

Higher Education Guidelines for Documentation of Disability

Recommendations from the Virginia AHEAD
and Virginia's Higher Education Workgroup

PURPOSE:

This document defines best practices for developing and maintaining consistent, comprehensive and appropriate guidelines for documenting disabilities and requests for accommodations. It is recommended that the guidelines be used by institutions of higher education, qualified professionals, and secondary education professionals involved in transition planning. The information provides a framework for institutions to establish policies and procedures that are adapted to their specific context, while embracing both the spirit and letter of the law. It is not meant to be a legal treatise and should not be considered legal advice. Institutions are encouraged to consult with their legal counsel before implementing new policies on documentation.

THE NEED FOR DOCUMENTATION:

Under federal law (Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act of 1990), individuals with disabilities are defined as having "a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment, or being regarded as having such an impairment." Individuals with disabilities are protected from discrimination in admissions and employment. With adequate documentation of the current impact of the disability, individuals are entitled to appropriate accommodations. Therefore, documentation serves two primary purposes in post-secondary education. First, documentation must establish that the individual has a disability, and therefore is protected from discrimination. Second, the documentation must describe the current functional impact of the disability so that potential accommodations can be identified.

GENERAL DOCUMENTATION GUIDELINES:

Documentation of disability should consist of an evaluation by an appropriate professional. Included must be a clear statement of the diagnosis, the basis for the diagnosis, and the current impact of the disability as it relates to the accommodation request. As appropriate to the disability, the documentation should include the following elements:

1. A diagnostic statement identifying the disability, date of the most current diagnostic evaluation, and the date of the original diagnosis.
2. A description of the diagnostic tests, methods, and/or criteria used including specific test results (including standardized testing scores) and the examiner's narrative interpretation.
3. A description of the current functional impact of the disability. This may be in the form of an examiner's narrative, and/or an interview, but must have a rational relationship to diagnostic assessments. For learning disabilities, current documentation is defined using adult norms.

4. A statement indicating treatments, medications, or assistive devices/services currently prescribed or in use, with a description of the mediating effects and potential side effects from such treatments.
5. A description of the expected progression or stability of the impact of the disability over time, particularly the next five years.
6. A history of previous accommodations and their impact.
7. The credentials of the diagnosing professional(s), if not clear from the letterhead or other forms. Please note that diagnosing professionals shall not be family members or others with a close personal relationship with the individual being evaluated.
8. Documentation prepared for specific non-educational venues (i.e. Social Security Administration, or Department of Veteran's Affairs, etc.) may not meet these criteria.
9. IEP or 504 plans will not be considered sufficient documentation unless accompanied by a current and complete evaluation.

Recommendations for accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services should be considered within the context of the individual's current program. Accommodation decisions are to be made on a case-by-case basis, considering the impact of a particular student's disability within the specific context in which that student must function.

Beyond the more objective determination of a disability and its impact provided by external documentation, institutions should recognize that input from the individual with a disability is also a rich and important source of information on the impact disability, and on the effectiveness of accommodations.

Records from school divisions concerning students exiting from special education services under the Individuals with Disabilities Education Act (IDEA), should be given due consideration by institutions of higher education in determining presence of a qualifying disability and making decisions regarding accommodations.

Nationally, most institutions of higher education utilize guidelines developed by the Association on Higher Education and Disability (AHEAD) and the Educational Testing Serviced (ETS). These are referenced below for informational purposes.

AHEAD (Learning Disability guidelines) – www.ahead.org/ldguide.html

ETS (Attention Deficit/ Hyperactivity Disorder guidelines) – www.ets.org/disability.html

ETS (Psychiatric Disability guidelines) – www.ets.org/disability.html

These guidelines have now been formally adopted by AHEAD in VA and the Higher Education Workgroup. The workgroup is comprised of representatives from the VA Community College System, SCHEV, DRS, VDDHH, VDBVI, DOE, and AHEAD in VA members.