

# **PROPER DOCUMENTATION FOR DISABILITY ACCOMMODATIONS/ ACADEMIC ADJUSTMENTS**

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# OK, WHAT IS DOCUMENTATION ANYWAY?

Documentation is *confidential information* from an *appropriately certified/licensed medical/mental health professional* who is *knowledgeable about the student and his/her disclosed condition* (for which the student is seeking accommodations/adjustments).

Documentation is used to determine eligibility for disability services and accommodations.



# PRIMARY PURPOSE OF DOCUMENTATION

Documentation establishes a disability in order to help the institution work interactively with the student to identify appropriate services.

The focus should be on whether the information adequately documents the:

1. existence of a current disability, and
2. functional limitations requiring the need for an academic adjustment/accommodation.



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# IS A DIAGNOSIS ENOUGH? NO.

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A diagnosis of impairment alone does not establish that an individual has a disability within the meaning of Section 504 or Title II.

The second requirement is that the impairment must substantially limit a major life activity, or the individual must have a record of such an impairment or be regarded as having such an impairment.

## ***What is necessary:***

1. a diagnosis from a treating physician, along with
2. information about how the disability affects the student's ability to access the educational environment and activities.



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# IS DOCUMENTATION ALWAYS REQUIRED?

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- If the student's disability and need for an academic adjustment are obvious, less documentation may be necessary.
- Since Section 504 and Title II require institutions make individualized determinations regarding appropriate academic adjustments for each individual student, documentation beyond the diagnosis is necessary.



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# ISN'T IT ALL THE SAME? NO!

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1. Institutions may set their own requirements for documentation so long as they are reasonable and comply with Section 504 and Title II. So, arguments that “I never had to provide this before,” should not frighten you.
2. A student must provide documentation, upon request, that he or she has a disability and that this impairment substantially limits a major life activity. The documentation must also support the need for an academic adjustment.
3. The documentation must identify how a student’s ability to function is limited as a result of her or his disability.



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# IS AN OLD IEP/504 PLAN ENOUGH?

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An IEP or Section 504 plan may help identify services that have been used by the student in the past, but they are generally not sufficient documentation alone to support the existence of a current disability and need for an academic adjustment.

Assessment information used to develop an IEP or Section 504 plan may be helpful to document a current disability or the need for an academic adjustment or auxiliary aids and services.

*Any assessment information accepted for use in determining academic adjustments/accommodations must be done using adult norms—always verify!*



# BOTTOM LINE—WHAT IS NEEDED?

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## 1. *Diagnosis*

A clear statement of the physical disability or medical condition.

a. Approximate onset of diagnosis

b. Date of last clinical contact: *The assessment must be current.* Conditions may change over time, so current evaluations are critical. In general, this means that evaluations must have been completed within three (3) years prior to the accommodations request.

c. If condition is permanent and unchanging, a current statement of functional limitations from a qualified provider might be the only thing necessary.



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## 2. *Evaluation*

- a. Assessment procedures and evaluation instruments used to make the diagnosis (look for date and use of adult norms).
- b. Narrative of evaluation results including standardized scores, if applicable.
- c. Present symptoms that meet the criteria for the diagnosis.
- d. Current treatment(s)
- e. Severity of symptoms
- f. Prognosis of disorder

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## 3. *Functional limitations*

Should be determined **WITHOUT** consideration of mitigating measures (i.e. medication, etc.). If condition is episodic in nature, level of functioning should be assessed based on active phase of symptoms.

- a. Impact on major life activities (even those outside of the school environment)
- b. Manifestations of the disability, in particular the way it impacts the student in the learning context for which the accommodations are being requested. If these are not in the documentation, you need to request it.
- c. Special considerations (e.g. medication side effects, impact of treatment, etc.)

# AND

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## 4. *Accommodations*

What accommodations has the student had in the past?

- a. History of accommodations
- b. (Optional) Recommended accommodations from treating professionals
- c. (Optional) Requested accommodations from student
- d. Additional information helpful in determining accommodations.



# THINGS TO REMEMBER.....

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1. All documentation must be submitted on the official letterhead of the professional describing the disability.
2. All documentation should be dated and signed and include the name, title, and professional credentials of the evaluator, including information about license or certification.



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# MULTIPLE DISABILITIES AND DOCUMENTATION

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You need documentation for each disability identified as substantially limiting and necessitating an academic accommodation/ adjustment.

You should link the documentation to the disability, functional limitations, and accommodations to reduce the likelihood of over accommodating.



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# PROVISIONAL ACCOMMODATIONS PENDING DOCUMENTATION

It is permissible to provide provisional accommodations while you wait for the documentation necessary to support the request for academic accommodations/adjustments.

These provisional accommodations should not last more than one month (30 days). It is reasonable to give a student one month to produce the documentation needed.

The provisional accommodations may be extended by one additional month, but only for extenuating circumstances, such as: requesting information from out of state, appointment scheduled more than one month out, etc.



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**Please review your records in DRS to ensure you have no current students with provisional accommodations pending documentation that exceed one month. If there are, please institute the one month countdown and inform the student.**



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# TYPES OF DOCUMENTATION

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- 1. Primary Documentation:** Intake sheets or questionnaires can outline a student's experience with a disability, academic barriers, and effective and ineffective accommodations the student has had in the past. This is a good first step in the interaction process.
- 2. Secondary Documentation:** The impressions and conclusions from the disability professionals during interviews and conversations with students or in evaluating the effectiveness of previously implemented or provisional accommodations are important forms of documentation.
- 3. Tertiary documentation:** Information from external or third parties may include educational or medical records, reports and assessments created by health care providers, psychologists, etc. External documentation will vary in its relevance and value depending on the original context, credentials of the evaluator, the level of detail provided, and the comprehensiveness of the narrative.



# SCENARIO #1

A student's documentation does not speak to the identified disabilities



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# WHAT DO I DO?

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Given the totality of the information from the intake interview and the documentation, is it reasonable that additional information could establish the connection? If no, deny the accommodation.

If yes, provide 30-day provisional accommodation and request additional information, outlining specifically what you need.

However, if the student cannot describe a potential connection or provide the documentation that would support the request, the accommodation requested may not be reasonable.



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# SCENARIO #2

A student (3 years out of high school) provides you their senior year 504 plan and a 2-year old letter from their doctor saying the 504 plan has appropriate accommodations (citing the diagnosis) as the only documents in support of the request for accommodations. The student then cites their lack of health insurance as the reason they cannot provide any other documentation.



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# WHAT DO I DO?

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Review the documents and interview the student for supporting facts. In this case, the only accommodation on the 504 plan was extra test time due to dysgraphia. If you are able to understand the current impact of the condition and identify a connection between the disability and the accommodation using the 504 plan supplemented by individual interview, you could move ahead with the accommodation. If you are not, you should request that the student submit additional information focused on providing the clarification needed.



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# SCENARIO #3

A student with multiple sclerosis was granted the use of a scribe for recording answers during exams. This accommodation was deemed reasonable because the disability led to a functional impairment in writing that could be fairly accommodated through dictation. Even with this accommodation, he failed many of his exams. The student then asked for both a scribe and extra time for the next exam cycle stating that *“having a scribe was not enough to help me pass the test. Now I need extra time so I have more time to think about my answers.”* This request was denied.

The student complained, citing that having both accommodations will ensure at least one of them will help him get the best grades in his class.



# WHAT DO I DO?

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This was a real case. The denial of his request was deemed legal by the court system. The ADA does not mandate that accommodations be applied until success is achieved.

Accommodations are designed to reduce the impact of one's disability on a task or activity, not guarantee a student's success.

In other words, accommodations should correct or circumvent functional impairments such that an individual with a disability has a fair opportunity to succeed despite his or his particular disability. Moreover, the college determines what is reasonable.

Also, providing redundant accommodations for the same functional limitation is considered an over accommodation.





# WHAT QUESTIONS DO YOU HAVE?



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