

Reasonable Flexibility to Attendance Policy

Attendance is an essential requirement of most courses at Adelphi University. Students are generally required to attend class and follow the attendance policy established by the instructor in each class.

Federal law requires colleges and universities to consider reasonable modification of attendance policies if required to accommodate a student's disability. Student Access Office (SAO) has developed the Flexibility to Attendance Policy to address this issue.

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? Student Access Office (SAO) will make this determination based on a review of documentation from a licensed medical professional or licensed mental health professional, such as a psychologist or psychiatrist.
2. Will the absences cause the student to miss *essential components* of the course? For example, in-class group work may be an essential aspect of a course. Would modification of attendance policies result in a fundamental alteration of the course objective? Student Access Office (SAO) makes this determination in consultation with faculty members.

The Office of Civil Rights (OCR) has provided the following guidelines to determine if attendance is an essential part of a class:

- Is there classroom interaction(s) between the instructor and students and among students?
- Do student contributions in class 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?
- What do 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?

General Information

Exceptions to well-established attendance policies should be determined on a case-by-case, course by course-by- course basis. A request for an attendance accommodation may not be appropriate in every circumstance. In some classes, attendance is a fundamental/essential requirement in

meeting course objectives; therefore, leniency in attendance may be deemed unreasonable. For example, students may be required to participate in class, to demonstrate the ability to think and discuss critically, or to interact with others in class. In other circumstances, faculty may determine that students can master course content with the accommodation of flexibility in attendance.

Procedure for Determining Flexibility

1. Students must complete and submit a Petition for Reasonable Accommodations form and provide documentation of a disability from a qualified professional to Student Access Office (SAO), Adelphi University, Garden City, NY 11530; Tel: 516.877.3145; Fax: 516.877.3138; Email: sao@adelphi.edu.
2. The Director of Student Access Office (SAO) will review and verify that the disability may cause the student to miss classes that exceed the specified attendance policy.
3. When a student qualifies for this accommodation due to impact of disability, a statement will be included on the ADA Accommodation Approval Letter. The Accommodation Letter may be utilized by the student to inform the instructor that the student's medical disability has been verified by the submission of appropriate documentation, that he or she is registered with SAO and that the student's medical disability may result in unavoidable absences and asks that absences should not prompt the type of sanction you may ordinarily apply as the instructor.
4. Students must provide timely notification to instructors of the approved flexibility to attendance accommodation. If flexibility in attendance for that course is approved as an accommodation by SAO, the student is responsible for contacting the instructor and SAO as soon as possible when a disability-related absence will/has occurred.
5. If the accommodation is questioned, the instructor, student, and the SAO professional should discuss whether the disability related absence accommodation is reasonable.

The number of allowed absences will be determined on a case-by-case, course-by-course basis. Absences must not be excessive and/or habitual. Students who request an accommodation or provide documentation after the limit of allowable absences has occurred will not be eligible for retroactive accommodations.

This accommodation potentially provides relief from established requirements for physical attendance in classes. The student is responsible for any material covered or work done during such disability-necessitated absences. Neither extension of deadlines for assignments due, nor arrangements for making up tests and exams missed during such absences are included in this assigned accommodation. An accommodation for these issues may be appropriate, but they need to be negotiated individually with the instructor as need arises.

For Students

This accommodation is not a "free pass," and students with this accommodation are cautioned by SAO that even if their absence is due to their medical 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.

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. SAO can engage faculty and students in the legally required “interactive process” considering and determining whether such an accommodation is reasonable given the circumstances.

For Instructors

A common request by students with a medical disability is for their absence from a class meeting to be understood to be a consequence of the medical disability and 'excused' and not subjected to the sanction which would be enforced ordinarily by the class instructor. Students most likely to request modified attendance policies as an accommodation are those with serious health-related disabilities that flare up episodically. This includes, but is not limited to, students with autoimmune disorders such as lupus, multiple sclerosis, rheumatoid arthritis; Celiac disease, Crohn's disease ulcerative colitis; sickle cell anemia; seizure disorders; other forms of arthritis; and/or conditions requiring debilitating treatment such as cancer/chemotherapy or dialysis. A number of students registered with SAO have these or other medical disabilities which periodically worsen or “flare up.” Students with psychological disabilities who are experiencing an acute exacerbation of symptoms may also request flexibility in the application of attendance policies.

Suggested Classroom Procedures:

In general, instructors are strongly encouraged to follow the guidelines for course design and classroom procedures recommended by the Faculty Center for Professional Excellence and the Office of Academic Services and Retention. When students enter into a learning relationship, they have certain needs and expectations. They are entitled to information about course procedures, attendance policy, content, and goals. Instructors should provide a syllabus that describes the course and methods of evaluation. Particular attention should be paid to several areas of special concern to students, including provision of reserve readings and grading policy.

If the student misses an excessive number of classes, the faculty member is urged to contact Student Access Office (SAO) to discuss whether the student's continued enrollment in the class is “viable.”

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There may be circumstances where granting a modification to attendance requirements will not be possible. A student may have a legitimate disability-related need and may still not be able to identify any accommodation that would not unreasonably alter an essential element of the University's curriculum.

Instructors who need assistance in making this accommodation work for their students without compromising academic standards or who believe the attendance policy modification requested does constitute a fundamental alteration of an essential element of the program should contact SAO to discuss their concerns. This accommodation is subject to a reasonableness standard, and is not appropriate in every circumstance. In cases where attendance is an essential part of the class, a withdrawal or an incomplete may be considered a reasonable accommodation if absences become excessive.

Medical Withdrawal

In cases where absences will affect the ability of the student to demonstrate skills required to pass the course, the student may consult with the instructor and the Office of Academic Services and Retention regarding the advisability of a medical withdrawal from the course. A SAO professional will participate in this meeting upon request. In the event of a medical withdrawal, the student must follow the University's medical withdrawal guidelines and procedures, which can be obtained from the Office of Academic Services and Retention.