Absences due to a medical condition or disability

UNC's Class Attendance Policy states

Class Attendance Policy Regular class attendance is a student obligation and a student is responsible for all the work, including tests and written work, of all class meetings. No right or privilege exists that permits a student to be absent from any class meetings except for excused absences for authorized University activities or religious observances required by the student’s faith. If a student misses three consecutive class meetings, or misses more classes than the course instructor deems advisable, the course instructor may report the facts to the student’s academic dean.

Suggested Classroom Procedures

In general, instructors are strongly encouraged to follow the guidelines for course design and classroom procedures recommended by the Center for Faculty Excellence. When students enter into a learning relationship, they have certain needs and expectations. They are entitled to information about course procedures, attendance policy, content, and goals. Instructors should provide a syllabus that describes the course and methods of evaluation. Particular attention should be paid to several areas of special concern to students, including provision of reserve readings and grading policy.

Attendance in relation to students with a medical condition or disability

A common request by students with a medical condition or disability is for their absence
from a class meeting to be 'excused' and not subjected to the sanction which would be enforced ordinarily by the class instructor.

Students most likely to request modified attendance policies as an accommodation are those with serious health-related disabilities that flare up episodically. This includes, but is not limited to, students with autoimmune disorders such as lupus, multiple sclerosis, or rheumatoid arthritis; Celiac disease, Crohn’s disease or ulcerative colitis; sickle cell anemia; seizure disorders; other forms of arthritis; and/or conditions requiring debilitating treatment such as cancer/chemotherapy or dialysis. A significant number of students registered with ARS have these or other conditions which periodically worsen or “flare up.” Students with psychological disabilities who are experiencing an acute exacerbation of symptoms may also request flexibility in the application of attendance policies.

Federal law requires colleges and universities to consider reasonable modification of attendance policies if required to accommodate a student’s disability. In making this determination, two questions must be answered:

1. Does the student have a documented disability that directly affects his/her ability to attend class on a regular basis? Accessibility Resources & Service will make this determination based on a review of documentation from the student’s physician, psychologist or other appropriate specialist and through an interactive registration process with the student him/herself.

2. Is attendance and participation an essential element of the class? More specifically, would modification of attendance policies result in a fundamental alteration of an essential element of the program? ARS will make this determination in collaboration, where appropriate with faculty members.

The Office for Civil Rights (OCR) has provided the following guidelines to determine if attendance is an essential part of a class (from Case no. 09-96-2150: OCR Region IX, 1996).

- What does the course description and syllabus say?
- What elements of the class experience are used to calculate the final grade?
- What are the classroom practices and policies regarding attendance?
To what extent is there classroom interaction between the instructor and students and among students?

- Do student contributions constitute a significant component of the learning process?
- Does the fundamental nature of the course rely on 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?

Below are some guidelines for how to handle 'flexibility in the application of the attendance requirements / policy may be required' as an accommodation

1. Students registered with ARS are able to send a Notification of Accommodations email to class instructors specifying the accommodations determined in collaboration with ARS. These accommodations will have been determined to be 'reasonable' and may include 'Flexibility in the application of the attendance requirements / policy may be required'.

This lets you know that:

- The student’s medical condition or disability has been verified by the submission of appropriate documentation, that they are registered with ARS and that the student’s medical condition or disability may result in unavoidable absences.
- Absences should NOT trigger the kind of sanction you would ordinarily apply.

The intent is to take the ?automaticity? out of the application of the attendance policy, and enable the instructor to consider the absence as 'excused' even if the standard limit of excused absences has been reached.

2. This accommodation is not a ?free pass,? and students with this accommodation are
cautioned by ARS that even if their absence is due to their medical condition or disability and beyond their control, such absences may well impact their grade, particularly if the class grade includes an element of participation, in-class exercises, quizzes which contribute to the final grade and/or written assignments. Students are also advised that they still bear the responsibility to keep up with the reading, obtain class notes from a fellow student if they do not have note taking support as an accommodation, and make up any written assignments they may have missed. Students are always advised to make in-person contact with class instructors to discuss the way in which this accommodation will work in practice and to agree upon appropriate procedures and protocols.

3. Instructors are not obligated to create extra work for either the student or themselves as a substitute for participation in class or missed assignments. However, instructors are encouraged to consider whether there are opportunities for the student to mitigate or make up their absence. Again, this is particularly relevant for classes that are highly interactive and include assignments and group work. ARS can engage faculty and students in the legally required interactive process considering and determining whether such an accommodation is reasonable given the circumstances.

Instructors who need assistance in making this accommodation work for their students without compromising academic standards or who believe the attendance policy modification requested does constitute a fundamental alteration of an essential element of the program should contact ARS to discuss their concerns.

This accommodation is subject to a reasonableness standard, and is not appropriate in every circumstance. In cases where attendance is an essential part of the class, a withdrawal or an incomplete may be considered a reasonable accommodation if absences become excessive.

Source URL: https://ars.unc.edu/faculty-staff/absences