Disability Documentation

Documentation Guidelines for Acquired Brain Injury (ABI)

Definition of Disability

An individual must demonstrate that his/her condition meets the definition of a disability under the Rehabilitation Act (1973) and/or the Americans with Disabilities Act (ADA, 1990, and its Amendment, 2008). The ADA defines a disability as a physical or mental impairment that substantially limits one or more major life activities when compared to most people in the general population.

Whether a condition is substantially limiting to support an accommodation request is a decision made by qualified professionals based upon multiple sources of information using an individualized assessment. The condition, manner, or duration of an individual’s performance of a major life activity may be useful in determining whether impairment results in a substantial limitation.

Notably, a clinical diagnosis is not synonymous with a disability. As described in the most recent version of the Diagnostic and Statistical Manual of Mental Disorders, diagnosis of a clinical disorder is insufficient for establishing a disability because “diagnosis does not imply a specific level of impairment or disability” and “impairments, abilities, and disabilities vary widely within each diagnostic category” (APA, 2013, p. 25). Greater information regarding functional limitations in major life activities is required to substantiate a disabling condition relative to most people in the general population.

Generally, the availability of mitigating measures to lessen the effects of a person’s disability will not change the analysis of whether the person has a qualifying disability.

General Documentation Guidelines

All institutions are required to have written policies and procedures for review of documentation submitted by students with disabilities. Academic accommodations are provided by the disabilities services office or a designated office at an individual college or university. Decisions for system-level accommodations for cognitive/linguistic disabilities (i.e., learning disabilities, ADHD, autism spectrum disorders, acquired brain injuries, communication disorders, and psychological disorders) are made by the associated Regents’ Center for Learning Disorders. All disability eligibility and accommodation decisions are made on a case-by-case basis.

In order to establish disability status and eligibility for disability services, institutions of the University System of Georgia require documentation from a qualified evaluator that:

- attests to the presence of a disabling condition as defined by the ADA and
- demonstrates substantial limitations impacting performance in the academic environment when compared to most people in the general population.
Documentation is used to determine eligibility for disability services, as well as to inform accommodation decision-making.

General documentation guidelines pertain to all disabilities. The following are provided to guide evaluators, students, and family members as they seek to document a disability under the ADA.

**Appropriate evaluators**
- Evaluators must be licensed qualified professionals whose training and credentials are consistent with expertise in the disability for which they provide documentation and/or eligibility classification under the IDEA/Section 504.
- Evaluators may not be friends or family members of the student.

**Documentation of a physical and/or mental impairment**
- A diagnostic statement based on the most current Diagnostic and Statistical Manual of Mental Disorders (DSM) and/or International Classification of Diseases (ICD) should be included, unless the evaluator is unable to do so due to school system regulations.
- Evaluators should demonstrate how the assessment results meet diagnostic criteria.
- The progression of the condition should be detailed if its impact on the student’s functioning is expected to change over time.
- Because diagnostic methodologies vary by disorder, further guidance for meeting this requirement can be found in the specific guidelines.

**Documentation of a current substantial limitation in a major life activity**
- The substantial limitation in a major life activity should be described.
- Quantitative and qualitative information should be used to demonstrate that the difficulties are substantially limiting when compared to most people in the general population.
- Evidence that the difficulties are substantially limiting to the student in the academic environment should be presented.
- Because substantial limitations may vary by disorder, further guidance for meeting this requirement can be found in the specific guidelines.
- In some cases, documentation of a current substantial limitation in the educational domain may be difficult to produce due to use of effective accommodations and interventions. In such cases, the documentation of the substantial limitation should include a description of the substantially limited abilities and skills, the accommodations and interventions implemented to address those limitations, the degree of the effectiveness of each, and justification for continued need.

**Accommodation recommendations**
- Any accommodation recommendations made must be supported by a rationale that explains the necessity based on the student’s measured impairments and current substantial limitations.
- Documentation of accommodations approved in the past is encouraged but does not guarantee approval at the postsecondary level.

**Identifying information of the evaluating professional.**
- Identifying information includes the names, signatures, titles, identifying credentials (e.g., license numbers), and contact information of evaluating professionals.
- Dates of evaluations must be included.
**Recency**

In order to determine eligibility for disability services and provide the most appropriate accommodations and services, documentation should provide an adequate representation of the student’s current functional abilities. Conditions served vary by developmental course and functional impact. As a result, guidance regarding recency requirements is provided in the specific documentation guidelines for each disorder. However, professional judgment will be used in determining the acceptability of any documentation provided.

**Provisional accommodations**

For students with a documented history of disability whose documentation fails to meet USG guidelines, institutions are encouraged to provide accommodations provisionally for a period of time (usually one semester) that would be reasonably sufficient for the student to gather the necessary information.
Brain injury can result from external trauma, such as a closed head or an object penetration injury, or internal trauma, such as a cerebral vascular accident or tumor. Additionally, individuals may acquire brain impairment as a result of neurological illnesses, such as epilepsy or multiple sclerosis. ABI can cause physical, cognitive, emotional, social, and vocational changes that can affect an individual for a short period of time or permanently. Depending on the location and extent of the injury, symptoms can vary widely. Understanding functional changes after an injury and resulting implications for education are more important than only knowing the cause or type of injury.

Specific documentation guidelines for ABI include the following:

- General documentation guidelines listed in Appendix D.
- Impairments following an acquired brain injury may change rapidly in the weeks and months after the injury, and a more stable picture of residual weaknesses may not be apparent for 1-2 years after an injury. Therefore, timeframes for currency of documentation may vary substantially, and additional documentation may be necessary to adequately assess the student’s current accommodation needs.
- A diagnosis consistent with the most recent DSM/ICD, if appropriate.
- Documentation of the date or period of time of occurrence and diagnosis.
- Documentation of the nature of the neurological illness or traumatic event that resulted in brain injury.
- Objective (quantitative and qualitative) evidence that symptoms are associated with significant functional impairment in the academic setting. The functional impact of the brain injury must be documented by appropriate, objective measures (e.g., cognitive and academic skills, psychosocial-emotional functioning, and/or motor/sensory abilities) relevant to the academic environment.

Notably, in most cases, a concussion is a temporary condition that will require temporary accommodations for approximately one semester, as deemed appropriate by a qualified professional.