



OFFICE OF COUNSELING AND DISABILITY SERVICES

POLICY FOR DOCUMENTATION OF STUDENTS WITH DISABILITIES

Purpose

To provide uniform guidelines for documentation for students seeking accommodations from New Mexico Tech (NMT) on the basis of a diagnosed Specific Learning Disorder, a Psychiatric/Psychological Disorder, or Physical Disability in accordance with the Americans with Disabilities Act Amendments Act (ADAAA) 2008, Section 504 of the Rehabilitation Act of 1973 and New Mexico Tech Policy.

All documentation of a disability submitted to OCDS will remain confidential as required by both State and Federal law and maintained separate from academic records. No information about the student's disability will be revealed to any member of the NMT faculty or staff, or any other person without the expressed written consent of the student.

Documentation will be submitted to the Office of Counseling and Disability Services (OCDS) located in 154 Fidel Center, (575)835-6619, disability@nmt.edu. This is to assist OCDS in providing accommodations that are both reasonable and appropriate.

All documentation submitted to OCDS must include the following information in addition to specific disability information listed on the following pages:

1. Official diagnosis for a disability must be made by one of the following: school psychologist, clinical psychologist, neuropsychologist, psychiatrist, neuropsychiatrist, and any other qualified licensed medical practitioner with experience and expertise in the area related to the student's disability.
2. The report must clearly state the diagnosed disability or disabilities. Terms such as "suggest" or "is indicative of" are not acceptable.
3. Describe the significant functional limitation(s) and the specific effect(s) it has in the learning environment. A diagnosis in and of itself is not sufficient to substantiate accommodations. This information is frequently left out of reports and is essential for the approval of accommodations.
4. Describe the specific accommodations being requested and explain the rational for each as to why the accommodations may be needed based upon the student's functional limitation.

5. Protection under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act civil rights statutes is based upon a disability that currently “substantially limits” a major life activity, including learning. A prior history of accommodation, without demonstration of current need, does not in and of itself warrant the provision of a like accommodation.
6. Testing should have been conducted within the past three years for high school-age students entering NMT immediately after graduation or matriculating students, five years for non-traditional students is preferred. Because the provision of “all reasonable accommodations and services” is based upon assessment of the current impact of the student’s disabilities on academic performance, it is in the student’s best interest to provide recent and appropriate documentation. Older documentation will be taken into consideration by OCDS.
7. Include complete educational, developmental, and medical history relevant to the disability for which accommodations are being requested.
8. A request for extended time should have documentation that demonstrates difficulty taking tests under timed conditions. In most cases, the documentation should include scores from both timed and extended/untimed tests, to demonstrate any differences caused by the timed conditions. The inability to complete an exam is not a sufficient rationale for extended test-taking time, since this does not address the academic need for the accommodation as related to the student’s functional limitation and disability.
9. If medications are taken these should be listed. Any potential side effects caused by the medications should also be listed.
10. If symptoms involve cognitive recall (memory), appropriate testing needs to be conducted. Testing for specific learning disabilities may be appropriate.
11. All reports or documents should be submitted on letterhead, typed, dated, signed, and otherwise legible. The name, title, and professional credentials of the evaluator, including information about license or certification as well as area of specialization, employment, and state in which the individual practices must be clearly stated. Evaluators should not be related to the individual being assessed.
12. It must be understood that evaluation reports themselves do not automatically qualify a student for registration or services through the OCDS. OCDS will make the final decision as to whether reasonable and appropriate accommodations are needed and can be provided to the student.

LEARNING AND COMMUNICATION DISABILITIES

A copy of the comprehensive psycho-educational report must be provided to the OCDS in order for the student to be eligible for accommodations and/or modifications. Diagnoses written on prescription pads and/or parent's notes indicating a disability are not considered appropriate documentation. A nonspecific diagnoses, such as individual "learning styles," "learning differences," "academic problems," "attention problems," "mood disorders," and "test difficulty/anxiety" in and of themselves do not constitute a disability.

- A. A clear diagnosis based on DSM-IV-TR or DSM-V criteria
- B. Comprehensive Testing - The following is not intended to be an exhaustive list or to restrict assessment in other pertinent and helpful areas. Domains to be addressed, as well as acceptable tests for each, include, but are not limited to:
 - 1) Aptitude: The Wechsler Adult Intelligence Scale-Fourth Edition (WAIS - IV), the Woodcock Johnson Psycho-Educational Battery-Revised, Test of Cognitive Ability, or the Stanford-Binet Intelligence Scale: Fourth Edition.
 - 2) Achievement: Current levels of functioning in reading, mathematics, and written language are required. The Woodcock-Johnson Psycho-Educational Battery-Revised; Tests of Achievement; Wechsler Individual Achievement (WIAT); Stanford achievement tests such as the Test of Written Language-2 (TOWL-2).
 - 3) Information Processing: Specific areas of information processing (e.g. short and long-term memory; auditory and visual perception/processing; processing speed) from the WAIS-R or the Woodcock-Johnson Tests of Cognitive Ability, as well as other instruments relevant to the presenting problem(s).
- C. A diagnostic Interview
- D. An Interpretive summary with reasonable accommodations based upon assessment of the impact of the student's disability on his/her academic performance.

OR

A letter from one of the qualified, licensed professionals listed at the beginning of this document, including all of the general guidelines listed above providing substantial evidence of a prior diagnosis, accommodation, or classification, such as eligibility for a special education program.

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

The following *supplemental information* is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

- A summary of performance (SOP)*
- Information about Response to Intervention (RTI)*
- Individualized Education Plan (IEP)*
- Section 504 Accommodation Plan (504)*

ATTENTION DEFICIT DISORDER

While it is recognized that psychological testing alone does not justify an ADHD diagnosis, such testing is considered an important part of establishing the impact of the disorder on learning and determining appropriate accommodations. It is also essential in determining the presence or absence of other conditions that frequently occur with the diagnosis, which may be of relevance in the classroom. Comprehensive psycho-educational or neuropsychological evaluations are strongly encouraged and may be required to support specific accommodation requests.

All documentation in support of an ADHD diagnosis should include the following information:

- A. A clear diagnosis based on DSM-IV-TR or DSM-V criteria
 - A summary of procedures and instruments used to make the diagnosis
 - A history of past and present symptoms which meet the criteria for diagnosis
 - A statement of functional limitations and the expected impact on the student's academic performance.
 - A statement regarding current use of medication and the impact on the student's ability to meet the demands of an academic program
- B. Cognitive Testing (i.e. Wechsler Adult Intelligence Scale (Revised or IV), Woodcock Johnson Psychoeducational Battery Test of Cognitive Ability (Revised or III))
 - Achievement testing, including test results from individual achievement measures in math, written expression, and if relevant, foreign language acquisition.
- C. Recommendations
 - A statement of recommended academic accommodations to help compensate for the disability.

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

The following ***supplemental information*** is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

- A summary of performance (SOP)*
- Information about Response to Intervention (RTI)*
- Individualized Education Plan (IEP)*
- Section 504 Accommodation Plan (504)*

GUIDELINES FOR BRAIN INJURY (BI)

Students submitting documentation of physical and/or cognitive impairment related to a brain injury (e.g., head trauma, CVA's, tumors, other medical conditions) must submit evidence of a disabling condition with evidence of functional impairment in major life activities of relevance to the classroom.

Such documentation should include:

- A. A specific diagnosis, as per DSM-IV-TR, DSM-V, ICD 9, or ICD 10.
- B. Detailed background information.
- C. A comprehensive neuropsychological evaluation.
- D. Detailed information regarding residual physical or medical impairments.
- E. Suggested recommendations, modifications and/or accommodations.
- F. Additional documentation on comorbid physical or medical conditions.

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

The following ***supplemental information*** is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

- A summary of performance (SOP)*
- Information about Response to Intervention (RTI)*
- Individualized Education Plan (IEP)*
- Section 504 Accommodation Plan (504)*

PSYCHIATRIC/PSYCHOLOGICAL DISORDER

Students submitting documentation of a psychological disability must submit evidence of a disabling condition with evidence of functional impairment in major life activities of relevance to the classroom. Accommodations are based on an assessment of the **current** nature and impact of the disability. Because psychiatric conditions may change over time, current evaluations are critical for providing reasonable accommodations. An evaluation within the last twelve (12) months is recommended. In addition, depending on the nature of the disability, evaluations may need to be updated on a semester-by-semester or yearly basis. Older documentation will be taken into consideration by the department.

Students with a chronic mental health illness may be referred off campus for ongoing services and treatment.

- A. Comprehensive evaluation must minimally include the following:
 - Evidence of significant limitations in the educational setting.
 - A diagnostic interview.
 - A DSM-IV-TR, DMS-V, ICD-9, or ICD-10.
 - The dates of evaluation and/or treatment.
 - The evaluation should include medical and medication history.
 - A description of current functional limitations in different settings.
 - A description of the degree of impact of the diagnosed psychiatric disorder.

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

The following *supplemental information* is useful, but not required. These pieces on their own are not usually considered complete, comprehensive documentation:

- A summary of performance (SOP)*
- Information about Response to Intervention (RTI)*
- Individualized Education Plan (IEP)*
- Section 504 Accommodation Plan (504)*

PHYSICAL OR MEDICAL DISABILITY

A physician, surgeon, physical therapist, occupational therapist, or other medical specialist with experience and expertise in the area related to the student's disability, should make the diagnosis. The age of acceptable documentation is dependent upon the condition and the nature of the student's request for accommodations. Disabilities that are sporadic or change over time may require more frequent evaluations.

Conditions may include, but are not limited to: mobility impairments, multiple sclerosis, cerebral palsy, chemical sensitivities, spinal cord injuries, cancer, AIDS, muscular dystrophy, spina bifida, diabetes, asthma, etc.

Documentation should include:

- A. A clear statement of diagnosis using ICD 9 or ICD 10.
- B. A summary of assessment procedures and evaluation instruments that have been used.
- C. Information relating to treatment and its impact on the student's ability to function.
- D. Relevant information regarding any medication.
- E. A statement of the functional limitations on learning or other major life activity.
- F. Rationale for each recommended accommodation.

OR

An eligibility letter from Department of Vocational Rehabilitation or Veteran Services.

The following *supplemental information* is useful, but not required. This piece on its own cannot usually be considered complete, comprehensive documentation:

- Section 504 Accommodation Plan [504]*

VISUAL IMPAIRMENTS

An ophthalmologist, optometrist or other qualified professional should make the diagnosis and complete the appropriate documentation. The age of acceptable documentation is dependent upon the nature of the condition and the student's request for accommodations. Visual disabilities of a changing nature may need to be documented more frequently.

Documentation should include:

- A. A clear statement of vision-related disability with supporting numerical description.
Also include a statement as to whether the condition is progressive or stable.
- B. Include the following sections that are relevant to the individual:

- Eye Health
 - Visual Fields
 - Binocular Evaluation
 - Accommodative Skills
 - Oculomotor Skill
- C. A summary of assessment procedures and evaluation instruments that were used.
- D. Narrative or descriptive text providing both quantitative and qualitative information.
- E. Medical information relating to the student's needs and the impact.
- F. A statement of the functional impacts or limitations of the vision loss.
- G. Specific cognitive processing strengths, weaknesses, and deficits.
- H. Recommended accommodations.

OR

An eligibility letter from the New Mexico Commission for the Blind or Veteran Services.

The following *supplemental information* is useful, but not required. These pieces on their own cannot usually be considered complete, comprehensive documentation:

Section 504 Accommodation Plan [504]

DEAF AND HARD OF HEARING

A physician, audiologist, speech and hearing specialist or other qualified professional should make the diagnosis. The age of acceptable documentation is dependent upon the condition and the nature of the student's request for accommodations. Hearing loss of a changing nature may need to be documented more frequently.

Documentation should include:

- A. A clear statement of deafness or any degree of hearing loss with a current audiogram.
Include the cause of hearing loss, on-set of hearing loss, and clinical diagnosis.
- B. A summary of assessment procedures and evaluation instruments used.
- C. Narrative summary.
- D. Medical information relating to the student's needs the status of hearing.
- E. A statement of the functional impacts or limitations of the hearing loss on learning.
- F. Specific cognitive processing strengths, weaknesses, and deficits.

OR

An eligibility letter from New Mexico Commission for the Deaf and Hard of Hearing or Veteran Services.

The following *supplemental information* is useful, but not required. This piece on its own cannot usually be considered complete, comprehensive documentation:

Section 504 Accommodation Plan [504]

PRIOR APPROVAL

Any student approved for accommodations through the Office of Counseling and Disabilities for any disability, prior to the enactment of this current policy, will remain intact.

APPEAL PROCESS

Students who have applied for reasonable academic accommodations in compliance with these guidelines who are denied such accommodations may appeal their request to the Affirmative Action Officer at NMT. The appeal must be filed 14 days from the date of notification denying accommodation.

REVIEW

The Vice President for Student and University Relations or designee is responsible for the review of this policy and operating procedures by July 31st of each year.

AMENDMENTS

Subject to applicable amendments to Law and as otherwise provided herein, this policy may be amended, modified and supplemented in any and all respects, by action taken by the designated authority of New Mexico Tech.

Revised 11/10/17 ARG