

NMSU Student Accessibility Services (SAS) Faculty Guidelines Regarding Student Attendance

- The ADA Amendments (2008) makes it quite clear that chronic conditions with random (or cyclical) acute episodes are disabilities if the impact during the acute stage reaches the threshold of substantial limitation.
- Recent diagnosis, onset, or unprecedented change in condition is comparable to an unexpected illness or injury and they do not typically warrant accommodations in attendance policies. They may warrant a withdrawal or a retroactive medical withdrawal under some circumstances.
- When a student has a chronic condition with random or cyclical acute episodes, modifications to attendance policies may be appropriate.
- Attendance accommodations should be established in advance, **not retroactively**. Students with potential needs will be informed of the process during the determination meeting. Faculty should review/establish approach to attendance (specified on syllabus). Faculty should meet with students to discuss modifications to attendance.

Faculty/Program Driven Policies

“Time in Seat” - Policies identifying the number of allowable absences before they impact grades may be designed to motivate attendance; reflect the interactive or participatory nature of a course or be based on department, college or accrediting agency rules. Like any other policy, these are subject to modification (rarely elimination) based on their nature and purpose in the design and delivery of the course.

“Late Work”, “Make Up” and “Pop Quiz” - These policies all tie into attendance and should be included when attendance is discussed. Like “Time in Seat” policies, accommodations may be appropriate depending on the nature of the assignment and its relationship to the pacing and progression of instruction.

“Excuses” - When departments or instructors require a written medical excuse to treat an absence differently and the student is under a self-care regimen, you can establish a number of excused absences that can be documented directly by the student (based on expected frequency and duration of episodes).

Documentation for modifications to attendance policies:

- Is there a disability? SAS will determine disability following student disclosure and supportive documentation effective Spring 2013.
- Is one of the impacts random, cyclical or triggered acute episodes?
- What is the typical frequency of episodes? (2-5 times per month; 1-4 times/year, etc.)
- Is the individual under a self-care regimen for typical episodes?

Is Attendance Essential?

- What does the course description and syllabus say about attendance?
- Is attendance factored in as part of the final course grade?
- What are classroom practices and policies regarding attendance?
- Is the attendance policy consistently applied?
- Is there classroom interaction between the instructor and students, among students?
- Do student contributions constitute a significant component of the learning process?
- Does the course rely on student participation as a method for learning?
- What is the impact on the educational experience of other students in the class?

Determining the level of modification based on discussion: Is attendance essential?

- Considerations on a case-by-case (course-by-course) basis.
- Policy for excused vs. unexcused.
- Presence or absence of group work.
- Use of regular assignments.
- Proportion of grade.

Adapted (1-2-13) from L. Scott Lissner, ADA Coordinator, Ohio State University (6/26/09) and President of AHEAD (Association on Higher Education and Disability).