

## Guidelines for Accommodating Absences for Explicitly Listed and Other Compelling Reasons

Per University Policy 1-001.II.E, guidelines such as these are meant to:

“Give practical information that may be useful to persons in carrying out their individual responsibilities in accord with University Regulations, remind members of the campus community of the relevancy and applicability of University Regulations, and reflect best practices in administering the operations of the University.”

These particular guidelines are meant to clarify various issues associated with two types of absences, when they result in missed requirements, assignments, examinations and the like.

The first type (Type I) are those absences explicitly listed in Policy 6-100.III.O, related to absences for “officially sanctioned University activities (e.g., band, debate, student government, intercollegiate athletics), or government obligations (e.g., military duty), or religious obligations, or with instructor's approval.”

The second type (Type II) are those absences caused by other compelling reasons, beyond a student’s control, such as: physical or mental illness; injury; death or illness in family or significant other; involuntary job change (such as a time, day, or location change); or certain judicial obligations (e.g., subpoenas, jury duty).

- Regarding judicial obligations, there is no statute or rule that requires the University to accommodate a student who is absent from class due to a subpoena. However, individual instructors may choose to do so.
- Similarly, the University has no legal obligation to accommodate a student’s absence due to jury duty. Courts have authority to determine when a person may be excused from jury duty, for example, upon a showing of “undue hardship.” Utah Code Ann. §78B-1-109(1). However, at least in Utah state trial courts, “[w]ithout more, being enrolled as a full or part-time post-high school student is not sufficient ground for excuse from service.” Utah Code of Judicial Admin. R. 4-404(5)(D). Individual instructors may choose to accommodate jury-duty absences, but again, there is no legal obligation for them to do so.
- “Instructors must communicate any particular attendance requirements of the course to students in writing on or before the first class meeting,” excerpt from 6-100.III.O.
- “Students are responsible for acquainting themselves with and satisfying the entire range of academic objectives and requirements as defined by the instructor,” excerpt from 6-100.III.O.
- “Except in cases of sudden illness or emergency, students shall in advance of the absence arrange with the instructor to make up assignments,” excerpt from 6-100.III.O.

- Where possible, instructors should make reasonable adjustments, modifications or adaptations, and students should be given the opportunity to make up requirements, assignments and examinations, unless doing so would constitute an undue burden on the instructor.
- For those classes that have required elements (such as labs, field trips, and the like) where it would be an undue burden for the instructor to make adjustments, modifications or adaptations – where, that is, it is simply not feasible either for the student to make up the particular course element or for the instructor to fashion a reasonable alternative element – instructors should indicate this on their syllabus, or functionally equivalent mechanism.
- For the purpose of understanding what constitutes “reasonable adjustments, modifications or adaptations,” “reasonable” does not mean “the same”. That is, when an instructor permits a student to “make up” a missed requirement, assignment, or examination, the alternative element may be different than the original. This also applies to those excused absences listed in 6-100.III.O, where students are explicitly permitted to “make up” missed requirements, assignments, or examinations. The notion is that, within reasonable boundaries, the student should be “held harmless”. For example, if a missed examination counted for 20% of a student’s grade for the course, an instructor might permit the student to “make up” the exam through an alternative element that requires roughly the same amount of work/preparation and that also counts for 20% of the student’s grade for the course.
- Should disagreement arise over what constitutes an undue burden for an instructor, or should a student object to the adjustment or alternative element offered to them by the instructor, the instructor’s action constitutes an “Academic Action” as set out in Policy 6-400 (Code of Student Rights and Responsibilities), Sec I.B.1. Accordingly, detailed procedures are set out in 6-400, Sec. IV (Student Academic Performance) for students wishing to appeal such decisions.
- Duly documented Type II absences typically constitute an unusual or extenuating circumstance, warranting an exception to Policy 6-100.G.5, such that a student’s appeal for a late or retroactive withdrawal will be granted by the Registrar’s office, and Income Accounting will subsequently remove tuition charges.
- Colleges and Departments should develop, maintain and promulgate to their faculty, students and staff their own specific guidelines about these matters.