



ACTION ITEM II.B.

Personal Care and Classroom/Lab Assistant Policy August 2021 Draft

Policy Summary

This document outlines the College's policy and expectations around personal care assistants and in-class assistants as an accessibility support. The Office of Accessibility Services (OAS) determines assistants' duties and responsibilities, with the requesting students, through the accommodation request process. For the most up-to-date accommodation procedures, please refer to the OAS [website](#) for more information.

Offices Affected by this Policy

This policy applies to all students, faculty, and staff at the College, as well as all aspects of the College's program, including, but not limited to, admissions, educational programs, activities, and extracurricular activities.

Definitions

Personal Care Attendant (PCA)

A personal care attendant, also referred to as a personal care assistant, is defined as an individual who provides personal care or assistance to a person with a (chronic or temporary) disability or disabling health condition. A PCA aids in daily life activities that may include nursing services not provided through the College's Wellness Center. In some situations, this individual may also help with the in-class/lab needs of the student.

In-Class or Lab Assistant

An in-class assistant or lab assistant is an individual who provides academic support to a person with a (chronic or temporary) disability or disability health condition within the classroom or lab. The activities an assistant will be supporting are unique to the individual that needs the class or lab assistant. Examples of in-class/lab support may include, but are not limited to: note-taking, raising hand on behalf of the student, and lifting, pouring, or cutting materials etc.

Policy

St. Mary's College of Maryland (SMCM or the College) does not discriminate against any individual on the basis of a handicap or disability and makes reasonable attempts to provide equal access for all individuals with a disability that qualify for reasonable accommodations under the Americans with Disabilities Act.

SMCM permits students with qualifying disabilities to request to bring a PCA with them to campus to support daily activities and/or nursing care (not provided by the College's Wellness Center) as an accommodation. SMCM also allows students to request an in-class assistant or lab assistant as an accommodation. The College highly recommends that students start the accommodation request process as soon as possible to allow the College time to find an appropriate match for the needs shared with OAS.

Section I: Student Responsibility

Individual students are responsible for the hiring and payment of their PCA and/or in-class lab assistant. As the College does not employ PCAs, the College cannot assume responsibility for their compensation. The College is also not responsible for providing an interim PCA under circumstances where a student is unable to do so (i.e., prior to the start of the semester, mid-semester). The College encourages students who need an assistant to start the hiring process as soon as possible. In most instances, the College may assist with recruiting and covering the cost of an in-class assistant (who may be a College student or staff member).

If a student requires a PCA and/or in-class lab assistant (collectively referred to below as Assistants), the student must report and provide documentation according to the expectations listed down below:

1. The student must follow the accommodation process as currently outlined on the College's website. This includes providing relevant documentation or evidence for the needs for an Assistant.
2. The student must facilitate the hiring, supervision, paying, training, replacing, overall management, etc., of their PCA.
3. The student shall work with OAS to establish clear roles and duties of the Assistant in various campus settings.
4. The student and accompanying Assistant are responsible for establishing a non-disruptive means to communicate with one another in an academic setting.
5. Students are encouraged to report situations where an Assistant violates their working agreements or engages in inappropriate conduct.

Section II: Assistants' Responsibility

1. As a student's Assistant is a member of the SMCM community, and they must follow all College guidelines, policy, and expectations. Failure to adhere to College guidelines, policy, and expectations may result in an Assistant being removed from the College's classroom and campus.
2. Assistants must also comply with the College's safety and health requirements (e.g. inoculations, personal protective equipment, COVID testing, etc.).
3. Assistants' duties and responsibilities are determined on an individual basis through the interactive disability accommodations process with the requesting student. Assistants' duties and responsibilities may not create a fundamental alteration or cause an undue burden on the institution.
4. Assistants are expected to allow the student to be as autonomous as possible within the classroom and will not exceed the scope established by the student and OAS in the accommodation process.

Section III: The College's Responsibility

1. Determine the duties and responsibilities necessary for in-class/lab assistants to carry out to provide equal access inside the classroom and in the residence halls (if the student is residential). PCA responsibilities are determined by the student and relate to nursing and health care needs of the student. The College may take steps to address a PCA's conduct if it learns that the PCA is performing academic functions/tasks and the student was not otherwise approved for in-class assistant support.
2. Provide guidance to faculty and staff on duties and responsibilities of the Assistant.
3. Update, add, or alter the Assistant's duties and responsibilities as needed, in collaboration with the student.
4. Promptly report any concerns to OAS about an Assistant's behavior in the classroom or laboratory setting.

Complaints, Disputes, Appeals

Students may contact the OAS to request assistance in resolving disputes and complaints involving an Assistant, including, but not limited to: communication of Assistants' duties to instructors, the work of an Assistant for the student, as well as reconsideration of denial of a request for an Assistant. OAS will work with the individual to ensure that the matter is assessed by the appropriate College official through the Accessibility Services Complaint Procedures or the College's [Non-Discrimination Policy and Procedures](#).

Responsibilities

OAS: engage in interactive process to determine reasonableness of an accommodation for an Assistant; determine how Assistants will communicate with instructors around the needs of the student, when relevant.

Office of Residence Life: in the event that the student with a PCA is residential, the Office of Residence Life shall help with the determination of a suitable housing location to support the accessibility needs of the student and the needs of the PCA within that setting.

Contact Information

Office of Accessibility Services

<https://www.smcm.edu/campus-life/ada-accommodations-accessibility/>

240-895-4388