

Personal Care Attendant Policy Lafayette College

Lafayette College is committed to ensuring that all qualified students with disabilities are provided reasonable accommodations, auxiliary aids, and services to ensure access and nondiscrimination to programs, services, and activities. Lafayette College makes every reasonable effort to accommodate individuals with disabilities as addressed by the Americans with Disabilities Act (ADA Amendments Act 2008) and the Rehabilitation Act of 1973.

Lafayette College permits students with disabilities who have a documented need for assistance with activities of daily living and/or nursing care within a residential setting, to retain the services of a Personal Care Attendant (PCA). A Personal Care Attendant (PCA) is defined as a person who provides personal care/assistance (chronic or temporary) or other health care needs with activities of daily living, including nursing services not administered through the College Health Services or assistance with normal life functions to a student with a disability. Personal Care Attendants (PCA) can be live-in and/or live out. Personal Care Attendant (PCA) services are intended to facilitate higher levels of independent access and participation in College's programs, services, and activities. The College does not assume coordination of, financial responsibility for, or legal liability for the PCA chosen and hired by the student.

Students who require personal attendant services must make arrangements to provide for his/her own Personal Care Attendant and must follow the policies, procedures and guidelines as listed below.

Student Hiring of PCA

It is the student's sole responsibility to make the appropriate arrangements to contract services with a licensed agency to provide the services of a PCA or a licensed, private PCA to provide these services. For residential students, same gender PCAs are encouraged, but not required, where the residential facility's bathrooms are communal. Any non-residential student who requires the use of a PCA while on campus must comply with all the non-residential components of the process listed.

Any otherwise qualified student who requests the assistance of a PAC as an accommodations must:

- Develop a clear job description and list of responsibilities for assistance with daily living activities
- Provide evidence of agency/professional certifications and insurance certificates upon request.*
- Arrange for and provide evidence of PCA background check clearances
- Provide evidence of PCA medical/immunization clearances

*If insurance certification is not feasible, the student must agree to and sign a hold harmless agreement with the College.

It is recommended that the student work with a licensed medical/nursing agency to identify a PCA for a variety of reasons, including redundancy of care should the primary PCA be unable to perform needed assistance

Student's Responsibilities

- Complete the [Housing Accommodation](#) request process with Accessibility Services that supports the medical necessity of a PCA, if living on campus.

- Secure an agency-affiliated, or private, certified PCA prior to attending any College-related activity (i.e., placement testing, enrollment, class attendance). (The College will not be responsible for providing a PCA on an interim basis.)
- Provide documentation that the PCA is qualified to perform the services.
- Ensure that the agency representative and each individual PCA, or private, certified PCA registers with the Accessibility Services, Public Safety, and Health Services (central effort coordinated by the College). Student will provide a copy of the contract between the student and the agency/PCA to Accessibility Services.
- Ensure that PCA personnel changes are registered with Accessibility Services, Public Safety, Residential Life, and Health Services, as required.
- Direct the activities of the PCA while at the College. The student is solely responsible for ensuring the PCA is fulfilling their responsibilities for the student's care. Lafayette College will not assume responsibility for the PCA or their failure to fulfill the contracted responsibilities.
- Develop an alternative plan of action should the regularly assigned PCA not be available to work.
- Follow all College policies and abide by the Student Handbook.
- Pay for all PCA services, including but not limited to housing and meal plans if living on campus.
- Same gender PCAs are encouraged but not required when assisting students with bathing or toileting in a residence hall or in shared or public area restrooms.

PCA Responsibilities

- Follow all applicable College policies, rules, regulations, and procedures. A PCA found in violation of College policies will be removed from campus immediately regardless of the contractual arrangement the PCA has with the student.
- Assist the student before and after class but wait outside the classroom (unless classroom assistance is deemed appropriate by documentation and approved by Accessibility Services).
- Allow the student to take responsibility for their own progress or behavior.
- Refrain from contact with or asking questions of faculty, staff, or others on behalf of the student.
- Refrain from discussing any confidential information about the student.
- The PCA should not influence the student's work related to any class assignments or tests.
- PCAs are provided access to the student's residence hall only while classes are in session or if the student has properly secured permission to be on campus during break sessions.
- PCA parking is coordinated with Parking and Transportation Services.

College Responsibilities

- Maintain records of active PCAs on campus
- Assist the student in understanding their rights and responsibilities as they pertain to Non-Compliance to coordinating the work of their PCA.

Non-Compliance to Policy

Incidents of non-compliance in adhering to the policies set forth by the College, either by the student or their PCA, will be subject to review as follows:

- **Informal Review** – As appropriate, the Directors of the HUB, Accessibility Services, Residence Life, Student Health Services, Public Safety and/or other appropriate Departments will meet with the student to discuss the issue of non-compliance and work with the student to determine possible solutions. A written report of the resolution will be given to the student upon completion of the informal investigation.
- **Formal Review** – As appropriate, the Directors of the HUB, Accessibility Services, Residence Life, Student Health Services, Public Safety and/or other appropriate Departments will convene a formal review of the concern. The formal review may also include other college representatives such as the Dean of Students. Sanctions may be determined if the student is found responsible for the matter under review. These could include, for example, the PCA no longer being permitted on College property, a probationary period to correct the matter under review, or the removal of the student from College housing. A written report of the resolution will be given to the student within five working days of completion of the formal investigation.
- **Appeals** – A student may appeal a decision made from the Formal Review by following the guidelines under the [Grievance Procedure](#).