

Policy on Leniency in Attendance as an Accommodation

The Learning Center & Disability Services offers services to qualified students with documented disabilities to allow full access to and participation at the University, consistent with the University's Policy for Requesting and Implementing Accommodations. Qualified students who obtain accommodations pursuant to the University's Policy for Requesting and Implementing Accommodations may also have medical or other conditions of an unpredictable and episodic nature that could periodically make class attendance difficult or impossible. Regular class attendance, however, can be a legitimate academic requirement and some faculty have strictly-enforced policies regarding the number of absences a student may accrue before the student's grade is affected. In keeping with the University's long-standing mission to ensure the inclusion of all members of its community and to meet its obligations under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendment Act of 1990 amended in 2008, this Policy on Leniency in Attendance as an Accommodation (the "Policy") establishes the requirements for qualified students to request leniency in attendance.

For information about services provided by the Learning Center & Disability Services, please contact the Director of the Learning Center & Disability Services (the "Director") at 513-244-4623 or orstacy.mueller@msj.edu

Students who seek to obtain leniency in attendance as an accommodation must:

Step 1- Meet the requirements of the University's Policy for Requesting and Implementing Accommodations. This policy can be found in the Student Handbook, or at https://mymount.msj.edu/ICS/MSJAcademics/Learning_Center/Disability_Services.jnz

Step 2- If a student obtains an Accommodation Letter pursuant to the University's Policy for Requesting and Implementing Accommodations (the "Registered Student"), and the Registered Student believes that leniency in class attendance for any course is needed, the Registered Student must obtain a Leniency in Attendance Agreement from the Director and follow the instructions on the Leniency in Attendance Agreement, which requires the Registered Student to schedule a meeting with any course faculty to discuss leniency in attendance as an accommodation.

Step 3- After the Registered Student and faculty for any course meet to discuss a requested accommodation and to complete a Leniency in Attendance Agreement, the Registered Student **must** return the fully executed Leniency in Attendance Agreement that has been signed by the Registered Student and the faculty for the applicable course to the Director. Accommodations under this Policy are not retroactive, apply only to the specific course referenced in any Leniency in Attendance Agreement, and the details of any accommodation begin on the date the fully executed Leniency in Attendance Agreement for a specific course is returned to the Director.

Guidelines:

- 1) Registered Students and Faculty should consider the following questions, which were developed by the Office of Civil Rights (OCR) of the Department of Education, when meeting to discuss implementing accommodations consistent with this Policy and determining why attendance is or is not an essential aspect of any course:

- ✓ Is there classroom interaction between the faculty and students 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?
 - ✓ What method is used to calculate the final grade?
 - ✓ What are the classroom practices and policies regarding attendance? Is the attendance policy equally applied? Has the policy been modified for others or any exceptions made to the policy for non-disabled students?
- 2) If attendance is intrinsic to the nature of any course for which a Registered Student has requested leniency in attendance as an accommodation, the faculty must promptly contact the Director. In consultation with the faculty, department chairperson, and/or dean, the Director will ultimately decide if attendance is an essential element of any course by considering the course description, syllabus, methods of grading, external licensure requirements, the impact on the educational experience of the entire class, and other factors.
 - 3) If, at any time, including but not limited to after the execution of a Leniency in Attendance Agreement for a course, a faculty member feels that a Registered Student's absences threaten the academic integrity of a course or render it impossible for the Registered Student to meet the course learning objectives, the faculty should contact the Director immediately. After consultation with the faculty member, the Director will meet with the Registered Student to review the Registered Student's options.
 - 4) Any student or Registered Student who fails to comply with this Policy will put him/herself at risk of failing to meet the course learning objectives and to earn a satisfactory grade.