



**The Office of Accessibility and Accommodations**  
**Reasonable Attendance Flexibility Policy and Procedures and Agreement Form**

In accordance with all applicable federal, state and city disability laws, the St. Francis College Office of Accessibility and Accommodations (“OAA”) is committed to providing reasonable accommodations to students who have a qualifying disability in order to ensure they have equal access to the College’s programs, activities and facilities. Students with documented qualifying disabilities who wish to request reasonable accommodations must follow the procedures outlined below. Please note that requesting an attendance accommodation does not guarantee that it will be granted and the attendance accommodation provided is not required to be the requested accommodation.

**General Information**

In most cases, class attendance is critical to a student’s mastery of the knowledge and skills that are taught in a specific course, and students are expected to follow the attendance policy established by the instructor in each course.

The law requires higher education institutions to consider reasonable modifications of course attendance policies if required to accommodate a student’s documented disability. OAA has developed this policy to address reasonable attendance accommodations pertaining to a student’s documented disability. Accommodations to course attendance policies will be determined on an individual, case-by-case basis. The determination will be indicated on the Attendance Flexibility Agreement Form as well as on the Accommodation Letter provided by OAA.

In making a determination regarding accommodation, two questions must be answered:

- Does the student have a documented disability that directly affects his/her ability to attend class on a regular basis? OAA will make this determination based on a review of the documentation from a licensed medical professional or a licensed mental health professional.
- 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? OAA makes this determination in consultation with faculty members.

**Guidelines Regarding Attendance Flexibility from the Office of Civil Rights**

The U.S. Department of Education Office of Civil Rights (“OCR”) provided the following guidelines to be used in considering whether attendance is an essential element of the course:

1. Are there classroom interactions between the instructor and the students and/or among the 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 of learning?
4. To what degree does a student's failure to attend class constitute a significant loss to the educational experience of the other students in the course?
5. What do the course description and the syllabus say regarding attendance?
6. What method is used to calculate the final course grade (i.e., are examinations the only factor taken into account)? What elements of the class experience are used to calculate the final grade?
7. What are the classroom practices and policies regarding attendance?

As stated in the OCR letter to Superintendent/President in OCR Case no. 09-96-2150, 1996 (the "OCR letter"), "[t]he question is whether a student who is not present in class is necessarily precluded by his/her absence from the fundamental experience of the course offered by the college."

Per the OCR letter, this accommodation should be provided unless the accommodation threatens the integrity of the course as offered, meaning the accommodation for attendance would be a fundamental alteration to the course. If it is determined that attendance (as defined in the existing course syllabus) is an essential requirement and that an accommodation to the attendance policy would be a fundamental alteration to the course, the faculty member and/or the College is not required to make an accommodation.

St. Francis College will make every effort to appropriately 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 due to a student's disability.

### **Procedure for Determining Accommodation**

- Students must complete and submit the Accommodations Request Form via Accommodate and upload relevant documentation.
- Students must submit supporting documentation from a qualified healthcare provider to OAA. Information provided to OAA is kept confidential and will only be shared as necessary to evaluate the accommodation request. Supporting documentation should be from a licensed, treating provider and describe the connection between the student's disability and the requested accommodation.

OAA will review the accommodation request and supporting documentation from the student's healthcare provider. Please note that providing the College with medical or support information does not guarantee approval of an accommodation request. OAA will review the information provided and issue a determination on the accommodation request. Additionally, there is no requirement that the reasonable accommodation provided match the requested accommodation.



## **Appeals Procedure**

If a student with a documented disability believes that they have not been provided with a reasonable accommodation based on access or reasonable consideration, the student should direct their concern via email to Dean Monica Michalski ([mmichalski@sfc.edu](mailto:mmichalski@sfc.edu)) within three weeks of notification of the denial of their accommodation request. The student should provide, in writing, the nature of the concern and any other relevant information to their case.

Dean Michalski will confer with necessary stakeholders, including the student and OAA, to make a determination about the appeal. The student will be notified via email about the outcome of the appeal within ten business days of appeal submission. The determination reached by Dean Michalski at the conclusion of the appeals process is final.

## **If Attendance Accommodation is Granted**

If OAA determines that the student is entitled to an attendance accommodation, an electronic Accommodation Letter from OAA will be provided to the student for the student to share with the faculty member. The Accommodation Letter will state that: the student's medical disability has been verified by the submission of appropriate documentation, the student is registered with OAA and that the student's medical disability may result in unavoidable absences, and the student's absences should not prompt the type of sanction that the faculty member may ordinarily apply absent these circumstances. Since each course and student situation is unique, the accommodation should be discussed between the faculty member and the student within a reasonable amount of time after the Accommodation Letter has been sent to the student. Students must provide timely notification to instructors of the approved flexibility to attendance accommodation.

An Attendance Flexibility Agreement form (included below) will then be completed by the student, the instructor, and OAA. The student will be provided with a copy of the completed agreement by OAA. If the student has questions or concerns about the agreement, they may notify OAA of those concerns.

If flexibility in attendance for that course is approved as an accommodation by OAA, the student is responsible for contacting both the instructor and OAA as soon as possible when a disability-related absence will/has occurred. The student should provide documentation verifying the absence to OAA, who will review and confirm the absence with the faculty member(s). If the accommodation is questioned, the instructor, student, and the OAA professional should discuss whether the disability related absence accommodation is reasonable.

Regardless of any accommodation to the attendance policy, the student is required to meet all of the academic course requirements and to complete all assignments and examinations. The student is responsible for all material covered or work done during any such disability-required absences. It is the student's responsibility to obtain the materials and notes from missed classes. The student will be graded according to the criteria stated in the syllabus. 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.

An accommodation regarding the attendance policy does not mean that unlimited absences will be permitted. The number of absences permitted will be determined on a case-by-case, course-by-course basis. Absences for non-disability related reasons will not be excused by the accommodation. 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.

Students should note that even if excused, absences could impact the student's academic performance as the student will not have the benefit of full classroom interaction and the opportunity to ask questions while the material is being presented. 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 OAA regarding the advisability of a medical withdrawal from the course. An OAA professional will participate in this meeting upon request. In the event of a medical withdrawal, the student must follow the College's medical withdrawal guidelines and procedures, which can be obtained from OAA upon request.

If students have any questions about the process for requesting reasonable accommodations, they should contact Grace Henry at [ghenry@sfc.edu](mailto:ghenry@sfc.edu).



Office of Accessibility and Accommodations  
Attendance Flexibility Agreement Form

Student Name: \_\_\_\_\_

Course/Section: \_\_\_\_\_

Professor Name: \_\_\_\_\_

Semester: \_\_\_\_\_

**Maximum number of disability related absences allowed for this course:** (Actual number required. Students are reminded that they are responsible for informing their instructor in writing (via email) that the absence was disability related. Students are not required to disclose to the instructor the details of the absence.)

\_\_\_\_\_ Days

**Procedure for turning in homework/projects due the day of a disability related absence; include maximum number of days assignments may be submitted late, if appropriate:**

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**Procedure for making up a missed quiz, examination, or in-class graded assignment given on the day of a disability related absence:** (Students are reminded they must follow The Office of Accessibility and Accommodations' procedure for scheduling quizzes/exams as well as their faculty member's procedure):

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**Other grading parameters:**

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Signatures indicate an understanding of the Attendance Flexibility Procedures and an agreement to abide by the written attendance accommodation(s) listed above.

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Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Professor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Office of Accessibility and Accommodations  
Signature

\_\_\_\_\_  
Date