

POLICY FOR STUDENTS WITH DISABILITIES

University Policies and Procedures: Overview

The University of Mississippi is committed to providing for the needs of enrolled or admitted students who have disabilities under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and the Americans with Disabilities Amendments Act (ADAAA) of 2008.

It is the policy of the University that each campus shall make services available for any student who, through a current assessment, can document a disability. The administration will provide appropriate services including, but not limited to 1) support, referrals, and information, and 2) academic assistance services.

In general, University policy calls for reasonable accommodations to be made for students with disabilities on an individualized and flexible basis. It is the responsibility of students with disabilities, however, to seek available assistance at the University and to make their needs known. The University offices that help to ensure equitable access for students with disabilities are the Office of Student Disability Services, the Office of Equal Opportunity and Regulatory Compliance (The Executive Director of Equal Opportunity and Regulatory Compliance is also the ADA Coordinator), and the Office of the University Attorney.

Commitment Statement on Disability Access

In January of 2010, the Chancellor of The University of Mississippi reaffirmed the University's commitment to students, staff and visitors with disabilities. In accordance with the goals and creed of The University of Mississippi, and to further support a campus rich in diversity, the University will encourage excellence, inclusion and respect for the dignity of those with disabilities and will recognize and promote the value of individual differences. To support this commitment, the Chancellor has approved the following operating principles:

1. The University of Mississippi prohibits discrimination against people with disabilities and actively encourages a climate of inclusion and equal access. Toward this end, the University community will continue to develop training and resources to promote sensitivity and awareness of disability issues.
2. The University is committed to providing equal access and reasonable accommodations for students and others with disabilities. Toward this end, the University will continue to develop and coordinate policies and procedures, and provide services and access to employment, academic programs, co-curricular activities, and facilities.

3. The Chancellor and administrative officers will provide leadership in improving access for those with disabilities and will be responsible for implementing the principles of universal design at the University.
4. The University will organize its disability services in a way that promotes, to the greatest extent possible, self-determination, independence and self-advocacy for students and others with disabilities and that engages the entire campus community in access issues.
5. In order to respect the independence, rights, and dignity of those with disabilities, requesting an accommodation or identifying oneself as having a disability will be voluntary. However, the University has no obligation to make an accommodation or provide a modification unless there is prior timely disclosure of a disability and verification of this disability.
6. The University will treat data on students and others with disabilities with confidentiality in accordance with data privacy laws and established University regulations. No information will be collected for administrative purposes except information that is essential for program development, implementation, determination of reasonable accommodation, or that is required by law.
7. University administrators, faculty, and staff will encourage intra-institutional cooperation to collect, develop, and disseminate knowledge about creating accommodating environments for students, employees and visitors with disabilities.

Rights and Responsibilities

Rights and Responsibilities of Students with Disabilities

Students with disabilities at the University have the *right* to:

- Equal access to courses, programs, services, jobs, activities, and facilities offered by the University;
- An equal opportunity to work and to learn, and to receive reasonable accommodations, and/or reasonable auxiliary aids and services;
- Confidentiality of all information regarding their disability and to choose to whom, outside of the University, information about their disability will be disclosed, except as disclosures are required or permitted by law.

Students with disabilities at the University have the *responsibility* to:

- Meet qualifications and maintain essential institutional standards for courses, programs, services, jobs, activities, and facilities;
- Identify themselves in a timely manner as having a disability when an accommodation is needed and to seek information, counsel, and assistance as necessary;
- Demonstrate and/or provide documents from a licensed professional on how the

disability limits their participation in courses, programs, services, jobs, activities, and facilities;

- Follow published procedures for obtaining reasonable accommodations, and/or reasonable auxiliary aids and services.

Rights and Responsibilities of Faculty and Staff:

Faculty and staff have the *right* to:

- Maintain the academic integrity and standards of all courses and programs;
- Determine the essential elements and evaluations standards of their courses and programs;
- receive timely notice from the student of the need for accommodation so that appropriate arrangements can be made;
- Discuss with staff at the Office of Student Disability Services (SDS) any approved accommodation if it is believed that the accommodation causes a fundamental alteration to the essential elements or evaluation standards of a course or program.

Faculty and staff have the *responsibility* to:

- Provide reasonable accommodations to verified students upon timely request by the Student;
- Maintain the legally protected confidentiality of disability-related information, except as required by law;
- Ensure that a disability statement is written into each syllabus and all other university publications;
- Refer students who disclose a disability and request assistance to SDS;
- Refrain from retaliation against students who request accommodations or individuals who advocate for accessibility;
- Consult with SDS if there are any concerns or questions about a student with a disability or an accommodation request.

Rights and Responsibilities of the University of Mississippi

The University of Mississippi has the *right* to:

- Identify and establish essential functions, abilities, skills, knowledge, and standards for courses, programs, services, jobs, activities, and facilities and to evaluate faculty, staff, and students on this basis;
- Request and receive, through Student Disability Services, current documentation that supports request for accommodations, and/or auxiliary aids and services;
- Deny a request for accommodations, and/or auxiliary aids and services if the documentation is not submitted in a timely manner (i.e., retroactive requests will be denied), if the documentation fails to demonstrate that the request is warranted, or if the individual fails to provide appropriate supporting documentation;
- Select among equally effective accommodations, and/or auxiliary aids and services;
- Refuse an accommodation, auxiliary aid or service that imposes a fundamental alteration to a program or activity of the University or that imposes an undue financial or administrative burden on the University.

The University of Mississippi has the *responsibility* to:

- Provide information to students with disabilities in accessible formats when reasonable and upon request;
- Ensure the courses, programs, services, jobs, activities, and facilities, when viewed in their entirety, are available and usable in the most integrated and appropriate settings;
- Evaluate students and applicants on their abilities and not their disabilities;
- Provide, arrange or assist in securing reasonable accommodations, and/or auxiliary aids and services for students with disabilities in courses, programs, services, jobs activities, and facilities;
- Maintain confidentiality of records and communication, except where permitted or required by law.

The Office of Student Disability Services: Purposes and Procedures

To be eligible for disability-related accommodations, students must have a currently documented disability condition as defined by the American with Disabilities Act (ADA), as amended, or Section 504 of the Rehabilitation act of 1973. In other words, the current impact of a diagnosed disorder should "significantly limit a major life activity."

At the University of Mississippi, the Office of Student Disability Services (SDS) is the designated office that receives and files disability-related documents, verifies eligibility for services, assesses reasonable accommodations, and develops plans for the provision of such accommodations. Reasonable accommodations are provided to ensure access to all University courses, programs, services, jobs, activities, and facilities.

Mission Statement

Through collaboration and shared responsibility with the larger University community, Student Disability Services ensures equal access to a quality education for students with disabilities by:

- approving and assisting in the provision of reasonable accommodations and modifications;
- supporting university standards and integrity by valuing high expectations for all students including those with disabilities;
- encouraging student independence, personal growth, and self-advocacy;
- supporting, training and providing resources to faculty, staff and administrators;
- providing leadership to the University regarding policy decisions and planning; and
- Promoting diversity and inclusion in all forms and in all environments.

Verifying Eligibility for Services

Students who believe they may benefit from academic accommodations because of a disabling

The University of Mississippi

condition must complete an intake application and must request that disability-related documents be sent from the appropriate licensed professional to SDS so that this office can a) verify that a student has a diagnosed disorder, b) determine if the diagnosed disorder rises to the level of a disability and, c) assess reasonable accommodations if the diagnosed disorder is determined to be disabling.

The cost of obtaining documentation is borne by the student. If the initial documentation is incomplete or inadequate to determine the extent of the disability and reasonable accommodations, SDS has the discretion to require additional documentation. Any cost of obtaining additional documentation is also borne by the student.

Requests for accommodations and documentation should be submitted in a timely manner to allow processing and to insure the best service for the student. Retroactive requests will not be accommodated. For example, if an eligible student requests extended time or a separate testing area on the day of an exam, that student has failed to make a timely request and it cannot be guaranteed that the request will be implemented. Similarly, an eligible student who requests exam accommodations late in a semester will not be offered make-up opportunities for prior exams.

Verification Process

The Verification Process will be determined by the Office of Student Disability Services.

Verification Status

Depending upon the type of disorder a student has been diagnosed with and/or the completeness of the documentation submitted, SDS will assign the student one of four verification statuses: on-going, annual renewal, temporary, and denied. SDS will explain to the student the meaning of their verification status.

Reasonable Accommodations

A reasonable accommodation is a modification or adjustment to a course, program, service, job, activity, or facility that enables a qualified student with a disability to have an equal opportunity. An equal opportunity means an opportunity to attain the same level of performance or to enjoy equal benefits and privileges as are available to a similarly-situated student without a disability. The University is obligated to make a reasonable accommodation only to the known limitations of an otherwise qualified student with a disability. To verify reasonable accommodations, SDS may seek information from appropriate University personnel regarding essential standards for courses, programs, services, jobs, activities, and facilities. Final determination of reasonable accommodations is made by SDS.

Reasonable accommodations are determined by using the following analysis:

1. Does the student have a currently diagnosed disorder?

The University of Mississippi

2. Do the current functional limitations of that diagnosed disorder significantly limit a major life activity, as defined by the Americans with Disabilities Act as amended, thereby rising to the level of a disability?
3. Is the student "otherwise qualified", with or without accommodations, to participate in the course, program, service, job, or activity?
4. Is the request reasonable? A requested accommodation is reasonable if the following standards are met:
 - a) The accommodation is directly related to the impact or functional limitations caused by the diagnosed disorder.
 - b) The accommodation does not lower academic or program standards.
 - c) The accommodation is necessary to provide equal access to the student.
 - d) The accommodation does not fundamentally alter the essential elements of the course, program or activity.*
 - e) The accommodation does not present an undue financial or administrative burden on the university.
 - f) The accommodation does not pose a threat to the health or safety of the student or others.

*Essential Elements

Instructors and academic departments determine the essential elements of courses and programs of study; however, federal regulations require that those essential elements be reasonable and practical within the context of the curriculum and evaluation standards of the course or program of study in question. There must have been a "determinative effort" made when deciding essential elements. Decisions regarding essential elements must not be arbitrary or capricious. The ADA is a remedial statute which requires that colleges and universities question their notions of what is truly fundamental and provide for alternate methods, if needed and reasonable, of achieving the results intended by the educational program.

Instructors and other University staff will be expected to assist in the provision of accommodations when reasonable and necessary; however, they are not expected to compromise "essential elements" of a program, course or activity or the evaluation standards of a program, course or activity.

If it is believed that a particular approved accommodation will fundamentally alter the essential elements of a program, course or activity, the University staff member responsible for the program, course or activity (i.e. the instructor) should contact SDS to discuss the ways in which the accommodation causes a fundamental alteration. *The accommodation in question must continue to be provided to the student while the issue is resolved.* If SDS finds that the accommodation in question does fundamentally alter the essential elements of the program, course or activity, the student will be notified that the accommodation is unreasonable in this specific situation and the accommodation will be discontinued. SDS will work with the student and instructor to try and identify an alternate accommodation that does not cause a fundamental alteration of the essential elements of the program, course or activity.

Procedures for Requesting Accommodations Each Semester

SDS does not automatically implement accommodations each semester. It is the responsibility of verified students to request accommodations each semester if needed. Students desiring accommodations must meet with SDS staff after registering for classes each semester in order to request accommodations.

Procedures to Request a Change of Approved Accommodations

Students who have been verified as eligible for accommodations may request additions to or deletions from their previously approved accommodations if they believe a change may be a benefit in the classroom. Students must complete a Request for Change of Accommodations form detailing the requested change and the reasons for the requested change. In some cases SDS may request additional documentation to support the request. SDS may also arrange to speak with the student in order to gather more information about the reasons for the request.

Confidentiality and Release of Information

Guidelines for the confidentiality of student information have been adopted by SDS and are rigorously followed. These guidelines incorporate relevant state and federal regulations, and guidelines established by relevant professional associations. Information in a student's file will not be released except in accordance with federal and state laws, which require release in the following circumstances:

- The student states he or she intends to harm him or herself or another person(s);
- The student reports or describes any physical abuse, neglect, or sexual abuse of children or vulnerable adults within the last three years;
- A court order or subpoena has been received ordering the release of information.

A student may give written authorization for the release of information when she or he wishes to share it with others. SDS may charge a reasonable fee for photocopying information. SDS will retain a copy of all information provided. If a student wishes to have a record expunged, he or she must make a written request to the director who will decide whether it is necessary for the office to retain the record.

A student has the right to review his or her own file.

Centralizing Disability-Related Documents

The University, in consultation with the office of the University Attorney and SDS, has established procedures for retaining any documentation or correspondence related to a student's disability. These procedures are the result of the University's responsibility to comply with the American

The University of Mississippi

with Disabilities Act of 1990. All disability-related documents are centralized in SDS. Departments or individuals should not keep copies of disability-related documents which they generate.

Any existing information related to a student's disability, including medical reports, should be forward to the Office of Student Disability Services, The University of Mississippi, 234 Martindale Student Center, University, MS 38677.

Destruction of Files

SDS will shred student files after they have been inactive for a period of five (5) years. Examples of an inactive file include but are not limited to files for those students who have been denied verification and files of students who have graduated or left the University. Students are encouraged to request a copy of their documentation before the five year period of time passes.

Appeal and Complaint Procedures

It is important that those with disabilities be aware of the right to appeal academic and/or disability-related decisions that are believed to have been made in error. The University of Mississippi has procedures in place for the appeal of academic decisions (such as grade appeals), for the appeal of disability-related decisions and for complaints of discrimination.

To appeal an **academic decision**, contact the Registrar's Office at (662) 915-7792 for information. In addition, the academic appeal process is out-lined in the M-Book.

To appeal a **disability-related decision** or to file a complaint about **disability discrimination**, contact Wilma Webber-Colbert in the Office of Equal Opportunity & Regulatory Compliance at (662) 915-7735. You can also visit that office in room 217 Martindale Student Services Center.

University policy prohibits retaliatory action being taken against any complainant or any person assisting in the investigation of a complainant who is acting in good faith. Persons who knowingly bringing false allegations may be subjected to immediate disciplinary action

Policy Revised 08/2011

POLICIES FOR INDIVIDUAL ACADEMIC MODIFICATIONS

Reduced Course Load Policy and Procedures

Purpose

The purpose of this policy is to provide full-time status to students with significant disabilities who, because of the impact of their disability, may be unable to carry a full-time course load. This modification will allow these students the benefits and privileges provided to full-time students, allowing them full participation in and access to the services, programs, facilities, and activities of The University of Mississippi.

The Law

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act mandate that no otherwise qualified individual with a disability shall, by reason of that disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity. Subpart E of Section 504 of the Rehabilitation Act allows for the possibility that among the reasonable academic adjustments that may be appropriate (subsection 104.44) is extended time for a course of study. Under certain circumstances, students with verified disabilities may be allowed to take a lower course load without penalty or loss of privileges if their disability precludes their being able to handle the traditional full-time course load.

Policy

The modification of a Reduced Course Load (RCL) is generally defined as being registered for fewer than twelve (12) hours, for undergraduate students, and fewer than nine (9) hours for graduate students, during a particular semester provided that such a reduction in course load does not fundamentally alter or affect the academic integrity of the program in which the student is enrolled. Under this policy, undergraduate students may drop to no less than six (6) credit hours and graduate students may drop to no less than three (3) credit hours. This modification is not considered to be permanent and students are approved only on a semester basis. Students must resubmit a request for each semester the modification is wanted.

Students requesting this modification must be registered with the Office of Student Disability Services (SDS). Under extraordinary circumstances, SDS may approve a RCL as a modification for a student whose disability is having a significant impact on his/her ability to carry a full-time

The University of Mississippi

course load. Unlike part-time status, authorization of a RCL allows a student to register for a course load that is less than full-time while still being considered a full-time student. Students approved for this modification are entitled to all services enjoyed by full-time students, except in situations controlled by external entities not bound by this policy or when the modification would substantially alter the academic program.

Examples of university services that fall under this policy may include, but are not limited to, Student Health Services, athletic tickets, full use of facilities, participation in organizations, eligibility for academic honors (provided the required GPA is met), and residing in Residence Halls.

All requests for this modification, including the student letter and supporting documentation detailed in the procedures listed below, must be made no later than the drop/add deadline during the semester in question. Requests received after the University's established deadline will be considered only under extreme circumstances.

Please note that monetary charges other than tuition, such as housing, are not affected by this modification.

Possible Impact of a RCL

It is the student's responsibility to be aware that there are academic and financial implications when a RCL is requested and approved.

Students are encouraged to discuss a RCL with their academic advisors. A RCL may cause delays in academic progress that are essential to the student's program of study. Students are responsible for collaborating with their academic School or College to ensure that all mandatory requirements of the program are successfully met.

It is also important to note that a RCL may not satisfy the definition of full-time status for federally regulated agencies such as financial aid, veteran's benefits, Vocational Rehabilitation, etc. Other outside organizations, such as the NCAA and insurance carriers, may also not recognize the University's definition for full-time status per their own guidelines and policies. Students are strongly encouraged to contact any such agencies to discuss the possible impact of this modification prior to submitting a request for this modification to SDS.

Procedure for Requesting a RCL

1. Students must be verified through SDS before requesting this modification.
2. All requests for this modification should be submitted to SDS in writing. The student should include the following information in the written request:
 - Name and contact information
 - University ID number
 - The semester in which the modification is being requested

The University of Mississippi

- Details, in the student's own words, regarding how the student's current functioning significantly impacts the student's participation in a full-time course load.
3. The student should submit current documentation or a letter of support from an appropriate professional who has met with the student. The documentation should support the student's request for a RCL and should include the following:
 - The documentation/letter of support should be written on letterhead and should include the professional's contact information.
 - It should include a detailed narrative indicating how the student's current functioning substantially impacts and limits his/her ability to take a full-time course load.
 - The documentation/letter of support should be signed by the professional who wrote it.
 4. Once the student's request and the supporting documentation are received, SDS staff will review the reasonableness of the request. During this review, SDS staff will look at the student's reasons for requesting the modification, the supporting information, and the student's history with the SDS office. The student and the professional who provided the supporting documentation may be contacted for additional information. The student's academic Dean and/or advisor may also be consulted for specific program information.
 5. When a decision is made, the student will be contacted and a meeting will be arranged.

If the modification request is **denied** the student will be provided with a written explanation for the denial and the reasons for the denial will be discussed with the student. In addition, the student will be given information about how to appeal the decision.

If the modification request is **approved** the policy for this modification will be given to and reviewed with the student. The student will then be required to sign an Approved Reduced Course Load form indicating that the student has received a copy of the policy and is aware of the possible academic and financial implications of the modification.

6. Copies of the signed Approved Reduced Course Load form will be forwarded to the following departments, if applicable:
 - Office of the Registrar
 - Financial Aid Office
 - Department of Housing and Residence Life
 - The student's academic advisor
 - The dean of the College or School
 - Office of the Provost

Service Animal Policy

Purpose

The purpose of this policy is to define the role and the place of service animals at The University of Mississippi in promoting and preserving the safety, dignity, and independence of persons with disabilities.

The Law

Section 35.136 of Title II of the ADA states that a “public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of a disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program or activity.” It is the intention of the U.S. Department of Justice to ensure the “broadest feasible access” to those with disabilities who use service animals.

Policy

The University of Mississippi (UM) uses the ADAA definition of a service animal which states that, “A service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.” (Title III, Part 36A). This section of the ADAA also states that, “Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.”

UM recognizes that service animals have a special status that no other animals receive, and as such is committed to providing a safe and accessible environment for service animals and their partners (the person with the disability) in accordance with Federal law. Service animals are not pets, they are working animals that have been individually trained to provide specific services or perform specific tasks that are directly related to the partner’s disability.

Service animals that demonstrate behavior that poses a direct threat to the health and safety of

others or are disruptive to the campus community may be excluded from the campus regardless of training or certification.

The guidelines below have been developed to clarify the rights and responsibilities of persons using service animals and the campus community:

I. RESPONSIBILITIES OF PERSONS WITH DISABILITIES USING SERVICE ANIMALS ON CAMPUS

- a) The costs of the care, supervision and well-being of the service animal are the sole responsibility of the partner at all times.
- b) The service animal must be under the control of the partner at all times. This means that the animal must have a harness, leash or other type of tether. The only exceptions to this rule are if the use of such a tether would interfere with the duties of the service animal or if the partner's disability prevents the use of a tether. In such cases as these, the partner must use other means by which to control the service animal (such as voice control).
- c) The service animal must meet non-university requirements such as vaccinations, licensure, tags, etc.
- d) The service animal must be in good health.
- e) The service animal must be house trained and the partner is responsible for all clean-up as required by campus and local ordinances.

II. RESPONSIBILITIES OF FACULTY, STAFF AND OTHER STUDENTS

- a) Service animals should be allowed to accompany their partners to all areas of campus at all times, except where service animals are specifically prohibited.
- b) Service animals are not pets and should not be treated as such. Petting a service animal while it is working can be detrimental to the concentration of the animal and cause disruptions to the tasks the service animal is performing. Always ask the partner if you can touch or pet the service animal and do not take offense if the partner says no because the animal is working.
- c) Service animals may have special dietary requirements. Do not feed a service animal because unfamiliar food or food given at times other than during regular feeding times can cause the animal to become ill.
- d) Do not deliberately startle a service animal. Again, this can cause a distraction that will prevent it from doing its job.
- e) Do not separate or attempt to separate a service animal from its partner.
- f) If you have questions or concerns about a service animal on campus, please contact SDS at 662-915-7128.

III. VISITORS USING SERVICE ANIMALS ON CAMPUS

- a) Visitors on campus are not required to register their service animals.

- b) Visitors are required to follow all rules as set down in Sections I and V of this policy.

IV. SERVICE ANIMALS IN CAMPUS HOUSING

- a) Like all accommodations and modifications, SDS approves the use of a service animal in campus housing. The requesting individual should submit documentation of a disability to SDS following the verification process as detailed in the University's policy for students with disabilities. Questions should be directed to SDS at 662-915-7128.
- b) SDS will review all requests in conjunction with staff from the Student Housing and Residence Life.
- c) If approved, the resident with a service animal is required to follow all rules as detailed in Sections I and V of this policy.
- d) The resident with a service animal will be financially responsible for any property damage caused by his or her service animal.

V. REMOVAL OF SERVICE ANIMALS FROM CAMPUS

- a) A service animal may be removed from campus and/or campus housing if it is repeatedly unruly or disruptive. Examples of this behavior include but are not limited to: barking, growling, running around unattended, or otherwise bringing attention to itself.
- b) Service animals may be removed from campus if it is discovered that the partner is neglecting or otherwise not adequately caring for the animal.
- c) A service animal may also be removed from campus for issues involving lack of cleanliness. Partners are required to ensure that service animals are well-groomed, washed and otherwise clean.
- d) Service animals that are in ill health should not be taken into public areas. A partner with an ill service animal may be asked to remove the animal from university facilities.

VI. GRIEVANCES AND APPEALS

Any partner who disagrees with a decision concerning his or her service animal may appeal the decision or file a grievance by contacting the University's ADA coordinator at 662-915-7335 or by visiting that office at 217 Martindale.

Relaxed Attendance Policy

Purpose

The purpose of this policy is to allow for relaxation of individual course attendance requirements for students who have severe, chronic disabilities that may occasionally impact the ability to attend class. While attendance is considered to be an essential component of a post-secondary education, the University of Mississippi recognizes that there may be times when a student with a severe episodic or cyclical disability may experience an acute episode or relapse and may be unable to attend class for a short period of time.

The Law

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act mandate that no otherwise qualified individual with a disability shall, by reason of that disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity. Subpart E of Section 504 of the Rehabilitation Act allows for the possibility that among the reasonable academic adjustments or accommodations that may be appropriate (subsection 104.44) is an “adaptation of the manner in which specific courses are conducted.” This has been interpreted to mean flexibility in attendance where such flexibility does not fundamentally alter the nature of the course.

Policy

A relaxation of course attendance requirements simply means that the instructor will allow some flexibility in attendance requirements. Students approved for this modification are expected to fulfill all other course requirements and evaluation standards as specified in the course syllabus.

Students should be aware that absences will cause academic difficulties even if a relaxation of attendance can be approved. At this level of education, being present in class is essential to

success. Special effort by the student should be made to attend class for quizzes, exams and deadlines for submission of assignments. Extensions of deadlines and permission to make-up missed assignments or tests are at the discretion of the instructor.

Students who are approved for this modification are expected to contact instructors in advance of an anticipated absence. For emergencies or unexpected absences, contact should be made as soon as possible to discuss the possibility of any make-up work and/or to clarify the reason for the absence. Communication between instructor and student is the key to making this modification work.

If absences become excessive, and the student may possibly fail the course because of absences, the instructor will contact SDS. SDS will then review with the student any academic options that may be available at that time, such as requesting an incomplete in or a retroactive withdrawal from the course in question.

Relaxed attendance may not be approved for summer or inter-session terms because of the limited number of class periods scheduled during these times. As with all modifications and accommodations, relaxed attendance is not retroactive and becomes effective after SDS talks with the instructor regarding the appropriateness of relaxed attendance as a modification in that particular class.

Because attendance is considered to be essential at the post-secondary level of education, approval for this modification will be dependent upon the following two components:

1. Submission, to the Office of Student Disability Services (SDS), of detailed, comprehensive medical documentation which supports the presence of a severe, chronic disability that may occasionally impact attendance. Documentation should include clear diagnosis, history, prognosis, impact, triggering events, description of how a relapse manifests itself, medication issues, length of time an episode may last, and any other information that the medical professional thinks is relevant.
2. A class-by-class review, each semester, to determine the appropriateness of the modification in each class. When making these reviews, SDS uses as guidance the Office of Civil Rights Letter of Finding to Cabrillo College (Case No. 09-96-2150; OCR Region IX, 1996). This letter details the types of issues that should be considered during the interactive process involved in determining if a relaxation of attendance is appropriate in a particular class:

A primary factor in determining whether classroom participation is essential to the educational program of a particular course is the nature of the course itself. For example, is there classroom interaction between the instructor and the students, and among students? Do student contributions constitute a significant component of the learning process? Does the fundamental

The University of Mississippi

nature of this course rely upon student participation in class as an essential method of learning, and to what degree does a student's failure to attend constitute a significant loss to the educational experience of the other students in class. Other factors to consider are the course description and syllabus, the method by which the final course grade is calculated (e.g., are examinations the only factor), and classroom practices and policies regarding attendance. In short, the question is not whether a student who is not present in the class can simply, through alternative means, obtain the information that was dispensed in class. The question is whether the 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.

Students should be aware that if this class-by-class review determines that attendance is essential in a particular class, relaxed attendance will not be approved for that class.

Relaxed Attendance Policy Revised November 2010