

# UNIVERSITY OF UTAH ACCOMMODATIONS POLICY

## **Background**

During its January-March 2005 meetings, the University of Utah Academic Senate reviewed, discussed and modified the proposed Accommodations Policy which is being developed pursuant to the July 2004 settlement of the Axson-Flynn litigation. The senate consists of faculty and students elected by their peers. The draft policy is not final until approved by both the Academic Senate and the Board of Trustees. This procedure is used when developing all University policy and is not unique to this circumstance.

The Accommodations Policy Committee, chaired by Kate Coles, Professor of English, developed this policy after more than 20 meetings with students, faculty and community members. In addition to Professor Coles, there were three student, two faculty, one staff, and one community member on the Committee.

Originally the Committee's focus was accommodations made to students solely on the basis of religion. The Committee, however, broadened its focus to include accommodations made for all reasons in order to ensure that the eventual policy would deal coherently and similarly with all accommodation requests.

The Policy is grounded in University community held values of academic freedom and integrity as well as respect for diversity and individually held beliefs. The Policy creates a structure for responding to accommodation requests grounded in these values.

The Policy, which is attached, deals with two distinct areas: 1) Attendance Accommodations and 2) Content Accommodations. The Policy does not cover accommodations under the Americans with Disabilities Act or similar statutes, which are already covered in University policy.

The Accommodations policy is, with minor exceptions, the existing University policy which has functioned well for a number of years. Under the Attendance Accommodation policy, students who must be absent from class for University activities or religious obligations are permitted to make up assignments and examinations.

Content accommodations – modifications of otherwise applicable reading, writing, viewing or performing requirements – are subject to the discretion of the instructor; instructors may deny accommodation requests as long as the subject course requirement has a reasonable relationship to a legitimate pedagogical goal. Instructors may grant content accommodation requests after considering the difficulty of administering an accommodation; the burden on the student's sincerely-held beliefs; the importance of the particular requirement to the course; and only if there is a reasonable alternative means of satisfying the curricular objective.

Under the policy, students are required to make content accommodation requests during the first two weeks of the semester unless the student could not have known of the conflict during that time. Denial of a content accommodation request may be appealed to the Dean who will only overturn an instructor's decision if it was arbitrary and capricious.

**What the policy DOES:**

- Treats requests for scheduling accommodations and content accommodations separately.
- Leaves faculty in charge of establishing the content of the curriculum and of specific courses.
- Requires students to understand and be able to articulate ideas and theories that are important to the discourse within and among academic disciplines whether or not they agree with or believe those ideas or theories.
- Places the burden on the individual student for determining when and if the content of a course conflicts with a sincerely-held core belief.
- Provides a procedure to follow in case a student requests a scheduling or content accommodation.
- Permits instructors to deny any request for a content accommodation as long as the course content has a reasonable relationship to a legitimate pedagogical goal.
- Permits instructors to grant any such request, only if a reasonable alternative means of satisfying the curricular requirement is available, only if that alternative is fully appropriate for meeting the academic objectives of the course, and only if the instructor considers all such requests during the same course equally.

**What the policy DOES NOT DO:**

- Require faculty to alter course content.
- Permit students to "opt out" of course assignments for religious or any other reason.
- Oblige faculty to grant accommodation requests, except in those cases when a denial would be arbitrary and capricious or illegal.

- Require faculty to predict what course content may conflict with a student's deeply held core beliefs.
- Require faculty to judge either the sincerity or the validity of a student's beliefs.
- Guarantee that all students will be able to complete all classes or majors at the University.