

Policy 6-100 Section 16

Date: March 7th, 2005

Accommodations Policy

I. INTRODUCTION

The values held most strongly by the University of Utah community are those of academic freedom and integrity as they are expressed collectively by the colleges and departments as well as individually through research and teaching and as they exist within the wider context of advanced study as commonly understood by all universities. The community also values diversity and respect, without which there can be no collegiality among faculty and students. In addition, the University community values individual rights and freedoms, including the right of each community member to adhere to individual systems of conscience, religion, and ethics. Finally, the University recognizes that with all rights come responsibilities. The University works to uphold its collective values by fostering free speech, broadening fields of inquiry, and encouraging generation of new knowledge that challenges, shapes, and enriches our collective and individual understandings.

This policy addresses two different types of accommodations: course scheduling accommodations and course content accommodations. Regardless of any accommodation that may be granted, students are responsible for satisfying all academic objectives, requirements and prerequisites as defined by the instructor and by the University. Because the burdens and appropriate criteria are different for scheduling accommodations and content accommodations, granting of one type of accommodation has no bearing on the granting of the other type.

II. DEFINITIONS

A. Scheduling Accommodations permit students to be absent from class meetings or to arrange to fulfill assignments on days other than their scheduled dates.

B. Content Accommodations are modifications of otherwise generally applicable reading, writing, viewing, listening, or performing requirements.

C. Legislated Accommodations are modifications made in accordance with the Americans with Disabilities Act and other State and Federal statutes and are not included in this policy.

III. ACCOMMODATIONS

A. SCHEDULING ACCOMMODATIONS

1. Students should register only for those courses for which they have no scheduling conflicts that will interfere with their ability to complete course requirements.
2. In accordance with the Attendance Policy of the Student Code (ref.), students who must be absent from a specific class to participate in officially sanctioned University activities (e.g. band, debate, student government, intercollegiate athletics), religious obligations, or other obligations meeting with the instructor's approval will be permitted to make up or otherwise receive credit for both assignments and examinations.
3. Except in cases of sudden illness or emergency, students shall in advance of the absence arrange with the instructor to make up materials.
4. Students whose religious obligations, University activities, or other legitimate obligations as determined by the instructor may interfere with their ability to fulfill any course requirements on their scheduled dates shall in advance of those dates arrange with the instructor to fulfill the requirements.

B. CONTENT ACCOMMODATIONS

1. Consistent with principles of academic freedom, the faculty, individually and collectively, has the responsibility for determining the content of the curriculum.
2. Students are expected to take courses that will challenge them intellectually and personally. Students must understand and be able to articulate the ideas and theories that are important to the discourse within and among academic disciplines. Personal disagreement with these ideas and theories or their implications is not sufficient grounds for requesting an accommodation. Accommodations requested on such grounds will not be granted. The University recognizes that students' sincerely-held core beliefs may make it difficult for students to fulfill some requirements of some courses or majors. *The University assumes no obligation to ensure that all students are able to complete any major.*
3. It is the student's obligation to determine, before the last day to drop courses without penalty, when course requirements conflict with the student's sincerely-held core beliefs. If there is such a conflict, the student should consider dropping the class. A student who finds this solution impracticable may request a content accommodation from the instructor. Though the University provides, through this policy, a process by which a student may make such a request, the policy does not oblige the instructor to grant the request, except in those cases when a denial would be arbitrary and capricious or illegal. This request must be made to the instructor in writing, and the student must deliver a copy of the request to the office of the department Chair or, in the case of a single-department college, to the office of the Dean. The student's request must articulate the burden the requirement would place on the student's beliefs.

4. The instructor must respond to any accommodation request within two school days of receiving it. The response must be made in writing and a copy must be delivered to the office of the department Chair or, in the case of a single-department college, to the office of the Dean. In the event that the class does not meet on the day by which the Instructor must respond, the student must make arrangements to receive the response in a timely manner. *Instructors are not required to grant content accommodations, as long as the subject course requirement has a reasonable relationship to a legitimate pedagogical goal*, but they may do so, only if a reasonable alternative means of satisfying the curricular requirement is available and only if that alternative is fully appropriate for meeting the academic objectives of the course, after considering the following:

- a. the difficulty of administering an accommodation;
- b. the burden on the student's sincerely-held core belief;
- c. the importance of the particular requirement to the course.

In considering whether or not to make an accommodation, the faculty member may evaluate the sincerity but not the validity of the student's belief. If an instructor in a course makes content accommodations for any reason other than those covered under Section II.C of this policy, the instructor must similarly consider requests made during the same semester for the same course for accommodations based on conflicts with sincerely-held core beliefs. Requests will be individually evaluated in relation to the above considerations; the granting of one such request will not guarantee that all requests will be granted. Because the criteria and requirements discussed above will apply differently to each instructor and to each course, accommodations granted by an instructor in one course will not affect decisions by the same instructor in other courses or by other instructors in the same or other courses.

5. If an instructor does not grant a content accommodation request, the student may appeal that denial in writing to the Dean of the college. If the Dean is the Instructor of the course, the student may appeal the denial to the cognizant Vice President.

6. The Dean (or Designee) will, in consultation with the faculty member and the department Chair (or Designee), act within two school days. The Dean (or Designee) will uphold the denial unless she or he finds that the denial was arbitrary and capricious or illegal. In the case of single-department colleges, the decision will rest with the Dean alone. The Dean's determination shall be final as it pertains to the specific accommodation request. Faculty challenges to the appropriateness of this decision should follow established channels. The student may but is not required to participate in these further reviews.

7. If the faculty instructor disagrees with the dean's decision that the instructor's denial of the student's request was arbitrary and capricious or illegal, the faculty instructor may not be compelled against his/her professional judgment to administer the requested content accommodation for the student. If the faculty instructor declines to administer the accommodation, it will be the responsibility of the dean in consultation with the department chair to design and administer the alternative academic requirement for the

student in order to satisfy the student's content accommodation request. The dean (or dean's appropriate designee) will determine the student's grade on that specific alternative assignment and will report that grade to the course instructor, who will incorporate that grade for the assignment into the total grade for the course. The final grade in the course will be determined by the faculty instructor and will be calculated in the same way as the final grade is determined for all other students in the course.

8. If a student determines, after the last day to drop courses without penalty, that course requirements may conflict with the student's sincerely-held core beliefs, and the instructor has denied the student's written accommodation request, the student may seek permission in writing from the Dean to withdraw without receiving a W on his/her transcript and to receive a refund of tuition for that class. In making this request the student must demonstrate the following:

- a. that the student is in good standing in the course as defined by the department.
- b. that he or she could not have made this determination prior to the last day to drop courses without penalty.

The Dean's determination shall be final.

9. Decisions on accommodation requests may not be considered adversely to a faculty member in faculty code, Retention, Promotion and Tenure, or other proceedings as long as those decisions are made in good faith. Faculty may not take adverse academic action against students who make accommodation requests. The Dean or Department Chair may not take any adverse action against an instructor based on his/her decision to make or not make a content accommodation for a student.

10. Instructors who believe that course materials may conflict with students' deeply held core beliefs may include a statement in the syllabus for the course that advises students that some of the writings, lectures, films or presentations, or other requirements in the course include materials that may present such conflicts. However, this policy recognizes that Faculty will not always be able to predict in advance which if any materials may conflict with the beliefs of a given student or group of students.

11. The Academic Senate will evaluate this policy in January 2007.