

Concordia University, Nebraska Disability Support Services

Flexibility in Class Attendance as a Disability Accommodation

There has been an increase in the number of students entering college with chronic and episodic physical and mental health conditions. Examples of these are concussions, Crohn's disease, lupus and other autoimmune diseases, fibromyalgia, migraines, cancer, psychological disorders and other illnesses, as well as students undergoing recommended medical procedures. The number of requests for accommodations in attendance is also likely to increase.

When a student has a chronic condition with random or cyclical acute episodes, there are times the student cannot attend class because of reasons related to their disability. In these cases, modifications to attendance policies may be appropriate.

Disability Support Services does not “certify” that a given student qualifies for a certain number of absences related to their disability. If a student qualifies for “flexibility in attendance”, it means that we have documentation on file that a student's disability may impact attendance if their condition exacerbates.

We make every effort to reasonably accommodate students' disability-related academic needs. *However, neither the college nor an individual faculty member is required to waive essential or fundamental academic requirements of a course regardless of the nature of a student's disability.*

In most cases, class attendance and participation are vital to a student's mastery of the knowledge and/or skills taught in a course. Expectations of students for class attendance are made through the Course Guide/Syllabus for each class. Students are expected to follow the attendance requirements established by the instructor in each class.

Students must realize that even if excused, absences could impact the student's academic performance because the student will not have the benefit of such things as full classroom interaction and the opportunity to ask questions while the material is being presented.

We recommend that a student with a disability-related need for flexibility in attendance meet with instructors at the beginning of the semester (or as soon as it is applicable) to discuss the extent to which modification in attendance policies may be reasonable for a particular class.

The student and instructor should have a clear understanding of what accommodation can be made for disability-related absences. In cases where attendance is an essential part of the class, a withdrawal or an incomplete may be considered if absences become excessive.

Here are a few scenarios that may guide in the determination of absences:

1. Professor normally allows 3 absences and then students' grades drop by a letter grade for subsequent absences. A student with flexibility regarding attendance may be allowed 6 absences and 24 hours to make up any work missed.
2. In a foreign language course, a student is told at the start of the semester that the professor cannot allow much flexibility regarding attendance, as much learning depends on classroom interactions. However, the professor will keep the student's accommodation in mind. Student is hospitalized for a week at the end of the semester and cannot complete a presentation. Professor allows the student to make the presentation up with only the professor, as this does not essentially alter the course.
3. Professor gives points for answering questions in class. In a student absence (where attendance flexibility is an accommodation), professor allows student to respond to questions via email. However, student must contact professor and answer within 24 hours of class.
4. Student and professor agree that student can miss class more often as long as all of the work is completed. However, it is nearing the end of the semester and the student has not turned in assignments, has not been in contact with the professor, and has not attended class. In this case, the professor would not be expected to extend deadlines, as student has not taken responsibility for maintaining communication and is not completing coursework.

It would be advisable to set up a meeting to talk with the student and communicate what amount of absences is reasonable in terms of the student still being able to benefit from the class.

(Some content adapted and used with permission from Concordia University, Texas)

Student Responsibilities:

- Students are responsible for fulfilling the essential requirements for each course, regardless of disability.
- Students who are given the accommodation of flexibility in attendance are strongly encouraged to discuss this accommodation with their professor at the beginning of the semester or at such time as the accommodation is granted.
- Students must recognize that this accommodation is not a “blank check” to miss an unlimited number of classes. They must understand the expectation is that they make every effort to attend classes and participate.
- Students must notify instructors in advance (or as soon as possible) if they need to miss a class as a result of their condition. This is not the job of Disability Support Services, except under extreme or unusual circumstances.
- Students are required to complete all coursework. Flexibility in attendance does not mean an automatic extension for work that is due on a day the student is absent. Students should still make every attempt to turn their work in.
- Students must make arrangements with their instructor to make up any missed assignments and/or tests.
- If the number of absences becomes significant and/or compromises attendance and participation requirements, the student and instructor need to meet and determine if it is in the best interest of the student to withdraw from the course, or receive an incomplete grade, where appropriate.

Faculty Responsibilities:

- Instructors are encouraged to state class attendance policies in the syllabus/course guide.
- Instructors determine policies for make-up work and missed quizzes/exams. These should also be included in the syllabus/course guide.
- Instructors are not expected to lower academic standards or fundamentally alter their course for academic adjustment purposes.
- Instructors determine if class attendance and class participation are integral components of the learning process for the class they teach.

Here are some questions developed by the Office of Civil Rights (OCR), for faculty to consider when determining whether attendance is an essential function of the course:

1. Is there classroom interaction between the instructor and students, and among students?
2. Do student contributions in class constitute a significant component of the learning process?
3. Does the fundamental 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 others in the class?
5. What does the course description and/or syllabus say?
6. What method is used to calculate the final grade?
7. What are the classroom practices and policies regarding attendance? Is the policy equally applied? Has the policy been modified for others or any exceptions made to the policy for non-disabled students? (also consider attendance allowances made for athletics, music tours, etc.)

Disability Support Services Responsibilities:

- DSS will review documentation and discuss any request by the student for flexibility with attendance. DSS will determine if flexibility in attendance is an appropriate accommodation for a student, on a case-by-case basis.
- If approved, DSS will list "flexibility in attendance" on the student's accommodation notification.
- DSS does not excuse students from attendance or determine class attendance policies.
- DSS does not normally inform faculty of a student's absence, except in extreme cases.
- DSS will work with the student, if needed, to obtain material covered in class during an absence related to disability.

Instructors have the right to follow their policies and respond to absences accordingly. This accommodation may *request* flexibility in the course attendance policy from the instructor; however, the University cannot demand that an instructor excuse illness related to absences. **Students should not expect to have absences excused in courses where class participation is essential.** Further, requests for excused absences are **handled on a case-by-case basis** and student may be asked to provide written information from a qualified health care provider explaining the need for absence. When flexibility in course attendance policies is granted, it is done for only a reasonable number of absences.
(from Concordia University Irvine)