



# MONTCLAIR STATE UNIVERSITY

## **Personal Care Attendant Policy**

### **Policy Statement:**

Montclair State University encourages the participation and inclusion of all students in their activities and experiences as a 'Red Hawk'. The Disability Resource Center (DRC) provides support and accommodations to students with documented disabilities as mandated by federal laws, including Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments of 2008.

Montclair State University recognizes that a student may require, and therefore may be entitled to, the use of a Personal Care Attendant (PCA) to engage in the university experience and increase independent access.

A Personal Care Attendant (PCA) is defined as an individual hired to provide ongoing or temporary personal care services or other health related tasks to a student with a qualifying disability that supports activities of daily living (ADL) and permits them to live an independent life. PCA tasks may apply in university academic or residential settings. The specific tasks a PCA performs will vary from person to person in accordance with the student's documentation and need. Services provided by the PCA may include, but are not limited to the following:

- ADL tasks such as bathing, toileting, dressing, and grooming
- Transferring from bed to wheelchair; in and out of shower/shower chair; toilet to wheelchair, etc.
- Meal preparation and/or eating
- Housekeeping
- Medication management and/or administration
- Monitoring medical conditions and vital signs
- Carrying course-related supplies (i.e., textbooks, laptop, musical instruments, etc.)

This policy addresses the use of PCAs by eligible students with disabilities attending the University who require the services of a PCA.

### **Responsibilities of Montclair State University:**

The University does not provide PCA services and does not assume coordination of, financial responsibility for, or legal liability for the PCA chosen and hired by the student. University personnel, sponsored technology (Canvas, Workday, Handshake, etc.), and official digital or print communications and marketing platforms cannot be utilized to coordinate PCA services.



# MONTCLAIR STATE UNIVERSITY

## **Responsibilities of Student using a Personal Care Attendant:**

A PCA works directly for the student with an approved disability. Students who use a PCA are responsible for securing, training, supervising and paying their PCA. A student needing a PCA is encouraged to seek appropriate personal care independently. External statewide agencies such as the Division of Vocational Rehabilitation Services (DVRS) or Department of Disability Services (DDS), a licensed medical/nursing facility, or private contacts are recommended. Although it is discouraged, if a student requiring PCA services chooses to hire another enrolled student as their PCA, that employment relationship does not impact either student's financial responsibilities related to tuition, student fees, University Housing, and required meal plans. Employment as a PCA is not a requirement of nor applicable to degree or course requirements or academic standing. The *Student Code of Conduct* and all other University policies apply to both as individual students.

Any student who requires PCA services on campus must:

- Register with the Disability Resource Center (DRC)
- Qualify as an individual with a disability
- Qualify for an accommodation of a PCA
- Notify the DRC of the student's need for PCA services during the interactive intake meeting
- Ensure the PCA registers with the DRC prior to beginning employment
- PCA abides by all University policies
- Inform the DRC of PCA personnel changes
- Direct all activities of the PCA while on campus. The student is solely responsible for ensuring the PCA is fulfilling his/her responsibilities for the student's care
- Develop alternative and emergency plans of action should the regularly assigned PCA be unavailable to work or terminated

## **Responsibilities of the Personal Care Attendant:**

All PCAs must meet the health and safety requirements to be on campus and are required to sign the *Personal Care Attendant Agreement* indicating an understanding of specific requirements and expectations, which include, but are not limited to:

- Agreement to abide by all university policies, regulations, rules, and procedures
- Completion of the tasks outlined and agreed upon in a contract of employment with the student aligned with the student's needs



# MONTCLAIR STATE UNIVERSITY

- Remaining a non-academic participant in the classroom
- Meeting any university criteria for safety or health related requirements, such as a background check, vaccination requirements, personal protective equipment, etc.

## **Violations of Policy:**

The University reserves the right to remove a PCA from campus immediately, regardless of the contractual arrangement the PCA has with the student, if a PCA violates University policies, regulations, rules, and procedures related to academic integrity, University housing and/or student conduct.

If a PCA fails to abide by such policies, regulations, rules, and procedures and/or causes a fundamental alteration in academic requirements or content, services, programs, or activities, the DRC may make a determination that the PCA will not be allowed to accompany the student with a disability into the classroom and/or other sites.

It is the student's responsibility to secure the services of an alternate PCA in the event a PCA becomes unable to perform services for the student, whatever the cause of that unavailability.

## **Appeals and Grievances:**

A student who is denied approval of a PCA may appeal the decision to the Dean of Students. The Dean of Students' decision shall be a final determination.