

## **Documentation Guidelines for Mobility and/or Chronic Health Conditions**

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., diagnostic reports, records and medical information) confirming that a condition substantially limits one or more major life activity in comparison with most people in the general population. However, there are some mobility and chronic health conditions, where the SDAO does not require evidence as to the severity of the condition or what major life activity is impacted. Additionally, on a case-by-case basis, the SDAO will assess the currency of documentation.

**Asthma/Allergies documentation:** The documentation should provide evidence that a major life activity is substantially limited by the frequency, duration, and severity by the condition. The documentation must clearly state the specific diagnosis along with the appropriate diagnostic code. *Indirect language* in the wording of the diagnosis such as “suggests,” “seems to indicate,” “appears,” “is indicative of,” does not support a conclusive or specific diagnosis.

The evaluation/diagnostic report should also address the individual’s current level of functioning, with and without the use of mitigating measures, including medication, as well as the student’s ability to function in a higher education academic setting.

The following guidelines are designed to provide students and professional diagnosticians with a common understanding and knowledge base of the components of documentation which are necessary to confirm the existence of a condition, its severity, its impact on the individual’s educational performance, and accommodation(s) that are necessary in a post-secondary setting.

Documentation should include:

- I. Qualifications of the Medical Provider
- II. Currency and Necessary Components of the Medical 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. Professionals typically qualified to make this diagnosis may include but are not limited to neurologist, primary care physicians, allergist, psychologists/psychiatrists, and other specialty health care providers. A clinical team approach to diagnosis may also be appropriate. The documentation must include the name, title, and professional credentials of the evaluator, including information about licensure and/or specialization.

Diagnoses documented 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 in English, typed or printed on professional letterhead, dated, signed, and otherwise legible. SDAO reserves the right to receive the documentation directly from the evaluator.

## II. Currency and Necessary Components of the Medical Report

Since reasonable accommodations are based upon the assessment of the current impact of the disorder on academic functioning; medical reports must address the student's current level of functioning and the need for accommodations.

In most instances, the report or clinical summary should indicate what major life activity is impacted by the condition and the severity of the condition. A description of how the condition impacts the student's academic performance should also be included. The documentation must include a coded diagnosis per the *Diagnostic and Statistical Manual IV-TR* (DSM-IV-TR) or the DSM-V, or an ICD-10 code, a description of any evaluation methods, tests and procedures used, along with a clinical narrative based upon observations and history of presenting symptoms. Including current medication regimens and side effects in the summary is particularly important since medications may have a substantial impact on concentration and cognitive functioning. If a condition is episodic, please provide details about frequency and severity.

SDAO assesses disability status without regard to the positive effects of mitigating measures (such as medication usage). If known, it would be useful to identify the severity of the condition without the use of medication as well as the effectiveness when treatment is followed.

If the documentation is inadequate in scope or content or fails to sufficiently address the student's current functional limitations and need for accommodations, SDAO may require the submission of additional information. School plans such as *Individual Educational Plans* (IEP) or *504 Accommodation Plans* are helpful in providing historical data, but may not be substituted in lieu of the above requested documentation.

Medical reports should be based on a comprehensive diagnostic/clinical evaluation that adheres to the guidelines outlined in this document and include the following:

- A clear statement of the medical diagnoses from a qualified medical provider
- An assessment of the functional limitations, how the condition manifests, the accommodations that are deemed necessary, reasonable, and appropriate. (i.e. evidence of the link between the functional limitation and the accommodation requested)
- A description of present symptoms, which meet the criteria for diagnosis and the impact they have on the substantial limitations to this student's major life activities.
- A list of any medications currently being used and their effectiveness in managing symptoms, as well as any potential negative side effects with such usage to the extent germane to requested accommodations.
- Medical information relating to the student's needs, including the impact of any medication on the student's ability to meet the demands of a university academic program and when applicable, clinical requirements.
- If the condition is episodic, please document frequency and severity of symptoms.
- A list of any adaptive equipment currently being used.
- If transportation/parking is requested, medical providers must provide the following:
  - 1) Maximum walking distance (in feet)
  - 2) Does the student have difficulty negotiating stairs?
  - 3) Can the student ride the campus buses?
  - 4) Does the student have a valid, state issued accessible parking placard or plate?
- If housing or other accommodations may be necessary, describe the accommodation requested with justification and rationale.

## III. Rationale and Justification for Each Requested Accommodation

*Accommodation requests are not generally granted on the basis of a diagnostic label:* they must be tied to history and current functional limitation(s), with consideration of any mitigating measures the student is using (such as medication and therapy). However, there are a number of conditions (e.g., epilepsy) in which the severity is so clear as to automatically qualify as a disability. Nonetheless, in order to appropriately and effectively accommodate the student's functional limitations in a post-secondary setting, some degree of documentation is necessary to assist the SDAO in addressing the student's disability-related needs, be that in academic settings, housing and other environments.

To be considered, the requested accommodations must be necessary, reasonable and appropriate. When recommending accommodations, the evaluator should establish a clear link between the request and the student's functional limitations, again in the student's mitigated state. Please note that the provision of a past accommodation in another setting does not necessarily guarantee or assure the requested accommodation will be implemented at Duke University; however,

having that information is helpful to SDAO and will be considered in making current decisions about necessary, reasonable, and appropriate accommodations and services. If a requested accommodation is not clearly stated and supported in the diagnostic report, SDAO reserves the right to seek additional clinical information pertaining to the determination of eligibility. **It is the student's responsibility to obtain the requested additional information when the request is made.**

Note: 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.

#### **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 or [sdao@duke.edu](mailto:sdao@duke.edu).