Attendance as an Accommodation Policy

Policy:
Buena Vista University (BVU) acknowledges attendance as an accommodation under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973.

Rationale:
- BVU requires a policy to be in compliance with the ADA.
- The Office of Civil Rights (OCR) has ruled that flexibility of attendance can be a reasonable accommodation.

Underlying Principles:
- When a faculty member determines attendance is an essential function of any class, that information must be provided to the Director of the Center for Academic Excellence (CAE) in writing. Having the critical components of attendance in writing is vital for an OCR review.
- No accommodations are retroactive.
- All accommodations are considered on a case-by-case basis.

Responsibilities of Faculty:
1. Faculty must determine if attendance is an essential function of the course, depending upon the level and type of course. (Ex: lab vs. lecture)

2. If faculty determine attendance is an essential function, then:
   - Faculty must be able to demonstrate how “non-attendance” fundamentally alters the course.
   - Faculty must take attendance.
   - Faculty must determine if a number (or percent) of absences will become excessive at a given point during the course.

3. Faculty should not give attendance quizzes or take attendance if they do not determine attendance is an essential function of the course.

4. Faculty will sign the forms and will provide the accommodation if they are in agreement with the accommodation.

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Responsibilities of Students:
1. Students must follow the accommodations process as set by BVU.
2. Students must complete a Request for Accommodation form and have appropriate documentation to support the diagnosed disability.
3. In an effort to help promote self-advocacy, students who have been approved for attendance as an accommodation must contact the faculty and arrange a meeting to discuss the accommodations within 48 hours of receiving the paperwork from the Director of the CAE.
4. Students must sign the forms and return them to the Director of the CAE.
5. Students must make every effort to attend all classes, especially days for exams, quizzes, and paper deadlines.
6. Students must contact the faculty prior to the absence.
7. Students are responsible for knowing and verifying the number of absences in any given course.
8. Students must fulfill all other requirements of the course.

Responsibilities of Director of CAE and 504 Coordinator:
1. The Director/Coordinator will review the documentation.
2. The Director/Coordinator will look at the accommodation(s) requested by a professional and determine if they are reasonable.
3. The CAE Director will notify the student and will process the paperwork.
4. The CAE Director will act as mediator when/if faculty and students cannot come to an agreement regarding the accommodations.
5. The CAE Director will serve as the contact person in the event where a faculty person believes the number of absences has become excessive.

Process:
1. Students complete a Request for Accommodation form and supply appropriate documentation.
2. The 504 Coordinator and CAE Director will review and process the request.

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3. The CAE Director will notify the student of the approved accommodation(s).

4. The student will meet with each faculty person, explain the accommodation(s), and both the faculty and student will sign the paperwork.

5. The faculty will explain to the student if attendance is/is not an essential function of the course.

6. The agreement of attendance accommodation is decided and signed.

7. The CAE Director acts as moderator if needed.

8. The Student will return the paperwork to CAE Director to be filed.

9. Faculty will keep a copy of the paperwork.

10. The student will attend class in accordance with the attendance as an accommodation agreement.

11. When a student cannot attend class, the student contacts faculty via phone or email prior to the class. In the event of an emergency, the student contacts faculty as soon as possible.

12. Students will contact CAE Director to verify by what means he/she attempted to contact the professor. For Graduate and Professional Studies (GPS) students who may not be able to contact the professor directly, they may contact the GPS Director.

13. Faculty will keep attendance records.

14. The student is responsible to know the number of absences in each course.

15. Faculty is encouraged to contact the CAE Director and the student as absences approach excessive, as agreed upon.

16. Decisions about attendance as an accommodation need to be determined faculty person by faculty person, class by class, and semester by semester. Students requesting attendance as an accommodation are required to make arrangements for attendance each semester for each class.