

DETERMINING FUNDAMENTAL ALTERATION OF A COURSE/PROGRAM

There may be times when a student requests an accommodation that you believe may potentially compromise academic integrity or create a fundamental alteration of the course and/or program. To determine whether an accommodation fundamentally alters the nature of a course, faculty instructors should:

1. Identify the essential academic standards of the course (i.e., course/program requirements that go to the very nature of the subject matter or that are of the utmost importance in achieving the course/program objective);
2. Articulate specific requirements that individual instructors believe are fundamental to teaching the course/program (takes academic freedom into consideration);
3. Identify the unique qualities of the course/program in relation to its overall objectives and any program in which the course is required;
4. Engage in "reasoned deliberation" as to whether modification of the course/program would change the fundamental academic standards;
5. Determine whether there are any options to the fundamental requirements of the course:
 - Why is the standard that the instructor believes will be lowered important to the course/program?
 - Is the standard the only way to achieve the desired academic objective?
 - Will the requested accommodation lower academic standards of the course/program?
 - Can a different method/requirement that will not be altered by the accommodation achieve the desired academic/pedagogical result? If not, why not?

The decision to deny an accommodation should not be taken lightly. Highly respected institutions have found themselves in serious legal straits for devoting insufficient thought to the conclusion that a requested accommodation should be denied.

By answering these questions and *documenting* the process, instructors can establish that they have thoroughly evaluated the authorized accommodation and the course/program objectives. It's important to realize that failure to provide a reasonable accommodation to a student with a disability is a violation of law, putting in jeopardy, among other things, an institution's receipt of federal financial assistance. However, disability laws also require that students with disabilities meet the "essential," "academic," and "technical" standards of the class/program/college.