



Disability Resource Center
Student and Academic Life
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Dear Instructor:

A student in your course is registered with the Disability Resource Center (DRC) as having a disability with random acute episodes that may require them to miss class and/or require flexibility in the due dates of assignments and scheduling of examinations. The DRC has accordingly approved this student to be granted a reasonable number of excused absences, flexibility with due dates and scheduling of examinations.

Guidance for Determining a Reasonable Number of Excused Absences

University Senate Rule 5.2.4.2 provides unconditionally that “[a] student shall not be penalized for an excused absence.” If you do not take class attendance and do not account for student attendance or participation in your class, you need only be aware this student may be absent on occasion from class because of the student’s disability.

If you consider class attendance or participation when determining a student’s grade for the course, you need to be aware of two other important issues: required documentation for an excused absence and the application of the University’s rule on students who have excused absences for more than 20% of class meetings.

- (1) **Documentation of an excused absence** - The student who has received this accommodation from the DRC has submitted documents that demonstrate the need for this flexibility. The student is not required to submit any new documentation to you, the instructor, for a medically excused absence when the student reports the absence is caused by the applicable disability.
- (2) **University Senate Rule 5.2.4.2** - States that students missing more than 20% of the class contact hours for a course have the right to petition for a “W”, and the Instructor of Record may require the student to petition for a “W” or take an “I” in the course.

In certain cases, the student with an accommodation related to flexibility in attendance will miss more than 20% of classes because of their disability. The role of attendance, due dates and participation varies from course to course, so it is important for you and the student to discuss and agree on how their absences will be handled in your course and maximum number of absences to successfully complete their course. It is expected that a student with this accommodation meet with the faculty to discuss how this accommodation can be met. The student’s accommodation consultant at the DRC is available to you or the student to facilitate the conversation or answer questions.

Please complete the following steps:

- Read through the guidance below.
- With the student, discuss and complete the Attendance Policy Exception Agreement. The student should return this form to the DRC within the first few weeks of the course or soon after registering with DRC. Faculty should keep a copy of this form for their records.

The flexibility of attendance accommodation does not mean that attendance policies do not apply, but rather to define a reasonable number of excused absences. The number of reasonable absences can be determined by analyzing the course design. **These excused absences should not compromise the essential learning outcomes of the course.** During your analysis, in accordance with guidance received by the Office of Civil Rights, we ask that you consider the following questions:

1. Is class attendance an essential or fundamental aspect of this course?
2. What does the course description and syllabus say about attendance requirements?
3. Are attendance and/or class participation an integral part of the course grade? If so, how? Is this a course, department, or college policy?
4. Does the fundamental nature of the course rely upon student participation as an essential method for learning? What is the method by which the final course grade is calculated?
5. Is the format of instruction primarily lecture or interactive? Does instruction and learning rely on specific elements from the previous session or assignment?
6. Do student contributions constitute a significant component of the learning process (e.g. discussion, presentations, role plays)? What is the impact on the educational experience of other students in the class if a student is absent?

These questions should help in determining where this course falls on the spectrum of attendance essentialness. To illustrate, here are three examples:

- ❖ If the course is mostly lecture based, the in-class content reviews content available in the text or from instructor/peer notes, and involves little student interaction during class, then regular attendance is likely not as essential to the course design. **In this case, a more flexible attendance modification is reasonable (Ex: 33% of class instead of 20%).**
- ❖ If the class is mostly experiential or discussion based, the in-class content is not recreated elsewhere, and/or involves significant student interaction, then regular attendance is likely essential to the course design. **In this case, a less flexible attendance modification is reasonable (Ex: 6 absences instead of 3).**
- ❖ **If you believe it is not reasonable to make any modifications to your course attendance/participation policy, please contact the DRC and ask to speak with the student's assigned consultant.**

Beyond the boundaries defined in the agreement, we suggest including language indicating additional absences past the maximum number may be reviewed by the instructor, DRC and student on a case by case basis.

Guidance for Flexibility with Due Dates for Assignments

This accommodation necessitates the development of a plan for making up only those assignments when an exacerbation of the student's disability or condition occurs. The student should notify you of the need for an extension as early as possible, preferably before the due date has passed. This plan should discuss how the student will inform the instructor, if they are to submit the work they have presently completed and how to determine a reasonable timeline for final assignment submission (Ex: An additional

day or two). The purpose of the accommodation is not to remove deadlines for students to turn in their work nor allow unlimited flexibility with all due dates. Here again, it is recommended that the plan state that additional extension requests beyond the limits set by the plan will be reviewed on a case-by case basis by the instructor, DRC consultant and student.

Guidance for Allowance for Rescheduling of Examinations

In certain circumstances, the nature of an individual's disability may require them to miss an examination due to an exacerbation. In instances when the individual has missed an examination for a disability related reason, and as noted on the student's letter of accommodation, it is reasonable to allow them the opportunity to reschedule their examination. This accommodation necessitates the development of a plan for rescheduling their examinations when an exacerbation of the student's disability or condition occurs and they have requested an excused absence. This plan should discuss how the student will inform the instructor and any time constraints for scheduling the examination.

Please note that any accommodation is only required to be provided after the student has presented the letter of accommodation. For more guidance on any of these accommodations, please feel free to contact the student's assigned consultant via email, which is listed on the letter of accommodation, or 859-257-2754. They are available to consult with you regarding the development of this plan.

Sincerely,
David T. Beach Ph.D., CRC
Director
University of Kentucky Disability Resource Center

**ATTENDANCE, ASSIGNMENT AND EXAMINATION
MODIFICATION AGREEMENT**

Student Name: _____ UKID: _____ Semester: _____

Course: _____ Instructor Name: _____

Instructor Email: _____ DRC Consultant: _____

Student/Instructor agreed-upon maximum # of excused absences above 20%: _____

Plan for Notifying Faculty/Disability Resource Center:

Plan for Missed Exams:

Plan for Missed or Late Assignments/Presentations/Projects (See Note Below):

Plan for Participation Points:

By signing below, both the student and instructor have agreed to the plan outlined above. The student also agrees to:

- Only use this plan for disability-related absences.*
- Maintain prompt and regular communication with the instructor about disability-related absences.*
- Contact both their instructor and DRC Consultant in advance if the student suspects he or she will not be able to meet the terms of this agreement (e.g. going over the maximum number of excused absences).*

Student Signature: _____ Date: _____

Instructor Signature: _____ Date: _____

After this agreement is finalized, the student must return this form to the DRC (in-person or via email).

Note: Senate Rule 5.2.4.2 provides that an instructor "shall give the student an opportunity to make up the work and/or the exams missed due to an excused absence, and shall do so, if feasible, during the semester in which the absence occurred."