less flexibility in altering their attendance policy, such as labs, practicums, and studio art courses. Legal guidelines do suggest you:

(1) inform students of your attendance policy;

(2) meet with students who wish to discuss the attendance policy, and

(3) explain why you will or will not adjust your attendance policy and rationale(s) for this decision.

The Office for Civil Rights (OCR) offers the following guidelines in determining whether attendance is an essential aspect of the course:

* *Are there classroom interactions between the instructor and student, and among students?*
* *Do student contributions constitute a significant component of the learning process?*
* *Does the fundamental nature of the course rely upon 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?*
* *What do the course description and syllabus say?*
* *Which method is used to calculate the final grade?*
* *What are the classroom practices and policies regarding attendance?*

Each institution is legally required to consider whether any policy or procedure in place is discriminatory on the basis of a disability and alter it if it is found to be discriminatory. Willingness to consider the possibility is legally required.

Whether this leads to a decision to modify attendance should only come from a thorough discussion based on numerous factors particular to each course and faculty member. **This accommodation does not sanction unlimited absences.** If the faculty member believes the absences are becoming excessive, please contact The Office of Accessibility to discuss the matter. Note that students are given a set of responsibilities to follow regarding this accommodation.

Office of Accessibility

Joanne Rusnak, South Campus

Holly Wagoner, North Campus