



Policy Name:	Policy and Procedures Relating to Personal Care Attendants for Students		
Associated Form(s):	Application for Accommodation Form	Policy Number:	2017-8
Reviewed:	Non-Academic Policy Review Advisory Council	Approved:	September 26, 2017
Approval Authority:	President <i>Tim Hall</i>	Adopted:	<i>11/22/17</i>
Responsible Executive(s):	Vice President for Student Affairs	Revised:	N/A
Responsible Office(s):	Office of ACCESSibility	Contact(s):	Director of ACCESSibility

I. Policy Statement

Mercy College 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 College programs or activities due to his or her disability. The College 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.

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

II. Registering with ACCESSibility

Students who seek accommodations, including a PCA, must contact and register with the Office of ACCESSibility. The Office of ACCESSibility will review all requests on a case-by-case basis and will make every effort to provide reasonable accommodations. Students who require PCA services must make arrangements to provide for their own PCA and must follow the guidelines listed below.

III. Student Guidelines

1. Complete and submit the Application for Accommodations form located at <https://www.mercy.edu/student-affairs/access> and submit appropriate documentation to ACCESSibility that supports the medical need for PCA services.
2. Contact ACCESSibility to schedule an intake appointment for the purpose of registering with the office and to discuss the accommodation process.
3. Notify ACCESSibility of the need to have a PCA in the classroom.
4. Obtain a PCA prior to attending any college-related activity.
5. Provide documentation that the PCA is qualified to perform the required services and register each individual PCA and agency representative with ACCESSibility.
6. Ensure that any personnel changes regarding the PCA are registered with ACCESSibility
7. Mercy College will not assume responsibility for the PCA with respect to the appropriate care and services to be provided by the PCA.
8. Develop an alternative plan should the regularly assigned PCA not be available to work, or not be able to continue fulfilling the contracted responsibilities.
9. When hiring a PCA, students should consider the following guidelines:
 - a. Develop a clear job description and list of responsibilities for assistance with daily living activities;
 - b. Use a licensed and insurance bonded medical/nursing agency that will provide the services of an impartial PCA who is not a family member or close friend;

- c. Request verification of agency certifications and insurance bonding;
- d. Request verification of PCA background check clearance;
- e. Request verification of PCA immunization clearances; and,
- f. Use an agency that fits the student's needs and communicates effectively

Mercy will not assume responsibility for the PCA's failure to fulfill her/his contractual responsibilities with the student.

IV. PCA Guidelines

1. Follow all Mercy College policies and procedures. The college reserves the right to remove a PCA from campus if they violate college policies and/or procedures, regardless of the contractual agreement between the student and the PCA.
2. Assist with personal care needs in the classroom if approved by ACCESSibility and contracted by student, but PCAs may not assist with academic needs. PCAs may not advocate for the academic or accommodation needs of the student.
3. Allow the student to assume responsibility for his/her own actions, academic progress, or behaviors.
4. Refrain from contact with students, faculty, staff or others that is on behalf of the student, except in medical and other emergency situations.
5. PCAs may not 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

1. Student provides written verification to the college that each PCA residing on campus has undergone a Criminal Offender Record Information (CORI) check.
2. Same gender PCAs are encouraged, but not required. In the event that the PCA is not same gender, The Office of Residence Life may need to notify residents within the housing unit (i.e. suite or hall) that the space will be gender-neutral.
3. PCAs must submit documentation to the college showing they are 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 Mercy College either by the student or the PCA will result in a review by the appropriate college administrators, including but not limited to the College's Office of Safety and Security 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 investigation will be provided in writing to the student upon completion of the investigation. Student violations of the College'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.