



Policy Name:	Policy and Procedures Relating to Personal Care Attendants for Students		
Associated Form(s):	Application for Accommodation Intake Form	Policy Number:	2023-15
Reviewed:	Non-Academic Policy Committee	Approved:	August 17, 2023
Approval Authority:	President <i>Ausan Parish</i>	Adopted:	August 28, 2023
Responsible Executive(s):	Vice President for Student Affairs	Revised:	November 22, 2017
Responsible Office(s):	Office of ACCESSibility	Contact(s):	Director of ACCESSibility

I. Policy Statement

Mercy University (the “University”) is committed to complying with all applicable laws and regulations whose purpose is to ensure that no otherwise qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in University programs or activities due to his or her disability. The University is fully committed to complying with all requirements of the Americans with Disabilities Act of 1990 (“ADA”) and Section 504 of the Rehabilitation Act of 1973, and to providing equal educational opportunities to otherwise qualified students with disabilities. We offer a variety of reasonable accommodations, auxiliary aids and auxiliary services to ensure access for all qualified students with disabilities.

The University allows the use of a Personal Care Attendant (“PCA”) for students with disabilities who have a documented need for assistance with daily living and/or nursing care within a residential setting on campus. The University does not provide, coordinate or fund PCA services, even on an interim basis. The student is responsible for identifying, providing, coordinating and funding all PCA-related services.

II. Registering with ACCESSibility

- A. Students seeking an accommodation, including registering their need for a PCA, must register their need and complete the intake process with the Office of ACCESSibility.

- B. The Office of ACCESSibility will review all requests on a case-by-case basis and will make every effort to provide reasonable accommodations, including supporting the student’s access to a PCA. Students who require PCA services must make arrangements to provide for their own PCA and must follow the guidelines listed below. The University will not assume responsibility for the PCA with respect to the appropriate care and services to be provided by the PCA. Additionally, the University will not assume responsibility for the PCA's failure to fulfill their contractual responsibilities with the student. The University requires that the student assume responsibility for their own actions, academic progress, or behaviors, including appropriate use of the PCA while on campus in all programs, activities, and facilities.

The University encourages that when hiring a PCA, students should consider the following:

1. Develop a clear job description and list of responsibilities for assistance with daily living activities;
2. Use a licensed and insurance bonded medical/nursing agency that will provide the services of an impartial PCA and who is not a family member or close friend;
3. Request verification of agency certifications and insurance bonding;
4. Request verification of PCA background check clearance;
5. Request verification of PCA immunization clearances; and,
6. Use an agency that fits the student's needs and communicates effectively.

III. Student Guidelines

- A. Complete and submit the Application for Accommodations form located on the Student Health Portal including any necessary and appropriate documentation to support the medical need for PCA services.
- B. Contact ACCESSibility to schedule an intake appointment for the purpose of registering with the office and to discuss the accommodation process.
- C. Notify ACCESSibility of the need to have a PCA in the classroom or residence on campus.
- D. Provide documentation that the PCA is qualified to perform the required services and register each individual PCA and agency representative with ACCESSibility by filling out the Personal Care Attendant and Personal Assistant Form.
- E. Ensure that any personnel changes regarding the PCA are registered with ACCESSibility.
- F. Develop an alternative plan should the regularly assigned PCA not be available to work, or not be able to continue fulfilling the contracted responsibilities.
- G. Develop a safety plan that may be implemented by or with the PCA in the event of a campus alert or emergency.

IV. PCA Guidelines

- A. PCAs will be required to adhere to and abide by all University policies and procedures. The University reserves the right to remove a PCA from campus if they violate the University 's policies and/or procedures, regardless of the contractual agreement between the student and the PCA.
- B. When approved by ACCESSibility and contracted by student, assist with personal care needs in the classroom.
- C. PCAs shall refrain from contact with students, faculty, staff or others that is on behalf of the student, except in medical and other emergency situations.
- D. PCAs may not:
 - Assist with academic needs, such as academic advising, course sequences, or other

related specific program of study functions.

- Advocate for the academic or accommodation needs of the student.
- Be involved with academic tasks related to completing coursework or course-related assessments beyond assisting with the agreed upon mechanics of completing said tasks (such as reading and/or scribing).

V. Guidelines if PCA is Going to Reside on Campus

- A. Prior to a PCA residing on campus, the student must provide written verification to ACCESSibility acceptable to the University that each PCA contracted by the student and residing on campus in any capacity has undergone a Criminal Offender Record Information (CORI) check.
- B. Prior to the PCA residing on campus, the student must submit documentation to the University showing the PCA is current with all immunizations that are required for students living in campus housing.

VI. Non-Compliance

Incidents of non-compliance in adhering to the policies set forth by the University either by the student or the student-contracted PCA will result in a review by the appropriate University administrators, including but not limited to the University's Office of Campus Safety and Office of Student Affairs. The appropriate department will meet with the student to discuss the issue of non-compliance and work with the student to determine possible solutions. Notice of the outcome of the review will be provided in writing to the student upon completion of the review or, if determined necessary, investigation. Student violations of the University's Community Standards will be addressed through the Student Judicial System, when appropriate. Appeals will be reviewed consistent with the terms of the Student Judicial System or appropriate policy alleged to be violated.