

Duke University Student Disability Access Office (SDAO)

Documentation Guidelines for Deafness and Hard of Hearing

Duke University is committed to providing educational opportunities to qualified students with disabilities for purposes of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008. In order to establish that an individual is covered under these laws, students must submit current documentation (i.e., audiological/clinical/diagnostic reports, records and information) confirming that their diagnosed disability substantially limits one or more major life activities as compared to the average person in the general population. Accommodations are not granted on the basis of a diagnosis; they must be tied to current functional impairment(s). **The diagnosis of a disorder/impairment alone does not automatically qualify an individual for accommodations under the federal laws.**

The following guidelines are designed to provide students and medical providers with a common understanding and knowledge base of the components of documentation which are necessary to validate the existence of deafness or hard of hearing, its impact on the individual's educational performance, and accommodation(s) that are necessary in the post-secondary setting.

These guidelines contain information regarding:

- I. Qualifications of the Medical Provider
- II. Currency of the Report
- III. Rationale and Justification for Each Requested Accommodation
- IV. Confidentiality

I. Qualifications of the Medical Provider

The professional conducting the evaluation must be qualified to make the diagnosis and make recommendations as to necessary accommodations. The documentation must include the name, title, and professional credentials of the evaluator, including information about licensure and/or specialization.

Diagnoses of deafness or hard-of-hearing by family members will not be accepted even when the family members are otherwise qualified by virtue of training and licensure/ certification. All reports should be on letterhead, typed, dated, signed, and otherwise legible.

II. Currency of Report

Since reasonable accommodations are based upon the assessment of the current impact of the disorder on academic functioning; evaluation/diagnostic reports must address the individual's current level of functioning and the need for accommodations. If the documentation is not relevant to the individual's current functional impairments and need for accommodations, additional information may be required.

III. Rationale and Justification for Each Requested Accommodation

Accommodation requests are not granted on the basis of a diagnostic label: they must be tied to history and current functional impairment(s). A link must be established between the requested accommodations and the current functional limitations of the individual that are pertinent to the anticipated academic environment.

It is also important to include information regarding any prior accommodations or auxiliary aids; including the specific criteria used to grant prior accommodations/ auxiliary aids, the conditions under which the accommodations/auxiliary aids were used and whether or not they were effective.

IV. Confidentiality

All information obtained in diagnostic and medical reports will be maintained and used in accordance with applicable confidentiality requirements.

Beginning the Process of Requesting to be Considered for Reasonable Accommodations

Students who wish to be considered for reasonable accommodations can begin the process by submitting a completed and signed Request for Consideration for Reasonable Accommodations form. Request forms are available from the Student Disability Access Office and on our website at www.access.duke.edu.

Submitting Documentation and Questions

Documentation should be mailed to the attention of the Student Disability Access Office, Box 90142, Duke University, Durham, NC 27708 or faxed to (919) 668-3977. Questions should be directed to (919) 668-1267.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information.

“Genetic information,” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.