



Policy on Personal Care Attendants for Students with Disabilities

Policy Statement

The University of North Carolina Wilmington (UNCW) is committed to compliance with state and federal laws regarding individuals with disabilities. UNCW is committed to providing accommodations to an otherwise qualified individual with a disability by making reasonable modifications in its services, programs or activities. Students who seek reasonable accommodations must contact and register with the Disability Resource Center on campus. UNCW is committed to reviewing all requests for reasonable accommodation on a case-by-case basis.

The university recognizes that a student with a disability may need, and therefore may be entitled to the use of a Personal Care Attendant (PCA) and that a PCA may be an integral part of a student's ability to participate in the university experience. This Policy addresses the use of PCAs by qualified students with disabilities.

The purpose of this Policy is to ensure the university's compliance with applicable law as well as describe the key concepts involved in a request for the use of a PCA and to clarify the responsibilities of the student using a PCA.

Definitions

Personal Care Attendant (PCA) – (sometimes referred to as a Personal Assistant) is a person who has been hired to support a student with a disability to live a more independent life by performing personal care duties or services. A PCA works directly for and is employed by the student with a disability. The kind of tasks a PCA performs is comparable to those that a family member or medical personnel would perform and will vary from person to person. Possible tasks performed by a PCA may include, but are not limited to the following:

- Providing help with activities of daily living, such as, bathing, dressing, toileting, grooming
- Housekeeping
- Meal preparation or assistance with eating
- Positioning or transferring to and from a wheelchair
- Running errands
- Monitoring any medical condition by observing vital signs
- Reminding to take prescribed medications
- Transporting and/or escorting

- Assisting with maintenance of the housing environment, including light cleaning, laundry, and keeping the environment safe
- Turning pages, retrieving books, assisting with homework
- Taking off and putting on coats
- Opening doors
- Alerting to distracting repetitive movements
- Alerting to dangerous environments/situations
- Other duties as needed

Student with a disability - means an otherwise qualified individual who has a physical or mental impairment that substantially limits one or more major life activities, as specified according to the Americans with Disabilities Amendments Act (2008).

Responsibilities of UNCW

UNCW does not provide PCA services and is not responsible or liable for any consequences resulting from a student's association with a PCA. Through the Disability Resource Center (DRC), the university does assist students needing personal care attendant services by:

- Generating ideas for advertising resources on campus and in the community
- Providing possible resources on interviewing techniques
- Including in an accommodation letter to faculty that a student will be accompanied by a PCA in the classroom and for all classroom related activities
- Answering any questions from Housing and Residence Life regarding a student's needs for a PCA in the residence halls

Responsibilities of student using a Personal Care Attendant

A PCA works directly for the student with a disability. A student needing a PCA is encouraged to seek appropriate personal care independently. Students who use a PCA are responsible for securing, training, supervising and paying their PCA. Students can make arrangements through agencies or private contacts. Any student who wishes to bring or use a personal care attendant (PCA) on campus must:

- be registered with the Disability Resource Center
- qualify as an individual with a disability
- qualify for an accommodation of a PCA
- notify DRC about his/her need to have a PCA in the classroom
- notify Housing and Residence Life about his/her need to have a PCA living in university housing
- secure, hire, manage, pay, and fire (if necessary) the PCA
- create his/her own flyer and/or ad to advertise for a PCA
- create his/her own need-specific PCA application
- review all applications for the PCA position
- schedule all interviews with prospective PCAs
- recruit and hire a PCA as soon as student knows they will be enrolling and attending campus
- accept responsibility for the safety, health, behavior and actions of the PCA while on campus
- accept the responsibilities of the PCA as noted in this Policy

- realize that the terms and conditions of the Guide for On-Campus Living and UNCW Code of Student Life apply fully

Responsibilities of the Personal Care Attendant

Personal Care Attendants are expected to follow all applicable university policies, regulations, rules, and procedures. If a PCA fails to abide by such policies, regulations, rules, and procedures and/or causes a fundamental alteration in services, programs, or activities, then the Disability Resource Center may make a determination that the PCA will not be allowed to accompany the student with a disability in the classroom and/or other sites. If a PCA who resides in university housing fails to abide by the policies, regulations, rules, and procedures relating to university housing, the Office of Housing and Residence Life may make a determination that the PCA will not be allowed to live with the student in university housing. It is the student's responsibility to secure the services of another PCA in the event a PCA becomes unable to perform services for a student.

Policy and Procedures of Housing and Residence Life

Students who seek to live in UNCW residential facilities and require the service of a PCA to assist with activities of daily living must initiate contact with the Disability Resource Center and the Office of Housing and Residence Life at least 4 weeks in advance expressing a need for a PCA. Students should follow these guidelines to arrange PCA services.

1. Submit a copy of Medical Documentation to the Disability Resource Center from a physician or medical professional to verify these arrangements are necessary to accommodate a student's current medical condition to live in UNCW housing. The Disability Resource Center will review this documentation, and, if needed, may seek further clarification from the student and his or her physician or medical professional regarding the request for accommodation. Disability Documentation General Guidelines may be found on the Disability Resource Center web page located at <http://www.uncw.edu/disability/>
2. Register PCA with the Disability Resource Center by submitting a copy of the contractual agreement with the PCA or the PCA's agency. This documentation could cover a specific person, or an agency providing services by more than one person. The contract must stipulate that the services required by the student will in fact be provided by the PCA.
3. Submit a copy of the PCA(s) criminal background checks to the Office of Housing and Residence Life. If the student is contracting with an individual PCA, then the student must ensure that the PCA submits a current criminal background check to the student. If the student is working with a PCA contracting agency, the student must obtain a copy of the agency PCAs' criminal background checks and provide it to the Office of Housing and Residence Life. The student is responsible for notifying the Office of Housing and Residence Life if the personal attendant is charged with **any** crime of violence (including stalking or communicating threats), theft, drug possession, assault or arson, or any other crime that would create a concern of safety by a reasonable person. If the PCA has not submitted a criminal background check to the student or if there is any question or concern about the PCA's criminal history, the Office of Housing and Residence Life will conduct a criminal background check of the PCA at the student's expense.
4. All registered PCA(s) are required to carry and display a company ID Card. In addition each PCA will be required to obtain and display a university Vendor ID card that will allow them to enter the student's residential building and designated academic buildings. This ID card will

be issued by the University once PCA information is approved. Arrangements for card access and identification should be discussed in advance and any expense associated with these cards will remain the responsibility of the student or the agency.

5. PCA(s) are required to follow all University rules, regulations, policies, and procedures. PCA(s) determined not to be abiding by this policy can be trespassed from campus immediately, regardless of the contractual arrangement they have with the student. In this situation, the University will notify the student of the issue as soon as possible.

This agreement is subject to modification by both parties.

I have read and agree to the preceding requirements of the UNCW Policy on Personal Care Attendants for Students with Disabilities

Student Signature

Date

Disability Resource Center Staff Signature

Date

Housing & Residence Life Staff Signature (if applicable)

Date