

Guidelines for Determining Fundamental Alteration of a Course

Whether a requested accommodation would fundamentally alter an essential requirement of a course or program will generally need to be determined on a case-by-case basis and is not the sole determination of one faculty member. The goal in determining whether a fundamental alteration exists is to separate out general expectations and what has always been done from what are the truly essential objectives and components of the course or program. Methods of instruction and assessment can be examined to determine how information is taught and what alternative opportunities are available for teaching and learning the information, the format of materials, skills etc. Flexibility in achieving outcomes may be appropriate depending on the nature of the course and its requirements.

If an instructor believes that an accommodation would fundamentally alter an essential requirement:

- The faculty member should reach out to ODR for consultation and make efforts to resolve questions/concerns.
- If concerns/questions are not resolved, deliberative discussion should take place to determine whether by providing the accommodation that a fundamental alteration to a learning outcome exists and the accommodation is unable to be provided.
- In general, individuals involved in a deliberative discussion may include the Professor/Instructor, Department Chair, ODR staff and other administrators deemed appropriate to determine the reasonableness of the request and any possible alternative solutions.
- The ODR can help as needed with communication of the final decision regarding the request for accommodation with all parties involved, including the student.

Determining Essential Requirements

Essential requirements are the core learning outcomes (including skills and knowledge) all students must demonstrate, with or without using accommodations, which are part of a larger interconnected curriculum related to a program or degree.

Established Essential Requirements:

- Clearly articulate the overall purpose of the course/program.
- Identify required mastery of specific skills, knowledge, principles, and concepts.
- Convey the framework used to set academic and program standards.
- Ensure a fair deliberation when determining if a requested accommodation would be a fundamental alteration.

Deliberative Discussion Considerations:

- Are there alternate ways that the student can acquire or demonstrate mastery of the skill that would meet the same fundamental objectives of the course or program?
- Have we diligently searched for potential alternatives?
- Have we included all the necessary people in this discussion?

- Have we identified whether other postsecondary institutions have identified alternatives that achieve the objectives of the College without fundamentally altering requirements?

If the established group has explored this issue in a well-reasoned manner, without resort to a pretext for discrimination, and believes the accommodation would fundamentally alter the essential elements of the course or program and no reasonable alternative accommodations exist, then the accommodation can be denied.

In preparation for deliberative discussion, the following considerations are provided for Instructors in determining essential requirements of their course:

Courses:

- What is the purpose of the course?
- What are the prerequisites or other background knowledge needed?
- What core outcomes/expectations are stated on the syllabus and required of all students?
- What specific knowledge, principles, skills or concepts must be mastered and demonstrated?
- What aspects/requirements constitute a significant component of the learning process?
- Could an alternative achieve the same result?
- What are the essential methods of instruction which are fundamental to the nature of the course?
- Are any methods of instruction non-negotiable? Do other sections use other methods of instruction?

Academic Programs:

- What skills or competencies will be needed within the field after graduation?
- What are the requirements for licensing or professional accreditation?

Need More Help?

If, at any time, you have questions about any accommodation and determining whether a fundamental alteration of a course exists, you are encouraged to contact the Office of Disability Resources at odr@umw.edu or by calling (540) 654-1266.