



# THE UNIVERSITY of MISSISSIPPI

## Personal Care Attendant (PCA) Policy

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act mandate that no otherwise qualified individual with a disability shall, by reason of that disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity. The University of Mississippi, supports the letter and the spirit of these laws, and is committed to the protection of civil rights for all people.

The University seeks to provide access for qualified students to all university programs and services. To ensure a student's full participation in, and enjoyment of, these programs and services, the University supports the use of a Personal Care Attendant (PCA) if needed. A PCA is an individual hired by a student to assist the student with activities of daily living, such as feeding, bathing, dressing, transferring, running errands, and other tasks for which the student requires physical assistance. Support for the use of a PCA extends, as reasonable, to all university environments including, but not necessarily limited to, the residence halls, sporting events, social activities, and classrooms.

The responsibility of hiring, training, supervising, coordinating, and compensating a PCA rests solely with the student requiring the assistance. The student is responsible for all associated costs of having a PCA on campus including, but not necessarily limited to, housing the PCA, providing meals for the PCA, and purchasing a parking pass for the PCA. *The University is in no way responsible for the actions of a PCA and will have no liability for those actions or for the level of care, or lack of care, provided by any PCA. Any consequences resulting from a student's association with a PCA reside with the student alone and not with the University.*

To request the services of a PCA, the student will follow the same policies and procedures required by all students who wish to request a disability-related accommodation. Student Disability Services (SDS) assesses the need for accommodations, including a PCA, based on each student's individual circumstances. The policies and procedures for requesting accommodations are available on the SDS website. The student is encouraged to contact SDS with any questions about the process. *The student cannot bring a PCA onto campus until this process is complete.*

Once a student is approved to use a PCA on campus, SDS will communicate with various university departments, including but not necessarily limited to, Student Housing (if applicable), Parking & Transportation, Student ID Center, and individual academic units, regarding the

student's need for and approval of a PCA. *It then becomes the student's responsibility to contact and make arrangements with those departments regarding the use of the PCA.*

*If a student requires the assistance of a PCA in the classroom, it is outside the role of the PCA to assist the student with academically-related activities.* Academic assistance, such as notetaking or access to testing, will be provided, if approved, by SDS. The PCA shall remain outside of the classroom while class is in session except under extraordinary circumstances.

If the student will be living in campus housing, the student must complete the housing application process. The student must also follow the Housing Accommodation Policy. The student cannot move into campus housing until that process is complete. *The student cannot bring a PCA into any campus housing unit until a housing application has been completed, a room has been assigned, and the use of a PCA has been approved by SDS.* To expedite the process, students are encouraged to simultaneously request accommodations through SDS and apply for housing through Student Housing.

*A student cannot move into campus housing until a primary PCA has been secured. Before moving in, the student will also have a contingency plan and secondary PCA in place.* The contingency plan and second PCA are required in case the primary PCA becomes unavailable for any reason. *The student will ensure the contingency plan can be activated quickly.* Students are encouraged to have a third PCA alternative in place should the primary and secondary PCAs become unavailable. The University is not responsible for providing a PCA on an interim basis.

If a PCA has not been secured at the beginning of a semester and the student requires temporary assistance of a family member in campus housing while searching for a PCA, the family member will be allowed to stay with the student for a two week period of time, after which the family member will leave the residence hall. *If a PCA has not been secured by that time, the student will also vacate the residence hall.*

*Before allowed access to any campus housing unit, all PCAs will be subject to a security check pursuant to Student Housing policies and procedures.* The student is responsible for the cost of the security check. If a proposed PCA has completed and cleared a security check within the 12 months prior to being hired by the student, the PCA may be allowed to stay with the student for up to two weeks while a new security check is performed by Student Housing.

*The student will ensure the PCA carries, at all times, a UM ID card while on campus.* The card will identify the PCA and will allow entry into necessary housing (if applicable) and academic buildings on campus. The student will also ensure the PCA has a parking permit for campus and parks only in the location designated by the Department of Parking & Transportation.

*The student and the primary PCA, as well as all alternate PCAs, are required to complete and sign a UM Personal Care Attendant Agreement each academic year. Should the student change PCAs during the academic year, the student will immediately notify Student Housing (if applicable) and SDS. The student will also immediately return to the University the ID and access keys/cards assigned to the PCA.*

No PCA will be allowed access to campus housing, classrooms, or other university environments until the following steps are completed:

- The need for a PCA has been assessed and approved by SDS;
- A housing application has been submitted and approved (if applicable);
- A primary PCA and a contingency plan with secondary PCA has been secured;
- A UM Personal Care Attendant Agreement has been reviewed, completed, and signed by the student, the PCA, a representative from SDS, and a representative from Student Housing (if applicable);
- A UM parking pass and space have been assigned to the PCA;
- A UM ID card has been issued to the PCA.

Once the process is complete, and the PCA is granted access to campus, the student will ensure that the PCA follows all rules and regulations set forth by the University:

- The PCA will follow all University, regulations, policies, and procedures while on any UM campus and while attending any UM sponsored event.
- The PCA will be present in campus housing and in classrooms only when the student is present on campus.
- The PCA will only use the designated parking space when the student is present on campus.
- The PCA will not participate in academic or student activities except as required to assist the student with activities of daily living.
- The PCA will follow all visitation policies when entering university housing as a non-resident.
- The PCA will remain outside of the classroom will not in any way be involved in the student's academic work related to class assignments or tests except as needed for physical assistance.
- The PCA will refrain from asking questions of faculty, staff and others on behalf of the student and will refrain from intervening in conversation between the student and faculty, staff, or others.
- The PCA will not bring personal guests to campus activities, programs, or facilities.

- In the event of an emergency evacuation, the PCA will assist the student with safely exiting the building. The PCA will seek immediate assistance from university officials (i.e. faculty, staff, or University Police) if assistance is needed to safely evacuate the student since delays in evacuation can cause serious injury or death.
- At all times, the PCA will conduct him or her-self in a courteous, professional, and ethical manner.

The student is responsible for all actions taken by each PCA. *PCAs found in violation of any part of this policy or who act in any way the University considers to be inappropriate, will be expelled from the University and will lose all university privileges bestowed as a result of serving as the student's PCA.* If the student wishes to appeal the decision to remove the PCA from campus, the student will complete the following process:

- Within ten (10) working days of the violation, the student will submit an appeal, in writing, to an Appeal Committee that consists of the Director of Student Housing, or designee (if applicable), the Director of Student Disability Services, or designee, and two other professional staff members within the Division of Student Affairs.
- The written appeal should include a detailed summary of the violation, the reason why the University should reconsider its decision, the student's desired outcome, and corrective action to ensure no future violations. The student should include any relevant documentation.
- An informal investigation will be conducted and will allow all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the appeal.
- Within ten (10) working day after receipt of the appeal, the student will be provided, in writing, the Committee's decision.
- The decision of the Appeals Committee will be final.

*The PCA will not have access to campus or campus housing (if applicable) until the appeal process is completed.*