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# Post-secondary access for individuals with psychological disabilities: an analysis of federal rulings and institutional philosophies, policies, and practices

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FLORIDA INTERNATIONAL UNIVERSITY

Miami, Florida

POST-SECONDARY ACCESS FOR INDIVIDUALS WITH  
PSYCHOLOGICAL DISABILITIES:  
AN ANALYSIS OF FEDERAL RULINGS AND INSTITUTIONAL  
PHILOSOPHIES, POLICIES, AND PRACTICES

A dissertation submitted in partial satisfaction of the  
requirements for the degree of  
DOCTOR OF EDUCATION  
IN  
ADULT EDUCATION AND HUMAN RESOURCE DEVELOPMENT

by

John Edwards Chaffin

1998

To: Acting Dean Robert Vos  
College of Education

This dissertation, written by John Edwards Chaffin, and entitled POST-SECONDARY ACCESS FOR INDIVIDUALS WITH PSYCHOLOGICAL DISABILITIES: AN ANALYSIS OF FEDERAL RULINGS AND INSTITUTIONAL PHILOSOPHIES, POLICIES, AND PRACTICES, having been approved in respect to style and intellectual content, is referred to you for judgment.

We have read this dissertation and recommend that it be approved.

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Thomas Johnson

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Janice Sandiford

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Charles Divita, Jr., Major Professor

Date of Defense: June 3, 1998

The dissertation of John Edwards Chaffin is approved.

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Acting Dean Robert Vos  
College of Education

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Dr. Richard L. Campbell  
Dean of Graduate Studies

Florida International University, 1998

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## DEDICATION

With measureless gratitude, the researcher dedicates this dissertation to Dr. R. Louis Batz, whose enthusiastic encouragement and support in all phases of the research were inspirational and decisive factors in its genesis, development, and completion.

This work is also dedicated to the researcher's parents, Dr. and Mrs. Verner (Ethel) Chaffin, whose interest in the study and long-standing emphasis on educational excellence motivated, and served as a foundation for, his research efforts.

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ABSTRACT OF THE DISSERTATION  
POST-SECONDARY ACCESS  
FOR INDIVIDUALS WITH PSYCHOLOGICAL DISABILITIES:  
AN ANALYSIS OF FEDERAL RULINGS  
AND INSTITUTIONAL PHILOSOPHIES, POLICIES, AND  
PRACTICES

by

John Edwards Chaffin

Florida International University, 1998

Miami, Florida

Professor Charles Divita, Jr., Major Professor

This study was a qualitative investigation, with demographic quantitative features, of post-secondary educational access and legal guidelines for individuals with psychological disabilities. Although disability laws have positively influenced post-secondary educational attitudes and practices relative to accommodating many individuals with disabilities, prevailing stigmas regarding mental illness have discouraged the equal access to higher education for individuals with psychological disabilities. Little research concentrating on this area was found.

Thirty-six relevant legal case decisions, focusing on a variety of realms of higher education, were scrutinized. The policies, procedures, and practices of six Southeastern United States universities were analyzed through official documents and participant responses from disability service providers and other university employees. Comparisons were made between legal cases, and within and between universities. Case findings also provided standards through which participating university practices could be studied.

The legal analysis revealed that most institutions did not discriminate against individuals with psychological disabilities. Practices of a few of these institutions, however, suggested non-compliance despite favorable decisions on their behalf. Institutions found to have discriminatory practices were cited for inadequate procedures, or for presumptive assessments of the educational functioning levels of individuals with psychological disabilities.

Participant university practices generally suggested disability law compliance; however, certain campus interventions were determined to be ineffective in identifying, addressing, and communicating about the educational needs of individuals with psychological disabilities. The most effective services for these individuals, who were described as rapidly increasing in number but lagging in self-advocacy and acceptance by others, went beyond legal requirements.

Recommendations were made for institutional practices concerning disability-related documentation, written standards and operations, and student identification and referral. Directions for future research focused on study skills training for students; exposure of mental health professionals to client educational needs; and expansion of the current research, on a nationwide collegiate level, and a parallel analysis focusing on business and industry.

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POST-SECONDARY ACCESS  
FOR INDIVIDUALS WITH PSYCHOLOGICAL DISABILITIES:  
AN ANALYSIS OF FEDERAL RULINGS  
AND INSTITUTIONAL PHILOSOPHIES, POLICIES, AND PRACTICES

Chapter I: Introduction

Background of the Problem

History

Historically, individuals with disabilities have been regarded by the non-disabled population with scorn, pity, fear, condescension, and avoidance. For hundreds of years, infants born with physical disabilities were killed, and those who grew into adulthood were often considered unfit for regular employment, marriage, and education. This pattern persisted well into the 20th century, and was marked by individuals with physical disabilities being institutionalized, sequestered in back bedrooms of homes, or if more fortunate, eking out a living in sheltered workshop settings where they performed menial tasks for equally menial pay (Zwelling, 1985).

For individuals with psychological disorders, similar or worse treatments prevailed throughout history and the recent past. Those diagnosed with serious disorders which affected mood, cognition, and behavior often lived out their lives in institutions, separated from the rest of the population which largely feared and misunderstood them and judged them to be weak in character and

lacking in moral fitness. The same pattern held true for individuals with psychological disorders which had a lesser impact on cognitive and behavioral activities (Kroll & Bachrach, 1984).

In the latter half of this century, scientific research has had a major influence in changing public perceptions through biologically and genetically based explanations for psychological disorders. Over the past several decades, widespread deinstitutionalization of individuals with mental illnesses, advances in producing effective psychotropic, symptom-reducing medications, and community-based rehabilitation efforts have contributed to the integration of these individuals into society and provided them with a greater functioning capacity than ever before (Mancuso, 1996). Research findings have resulted in increasing tolerance and acceptance for those with psychological disorders, although prejudices persist (Chess, 1988; Unger, 1992).

### Disability Law

Increased public acceptance of individuals with disabilities has been advanced in part by federal legislation designed to ensure their fair treatment. The Rehabilitation Act of 1973 (Public Law 93-112) provides disability-related accommodations for qualified individuals in federally-funded programs, and the Individuals with Disabilities in Education Act (IDEA) of 1975 (Public Law 94-142), amended in 1990 (Maroldo, 1991), covers such access in primary and secondary education. The Americans with Disabilities Act (ADA) of 1990

(Public Law 101-336) mandates disability-related access in publicly-accessed institutions and in other settings and situations not covered by the 1973 law (Barlow & Hane, 1992).

Since the passage of the Rehabilitation Act of 1973, post-secondary institutions which receive federal funding, most often through federal financial aid and grant programs, have been required to provide equal access to education for qualified individuals with disabilities. The ADA's Title II covers all state and/or federally-based institutions; Title III covers private institutions accessible to the public, federal funding notwithstanding (Lissner, 1992).

Both the Rehabilitation Act and the ADA adhere to common factors for protection from discrimination, extending such protection to those (a) with one or more disabilities, defined as a substantial limitation to one or more of life's major activities; (b) with a record of disability; and/or (c) who may be regarded as having a disability (American Council on Education, 1995). The ADA does go beyond Section 504 in requiring institutional and corporate architectural compliance and compliance in other areas; however, for the purposes of studying institutions of higher education, the two laws are virtually identical (Jarrow, 1992).

The number of college students with disabilities has dramatically increased in the past two decades. In 1978, 2.6% of all entering college freshmen reported having a disability; by 1991, the figure had risen to 8.8%

(Henderson, 1992). More recently, in 1994, 9.2% of all entering college students disclosed disability status (Henderson, 1995). This rapid growth has resulted in more students requesting more accommodations from the post-secondary institutions than ever before (Brinckerhoff, Shaw, & McGuire, 1993).

This increase likely has been influenced by the Rehabilitation Act and IDEA, which initially facilitated disability-related access at all levels of education. Although most institutions of higher education have been covered by disability law, per Section 504, since 1973, as noted by Rothstein (1995), advocacy of disability rights and compliance with disability law did not become heavily emphasized until the late 1980s and early 1990s. This delayed effect may have been due in part to the arrival on college campuses of the first generation of individuals covered by IDEA, who had grown up with heightened disability-related awareness of services and rights. The ADA's passage in 1990 and implementation in 1992, accompanied by increased awareness of disability-related protections, may have been influential as well (Rothstein, 1995). The ADA influenced public awareness of disability-related issues, primarily through media exposure, which affected, if indirectly, the requests and responses of students with disabilities and their institutions of higher education.

## Disability-Related Services in Post-Secondary Institutions

Colleges and universities are precluded by the Rehabilitation Act and the ADA from discrimination in the admissions process, including recruitment, application, testing, interviewing, and acceptance decision efforts. According to Thomas (1991), matters related to disability law compliance could be organized into three categories: (a) admissions, (b) academic adjustments, (c) and internal institutional procedures.

Students are obligated to deliver adequate disability-related documentation for requests, and according to law, institutions are obligated to provide reasonable accommodations (referred to as academic adjustments in academe) as long as the services provided are not unduly burdensome and do not compromise proven essential requirements of the educational program. Each request must be scrutinized on a case-by-case basis (Tucker, 1996).

Academic adjustments may be quite varied, and include examination modifications such as extended time and alternate testing formats; they may also include classroom-oriented auxiliary aids and services, such as sign-language interpreters, readers, and note-takers. Less frequently considered accommodations include academic program modifications such as course substitutions and waivers and other exceptions to degree requirements (Hasbrouck, 1993). Institutions need not provide any accommodation that can be justified as an undue hardship to, or fundamental alteration of, its proven

essential program requirements. (Unger, 1992). All accommodations are intended to provide equal access for students with disabilities, not guarantee success or provide advantages over other students. (Brinckerhoff, Shaw, & McGuire, 1993).

In addition to admission practices and academic adjustments, institutions must also provide and publish a process for appealing disability-related grievances. The law states that institutions may not retaliate against individuals seeking internal grievance procedures or external remedies through legal channels (Jarrow, 1992). Colleges and universities must designate a “coordinator” position responsible for the direct handling of disability-related matters concerning employees and students, and many institutions have gone beyond that to include separate disability service offices in their administrative structure (Rothstein, 1995).

By definition per Section 504 and the ADA, accommodations for individuals with psychological disabilities need include only those conditions which meet the laws’ three-part disability-related qualifications. Thus, a psychological diagnosis which is relatively mild or short-term in nature, such as adjustment disorder or bereavement (American Psychiatric Association, 1994), will not necessarily be classified as a disability (Mancuso, 1996).

Suggested accommodations for students with psychological disabilities, according to Unger (1992), are similar to those recommended for students

with other disabilities: (a) extended time and alternate locations for examinations, (b) note-takers and tape-recording for class lectures, (c) special classroom seating arrangements, (d) and priority registration procedures. Students may also be allowed to take beverages to class to counteract medication effects.

Equally effective and important accommodations may go beyond what is required by law: training and study skills and time management, suggested by Unger (1992), campus support participation, and regular contact with disability service providers, recommended by Blacklock (1997). Working effectively with these students may be difficult without specific procedures in place for determining adequate documentation of disability. According to Blacklock (1997), documentation should (a) be from a qualified mental health professional, (b) explain the nature of the disability with a specific diagnosis, (c) suggest the disability's academic impact(s), (d) offer clinically-based recommendations for academic adjustments, and (e) provide for ongoing communication with the mental health professional.

#### Authority of the Office for Civil Rights and the Federal Courts

Since the enactment of Section 504, the Department of Education's Office for Civil Rights (OCR) has been charged with implementing regulations and oversight relative to compliance with the statute for post-secondary institutions receiving federal funding. Since the passage of the Americans with

Disabilities Act of 1990 (ADA), OCR has had oversight in regulating publicly-funded institutions regarding specific ADA provisions which supersede Section 504 (W. Opperman, personal communication, July 10, 1997). Individuals who perceive discrimination on the basis of disability may file complaints with OCR. They may also commence court proceedings with a federal district court (J. Smith, personal communication, March 15, 1997). Expanded coverage of these procedures, and the relevant implementing regulations guiding the laws, are discussed in Chapter IV.

### Statement of the Problem

A number of problems associated with addressing the post-secondary educational needs of students with psychological disabilities have been revealed through the following discussion. These problems focus on societal and institutional attitudes toward these students, and pertain to institutional procedures, as well as official rulings through OCR and the federal courts.

### Societal Attitudes

Many individuals with mental illnesses have sought opportunities in independent living and integration into society, including pursuits in employment and education. In addition to supportive services provided by community-based and/or state mental health agencies, individuals with

psychological disabilities may be entitled to accommodations in their jobs, and at the post-secondary institutions they attend (Mancuso, 1996).

Individuals with psychological disabilities, unlike those with other disabilities, often are reluctant to admit, to themselves and to their institutions, the nature of their disabilities, due in part to continuing negative societal attitudes toward individuals with these disabilities. As students, these individuals often do not view themselves as having disabilities as students with other disabilities so view themselves (Weiner & Wiener, 1996). This self-concept, therefore, results in missed opportunities for accommodations for those with psychological disabilities.

### Post-Secondary Attitudes

Relatedly, post-secondary institutions have been slow to recognize individuals with these disabilities as having specific needs of their own (Unger, 1991). Surveys conducted in U.S. colleges and universities, indicated that students with disabilities were categorized by physical, learning, chronic health, or other disabilities. The category “other” invariably included students with psychological disabilities, reflecting the lack of specific focus on this type of disability. (Henderson, 1995).

In addition, institutional attitudes toward students with psychological disabilities are influenced by ignorance about these students’ disabilities and capabilities for functioning. This lack of understanding, often based on

stereotypic views of psychological disabilities, results in denial of both educational services (admission and academic adjustments), and due process (disciplinary actions). Influenced by prevailing “myths of mental illness” and unfamiliarity with this population, institutional personnel who otherwise would be sensitive to, and open-minded toward, the needs of students with disabilities may be apprehensive about the mere presence of those who have psychological disabilities (Cooper, 1997, p. 2).

### Post-Secondary Policies and Procedures

According to Darden (1997), accommodating students with psychological disabilities represents a formidable challenge for institutions of higher education. Once these students are identified, appropriately accommodating them may be difficult for disability service providers (hereinafter referred to as DSPs) unfamiliar with these students’ disabilities and needs. DSPs may also be daunted by, and lack the resources to provide, supportive services not legally required yet effective.

Working with these students without specific procedures and guidelines for obtaining adequate documentation and providing effective systemized services encourages administrative confusion. Further, this deficiency undermines credibility in determining and providing accommodations for these students, encouraging inadequate accommodations and services as well as noncompliance with disability laws.

## OCR and Federal Court Decisions

The lack of comprehensive research focusing on legal guidelines from OCR and the federal courts has provided little direction for institutions of higher education which lack understanding of (a) the nature of psychological disabilities; (b) the academic qualifications of those with these disabilities; and (c) the means of identifying, documenting, and addressing the needs of these individuals. These factors, along with the stigmas fueling the reluctance of students with these disabilities to self-identify and self-advocate, reinforce the lack of post-secondary advancement by these students. As a result, students with psychological disabilities may be denied the access to higher education that non-disabled students and students with other disabilities have.

## Purpose of the Study

In light of the complex of problems noted in the preceding section, two purposes were proposed for this study. Given the absence of in-depth examination of OCR and federal court decisions involving psychological disability-related issues, one of the purposes was to analyze, in a comprehensive manner, these decisions within the six-year period, 1990-1996. Cases were examined in terms of the nature of the complaint, the institutional characteristics, and the decision reached. In addition, specific sections of the

federal regulations guiding these decisions were reviewed, analyzed, and explained.

Given that analyzing official documents provides at best a static portrayal of this area of research, a second purpose of this study was to analyze current practices, philosophies, and perceptions within selected higher education institutions. This institutionally-oriented analysis profiled the current state of affairs relative to campus responses to individuals with psychological disabilities and determined needed improvements in these responses. Conducting this analysis through document examination and interviews with key individuals (including disability service providers, counselors, and other appropriate university personnel) supplemented information gained from official rulings and served as a current comparison to those rulings. An analysis of institutional practices determined the level at which procedures are in place, formalized, written, known, and publicized. In addition, the nature of post-secondary response to students with psychological disabilities, and the degree to which university personnel are equipped with knowledge relative to interacting effectively with these students was studied. Through this analysis, each of these areas of scrutiny was assessed in terms of its compliance with disability law.

### Significance of the Study

Previous studies of students with disabilities in higher education have generally focused on physical and/or learning disabilities. Studies involving students with psychological disabilities, however, have been relatively few in number. Further, no study focusing on psychological disabilities has analyzed either OCR or federal court decisions in conjunction with institutions of higher education.

Therefore, this study is significant in the information it has amassed which otherwise has been lacking. Additionally, it focuses attention on areas of access in need of improvement for students with psychological disabilities in higher education. This should benefit not only post-secondary institutions and their current students with psychological disabilities but also individuals with such disabilities who endeavor to study at America's colleges and universities in the future.

Given OCR and federal court influence over institutions of higher education, examining the relationship between psychology disability-related issues and legal responses to those issues was thought to be paramount. The corresponding analysis of institutional practices was vital in exemplifying the breath and depth of supports provided for these students.

### Areas of Inquiry

A number of areas of inquiry were central to obtaining post-secondary responses concerning individuals with psychological disabilities. These areas were derived from the stated research purposes and problems associated with this study. They guided the focus on OCR and federal court decisions and the post-secondary institutions selected for study.

In the legal arena, areas of inquiry were internally directed, as they guided the examination of legal documents. In the higher education arena, areas of inquiry were both internally targeted toward institutional documentation of statements, written procedures, and other communications; and externally directed, toward institutional participants principally involved with students who have psychological disabilities. From these areas of inquiry, specific questions for participants were developed.

These areas of inquiry were categorized. A full listing and expanded discussion is provided in Chapter III, Methodology.

### Definition of Terms

As this study is concerned with an area of investigation not entirely germane to colleges of education, the researcher has provided a separate section dealing with the terms used extensively throughout this study. Many of these are legal terms, and their definitions are derived from actual legislation or texts

of law. Others concern the study of psychology and related disorders. This list, which is quite extensive, is presented in Appendix A.

### Assumptions

Several assumptions were made in order to facilitate this study. It was assumed that:

- the post-secondary institutions contacted would have some degree of formalized, centralized services in place for students with disabilities, although the specific characteristics of these services could not be assumed in advance of inquiries made.
- each institution was organized within the construct of a traditional pyramidal structure consisting of (a) senior administration, (b) a number of administrative offices serving various student needs, and (c) faculty.
- DSPs would provide access to documents containing policies and procedures concerning students with disabilities.
- DSPs would share or provide access to student demographic information.
- DSPs would seek to facilitate access to other individuals within the institutions, including other personnel and students.
- with respect to participants, honesty in responding to the researcher's interview questions was assured.
- categories and themes would result from information derived from participant responses.
- this information would be subject to comparison with findings from other universities in this study.

- categorical and thematic results would follow from the legal analysis portion of this research, and that categories and themes would form the basis for comparing official actions with institutional practices.

### Limitations and Delimitations

Learning disabilities and mental health-related disabilities are each considered psychological disabilities, as they are both classified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (American Psychiatric Association, 1994). This comprehensive reference, commonly referred to as the DSM-IV, is regarded as an official source of diagnoses of mental disorders in use by mental health professionals. In practice, however, mental health-related disabilities alone are regarded as psychological disabilities, while learning disabilities are not.

The term “psychological” refers to individuals’ disabilities assessed and treated by licensed psychiatrists, psychologists, clinical social workers, or mental health counselors, depending on applicable state licensing regulations. Moreover, the use of the term “disability” in this context may be explained by referring to the legal definition of this term, through which only those mental health conditions which are of sufficient severity and/or chronicity may be seen as warranting this designation. This explanation avoids classification (arbitrary or otherwise), in which certain diagnoses are included and others not; such a

procedure would compromise the case-by-case philosophy inherent in the intent of the disability laws and their regulations.

The legal analysis segment of this research focused exclusively on OCR and federal court decisions set forth during the years 1990 to 1996. Within that temporal framework, all relevant decisions pertinent to individuals with psychological disabilities were analyzed. All post-secondary investigations, and institutions which are parties in these cases, were considered regardless of institutional type (i.e., public, private, two-year, or four-year).

Concerning the institutional analysis portion of this study, colleges and universities were delimited to six regionally accredited institutions in the Southeastern region of the United States. The numerical delimitation allowed an in-depth analysis of practices, and access to appropriate personnel that would be unfeasible with less proximal, and greater numbers of, institutions. The regional accreditation delimitation was designed to ensure a degree of standardization among institutions, per the regulations promulgated by the Southern Association of Colleges and Schools (SACS), the regional accrediting body for post-secondary institutions in the Southeastern United States.

Of the universities studied, all offered both graduate and undergraduate degree programs. This delimitation provided a means of comparing the participant responses based upon institutional type and related student populations. Two-year community colleges were not included in this study due

to the differences in administrative structure and overall educational objectives found in those institutions.

Participant delimitations were made for this study. DSPs shared circumstances, practices, and experiences related to the focus area of the study. Other individuals employed at the institutions were contacted based on recommendations from the DSPs. These individuals consisted of representatives from the counseling centers and from admissions and equal opportunity offices. Other personnel with non-specific roles were contacted for certain information.

In consideration of their equal, if not greater, significance, the experiences of students with psychological disabilities were solicited. No student contacted the researcher in this regard.

Delimitations of time were also present in this study. The legal analysis portion of this research was conducted over non-contiguous one month periods during the spring and fall semesters of 1997. Interviews with university personnel took place during the latter part of the fall semester and the early part of the spring semester of the 1997-1998 academic year.

Delimitations related to location of research were present. Research took place in on-campus settings, allowing the researcher access to key university personnel and institutional documents. Telephone contacts were made with participants when necessary.

Instrumentation was delimited primarily to qualitative strategies consisting of legal and institutional document analysis and interviews with participants. Quantitative information was delimited to (a) demographic information available on the number of students with psychological and other disabilities and (b) data on decisions reached (e.g., rendered for institution or individual) in the OCR and federal court cases examined, and the specific foci of these cases (e.g., admission, course practices and academic dismissal).

### Organization of Chapters

Chapter I, the introductory chapter, provides the background of the problem and the problem statement. The chapter continues with the study's purpose, its significance, and the areas of inquiry governing questions for documents and participants. Assumptions guiding the study are provided, as well as the limitations and delimitations which establish its parameters. An organizational framework for the study's chapters is provided, along with a summary of the chapter.

Chapter II, the Review of the Literature, presents previous research on (a) psychological disabilities and higher education, (b) higher education-related legal actions by individuals with disabilities, (c) higher education and non-psychological disabilities, and (d) disability-related training efforts in higher education.

Chapter III, Methodology, explains the strategies used in this study, including instrumentation, analytical treatment of data, observations, and interviews. Given the qualitative nature of this study, experimental controls and statistical treatments are not included.

Chapter IV, Presentation and Analysis of Legal Data, presented the review and analysis of selected legal cases pertaining to higher education and psychological disability. An explanation of key federal regulations underscored the decisional criteria in the cases.

Chapter V, Presentation and Analysis of Institutional Data, provides a reporting and examination of participant responses and documents from the universities studied. All information is discussed in various dimensions pertaining to demographics, operations, accommodations, interactions, and perspectives relative to individuals with psychological disabilities.

Chapter VI, Summary, Conclusions and Recommendations, recapitulated the study's legal and institutional findings. Conclusions are presented, along with recommendations for higher education practices and future research.

### Summary

In this introductory chapter, the researcher provided a justification for the study. Through background information, a foundation was laid to explain

the underlying dynamics generating the basis for this research. These dynamics were explored further, leading to a set of problem statements which delineated the discrepancies between the actual and the ideal state of affairs relative to higher education access for individuals with psychological disabilities. The study was found to be significant in light of its relevant findings about this under-represented domain of research.

The lines of inquiry advanced in this study provided a template for analyzing written and spoken information. An examination of pertinent documents (e.g., legal cases, institutional policies, guidelines, and other published statements) was undertaken with a series of questions designed to amalgamate this written information. Equally important, questions directed at individuals acquainted on a professional level, with college students who have psychological disabilities, facilitated obtaining constructive information about the relevant circumstances concerning these students.

Although the questions were meant to solicit a wide range of information, the settings in which this information was obtained were limited in scope, as this study was not intended to offer a large scope of information across geographical regions. Given the lack of previous research applied to the area of psychological disabilities (particularly in higher education), a geographically-contained, depth-oriented focus was seen as appropriate in this research.

## Chapter II: Review of the Literature

Over the past ten years studies conducted relative to disabilities in higher education focused on individuals with learning disabilities and specific physical disabilities. These studies took place in a variety of higher education modalities determined by parameters such as specific educational program, institutional type, and geographic location. The majority of these studies were quantitative in nature.

To date, research related to individuals with psychological disabilities in higher education has been minimal. Of the few studies dealing with mental health-related disabilities, one was a singularly focused quantitative study concentrating only on institutional policies and procedures (Discala, 1993). Another examined transitional issues between secondary and post-secondary education (including vocational education) for individuals with mental illnesses and emotional disturbances (Bulik, 1995). One qualitative study concentrated on student perspectives within a single university, and another offered a curricular model, in which students with psychological and learning disabilities were the focus (Glines, 1988).

A few studies focused on federal court and/or OCR decisions relative to disability compliance in higher education (Howman, 1995; Liberman, 1987; Sahlstrom, 1994; Thomas, 1991). These investigations, however, focused

either on disabilities in general, or on specific non-psychological disabilities. Other studies concentrated on the perceptions of post-secondary personnel who had varying degrees of direct exposure to individuals with disabilities (Blosser, 1985; Geis, 1990; Madaus, 1996; McCarthy, 1996). In these studies, the collegial administrators were asked for their perceptions of matters central to the operation of disability-related services; namely, their comfort level with legal mandates for higher education and their priorities concerning effective delivery of these services.

Discala (1993) surveyed designated Carnegie Research institutions to ascertain the breadth and depth of policies and procedures relative to individuals with “emotional or mental impairments.” An analysis was made, and findings indicated that no significant differences existed between public and private research institutions; however, it was found that many universities did not provide adequate due process for these students.

A qualitative needs assessment was conducted by Weiner and Wiener (1996) in a single Canadian university. This study focused on concerns of students with psychological disabilities, yielding findings related to low self-esteem, high levels of stress, and problems with attention, disability-related stigmas and trust.

In 1995, Bulik focused on the transition needs of emotionally disturbed and learning disabled individuals from high school to adult and post-secondary

environments. Recommendations were made for special education oriented to self-directed adult learning rather than merely to employment.

Glines (1988) offered a collegiate curricular model for students with learning and psychological disabilities. In this study, a classical liberal arts curriculum and a psychotherapeutic program was combined.

### Higher Education-Related Legal Actions by Individuals with Disabilities

A number of studies have focused on the analysis of administrative and federal court decisions pertaining to individuals with disabilities and higher education. The majority of these, however, have centered on disabilities in general, rather than on specific categories, and they investigated time periods earlier than those this study was designed to contemplate.

Howman (1995) examined the actions taken which led to the creation and enactment of Section 504 of the Rehabilitation Act of 1973. The effect of the law on higher education was also analyzed. The study revealed that Section 504 was molded by processes involving the federal courts, a variety of federal agencies, and Congress. The impact of special interest groups, the public, individuals with political connections, and the perceptions of relevance to current political issues were uncovered as well.

In essence, Howman's study determined that the majority of colleges and universities had achieved some level of compliance, but that complete

compliance across the U.S. had not yet been realized. Recommendations were made for future studies to ascertain actual compliance levels, institutions costs of compliance, motivation (other than Section 504) for college attendance by students with disabilities, and the effects of the possibility of federal fund removal as a motivator for institutional compliance.

Liberman (1987) analyzed the federal regulations which implemented Section 504 of the Rehabilitation Act of 1973, and examined almost 500 federal cases to reveal judicial interpretations of those regulations. Findings were issued relative to requirements for compliance in federally-funded institutions of higher education, and dimensions of the law were discussed, including conflicts between the protection of public rights and disability-related rights of individuals with contagious diseases. Additionally, the statute's definition of "program or activity" and the Fourteenth Amendment's "equal protection" for individuals with disabilities were discussed. In reflecting upon Section 504's wide-reaching protections for individuals with disabilities, the study also revealed the statute's limitations. Liberman further recommended changes in line with judicial rulings, including increased levels of judicial scrutiny pertinent to the discrimination of individuals with disabilities. Also suggested was the creation of an affirmative action dimension and an Equal Rights Amendment based upon disability.

Thomas (1991) focused on judicial rulings, federal regulations, and associated publications relative to Section 504. The study sought to determine standards for higher education implementation of the statute and the feasibility of those standards in post-secondary institutions. Triangulated research efforts focused on case law, federal regulations, and actual post-secondary actions. The legal concepts of reasoning by analogy and doctrine of precedent were used in this analysis, which resulted in 17 standards recommended for academic policies and procedures for such institutions. The standards were grouped into three areas: admissions, academic adjustments, and internal institutional procedures. Using naturalistic inquiry, the standards were then practiced at a university and a community college, indicating general compliance with the law, with a few nonsignificant exceptions.

In 1994, Sahlstrom analyzed ten years of case law, from both the legal and content approaches, relevant to the Individuals with Disabilities Education Act (IDEA) (which pertains to primary and secondary education), as well as appropriate cases under the Americans with Disabilities Act (ADA). The following nine reasoning concepts were discerned to have been used by the federal courts in rendering decisions:

- free appropriate public education
- child benefit
- appropriate educational benefit
- inappropriate individualized education plan
- procedural delays

- least restrictive environment
- transportation obligation
- medical services exclusion; and
- attorney fees

Recommendations were made for increased emphasis on policy research over discipline research, and speculations about the long-range benefits of this change and its ultimate outcomes were stated as being yet undiscovered.

### Higher Education and Non-Psychological Disabilities

In addition to the greater number of analyses of court and administrative decisions with respect to disabilities in general, a lesser number of studies has been conducted which focus on these areas relative to specific, non-psychological, disabilities. The National Association of College and University Attorneys (Kaufman, 1991) reviewed the laws and litigation pertaining to drug and alcohol addiction as disabling conditions concerning access to a variety of programs in post-secondary institutions. Scott (1994) reported on federal and administrative decisions and established guidelines related to serving students with learning disabilities. Recommendations were made for institutional programs, courses, student qualifications, appropriate documentation and academic adjustments.

In 1995, Weldon analyzed 30 federal court cases and 3 enforcement agency rulings dating between the years 1977 and 1993 which dealt with discrimination on the basis of hearing impairment. In addition, she conducted

interviews at selected Georgia public colleges to determine the extent of compliance in this area.

Findings were categorized as follows: (a) procedural matters involving admissions, recruitment, and dismissal; (b) provision of accommodations and auxiliary services; and (c) matters regarding access to non-academic programs and services. Weldon stressed the need for higher education administrators to follow case law and judicial rulings.

In light of the current study's implications relative to current strengths and weaknesses regarding DSP knowledge of disability laws, a review of other studies focusing on related matters was deemed appropriate.

McCarthy (1996) surveyed senior student affairs administrators at Alabama's higher education institutions to determine their "comfort levels" related to the importance of legal issues. Respondents reported they felt the greatest degree of comfort with equal protection and administering proper due process in expulsion hearings. They ranked as most important for staff development and training (a) due process, (b) equal protection, and (c) laws pertinent both to disability and protection of student records.

Earlier, Geis (1990) surveyed 15 acknowledged experts in the area of higher education and learning disabilities and 30 DSPs in public four-year institutions concerning the appropriate institutional response for compliance with disability law. The dimensions along which the respondents were surveyed

had been determined by a review of the literature, focusing on practices to which references were made at least three times. Based on the results, Geis developed a descriptive guide for higher education administrators charged with overseeing disability-related compliance.

### Disability-Related Training Efforts in Higher Education

Research by Blosser (1985) laid the groundwork for developing professional education for DSPs. He sought to ascertain the actual, versus ideal, roles for DSPs and the impact of specific master's level courses to further those ideals. Recommendations were made for training in general and specific areas, as well as practica/internship experiences, and the general need for standards in student personnel administration was discussed.

Madaus (1996) later surveyed 800 disability administrators associated with the Association on Higher Education And Disability (AHEAD) on their perceptions of essential roles and functions provided by disability services in higher education. Data were categorized and analyzed, and results indicated that respondents perceived direct service and administrative functions to be of the most importance. In examining differences in the responses, Madaus found the results indicated that program and staff size were the greatest influences on the variability of responses. Results further indicated that smaller programs and staff were related to a greater emphasis on direct service than larger programs

and staff. Recommendations for future research identified training, qualification needs of administrators and the development of professional guidelines for the administration of higher education disability services.

Among other things, these studies recommended training to address areas of deficiency related to knowledge and practice in disability services. Given the potential recommendations of this research for training in the specific area of psychological disability services, other studies which focused in greater depth on disability-related training for appropriate personnel follow.

In 1983, Pomerantz selected 75 full-time faculty at Temple University to participate in one of two training modules developed for disability awareness and sensitivity. The control group was exposed to neither module. The experiment was designed to elicit answers from the following areas:

(a) effectiveness of the modules in influencing improved faculty attitudes toward individuals with disabilities; (b) module effectiveness in improving faculty attitudes relative to educational issues for individuals with disabilities; and (c) effectiveness of the modules in influencing changes in behavior from faculty toward students with disabilities.

At the conclusion of the training, all subjects completed two attitude instruments, Yuker's Attitudes Toward Disabled Persons Scale and Fonosch's Attitudes Toward Treatment of Disabled Students Scale. Pomerantz's findings indicated no significant differences between the two groups, and suggested that

attitude measures, in light of the sophistication of faculty, were inappropriate, and that attitude change was too ambitious a target for the training experience.

In the same time period, Cortez (1983) conducted a needs assessment to determine faculty knowledge of disabilities and related instructional responsibilities, as well as attitudes toward training in these areas. Based on the information received, a training curriculum was developed in several disability-related areas: role-playing and sensitivity activities, conditions, instructional techniques, and legislation. Training was conducted by experts in the field with disabilities who were colleagues of the faculty. Faculty ( $n=41$ ) were divided into experimental and control groups in which a post-test-only design was used. The Attitudes Toward Disabled Persons (ATDP) scale was used to assess attitudes, and a criterion-referenced test was used to measure knowledge gained through training.

A one-way analysis of variance was performed which indicated significant differences between the experimental and control groups in knowledge and attitudes. Cortez's recommendations were offered in the form for improvements of faculty knowledge and attitudes relative to students with disabilities, as well as a suggestion for further research efforts (Cortez, 1983).

More recent research on training activities has taken place. Ten years after the earlier studies, Burgstahler (1994) reported on research compiled relative to faculty attitudes toward students with disabilities. The researcher

suggested ways of improving these attitudes, including: (a) increasing faculty awareness of legal obligations, (b) types of disability, (c) techniques for working with students with disabilities, and (d) appropriate accommodations. Training in these areas was recommended, and examples of such training were presented.

Other recent studies had different foci within the area of training. Gregory (1993) developed a training module for the University of Missouri-Columbia to orient higher education personnel to campus services provided for students with disabilities. This training also included outside resources such as community agencies and national associations. Van-Meter (1993) proposed a revised means of disability service delivery in which personnel at post-secondary institutions could facilitate pro-activity, instead of dependence, in students with disabilities by assisting them to meet their own related needs.

Johnson (1994) reported on the development of a series of training modules for faculty and staff at the University of Minnesota. The modules focused on the following areas:

- a paradigm shift from a medical model to an interactional model
- legislation
- seven categories of disabilities
- communication improvement techniques
- workplace accommodations
- simulation activities related to workplace accommodations
- personal, career, and academic counseling techniques
- activities related to gaining employment

- videotaped illustrations of workplace accommodations, and
- encouragement of students with disabilities to make disability-related presentations at workshops

### Summary

Based on this review of the literature pertinent to higher education and individuals with disabilities, a number of studies noticeably focus on some of the same dynamics as does this research. Several studies are devoted to the analysis of federal regulations and legal decisions by OCR and the courts. Although there is some overlap between the specific laws examined in previous studies and this research, the former did not examine regulations and laws specific to the psychological focus inherent in the current study. Additionally, the cases sighted in the previous research were concerned with different time periods. Therefore the current study is distinguished from those previously conducted.

Other previous research that investigated psychological disability-related matters in higher education were different as well. These studies differed from the present study in their research methodology and/or foci. Furthermore, none of them attended to legal analysis with the intensity found in the current research.

In addition to the studies related to the current research, other works explored dimensions not found in this research. Although the overriding area

of disability-related access in higher education gives these studies and the current research a common ground, the specific foci and differing methodology of the other studies creates boundaries between the earlier undertakings and this research.

The studies that were analyzed illustrate a number of similarities between their areas of study and their means of achievement. This review of the related literature, however, establishes that these similarities are relatively insignificant and indicates that the current research is not a critical level replication of any of them. Through this review, the unique nature of the current research is highlighted and its exploration justified.

### Chapter III: Methodology

This study had two purposes. One was to analyze, in a comprehensive manner, federal court and OCR decisions involving psychological disability-related complaints within the six-year period, 1990-1996. The second was to conduct an in-depth analysis of current practices, philosophies, and perceptions within selected higher education institutions.

Summaries of legal decisions pertaining to higher education and psychological disability were selected through three sources in a two-stage process. After selection, the summaries were focused into sub-topics, and further condensed through two stages, then reorganized using an outline developed for the analysis of these legal documents.

On the institutional level, appropriate individuals at selected Southeast United States universities were contacted to determine each institution's policies and practices relative to students with psychological disabilities. Documentation from these institutions was collected, reviewed, and analyzed. Related findings were amalgamated into participant responses, resulting in a comprehensive analysis of institutional practices and philosophies.

Three types of purposeful sampling techniques were employed: chain sampling, homogeneous sampling, and criterion sampling. These qualitative

sampling procedures are discussed in greater detail in a forthcoming section of this chapter.

This study was primarily qualitative in nature for a number of reasons. The importance of examining OCR and federal court decisions, which provide a definitive set of legal guidelines for institutions to follow, has been noted previously in Chapter I. This legal analysis was qualitative by necessity, in that it involved searching for key points, common characteristics, and resulting trends from the documentation. Categorization of findings, a central component of qualitative methodology, was essential in advancing a coherent analysis of these documents.

In general, the qualitative nature of this research was deemed appropriate in light of its exploration into an area of study upon which there has been little focus. The current state of affairs relative to higher education and individuals with psychological disabilities was best examined by procedures allowing for contextual and dimensional discoveries of overlapping or polarized areas, themes, and other categories. These discoveries resulted from the analyses of institutional documents and interviews with appropriate individuals. Based on discoveries made, follow-up research of a quantitative nature was seen as exploring the breadth of new information in this area of research, while drawing on the depth of existing information ascertained through the intensive, qualitative focus of this study.

## Review of the Methodological Literature

In quantitative studies, one or more statistical procedures may serve as instruments guiding research. Contrastingly, in qualitative research, the primary instrument is the researcher, who directs the design of the study with the assistance of qualitative methodological research design techniques to maximize the outcomes of the study. Given that a qualitative research design may be only a rough blueprint prior to undertaking this type of study, the researcher's importance in guiding the development and outcomes of the research is paramount (Patton, 1990).

In addition to the researcher's significance, the qualitative study relies on organizational formats, procedures, and philosophies which generally set this type of research apart from quantitative studies. In contrast to quantitative studies which focus on representative sampling techniques for generalization to larger populations, qualitative studies examine specific features of an area of research in increased depth and detail without as much regard for generalization, often compromising the breadth inherent in the contrasting quantitative designs (Maxwell, 1996).

According to Patton (1987), determining the levels of breadth and depth in qualitative studies is one of the primary challenges of this type of research. Guba (1978) referred to the need to establish effective boundaries with the intent of placing defining controls and limits on qualitative studies,

without which such studies lack clear direction and focus. The researcher's role as primary research instrument is to determine the appropriate balance of these two variables.

Patton (1987) described the key distinguishing features of qualitative research in terms of its initial uncertainty of outcomes in its exploration of interactions, processes, descriptive data, and unique individual participant experiences. Within this framework, one or more units of analysis comprise samples of individuals or data to be studied, with components subdivided for study as necessary. Instead of efforts toward standardization of data for generalization to a larger population, qualitative research seeks a richness and variety of data as reflecting the complexion of the area of study, as expressed by the individual entities within the unit(s) of analysis.

A number of purposeful sampling techniques may be employed. These may be contrasted with quantitative strategies which emphasize randomness in participant selection (Maxwell, 1996). Sampling methods used in the present study are included in this discussion.

Homogeneous sampling defines participants as individuals sharing occupations, cultural heritage, or other dimensions. Criterion sampling, a related strategy, may be used to select individuals based on qualities determined in advance of the study (Patton, 1990). Sampling may build on itself, as in chain sampling which relies on the recommendations of participants

for other key sources of information; saturation may be evident when similarities emerge among participants' information, signalling to the researcher that a given line of questioning has been adequately investigated (Patton, 1987).

According to Patton (1987), these sampling techniques are not “mutually exclusive” (p. 58). He recommended, therefore, that researchers employ as many different techniques as may be appropriate to enhancing the credibility of their research aims. Doing so capitalizes on the strengths of each approach and compensates for any inherent weaknesses.

In addition to sampling eclecticism, obtaining data from a variety of sources, known as data triangulation, is recommended. Denzin (1978) recommended a variety of types of triangulation, including data triangulation, involving interactions with a number of different information sources in a study, and methodological triangulation, in which a variety of methods (interviews, documents, observations) are used to examine the area of study.

### Analytical Treatment

In this research, a variety of methodological treatments were employed. The units of analysis in this study were twofold. The first, legal documents, consisted of OCR and federal court decisions regarding higher education and individuals with psychological disabilities. The second, higher education

institutions in the Southeast United States, was comprised of six regionally accredited universities.

The nine categories, derived from the study's problem statement and purposes, guided the development of questions for entities within the two units of analysis. One of these categories pertained to cases examined in the legal analysis; seven focused on the institutional analysis; one category applied to both legal and institutional units of analysis. The categories and underlying areas of inquiry follow.

- Legal Precedents and Standards: What facts, claims, and legal precedents and standards determine the decision and recommendations relative to each case?
- Demographics: What comparative demographic information regarding students with and without various disabilities is available?
- Institutional Policies and Procedures: What disability-related policies and procedures does the institution have?
- Training: What disability-related training has been offered, to whom and by whom?
- Personal History: What professional backgrounds do university personnel have? What personal and academic perspectives and interests do students have?
- Identification of Students: What information is available about how students with psychological disabilities are identified?
- Needs and Interests of Students: How have students' disability-related needs, interests, and circumstances been addressed?

- Relationships: How have institutional interactions (between instructors and students, instructors and the disability services office, and other institutional personnel) influenced the university's response to students with psychological disabilities?
- Comparisons: What informational comparisons can be made within legal cases, institutional policies and procedures, and institutional participants, as well as between these entities?

The legal analysis focused on post-secondary educational institutions' services to students with psychological disabilities. This portion of the research involved studying each selected document or case, highlighting its key features, and searching for common characteristics bonding it to other cases under study, as well as unique characteristics which set it apart from the other cases. The relevance of cases to post-secondary psychological disability-related compliance was suggested. Based on these strategies, a narrative analysis was developed, organizing institutional obligations relative to student needs into coherent, meaningful recommendations for institutions.

Several purposeful sampling strategies were used. Homogeneous sampling methods were employed, as disability service providers, counseling directors, and representatives of other university offices were contacted due to common occupational roles. Similarly, criterion sampling was used to the extent that participants' anticipated experiences with students with psychological disabilities predetermined inclusion in the study. Throughout this research, a modified form of chain sampling was used. DSPs were the main

link in the chain, serving as referral sources to other participants. DSP recommendations were viewed as pivotal, given that these individuals, more than others, were likely to have trusted associations with, and informed knowledge of, the students. Once saturation, evidenced by close similarities in participant information, occurred, chain sampling ceased to be used.

The methodological triangulation approach was executed in this research. Treatment of legal documents, participant responses, and institutional documents formed the analytical triad requisite for this methodological strategy. This approach provided a well-rounded scrutiny of the current state of affairs concerning the nature of access to post- secondary education for individuals with psychological disabilities.

### Research Strategies

#### Legal Analysis

Data sources. The researcher contacted the U.S. Department of Education's Office for Civil Rights (OCR) to request summaries of OCR decisions pertaining to higher education and individuals with psychological disabilities. Initially, OCR misinterpreted the researcher's request, resulting in the sending of incorrect information. The researcher clarified his request, and OCR then provided information, consisting of five case summaries. Similar

attempts to access federal court decision summaries were met with confusion over mental health terminology by legal reference librarians.

The researcher accessed the National Disability Law Reporter (NDLR), a multi-volume compilation of disability law cases, published by LRP Publications. Through the NDLR, the researcher surveyed approximately 500 OCR and federal court case summaries which focused on higher education and disability. Of these, 30 were selected which pertained to psychological disability. Two other cases were selected from Disability Compliance for Higher Education: Successful Strategies for Accommodating Students and Staff with Disabilities, a publication available to the researcher through subscription. Additionally, the text of the Code of Federal Regulations (C.F.R.), the implementing regulations for laws pertaining to various civil rights, was examined, to identify sections of the regulations applicable to disability.

Data treatment. Using one of the original nine categories, a template was designed which consisted of questions guiding case summary review (Appendix B). Questions were coded “LA,” denoting “legal analysis.” Case summaries from these data sources were reviewed and condensed further, using copies of this template. The researcher referenced and summarized pertinent C.F.R. sections, accessed through NDLR, in explaining their relevance to OCR and federal court decisions.

The hand-written information on the templates was transferred to electronic data files, using WordPerfect 3.5 on a Macintosh LC-III computer. Printed versions of these files were organized by (a) area of focus (e.g., admission, course practices, academic dismissal) in each case and (b) type of decision (e.g., rendered for individual or institution).

The researcher compared cases for consistency, as well as adherence to C.F.R. provisions, in decision-making. In one instance, a professional expert was consulted to investigate the validity of a conclusion in a case. Cases were further condensed, using electronic data files.

At each stage, document notes of the researcher's impressions of the cases' contents were maintained. These notes were included, when appropriate, in the analysis of this information and in the final chapter of the research.

Data presentation. Within the grouping of decision type, case summaries were developed into a narrative, further organized by their areas of higher education-related focus. A narrative explanation of the sections of the C.F.R. was created as a foundation for the legal analysis. An analytical structure emerged, including inconsistencies (a) between case decisional criteria and (b) in interpretations of C.F.R. guidelines. Broad topical areas consisted of the following: Code of Federal Regulations: Relevance to Higher Education and Disability Law, Report of Case Findings, and Analysis.

## Institutional Participant Analysis

General participant procedures. Six regionally accredited universities in the Southeastern United States were selected for this study. Lines of inquiry arising from seven thematic categories guided the development of interview guides (Appendixes C - J) for the types of participants anticipated for inclusion in the study.

Prior to embarking on this research, the researcher conducted pilot interviews with two professional colleagues, individuals not otherwise associated with this study. Approximate length of time needed for interviews was determined.

Participants were selected based on institutional role and referral by other participants. The following representatives of the universities were anticipated: DSPs, faculty, students, and other personnel as recommended by DSPs. Faculty and students, however, were not forthcoming. No DSP could recommend faculty members familiar with psychologically disabled students (a condition necessary for their participation). Despite systematic efforts to contact students, none responded.

In reality, nine DSPs participated and recommended other participants, who also contributed to the study. These individuals included one DSP's supervisor, and from each university one of the following: counseling center directors, and representatives of the offices of admissions and equal

opportunity. Other participants with non-specific roles were recommended for obtaining certain information. In addition, the predecessors of two DSPs (both of whom had been in their positions for a short time) were contacted; only one responded to the researcher's request for an interview.

Due to heavy client loads, counseling center directors were unavailable for face-to-face interviews, resulting in the need for telephone-based interviews with these participants. Even through this means of communication, directors were difficult to reach and telephone appointments were rescheduled numerous times. Contact with one director, initially blocked by the office's administrative assistant (who tried to shield the director from the researcher), was achieved only by enlisting the DSP's help.

Communication with representatives of other university offices resulted from a review of DSP responses which revealed small amounts of missing information. Through follow-up contacts with DSPs, the researcher obtained recommendations for these additional participants. Telephone-based interviews supplied the needed information.

The researcher explained the nature of the research to all participants and provided each a copy of an informed consent form (Appendix K), either in person for face-to-face interviews or by electronic facsimile or mail for telephone-based interviews. Using this form, the researcher (a) explained the nature of the research, (b) promised individual and institutional identity

protection, (c) requested permission to audio-tape interviews, and (d) guaranteed the safe-keeping of audio-tapes and written interview records and destruction of same following the study's completion.

All participants consented to applicable terms of the informed consent form. All with whom face-to-face interviews were conducted consented to audio-taping.

Specific participant procedures: DSPs. The researcher initially contacted DSPs by telephone to explain the purposes of the research and request their participation. Interviews were scheduled with these individuals.

The researcher arranged face-to-face, one-hour interviews with DSPs at five of the six universities. The schedule of one university's DSP would not allow the time needed for a face-to-face interview, necessitating an interview format by telephone, consisting of two contacts of approximately 30 minutes each.

The researcher asked questions of participants during these interviews using printed standardized interview guides. Space was available in the guides for hand-written notes of responses. For all face-to-face interviews, an audio-tape recorder which contained a counter was used. The researcher recorded the tape counter reference numbers (at specific participant responses) for later review.

DSPs were provided copies of a letter of invitation to students (Appendix L) and asked that they supply a copy to each student with a psychological disability registered with disability services. The contents of this letter (a) invited the student to participate, (b) explained the research purposes and goals, and (c) promised identity protection and confidential treatment of all information. Most of these participants agreed to facilitate the letters' delivery to appropriate students. One of them, however, refused to be a self-described "broker," especially for students with psychological disabilities, and expressed having "visions of lawyers dancing on my grave" in contemplating this role.

DSPs recommended contacting other offices, which the researcher visited, to obtain university-wide publications. These participants were asked to provide copies of internal disability services publications and blank copies of forms used in the delivery of services to student with disabilities. All supplied internal publications, but the same DSP who would not aid in student contacts would not release forms, explaining that "I couldn't do that without checking with the university's lawyers first. If you don't hear back from me, that'll mean the answer was 'no.'" The researcher received no further contact from this DSP, and subsequent efforts to obtain this data were unsuccessful.

At five of the universities, participating DSPs gave the researcher tours of their disability services offices. The researcher also visited other offices to

obtain the institutional documents recommended by DSPs. The DSP who could not meet the researcher in person supplied requested forms and publications by mail.

These participants were sent letters expressing appreciation for their contributions (Appendix M). Approximately one month after the interviews, DSPs were sent follow-up letters, again expressing appreciation and requesting their help in facilitating student participation through the standardized student letters (Appendix N).

Follow-up questions to these participants were made for response clarification, either during or after interviews. Additionally, on one occasion, a DSP's comments revealed the need for a follow-up question related to those comments to be posed to each DSP previously interviewed. All follow-up inquiries undertaken after interviews were conducted by telephone.

Representatives of the Association on Higher Education And Disability (AHEAD) were contacted on isolated occasions for assistance in clarifying and confirming the researcher's initial conclusions relative to certain universities' disability law compliance. Specific sections of the C.F.R. were reviewed for this purpose as well.

Specific participant procedures: Other participants. Other participants were initially contacted (Appendixes O - P) by written communication from the researcher. A copy of the questions to be asked and an informed consent

form were enclosed for each participant. Through follow-up telephone calls to these individuals, research explanations were reinforced and participation confirmed. These interviews were conducted through scheduled telephone appointments. For each interview, the researcher used a standardized interview guide with space for notes, which were copiously recorded by hand given the tape-recorder's absence.

Counseling center representatives agreed to facilitate student participation by giving copies of the letter of invitation to students, although none of them was sanguine about prospects for success. Other participants did not provide assistance in this regard, as they were not knowingly acquainted with, or aware of, potential student participants. All of these participants were sent letters of thanks for their participation (Appendixes Q - R). Copies of the student letter were enclosed with counselors' letters.

Data treatment. As soon as possible after interviews, field notes of researcher impressions and observations were recorded. Impressions included participant statements considered meaningful by the researcher. Observations included researcher renderings of physical surroundings and interactions noted around the time of the interviews. Researcher insights made during examination of participant responses were recorded as well.

Where appropriate, field notes were incorporated into the analysis of participant responses and in the final chapter of the study.

Notes recorded on participant interview guides and audiotape recordings, where applicable, were employed to create electronic transcripts (using Macintosh WordPerfect 3.5) of all participant responses. These transcripts served as templates based on participant role, with interview questions asked of participants included in them. These transcripts were developed using computer resources, as previously described. Participants' responses were kept in separate electronic data files, and were reviewed, generating follow-up calls to participants when necessary for clarification of information. On certain occasions, questions were added as a result of a single DSP's comments, necessitating follow-up questions to other DSPs to cover the same line of inquiry.

Comprehensive templates were designed, based on participants' institutional roles and organized by questions asked of them. Responses found in individual response files were transposed to comprehensive files, allowing parallel participant responses across the universities to be incorporated into single documents. An electronic data file template was created for each participant role, permitting peer responses to be compared across institutions; thus, a comparable view of responses to all questions was achieved.

In designing these templates, the researcher created codes denoting individual roles. Additionally, code combinations were created and placed immediately preceding the spaces provided for participant responses. These

codes, which consisted of three-letter designations for university and participant role and alpha-numeric indicators for individual respondents, were contrived for efficient university, participant role, and individual identification. For example, the second disability service provider from Swaying Palms University (a fictitious name) would have been coded “(SPU)(DSP)(D-2).” Similarly, an admissions representative from that same hypothetical institution would have been designated “(SPU)(ADM)(A-1).” Follow-up questions were similarly coded, with the additional code “FU.”

Data presentation. After all information had been transposed to appropriate comprehensive data files, each of the blocks of questions and answers was aligned with, and reorganized around, one of eight original categories. Through reviewing and coding each participant’s responses, new categories emerged from existing ones, and existing categories were eliminated or subsumed within new categories.

Participant responses were rearranged within appropriate revised categories, leading to the emergence of an outline for the developing institutional analysis. Six broad topical areas formed the basis of this outline: demographics, scope of services, identification of students, accommodations for students, communication about students, and perspectives on students. Data reduction procedures resulted in a narrative analysis created around salient participant responses and field notes.

## Institutional Document Analysis

Documents from the universities in this study were limited to publications accessible to applicants and/or enrolled students. These documents were reviewed for references to disability, particularly psychological disabilities. Documentation gathered from DSPs consisted of copies of internal disability services forms and other references to policies and procedures. Documentation supplied by other offices included admission application forms, and student handbooks and course catalogs. The researcher independently reviewed university Internet resources.

Several questions in the DSP interview guide pertaining to documentation were used to form a separate document analysis template for the review of these institutional documents (Appendix S). In reviewing documents, relevant references to the guiding questions were cut and pasted or copied to worksheets for ease of reference.

As with institutional participants, information gleaned from documents was transposed to electronic data files created for each university. Questions were coded "ID," denoting "institutional documentation." Responses were likewise coded with additional three-letter university identifying information. For example, the mythological Swaying Palms University's first documentation response would have been coded as "(ID-1)(SPU)".

Similar to the treatment of participant response data, a comprehensive template was designed for document summaries. Using this template, organized by the questions guiding this analysis, document sources and contents were compared across the universities.

Information gathered by this procedure was reviewed and coded, resulting in the creation of categories which were integrated into the participant analysis outline. Using QuarkXpress 3.532a, a Macintosh-based graphics program, tables were created to present the many findings of the document analysis, and this information was also included in the narrative institutional analysis.

#### Names of Places, Positions, Publications, Provisions, and People

Each of the universities' actual names was substituted with a designated letter, A - F, for institutional identity protection and ease of reading. Except for these universities' being noted as within the Southeastern United States, their actual locations were not revealed.

Specific offices within these universities were indicated by generic names (e.g., "admissions," "counseling center," "disability services," and "equal opportunity"), as were titles of published materials from these offices (e.g., "graduate admission application" and "disability services guide"). Within each

university, institutional publications were referenced in the same manner (e.g., “student handbook” and “undergraduate catalog”).

Individuals within these institutions were afforded the same identity protection. Their names were replaced with codes designating their university roles. For example, disability service providers were denoted as “DSPs” and directors of counseling centers simply as “directors.” Other individuals were noted by generic indicators of their titles (e.g., “admissions representative” and “equal opportunity officer”). Individuals teaching classes at these universities were described as “faculty” or “instructors.” References to gender were not used, again for purposes of anonymity.

Currently accepted disability-related terminology was used throughout this study. Disability-related interventions by DSPs were described as “academic adjustments,” “accommodations,” “services,” and “provisions.” The terms “students with disabilities” and “students with psychological disabilities” were used in most references; however, this procedure was suspended when ease of reading would otherwise be impacted. In such instances, the terms “disabled student” or “psychologically disabled student” were used, along with “emotionally disabled.” On occasion, “psychological disability” was explained as “psychological disorder.”

Such deviations from acceptable terminology were kept to a minimum as far as possible without compromising ease and comprehension of reading.

## Summary

Through this study, a determination was made of the nature of legal psychological disability compliance issues in post-secondary institutions. Additionally, the level of compliance with disability law mandates, relative to higher education and psychological disabilities was reviewed. University policies and procedures for facilitating full participation in post-secondary educational programs by students with these disabilities was examined as well.

The lack of previous research in the area of psychological disabilities underscored the appropriateness of qualitative methods, including the use of a variety of purposeful sampling techniques, as a means of conducting this study. Qualitative analysis allowed for an intensity of focus, through legal document analysis and institutional interviews and document examination. This in-depth, multi-faceted focus, involving triangulation strategies, uncovered the prevalent and relevant issues in this area of research, allowing for future studies to draw on the probing analysis of this study in executing research on a widespread, breadth-oriented, level.

## Chapter IV: Presentation and Analysis of Legal Data

In this chapter, the researcher reviewed and interpreted selected legal decisions involving psychological disability-related matters in post-secondary educational institutions. Relevant sections of regulations guiding disability law and available legal processes for addressing claims of discrimination were discussed as contextual information for this analysis. Cases were analyzed in two ways: (a) by institutional areas of focus (e.g., admission, course practices, dismissal) and (b) by type of decision; e.g., for individual or institution. Based on this review, the researcher explained decisions and offered insights into these decisions. The chapter begins with the following overview of operative law governing case resolutions.

### Legal Background

In accordance with Section 504 of the Rehabilitation Act of 1973 (hereinafter noted as Section 504), institutions of higher education and other federal financial aid recipients are prohibited from discriminating against individuals with disabilities. The 1990 passage and 1992 enactment of the Americans with Disabilities Act (ADA) extended this prohibition beyond Section 504's federal funding parameters to many other entities associated with public life (Jarrow, 1992).

As most colleges and universities have received some form of federal financial assistance since the enactment of Section 504, the ADA brought few changes to existing Section 504 post-secondary educational requirements. The ADA imposed heightened physical access requirements on colleges and universities, but this law defers to most of Section 504's existing policies and procedures concerning higher education institutions (Tucker, 1996). These institutions, therefore, remain covered primarily by Section 504, despite ADA's more recent enactment. ADA regulations are cited only when they differ from those of Section 504, in relevant areas of this study.

The U.S. Department of Education's Office for Civil Rights (OCR) has investigative oversight into compliance with all civil rights regulations promulgated by federal law, including Section 504, for colleges and universities and other federal aid recipients. Additionally, OCR investigates publicly owned entities, covered by Title II of the ADA, which include state-funded colleges and universities. OCR draws on the ADA, in the few areas in which ADA requirements supersede those of Section 504, as the standard for reviewing public colleges and universities.

Title III of the ADA covers privately-owned entities, accessed by the public, including independent institutions of higher education. The U.S. Department of Justice oversees compliance by these institutions when Title III's regulations supersede Section 504's, generally a rare occurrence.

Given the existing statutory parallelism, the following discussion focuses mainly on Section 504 and its implementing regulations found in the Code of Federal Regulations (C.F.R.). These regulations do not have the strength of law and may be challenged in court, although in practice such action is rarely undertaken with success (J. Smith, personal communication, March 15, 1997).

### Claims of Discrimination

Under the provisions of the relevant disability laws, an individual who believes he or she has experienced disability-related discrimination in higher education may file a complaint with OCR. The complaint generally must be submitted within 180 calendar days of the date of the perceived discrimination, unless the complainant alleges that discrimination is of a continuing nature. The agency then evaluates the merits of the complaint and either declines to pursue it or commences an investigation (U.S. Department of Education, 1997a).

OCR first discusses the complainant's expectations. If these are deemed minor and easy to rectify, the agency may address the issue by contacting the named institution to resolve the matter without a formal investigation. If OCR investigates, a representative generally visits the post-secondary institution. During the investigation, the institution's policies and procedures relative to

the complaint and to disability-related matters in general will be examined (U.S. Department of Education, 1996).

OCR decisions may be influenced by many factors. Depending upon its findings, the agency may reach a decision in favor of either the complainant or the institution. In addition, although OCR may dismiss a complainant's charge, the institution may still be cited if found to have incomplete or nonexistent written disability-related policies and procedures. OCR decisions reached in favor of the institution result, generally, in no further action.

On the other hand, decisions which support the position of the complainant may include requirements for the institution to correct its practices found to be errant within a specified period of time. If an institution's action toward a student is found to be based on reasonable institutional requirements (which supersede disability-related waivers) for participation in its programs, OCR may conclude its investigation in favor of the institution (U.S. Department of Education, 1997b).

OCR's decisions, although enabling enforcement of the disability statutes, may be readdressed in federal district courts. While the courts generally give wide respect to OCR's rulings in rendering their own decisions, on rare occasions the courts have overturned OCR rulings. In addition, an individual may circumvent OCR proceedings altogether by taking legal action

in a federal district court (F. Tetunic, personal communication, March 13, 1997).

Decisions by a federal district court may be appealed on a “regular” basis to a higher court of appeals. Under this procedure the court will give credence to the earlier decision and question only those elements of the lower court’s proceedings it may find to be incongruent with law and/or judicial procedure. Decisions also may be appealed on a *de novo* basis to a higher court of appeals, which will consider the facts of the case as if they were being heard for the first time. Decisions may be appealed with each of the higher levels of court proceeding on the *de novo* basis (J. Smith, personal communication, March 15, 1997).

Both OCR and federal court decisions influence organizational practices related to the area under scrutiny. Colleges and universities follow these decisions in determining appropriate policies and procedures. Only federal court decisions, however, set precedents for subsequent decisions and thereby directly impact the judicial system itself. (Rothstein, 1995).

Code of Federal Regulations:  
Relevance to Higher Education and Disability Law

Throughout Section 504 regulations, the terms “handicap,” “handicapped,” and “handicapping” are used repeatedly, reflecting the acceptable disability-related terminology in use during the time in which the

Rehabilitation Act and these regulations were written. For purposes of this study's report this original terminology is used only in direct quotations. Elsewhere, the terms "disability," "disabilities," and "disability-related" are used, to concur with currently accepted practice. In this discussion, it is assumed that all institutions (theoretical or actual) are recipients of federal financial assistance.

### General Provisions

Under Section 504, a "handicapped person" is described as "any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment" [34 C.F.R. § 104.3 (j) (1) (i) (ii) (iii) (1997)].

Within this definition, several phrases are further delineated in this and the following paragraphs. The phrase "physical or mental impairment" refers to "any physiological disorder or condition, cosmetic disfigurement, or anatomical loss, or any mental or psychological disorder, such as...emotional or mental illness" [34 C.F.R. § 104.3 (j) (2) (B) (1997)]. References to "major life activities" include "caring for one's self, performing manual tasks, walking seeing, hearing, speaking, breathing, learning, and working" [34 C.F.R. § 104.3 (j) (2) (ii) (1997)]. From these definitions, individuals with psychological disorders may be viewed as having disabilities impacting major life activities

including “caring for one’s self,...speaking,...learning, and working” [34 C.F.R. § 104.3 (j) (2) (ii) (1997)].

The phrase “has a record of such an impairment” (item “ii” above) refers to an individual who “has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities” [34 C.F.R. § 104.3 (j) (2) (iii) (1997)]. References to “is regarded as having an impairment” denote

(A) a physical or mental impairment that does not substantially limit major life activities but...is treated...as...such a limitation; (B) has a[n]...impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or (C) has none of the impairments [as] defined...but is treated...as having such an impairment [34 C.F.R. § 104.3 (j) (2) (iv) (A) (B) (C)] (1997)].

References to “having a record” of impairment could apply to individuals with psychological disabilities who have records of past mental health treatment. Similarly, being “regarded as” having a disability could apply to individuals who did not have psychological disabilities but were currently engaged in psychotherapy or psychological treatment.

Beyond defining characteristics of disability, Section 504 regulations limit coverage of any individual with a disability to one considered “qualified,” described, for purposes of “post-secondary...education services,” as “a handicapped person who meets the academic and technical standards requisite

to admission or participation in the...education program or activity” [34 C.F.R. § 104.3 (k) (3) (1997)]. In general, the regulations state that

no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance [34 C.F.R. § 104.4 (a) (1997)].

Within this broad statement, specific provisions, found in Subpart E of the regulations at 34 C.F.R. § 104, apply to post-secondary institutions.

Section 504 regulations require that covered organizations employing 15 or more individuals, including post-secondary institutions, designate “at least one person to coordinate its efforts to comply” with disability laws and regulations [34 C.F.R. § 104.7 (a) (1997)]. Such organizations also must provide adequate notice, in publications or other written form, of nondiscrimination on the basis of disability, “in admission or access to, or treatment or employment in, its programs and activities,” including identification of the designated “responsible employee” [34 C.F.R. § 104.8 (a) & (b) (1997)].

Such organizations also must “adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints” which allege any prohibited action [34 C.F.R. § 104.7 (b) (1997)]; however, grievance procedures are not required to address complaints from applicants for employment or admission to higher

education institutions. In this specific instance, the implementing regulations of Title II of the ADA require that publicly funded organizations employing 50 or more individuals provide grievance procedures for both admission and employment applicants [28 C.F.R. § 35.107 (1997)].

Section 504 regulations do not address disability-related issues involving threats to the safety of others. The ADA's regulations, found in Title III [28 C.F.R. § 36.208 (a) (b) & (c) (1997)] do speak to these issues. In these regulations, entities are informed that they need not provide access to their services for individuals who pose "a direct threat" to others. The term is qualified by "a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by...auxiliary aids or services."

Entities must make "reasonable judgment," relying on "current medical knowledge or...the best available objective evidence, to ascertain the nature, duration, and severity of the risk; the probability that the potential injury will...occur; and whether reasonable modifications...will mitigate the risk." Language in Title II, Appendix A, of the ADA regulations states these provisions to be "applicable" to entities covered under that part as well [28 C.F.R. § 35 - Appendix A (1997)].

## Provisions for Applicants to Higher Education

Under Section 504, qualified individuals with disabilities may not “be denied admission or be subject to discrimination in admission or recruitment” [34 C.F.R. § 104.42 (a) (1997)]. Such prohibited actions include the application of “limitations upon the number or proportion of handicapped persons who may be admitted” [34 C.F.R. § 104.42 (b) (1) (1997)]. In addition, institutions “may not make use of any test or criterion for admission that has a disproportionate, adverse effect” on applicants with disabilities “unless the test or criterion has been validated as a predictor of success in the program and alternative tests or criteria that have a less disproportionate adverse effect are not available” [34 C.F.R. § 104.42 (b)(2) (1997)].

Institutions may not make disability-related pre-admission inquiries, outside of allowed purposes [34 CFR S 104.42 (b) (4) (1997)]. Such purposes are present when an institution “is taking remedial action to correct the effects of past discrimination or voluntary action to overcome the effects of conditions that resulted in limited participation in its Federally assisted program or activity” [34 C.F.R. § 104.42 (c) (1997)]. In such instances, institutions must clearly inform applicants that disability-related information is being requested only “(1)...in connection with its remedial action obligations or...efforts;” and “(2)...[that] the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to

any adverse treatment, and that it will be used only in accordance” with the regulations [34 C.F.R. § 104.42 (c) (1) (2) (1997)].

### Provisions for Enrolled Students

The Section 504 regulations include a number of provisions for students who are enrolled at post-secondary institutions. In general,

no qualified handicapped student shall, on the basis of handicap, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other post-secondary education program or activity [34 C.F.R. § 104.43 (a) (1997)].

Such prohibited treatment of students includes excluding “any qualified handicapped student from any course, course of study, or other part of its education program or activity” [34 C.F.R. § 104.43 (c) (1997)].

A key component of providing qualified students with disabilities access to post-secondary institutional programs and activities is the provision of “academic adjustments,” defined in the regulations as an institution’s “modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student.”

The regulation does allow, however, that

Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of

the manner in which specific courses are conducted [34 C.F.R. § 104.44 (a) (1997)].

Such modifications are not required for programs or activities shown by the institution to be “essential” as explained.

According to the regulations, institutions “may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation” of students with disabilities [34 C.F.R. § 104.44 (b) (1997)]. In addition, institutions must allow for modifications in course examinations and assignments for any student with a disability that impacts “sensory, manual, or speaking skills as will best ensure that the results of the [examination or assignment]...represents the student’s achievement..., rather than reflecting the student’s impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure)” [34 C.F.R. § 104.44 (c) (1997)].

The regulations also call for colleges and universities to provide “auxiliary aids” for students with disabilities whose educational access depends on such aids. These

may include taped texts,...effective methods of making...materials available to students with hearing...[and] visual impairments, classroom equipment...for use by students with manual impairments, and other similar services and actions. [Institutions]...need not provide attendants, individually prescribed devices, readers for personal use or

study, or other devices or services of a personal nature [34 C.F.R. § 104.44 (d) (2) (1997)].

In addition to admission and course practices, the regulations apply to the non-academic operations of colleges and universities as well.

Discrimination is prohibited in campus housing, financial assistance, employment, physical education and athletics, counseling and vocationally-related placement services, and social organizations significantly assisted by the institution [34 C.F.R. § 104.45, 104.46, 104.47 (1997)].

Specific provisions for housing, financial aid, counseling and placement deserve focus at this point in light of relevant cases to be presented. Housing for students with disabilities must be provided in a “comparable, convenient, and accessible [manner]...at the same cost as to others” [34 C.F.R. § 104.45 (a) (1997)]. Regarding financial assistance, students with disabilities must have access to the same “assistance...[and]...eligibility for assistance” as do students in general [34 C.F.R. § 104.46 (a) (1) (1997)].

Concerning counseling and placement services, students with disabilities must not be “counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities.” Institutions may, however, provide “factual information about licensing and certification requirements that may present obstacles to handicapped persons in their pursuit of particular careers” [34 C.F.R. § 104.47 (b) (1997)].

## Report of Case Findings

Based on an examination of many OCR complaints, a general format followed by the agency in investigating complaints can be discerned. In addition to a review of complainant allegations, complainant status as a qualified individual with a disability is considered. This status is usually verified by disability-related documentation or consultation with appropriate professional individuals, along with the complainant's meeting the academic and technical standards of the institution. OCR issues an exhaustive report of its findings in which policies, procedures, and documents related to the specific complaint are examined. Additionally, policies and procedures in general, and records of relevant actions involving other students or applicants are scrutinized for adherence to Section 504. Institutions are advised of specific temporal and procedural requirements for remedying violations.

Generally, federal court decisions have been found to follow a similar format, determined by a review of many such cases. Plaintiff (e.g., student or applicant) allegations, defendant (e.g., institution) responses, relevant facts, status as a qualified individual with a disability, and relevant documentation are all considered. In addition, relevant previous court cases are reviewed in light of the precedents they have set.

## Demographics

In the present analysis, 36 OCR and federal court decisions involving individuals with psychological disabilities and higher education institutions were studied. Thirty-two of these were OCR decisions; 3 were federal district court decisions; and 1 was decided by a federal court of appeals. These cases took place over the six-year time period between 1990 and 1996. Additionally, one OCR decision unrelated to psychological disabilities was reviewed as a comparison with another decision germane to this analysis.

Summaries of 5 of these decisions and related facts were procured through the Office for Civil Rights in Washington, DC. Summaries of 2 decisions, including the comparative OCR case, were found in Disability Compliance for Higher Education: Successful Strategies for Accommodating Students and Staff with Disabilities, a publication which focuses on higher education and disability law. The majority, 30, were found in the National Disability Law Reporter, a multi-volume compilation of disability-related legal decisions. Table 1 summarizes demographic information regarding all analyzed decisions.

Thirty-one of the 36 decisions were reached in favor of the post-secondary institutions, indicating the institutions' compliance with the relevant disability laws and regulations. Five decisions (4 of which were made by OCR and 1 by a federal district court) were made in favor of the individuals who

<p align="center"><b>TABLE 1</b></p> <p align="center"><b>OVERVIEW OF RECENT (1990 - 1996) LEGAL DECISIONS: PSYCHOLOGICAL DISABILITIES AND HIGHER EDUCATION</b></p>					
FOCUS	TOTAL CASES	DECISION			CASE JURISDICTION
		STUDENT	PARTIAL <sup>a</sup>	INSTITUTION	
Admission	9	3 (μ*)	1 (μ¥)	5	7 - OCR 1 - Federal District Court 1 - Federal Appellate Court
Financial Aid	3		1 (μ)	2	3 - OCR
Building Accessibility π	1			1	1 - OCR
Course Practices	7		1 (μ*)	6 (*)	7 - OCR
Disciplinary Action	5	1 (β)		4 (*)	5 - OCR
Medical Leave of Absence	1			1	1 - OCR
Withdrawal/ Academic Dismissal/ Readmission	10	1 (β)	3 (¥)	6 (*)	8 - OCR 2 - Federal District Court
TOTALS	36	5	6	25	32 - OCR 3 - Federal District Court 1 - Federal Appellate Court
<p><b>NOTES:</b></p> <p><sup>a</sup> Decisions were partially in favor of the institution with separate violations found.</p> <p>* In each category, of the number indicated, there was one case in which the complainant alleged discrimination in being "regarded as" having a disability.</p> <p>π Case was not analyzed in the chapter.</p> <p>μ Violations: preadmission inquired outside of allowable purposes.</p> <p>¥ Violations: 1 case - failure to name Section (§) 504 coordinator; 1 case - inadequate notice of non-discrimination; 1 case - inadequate grievance procedure for the public.</p> <p>β Violations: pretextual or stereotypical conclusions about student capabilities.</p>					

filed respective complaints or suit. Of the 31 decisions in favor of institutions, 6, all OCR investigations, found violations of Section 504, independent of the matters under investigation.

Cases reviewed covered a wide range of operations in higher education: admission practices, student financial assistance, course practices, disciplinary actions, withdrawal, and academic dismissal and readmission.

Seven OCR complaints, one federal district court case and one federal appellate case, focused on issues involving admission to post-secondary institutions. Three of these, all OCR matters, were found in favor of the complainants, all dealing with issues of pre-admission disability-related inquiries. The other four OCR complaints and two court cases involved decisions in favor of the institutions.

One OCR decision concerned campus facility accessibility, involving a psychologically disabled student's lack of adequate, verifiable documentation to permit a service animal in university buildings. This decision was made in favor of the institution, and is not analyzed further in this chapter.

Three OCR decisions dealt with matters involving student receipt of financial aid. Decisions on these were in favor of the institutions, except for separate violations found in one institution's practices.

Seven OCR complaints focused on practices in academic courses alleged to be discriminatory. All of these matters were rendered for the institutions

involved, with one institution being found in non-compliance for having made pre-admission disability-related inquiries, unrelated to the specific investigation.

Five decisions were reviewed that pertained to student behavioral conduct. All of these were OCR decisions; one decision was found for the complainant.

Eleven decisions were concerned with student withdrawal from post-secondary institutions. One OCR investigation focused on issues related to institutional medical leave of absence and grievance procedures. This decision was reached in favor of the institution.

Four decisions by OCR and one rendered by a federal district court pertained to issues involving academic dismissal of students. The federal court decision was found in favor of the student. Of the remaining four OCR decisions, all in favor of institutions, one found an independent Section 504 violation, consisting of failure to name a designated Section 504 coordinator in the institution's written materials.

Two OCR complaints and one U.S. District Court case involved academic dismissal but focused on a former students' efforts at readmission. These were found in favor of the institutions, but one OCR investigation cited an institution for inadequate notice of non-discrimination in its printed materials.

Two decisions, both made by OCR, dealt with matters pertaining to readmission only, neither involving earlier academic dismissal. Both were held for the respective institutions; in one case OCR found the institution's disability grievance procedure inadequate.

### Decisions for Students

Three decisions which OCR found in favor of students involved matters related to admission. Two cases focused on disciplinary issues and academic dismissal, respectively.

Admission. In Gonzaga University (1996), OCR found the university in compliance relative to a complainant's allegation that she was advised not to apply for a scholarship based on her emotional disability; OCR found the university had cautioned the complainant, who wished to enroll part-time, of the rigorous, full-time academic excellence expected of scholarship recipients. However, the agency determined that although the university did not deny the complainant admission, it violated Section 504 when it (a) conditioned its acceptance of the complainant on the receipt of disability-related verification that she could meet law school rigors and stresses; and (b) did not inform the complainant that providing the requested information was voluntary, and that refusal to provide it would not subject her to adverse treatment. OCR found that the university relied on "anecdotal information that the applicant would

be disruptive and unable to cope with stress in the law school academic environment.”

In another case, Pennsylvania State University (1991), the institution was found to have violated Section 504 when an applicant was required, per the university’s “Policy on Pre-Admission Review for Applicants with Known Behavioral Problems,” to undergo a psychological evaluation by qualified university personnel, provide information about his mental health history, and offer letters of reference from mental health professionals. The applicant had identified himself as a “paranoid schizophrenic,” and had according to university officials, “behaved in a disruptive manner, at times using threatening or abusive language.” OCR found the university in violation of Section 504 in not distinguishing between individuals whose behavior represented a substantial risk to the university community and those, like the applicant, with a history of disability-related problems [34 C.F.R. § 104.42 (1997)].

OCR found that in Thomas M. Cooley Law School (1991), the school’s admission application form included a request for information about applicants’ “history of mental illness” and accommodations on the Law School Admission Test (LSAT). An applicant who had a history of depression answered in the affirmative to these questions and was denied admission even though she met law school’s academic qualifications; the law school indicated she would have been accepted except for the affirmative answers. OCR found

the law school in violation of Section 504 in three areas: making preadmission disability-related inquiries outside of allowable areas [34 C.F.R. § 104.42 (b) (4) (1997)]; using preadmission inquiries to screen out applicants [34 C.F.R. § 104.42 (1997)]; and inquiring about the reason for accommodations on the LSAT [34 C.F.R. § 104.42 (c) (1997)]. In addition, OCR cited the regulation requiring that disability-related pre-admission information not result in adverse treatment of applicants, that it be voluntary, kept confidential, and used only in accordance with allowable purposes [34 C.F.R. § 104.42 (c) (2) (1997)].

Disciplinary issues. In Skagit Valley College (1993), an OCR investigation involving disciplinary actions, the complainant, who had bi-polar disorder, alleged discrimination on the basis of her disability, when the college, after suspending her, it denied her re-enrollment. OCR found that the complainant had been warned about her loud, argumentative, and disruptive classroom behavior, and was suspended after she physically attacked a college employee.

After psychiatric hospitalization, the complainant sought re-enrollment and was advised that she would need to provide documentation attesting to the unlikelihood that her disruptive behavior would recur and the benefit that she would have from resuming her studies. The college refused to accept a statement from the complainant's health care provider attesting to her "stable condition" and other assurances of her success in resuming her studies. In

rendering a decision for the student, OCR found that the college should have relied on the professional judgments elicited in the letter provided by the complainant. In not doing so, the college violated Section 504 [34 C.F.R. § 104.4 and 104.43 (1997)], and the ADA, Title II [28 C.F.R. § 35.104 (1997)].

Academic dismissal. One case, heard by a U.S. District Court, involved academic dismissal. In Carlin v. Trustees of Boston University (1992), a plaintiff who had a history of depression alleged discrimination in her dismissal from a doctoral program when she sought to return after an extended leave of absence. The plaintiff had undergone psychiatric hospitalization during the period of leave. The defendant university, which offered her a transfer to a different program, countered that the plaintiff was incapable of the work required in the program in which she had been enrolled, based on impressions, observations, and conversations with the plaintiff and faculty.

In the Carlin case, the court asserted that in any case involving a plaintiff who is “qualified” and a defendant who is “attempting to reasonably accommodate, courts defer to the institution if there is evidence that the institution has made a “professional academic judgment that reasonable accommodation is simply not available.” If the institution can prove this, the plaintiff must provide contrary evidence establishing that the institution had

disability-related and discriminatory motives other than its stated academic reasons.

Thus, the court found for the plaintiff, in light of the following pretextual reasons she established: (a) the university had allowed her to extend her leave of absence and did not notify her in writing that it considered her “unqualified” until after her hospitalization; (b) she had received a favorable evaluation from a clinical supervisor, and had successfully completed her internship; (c) the university departed from its normal assistive practice relative to keeping students in the program; (d) the university made its judgment relative to the plaintiff’s “lack of aptitude” at a time when the university knew she was suffering from depression; and (e) the plaintiff’s faculty advisor wrote a letter to a third party at the university, explaining that the plaintiff’s history of “serious mental health problems” did not encourage “the kind of environment that is conducive to a return...” to the university.

#### Partial Decisions for Institutions

A number of decisions reached by OCR in favor of institutions contained violations unrelated to the areas of alleged discrimination. Such areas of non-compliance were found during general reviews of these institutions’ policies and procedures.

OCR decisions reached in Southwestern Christian College (1990) and Highline Community College (1996) reflected compliance with Section 504 in

adhering to financial aid procedures and safety standards in clinical settings, respectively. However, both institutions were cited for making disability-related preadmission inquiries of applicants, outside of allowable purposes.

In Lawrence University (1993), OCR determined institutional compliance when it focused on an applicant's overall academic qualifications, not her stated disability, bi-polar disorder, in denying her admission. Nevertheless, the university was found in violation of Section 504, for (a) making disability-related pre-admission inquiries in its application, outside of allowable purposes [34 C.F.R. § 104.42 (b) (4) (1997)]; (b) not stating, in its published non-discrimination notice, non-discrimination in admission, access to treatment or employment in its programs and activities, and for not including a designated employee by name [34 C.F.R. § 104.8 (a) & (b) (1997)]; and (c) not stating that individuals with "mental" disabilities may attempt to resolve claims of disability-related discrimination through the university's grievance procedure [34 C.F.R. § 104.8 (a) & (b) (1997)].

Similarly, although OCR found in University of Oregon (1996) that the university was in compliance in refusing to allow a complainant (who had withdrawn nine years earlier) automatic reactivation of her enrollment, it did cite the university, per ADA, Title II [28 C.F.R. § 35.107 (b)(1997)], for failing to have a grievance procedure that covered the general public. The university's grievance procedure covered only students, faculty, and staff.

Despite determining that in Baylor College of Medicine (1995), compliance requirements were exceeded when academic adjustments were provided to an unqualified academically-dismissed complainant who had never requested them, OCR found the college in violation of Section 504 [34 C.F.R. § 104.8 (1997)] in omitting in its printed materials its designated Section 504 coordinator.

Likewise, OCR concluded that in Eastern Virginia Medical School (1991), the school acted fairly in dismissing a complainant with panic disorder because he did not meet “the academic and technical standards requisite to...participation” in the medical program. The complainant’s explanation that his poor academic performance had been due to medication-related contraindications was not accepted by OCR, given that his medication regimen was found to be consistent while his academic performance fluctuated. However, OCR found the school in violation for incomplete written notice of discrimination [34 C.F.R. § 104.8 (1997)].

### Decisions for Institutions

The largest number of OCR complaints (21) and federal cases (4) pertaining to higher education applicants and students with psychological disabilities resulted in decisions in favor of the institutions, with no separate violations found. These cases involved individuals who alleged discrimination after being precluded from admission or continuing in educational programs or

activities. In rendering decisions, OCR and the courts found these individuals had not (a) been qualified for the program or activity in question; (b) followed written policies and procedures necessary for continuation; and/or (c) informed their respective colleges or universities about their disabilities.

Admission. Five such cases dealt with admission. In both North Dakota State University (1991) and the University of Wisconsin - Milwaukee (1990), the schools were found in compliance for denying admission to unqualified applicants. In Yoder v. Roosevelt University (1994), the court found the institution correctly denied admission to a specific program to the plaintiff, who as a resident of a mental health facility had no access to the program.

OCR found no violation of Section 504 in Mills College (1991) when the college denied admission, using its established objective and subjective criteria, to an applicant who met the college's quantitative academic standards but failed under qualitative criteria, including numerous course withdrawals and "disturbing," "violent" personal writings. OCR concluded the college's decision relied on its assessment of the applicant's academic history.

The U.S. Court of Appeals upheld the lower district court's decision in Wood v. President and Trustees of Spring Hill College in the City of Mobile (1992). In this case, the court affirmed the lack of qualifications of a plaintiff who had claimed hostile treatment from the college after it learned of her schizophrenia diagnosis.

Financial aid. In two OCR decisions related to student financial aid, Sam Houston State University (1993) and Ball State University (1992), both universities were in compliance for not providing financial aid for individuals with disabilities who did not follow written policies and procedures.

Course practices. Six OCR cases involved course practices. In Gonzaga University (1991), the university was in compliance when an instructor gave a low course grade to a student who had never informed the university of her disability. In Everett Community College (1996), the college correctly adhered to its procedures for incomplete grades in not allowing a student, hospitalized for depression, to sit for an examination in an unproctored hospital setting.

OCR raised “serious concern” in University of Hawaii at Manoa (1990) about remarks an instructor made discouraging individuals with “emotional problems” from pursuing teaching careers. The agency did not find the university in violation of Section 504, however, concluding the remarks had been made to an entire class of students, not merely to the complainant.

In Northern Michigan University (1995), OCR determined the university to be in legal compliance in assigning a student with Tourette’s Syndrome to one-on-one instruction for a class, alleging the uncontrollable outbursts associated with his disorder were disruptive to the class. OCR could not determine whether the student had volunteered for, or had been coerced to

have, this type of instruction, but concluded the matter's successful resolution with the student's grade of "A" in the class.

A student with post-traumatic stress disorder was not discriminated against in California School of Professional Psychology ("OCR Finds Concerns," 1997). OCR found the school had not received official notice from the student regarding his disability; therefore, the institution was correct in not accommodating the student in a class for which he received a grade of "no credit" (p. 12) and denying the student's request to remediate the course. OCR did advise that the institution should have been "more proactive" in seeking to work with the student after he first mentioned his disability.

In California State University (1993), the university was found by OCR to be in compliance when a student was prohibited from completing a student-teaching internship due to lack of qualifications. OCR further determined that despite the student's claims, the university had not provided accommodations because the student had not requested them.

Disciplinary issues. In four cases focusing on disciplinary issues, OCR found that the institutions' written policies and procedures were clearly and reasonably stated and included provisions for students to remediate violations of such procedures. For example, in Northeastern University (1991), OCR found the university acted correctly in not allowing a student, whose writings for a class included threats of killing another student, to continue to attend the

class. Instead, the student had been offered a take-home final examination or a full-refund from the class.

OCR found that in Western Michigan University (1992) and Dixie College (1995), both institutions, in dismissing students for severe misconduct, reasonably offered to consider readmission after a prescribed period of time if the students provided documentation attesting to the unlikelihood of resuming their inappropriate actions. Similarly, in Vassar College (1996), the college was found in compliance when it prohibited a student, who had been psychiatrically hospitalized after a suicide attempt, from returning to campus housing until she provided documentation supporting her return.

Academic dismissal/readmission. Six OCR complaints and one federal court case pertained to academic dismissal or readmission. In University of Kansas (1990), Columbia University (1991), and Cleveland Institute of Dental and Medical Assistants (1991), all institutions were found in compliance with Section 504 when they dismissed the respective complainants, none of whom had informed the institutions of their disabilities, and none of whom met the institution's academic and/or technical standards.

In similar matters, OCR found California State University (1995) acted correctly in denying the readmission of a former student who had not told the university about her disability and who was academically unqualified. In addition to making these same findings, the court in Gill v. Franklin Pierce

Law Center (1995) ruled that the plaintiff had not followed procedures for appealing his academic dismissal.

In a related case, a complainant who had been granted a disability-related leave of absence did not suffer discrimination when, in University of Chicago (1996), the university required documentation backing her return to be reviewed by the university's psychiatrist. Additionally, in Linn-Benton Community College (1990), the college was correct in requiring a student, about whom it had no disability-related knowledge, to submit documentation of disability before being readmitted to its one of its programs.

### Analysis

#### Decisions for Institutions

In almost all of the cases reviewed, decisions held in favor of institutions were aided by institutionally-available written procedural recordings and documentation surrounding the issues under scrutiny. Notes from interactions with, and in reference to, students; copies of student correspondence; published policies and practices related to its individual operations, disability-related and otherwise; and comparable actions taken with other students all were examined by OCR and the courts. Beyond the importance of policies and procedures being written and published, completeness in these matters was noted by OCR, particularly in citing four institutions for inadequacies in one or more areas.

Without such written evidence, institutions would have lacked full credibility against students' claims of disability-related discrimination. Additionally, several instances in which institutions had written procedural requirements for all students to follow nullified claims of students that such requirements constituted disability-related student mandates not required of students in general.

Disability-related documentation was considered in almost all of the cases, except where claims of "being regarded as" [34 C.F.R. § 104.3 (j) (2) (iv) (1997)] having a disability were made, or where institutional requirements were viewed by OCR and/or the courts as having demonstrated their requirements to be "essential" [34 C.F.R. § 104.44 (a) (1997)].

Students must provide disability-related documentation for their institutions to consider and grant academic adjustments; otherwise, the schools may justifiably assert no knowledge of the student's disability, and therefore, no academic adjustments could be reasonably expected. OCR and the courts considered students' disability status in the majority of cases, drawing conclusions based on statements made, within or supplemental to the documentation, by professional individuals qualified as authors of such documentation.

In addition, in almost all of the cases reviewed, students' status as "qualified" [34 C.F.R. § 104.3 (k) (3) (1997)] was examined by OCR and the

courts. Such status was reflected in individuals meeting admission standards, making satisfactory academic progress, and fulfilling academic programmatic requirements. Generally, individuals who presented claims based on actual disabilities, rather than claims of being regarded as having disabilities, were scrutinized within this standard of review. It is relevant to note that many of the cases and complaints held in favor of the institutions involved individuals who failed to meet academic and technical standards upon admission, or who did not maintain these standards while enrolled. For such students, existence of their disabilities did not relieve them of the responsibility to adhere to such standards as necessary for admission or continued enrollment. From this analysis, OCR and the courts were seen as giving deference to institutions in determining these academic standards.

As noted, institutions may not make disability-related pre-admission inquiries of applicants. Specific educational programs, however, may justify receipt of personal counseling histories, as found by OCR relative to a complaint in North Dakota State University (1991) and the university's counselor education program, if the institutions can demonstrate that such inquiries are essential to program standards, not focused on applicants' actual or perceived disabilities. Moreover, institutions may reasonably require documentation attesting to the abilities of students re-enrolling after leaves of absence taken for medical and/or psychological reasons. Relatedly, students

may not be considered eligible for academic programs and services if their actions can be construed as a “direct threat” to the safety of others [28 C.F.R. § 36.208 (1997)].

### Decisions for Students

Despite the different circumstances found in the five decisions held in favor of applicants or students, a common theme is present. Each of the institutions found to be in violation of Section 504 acted on the basis of preconceptions about individuals with psychological disabilities in making decisions relative to the applicants or students who had brought action against the institutions.

In Gonzaga University (1996), Thomas M. Cooley Law School (1991), and Pennsylvania State University (1991), institutions were associated with improper preadmission inquiries of applicants to their programs. All of these institutions asked specific questions relative to the applicants’ psychological disabilities, basing admission decisions on disability-related applicant disclosures required as part of institutional preconceptions about psychological disabilities.

Similarly, in Skagit Valley College (1993), the college was found in violation for requiring stronger assurances than provided by professional documentation that a student seeking re-enrollment after a conduct-related suspension would not be disruptive in the future. In not accepting the existing

documentation, the college required more than was necessary, OCR determined.

Finally, in Carlin v. Trustees of Boston University (1995), the institution was found to have based its denial of re-enrollment to a plaintiff, who had depression, on “pretextual” disability-related information. An analysis determined that the academic qualifications of the plaintiff, who had successfully completed the program prior to a leave of absence, were questioned only after the university learned of her psychiatric hospitalization while she had been on leave.

#### Comments on Selected Decisions for Institutions

Although the majority of cases reviewed found no violation of Section 504, a few of these decisions were found in favor of schools whose actions reflected ignorance of the needs of psychological disabilities. In addition, OCR’s own decisions at times skirted the Code of Federal Regulations to which it otherwise adhered, or were inconsistent with subsequent decisions the agency has made. Still other decisions included facts and conclusions which found no institutional responsibility or knowledge despite evidence to the contrary.

When, in University of Hawaii at Manoa (1990), an instructor advised a class of students that individuals with “emotional problems” should not pursue teaching careers, OCR suggested that such comments reflected a

“precarious balance between academic freedom and institutional non-discriminatory responsibilities.” Had a career counselor or other administrator not covered by “academic freedom” made such remarks, or had the comments been made in an individualized setting, OCR’s response, which did not find the university in non-compliance, could have been stronger. Regardless, Section 504 expressly prohibits counseling students with disabilities toward more restrictive careers [34 C.F.R. § 104.47 (b)(1997)], which the instructor, as a representative of the university, did not follow.

Subjective and objective admissions criteria was found to have been used in Mills College (1991). An applicant who met the college’s objective and quantitative standards did not measure up to its subjective predictors of success, which were less definable. The college concluded that based on the “disturbing” content of the applicant’s writings she would not assimilate into the campus community. The college asserted that it relied more heavily on the applicant’s previous academic record, which reflected her inability to complete rigorous academic subjects. OCR deferred to the institution’s subjective criteria and its claim that academic gauges were its primary influence; however, given the subjective nature of the criteria, it is impossible to determine how much sway the applicant’s writings actually had in the college’s decision to deny her admission.

In California State University (1993), OCR determined that a student had inquired of the disability services office what services were available for individuals with psychological disorders; she had been given information about counseling services, which she said she was already receiving elsewhere. OCR noted that the complainant did not request any other services, concluding that the institution was not obligated to provide adjustments for her. Such a conclusion did not speak to the university's lack of proactivity and awareness relative to individuals with psychological disabilities; a recommendation of five counseling sessions per year would not constitute an academic adjustment for an individual with a psychological disability, but a service available to all students, regardless of disability. It is interesting, moreover, that OCR would have expected the student to have asked for other services, after essentially being told that counseling constituted the only available "adjustment."

In contrast, in a related case discovered through a separate publication, OCR advised the school in California School of Professional Psychology ("OCR Finds Concerns," 1997) that it should have been "more proactive in clarifying the complainant's needs when mention was first made" of his disability, post-traumatic stress disorder. OCR otherwise determined the school had provided adequate academic adjustments for the student. No similar comment was made in California State University (1993) relative to that

university's disability service office's lack of clarification of the student's inquiry in that case.

Inadequate knowledge of the effects of medication taken by individuals with psychological disabilities may be evident in Eastern Virginia Medical School (1991). In this case, a student alleged that due to his disability, panic disorder, the medical school twice denied him readmission after his initial academic dismissal. OCR found that the complainant was not qualified [34 C.F.R. § 104.3 (k) (3) (1997)], in not meeting "the academic and technical standards requisite to admission or participation" in its medical program. The complainant's medication regimen was shown as being consistent during good and poor academic performance periods; therefore, his claims of influence by medication-related side effects were considered suspect by OCR.

Clarification of this conclusion was sought by the researcher, who communicated with a psychologist knowledgeable about the nature of contraindications in medications taken for anxiety disorder. This professional expert indicated that several medication effects could take place, depending on medication used. First, a temporary "brain syndrome," involving dementia, was described as a by-product of initial metabolism of medication. Additionally, tolerance for certain medications was noted, resulting, as it was explained, in increases in medication dosage necessary to alleviate symptoms. Finally, the expert spoke of individuals' possible "addiction" to medications, with addiction

withdrawal symptoms developing between dosages (L. Fishman, personal communication, February 11, 1998).

Although the exact medication and circumstances of the individual in the preceding OCR complaint were not known, it appears possible that OCR did not fully investigate the complainant's claims of medication-related contraindications prior to rendering its conclusion.

In Wood v. Spring Hill College (1992), an appeal affirmed for the college, an inconsistency is present. The college claimed that it was never informed by the plaintiff of her disability, yet verified that she had been transferred to another room after her assigned roommate's parents had objected to their daughter living with an individual who had "suffered from" schizophrenia.

While the existence of discrimination in the room transfer is speculative, the college's reasoning is questionable. If the plaintiff had never informed the college, how was the schizophrenia-related rationale for the room transfer made? Conceivably the college acted based on third-party information, a practice which could be perceived as adhering to stereotypic ideology had the effect been to deny the plaintiff a collegiate benefit equal to that of non-disabled students.

Additionally, despite the court's finding that the college did not know of the plaintiff's disability, the room-transfer action could have been construed as

“regarding” the plaintiff as an individual with a disability. Instead, the college was able to demonstrate that the plaintiff had been previously counseled to defer her admission, not pressured to withdraw. Thus, in light of the plaintiff’s lack of qualifications, the college’s actions in encouraging deferral of admission took precedence over its possibly unfounded actions regarding the room transfer.

When, in Northern Michigan University (1995), a student with Tourette’s Syndrome at claimed discrimination through having required one-on-one instruction, OCR (per the mandate that schools provide instruction in as “integrated” a setting as possible) [34 C.F.R. § 104.43 (d) (1997)], did not investigate the matter in light of the student’s earned grade of “A” in the course.

In a related decision, however, reviewed through a separate publication, OCR determined in San Francisco State University (“Denial of Academic Adjustment,” 1998) that although the presence of requested adjustments for a student’s examination would not have increased the student’s final grade of “C” in a course, the practice of not providing the adjustments was still discriminatory.

The lack of inclusion of psychological disabilities in institutional disability-related written notices is specifically reflected in two OCR decisions. OCR found in Lawrence University (1993) a violation of Section 504 in non-

inclusion of individuals with “mental” disabilities in institutional grievance procedure for disability-related discrimination claims [34 C.F.R. § 104.8 (a) & (b) (1997)].

More recently, in November 1996, OCR determined in Gonzaga University that improper disability-related preadmission inquiries were made through the following application question: “Do you have a physical disability, chronic health condition, or learning disability which requires special assistance?” In addition to specific Section 504 violations related to this inquiry, the wording of the question itself appeared to be exhaustive in terms of covering specific categories of disability.

The omission of any specific terminology related to psychological disabilities, however, reflects the lack of attention and consideration given to these disabilities. If the same disability-related references were used in the form of a non-discrimination notice elsewhere, this omission likely would discourage individuals with psychological disabilities from seeking services, simply on the basis that the institution had not referred to their disabilities among those for which services were available.

## Summary

### Qualitative Analysis

Given the case-by-case analysis necessary for a thorough review of individual institutional compliance with Section 504 and the ADA, it is challenging to categorize single disability-related cases, as the act of doing so undermines some measure of their uniqueness, and in this grouping, certain aspects which herald that individuality are inevitably compromised. Nevertheless, it has been possible to construct a coherent analysis of these cases, in which various patterns have been discerned.

In most of the cases heard by OCR and the courts, institutions were determined to have acted reasonably and prudently in the face of the demands and allegations of individuals with psychological disabilities, or those who believed themselves regarded as having these disabilities. Generally, the post-secondary institutions had established policies and procedures guiding their actions, found by investigations or litigation to be in compliance with the law.

In a smaller portion of these cases, colleges and universities were found to have engaged in discriminatory practices. In these matters, the targeted institutions required a more rigorous standard, often through supplemental documentation, of individuals with psychological disabilities as compared with the standards required of individuals in general, in gaining, regaining, or maintaining access to the institutions' educational programs. In all of these

cases, the institutions were found to have acted in a manner that suggested a reliance on stereotypic or generalized notions of individuals with psychological disabilities, in their abilities to meet academic stresses, maintain appropriate behavior, or otherwise be considered qualified for the institutions' educational programs.

The most debatable decisions were in the cases found for institutions which suggested areas of contradictory facts, rulings, and practices bordering on non-compliance. It is in these cases that the availability of equal access to higher education for individuals with psychological disabilities may be questioned. In a few of these instances, OCR conceded to the institutions in areas where the agency otherwise may have found them in non-compliance.

### Quantitative Analysis

Drawing on legal demographic data derived from Table 1, various descriptive statistics were revealed. The majority, or 86%, of decisions were reached fully for institutions. Of these, 24% included separate, unrelated violations, and 28% contained circumstances found legally questionable by the researcher.

In the present legal analysis, institutions were in complete or partial compliance in the administrative areas of financial aid, medical leave of absence, withdrawal, and readmission; and in the academic area of course practices. Institutions were less frequently in compliance in administrative

areas involving disciplinary issues (20% of cases found for complainants) and dismissal (10% of cases found for complainants/plaintiffs), and they had the greatest incidence of discriminatory practices in admissions (33% of cases found for complainants/plaintiffs).

Cases focused most heavily on matters involving two extremes of post-secondary student life: admission (25%) and withdrawal (28%), which included dismissal and readmission issues. Course practices (19%) constituted the next highest proportion of cases, followed by cases focusing on disciplinary issues (14%), financial aid (8%), medical leave of absence and building accessibility (3% each). The overwhelming predominance of OCR decisions (89% of all cases) may reflect the fact that individuals may seek redress through OCR free of charge, without the costs associated with federal court activity.

From these descriptive statistics and the preceding analysis, it is clear that recommendations should be made for institutional practices. These statistics, which concern past cases, should not be used, however, in predicting future areas of compliance difficulty and ease for institutions and individuals. The uniqueness of the merits of each future case, including the institution and individual circumstances, allows for recommendations, not predictions.

It is important to note that OCR and federal court decisions represent only those matters in which applicants or students felt compelled to bring

discrimination-related matters to a higher authority, mostly involving unfounded claims of discrimination. In this respect, these situations may stand apart from the higher education experiences of the majority of individuals with psychological disabilities, given the still-prevailing societal stigmas associated with these disabilities, and the likely influence such cultural mores may have on the self-advocacy of these individuals.

In an effort to present a realistic picture of post-secondary access for these individuals beyond OCR and the courts, the presentation and analysis of Southeastern United States university practices relative to these individuals follows.

## Chapter V: Presentation and Analysis of Institutional Data

In this analysis, disability service providers (DSPs) were the major source of information concerning disability-related policies, procedures, and interactions with students and others on the campuses. These individuals, more than any others, provided information about students with psychological disabilities as well as personal insights. The latter stemmed from the DSPs having addressed numerous issues with these students or on their behalf.

Data from the DSPs concerning disability services offices were subjected to a multi-faceted analysis. These areas are discussed in separate sections of this chapter under the following headings: (a) demographics, (b) scope of services, (c) identification of students, (d) accommodations for students, (e) communication about students, and (f) perspectives on students.

In addition to disability services offices, counseling center directors at the universities had the potential for knowledge of circumstances involving students with psychological disabilities, as well as interventions on the behalf of these students. Similar to disability services, reporting and analysis regarding the counseling centers took place within several frameworks. These offices were discussed in the following terms: (a) student demographic information, (b) administrative operations, (c) role in identifying students with psychological disabilities, and (d) capacity in facilitating academic adjustments.

At each university, other offices contained, in varying degrees, specific policies and procedures which at least potentially impacted upon students with psychological disabilities, although no specific references to disability were made in these policies' and procedures' descriptions. These offices, designated by generic names, included admissions, equal opportunity, and other non-specific offices. Each of the offices' disability-related policies was reported and analyzed at various places within this chapter, as their roles were seen as pertaining directly to specific areas of this institutional analysis.

Despite their policies, representatives of these offices were unable to offer insights or information about students with psychological disabilities due to their lack of involvement and knowledge of circumstances pertinent to them. In these instances, the DSPs' remarks about student interaction with these offices were provided.

Given that disability-related policies in admissions primarily involved identification of students, such policies are part of a later section of this chapter, "Identification of Students." Other administrative offices facilitated student withdrawal for medical or psychological reasons. These offices were also viewed as agents of student identification, for their actions potentially revealed students with psychological disabilities who otherwise could go unnoticed by the universities they attended. In contrast, the utilization of equal opportunity offices by these students is addressed within the section

“Accommodations for Students.” Involvement with these offices was directly related to disputes arising from academic adjustments requested by, and/or provided for, the students with psychological disabilities.

### Student Demographics

The universities varied in their reported numbers of students with disabilities, including those with psychological disabilities. In almost every university, reported numbers were approximations and all numbers included only those students who had actually registered with the disability services offices. Several DSPs noted that they believed actual numbers of students were higher due to their speculation that many disabilities, particularly psychological or other hidden disabilities, remained unreported by students.

In addition to information sought from DSPs, the universities’ counseling center directors were asked for information concerning the percentage of student clients who had serious psychological disorders which, based on the legal definition of the term, could be considered disabilities. Information gleaned from these offices was inconclusive, as will be discussed. Table 2 provides a summary of available disability-related demographic information from participating universities.

UNIV.	STUDENTS WITH DISABILITIES ENROLLED FULL-TIME	ALL STUDENTS WITH DISABILITIES (ALL TYPES)	NUMBER AND PERCENTAGE OF STUDENTS WITH PSYCHOLOGICAL DISABILITIES	COUNSELING CENTER ESTIMATE OF CLIENTS WITH PSYCHOLOGICAL DISABILITIES
A	<50%	Main Campus      250 Satellite Campus    100 Total                  350	40 - (16.0 %) 8 - ( 8.0 %) 48 - (13.7 %)	No records maintained - estimated 10% of all clients.
B	<50%	Main Campus      335 Satellite Campus    90 Total                  425	8 - ( 2.3 %) 12 - (13.3 %) 20 - ( 4.7 %)	Estimated 21 to 62 students - representing 10% to 30% of all clients.
C	50%	Total                 250	5 - ( 2.0 %)	No records maintained - unable to estimate percentages.
D	>50%	Disability Services    80 LD Program¥          50 Total                    130	2* - ( 2.5 %) None 2* - ( 1.5 %)	No records maintained - unable to estimate percentages.
E	100%	Total                 12*	None	No records maintained - unable to estimate percentages.
F	75%	Disability Services    29* LD Program¥          150* Total                    179*	9* - ( 5.0 %) Δ	Estimated 9 to 13 students - representing 10% to 15% of all clients.
<p>NOTES:</p> <div style="display: flex; justify-content: space-between;"> <div> <p>* Exact figures - all others are estimates</p> <p>¥ Learning Disabilities Program</p> <p>Δ Figure is for both programs</p> </div> <div> <p>&lt; Less than...</p> <p>&gt; Greater than...</p> </div> </div>				

## Disability Services Demographics

DSPs at Universities A, B, and C reported the highest numbers of students registered with their offices. Universities A, B, and F had the highest numbers of students with psychological disabilities.

At University A, 350 students with disabilities were registered with the office; 250 of these were on the main campus while 100 were located at its satellite campus. Of this total number, 40 to 50 were estimated to have psychological disabilities, including 5 to 10 at the satellite campus.

University B reported 425 students with disabilities registered with the disability services office, including 90 at its satellite campus. The number of students with psychological disabilities was estimated at 20, including 12 at the satellite campus.

University C's DSP reported 250 students with disabilities at its campus. 5 students were estimated to have psychological disabilities.

At University D, 130 students with disabilities were reported. Of these, 80 students were registered with disability services and two had psychological disabilities. The remaining 50 were part of the school's specialized learning disabilities program, not administered by disability services. According to that program's separate director, none of its students were known to have psychological disabilities. The director added that the program "isn't designed for students with emotional disabilities," and said the program focused

exclusively on aiding students with learning disabilities. As such, this program was not a research focus beyond this initial inquiry.

University E's DSP reported currently working with 10 to 12 students, none of whom had psychological disabilities. The DSP indicated that one student with a psychological disability had interacted with the office in the past, but had since graduated.

Similar to University D, University F's population of students with known disabilities included both those enrolled in a specialized learning disabilities program, as well as students enrolled in the regular university curriculum. The DSP reported 150 in the former and 29 in the latter. A total of 9 students (both in the specialized program and in the regular curriculum) were estimated to have psychological disabilities.

The DSPs differed in their facility for indicating the types of psychological disabilities their students had based on accepted DSM-IV diagnoses. Definitions of students' diagnoses reported by DSPs are found in Appendix A.

Both Universities A and B reported that students with psychological disabilities included those with schizophrenia, bi-polar disorder, obsessive-compulsive disorder, depression, post-traumatic stress disorder, anxiety disorders, and phobic disorders. Additionally, University A reported students with personality disorders. DSPs at both institutions indicated that students

with psychological disorders as secondary disabilities were present, but these individuals were unable to provide exacting numeric data on these students.

University D's DSP reported that the university's two students (identified as having psychological disabilities) had schizophrenia and multiple personality disorder, respectively. At University E, the DSP recalled the former psychologically disabled student's diagnosis as "aggressive-aggressive," a diagnosis not found in the DSM-IV. University F's DSP reported that the nine estimated psychologically disabled students had indicated such disabilities as primary or secondary, but was unable to offer further information.

None of the DSPs could provide statistical information regarding graduation rates, full-and part-time enrollment numbers, or academic programs for students with disabilities, psychological or otherwise. For enrollment information, undergraduate data was the primary focus, as graduate students in general were more likely to enroll part-time. DSPs also indicated that the majority of students registered with their offices were undergraduates.

DSPs at Universities A and B estimated that the majority of all students with disabilities were part-time. They further estimated that students with psychological disabilities were more likely to be enrolled part-time than students with other disabilities.

At University C, the DSP surmised that 50% fell into either category.

University D's DSP indicated that the majority of the students they served were enrolled full-time, including the two identified with psychological disabilities. At University E, the DSP reported that all of their students with disabilities were enrolled full-time, while the DSP at University F estimated that 75% of their disabled students were enrolled full-time.

Only University A's disability services office maintained a database regarding students with disabilities; these were cumulative records covering a five-year period, rendering tracking of student populations between academic years impossible. In viewing this data, however, similarities between this university's estimates and actual figures were noted.

According to the cumulative data, 1,008 students with disabilities registered with the university's disability services office within the five-year period. At the same time, 130 students with psychological disabilities registered, 12.9% of the total number. The DSPs' estimates of current numbers, 48, translated to 13.7% of their total students with disabilities.

Similarly, the cumulative figures noted above revealed that of all undergraduate students with disabilities, 47.3% were enrolled full-time while 52.7% were part-time. In comparison, 35.2% of students with psychological disabilities were full-time; 64.8% were part-time. These figures coincided with the DSPs' estimates.

University A's figures and estimates indicated the largest percentage of students with psychological disabilities at any of the six universities. At Universities B, C, and F, the estimate was 5%; at University D, 1.5%; and none at University E.

University-wide comparable information was not reported. The standard for reporting graduation rates, according to university officials who compiled these data, was based on the percentage of full-time entering freshmen graduating within a six-year period. In light of the inability of DSPs to provide similar information about students with disabilities, the overall university data had no basis for comparison. In addition, differences in compiling full-time and part-time enrollment data across the universities rendered comparisons with disabled students impossible. University-wide data generally was reported for each academic program; disability services offices did not maintain similar information on students with disabilities.

#### Counseling Center Demographics

Each of the counseling center directors indicated that during the time they had been associated with their offices, they had interacted with students who they believed, based on their professional judgment, had serious psychological disorders. As indicated, however, actual records regarding students with psychological disabilities were non-existent, and information reported by directors was speculative, based on estimates.

University A's counseling center director estimated that 10% of all student clients could be considered to have serious psychological disorders or disabilities. Records of total numbers of client visits were not kept.

At University B, the director judged that 10% to 30% of the office case load could be considered psychologically disabled. The number of students counseled during the Fall 1997 semester was 208.

Directors at Universities C and D maintained no data on student visits and were unable to speculate on students who had psychological disabilities. University E's director was unable to speculate either, but reported 43 student visits during Fall 1997. At University F, the director estimated that 10% to 15% of the 90 students seen during Fall 1997 could have been considered psychologically disabled.

### Analysis

The lack of exacting student records maintained by disability services necessitated a reliance on anecdotal information from DSPs. Numbers of students with disabilities could not be verified. Similarly, counseling centers maintained incomplete demographic data, at best. Nevertheless, a few comparisons between reports from directors and DSPs could be made.

For example, the speculation by the director at University B that 10% to 30% of the 208 students counseled could have had psychological disabilities indicates a possible total of 21 to 62 students. This range, with a mean of 42,

is significantly higher than the estimated 20 students reported by that university's disability services office.

At University F, the 10% to 15% (so estimated) out of the 90 students being counseled indicated there were between 9 and 13 students with psychological disabilities. This estimate was relatively close to the DSP's approximation of 9 students.

In reality, there was no exacting methodology available by which to identify the numbers of students with psychological disabilities from the total number of students counseled. Estimates provided by the counseling directors were for one semester only, while the DSPs' reports reflected students using their services during the total time of their enrollment at the respective universities. Therefore, had data from the counseling centers (not compiled by Universities B and F) comprised additional semesters, the number of students having received counseling who were identified with psychological disabilities may have been higher than the number of those registered with the disabilities services office.

This interpretation, however, must be made with caution. Due to the speculative nature of the psychological disability-related data and the inability to determine how many psychologically disabled students had also been clients for more than one semester, it is impossible to determine the extent to which

these students, as counseling center clients, were also registered with disabilities services offices.

### Scope of Services for Students

#### Disability Services

Each of the universities in this study had at least one professional-level individual designated as a contact for students' disability-related matters. Beyond that common denominator, staff size and organizational structure varied.

Office and organizational structure. At Universities A and B, each main campus disability services office contained a director and a coordinator, and satellite campus locations also maintained these offices with separate coordinators. (Although the director on University A's main campus did participate in this study, the coordinator was not available for participation.) In addition, several clerical employees and students assisted in each of these schools' main campus offices. Their satellite campus offices shared space and clerical assistance with other offices. Professional staff at these offices focused exclusively on disability-related matters and were part of larger student affairs operations at these universities.

University C's DSP had one clerical assistant, as did University

D's . Both of these individuals also focused solely on student disability-related concerns. At University C, the DSP reported to a senior administrator in charge of academic support services. The DSP at University D reported to a senior student affairs administrator.

In contrast, at Universities E and F, disability-related services constituted only one facet of the DSPs' roles at their respective schools. University E's office was part of an academic support center which provided academic advising, tutoring, testing, and developmental courses available to all students. Accordingly, the DSP was an instructor for these courses and reported to a senior administrator who oversaw academic support operations.

University F's disability-related efforts were part of an academic department which the DSP chaired; in this capacity, this individual reported to the university's president. Given the variety of administrative responsibilities for which this individual was accountable, the role of the DSP at this university was by far more complex than at the other institutions. As chair of an academic department, University F's DSP oversaw the activities of several instructors. In addition, as head of the learning disabilities program, this DSP also supervised a number of tutors and other instructors. Further, as the individual in charge of campus-wide disability service operations, this DSP supervised one coordinator and two clerical assistants. All of this was in addition to teaching.

Observations of physical space. DSPs' offices visibly differed from one another. At all schools but University E, the desks of the individuals with whom the researcher spoke were filled with paperwork, generally organized into stacks. The appearance of these desks suggested heavy administrative responsibilities. The desk of University E's DSP's was, in comparison, devoid of paperwork.

At University A, the disability services office on the main campus consisted of separate space for the director and coordinator, as well as a large reception area with seating for 10 to 12 adults and available internal publications describing services. Ten testing rooms, some with adapted technological equipment, were part of the office as well.

University B's disability services office on its main campus was similarly outfitted, although the reception area was smaller, with seating available for only three or four adults and printed materials available nearby. Rather than having separate rooms with adapted equipment, this office contained an adapted technology computer lab and one separate testing room. The overall size of this office was smaller than that at University A.

At the satellite campus locations of both universities, the DSPs had separate one-room offices. At University A's satellite campus, the DSP shared clerical assistance and space, including a small reception area, with the counseling center. University B's satellite operation shared similar resources

with the student affairs office on the satellite campus. Here the student affairs office included the counseling center, student activities, and other divisions.

Disability services at University C's consisted of the DSP's office, with a desk for a clerical assistant outside. Additionally, there were several rows of student study carrels in the general outside area, and other academic support offices opened onto this space. The DSP's desk was more replete with paperwork than those of other DSPs', suggesting many responsibilities and simultaneous demands on this individual's time. The DSP appeared to be the calm "eye" surrounded by an otherwise relentless storm.

At University D, disability services was housed in a two-room suite, consisting of an outer office/reception area, with seating for three to four individuals, and the director's inner office. Affixed to the door from the outer office to the public hallway were two posters, one with a list of well-known individuals and their disabilities, including those with "mental illness." The other poster was a phonetic representation of how an individual with dyslexia could interpret printed matter. The DSP noted there was a nearby examination room for students with disabilities, but as it was in use at the time of the interview, this researcher was not able to view it.

The office of University E's DSP was located within the university's academic support center. It was a small, interior space which housed a desk, both office and guest chairs, and two filing cabinets. There was also a bookcase

responsibilities. One reported having volunteered for a number of disability-related organizations.

Forms and publications. Forms were used by all DSPs in facilitating and documenting student requests and services provided. Universities A and B had the largest number and greatest variety of forms. University D's DSP used fewer forms, and Universities E and F had the least. University C's forms could not be compared, as the DSP would not authorize the release of any of them. Table 3 contains information regarding internal forms used by the universities' disability services offices in the areas of (a) student application for services, (b) authorization for release of information, (c) student contracts, (d) testing arrangements, and (e) miscellaneous other forms. (University C is not included in this table, for the reason previously explained.)

**TABLE 3  
DISABILITY SERVICES:  
MISCELLANEOUS INTERNAL FORMS**

<b>UNIVERSITY A</b>	
Application for Services	<ul style="list-style-type: none"> <li>• Type of disability</li> <li>• Outside agency assistance</li> <li>• Disability Service Provider lists approved accommodations</li> </ul>
Student Personal Statement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Authorization for Release of Information	<ul style="list-style-type: none"> <li>• Authorization to release or obtain disability-related information; voided upon written notice</li> </ul>
Requests for Services Each Term	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Student Contract for Services	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Provisional Services Contract	<ul style="list-style-type: none"> <li>• Required for services when student presents inadequate documentation of otherwise evident disability; accommodations provided for one term only.</li> </ul>
Examination Agreement	<ul style="list-style-type: none"> <li>• Student agrees to conditions for adaptive testing:               <ul style="list-style-type: none"> <li>✓ Notification of instructors</li> <li>✓ Timeliness for exams</li> <li>✓ Adherence to Honor Code</li> <li>✓ Appropriate interactions with proctor</li> </ul> </li> </ul>
Other Forms	<ul style="list-style-type: none"> <li>• Loan of equipment:               <ul style="list-style-type: none"> <li>✓ Tape recorders</li> <li>✓ Other necessary equipment</li> <li>✓ Student responsible for damage and replacement</li> </ul> </li> </ul>

(table continues)

**TABLE 3**  
**DISABILITY SERVICES:**  
**MISCELLANEOUS INTERNAL FORMS**

**UNIVERSITY B**

Application for Services	<ul style="list-style-type: none"> <li>• Type of disability from a list including "emotional/psychological"</li> <li>• Outside agency assistance</li> <li>• Academic background</li> <li>• Request for accommodations and services.</li> </ul>
Student Personal Statement	<ul style="list-style-type: none"> <li>• Effects of disability</li> <li>• Academic/non-academic strengths</li> <li>• Achievements</li> <li>• Educational and career goals</li> <li>• Comfort and competency in explaining disability to others.</li> </ul>
Authorization for Release of Information	<ul style="list-style-type: none"> <li>• Student authorizes release of documentation to Disability Service Provider (DSP) to determine accommodations</li> <li>• Professionals (including psychologist, psychiatrist) asked for: diagnosis, applicable codes, level of severity, relevant tests, symptoms, most recent visit, medical information, educational functional limitations.</li> <li>• Student authorizes DSP and instructor communication about student's needs.</li> </ul>
Requests for Services Each Term	<ul style="list-style-type: none"> <li>• Student attaches class schedule and lists accommodations requested (verified by the DSP).</li> <li>• Student is given letters and instructor verification receipt forms for delivery to instructors.</li> </ul>
Student Contract for Services	<ul style="list-style-type: none"> <li>• Student agrees to attend class regularly and to notify DSP of absences, schedule changes, or if note taking is no longer needed.</li> <li>• Student is advised that services involving outside assistance will be terminated if the rules are not followed.</li> </ul>
Provisional Services Contract	<ul style="list-style-type: none"> <li>• Not used by Disability Services.</li> </ul>
Examination Agreement	<ul style="list-style-type: none"> <li>• Examination form indicates the type and length of test as well as delivery and receipt information.</li> </ul>
Other Forms	<ul style="list-style-type: none"> <li>• Loan of equipment: tape recorders, other equipment; student responsible for damage.</li> <li>• Note-Taker &amp; Sign Language Interpreter Form: includes name, agency, student's name and course information.</li> <li>• Non-Attendance Form: completed by student or note-taker if either is absent.</li> </ul>

(table continues)

**TABLE 3**  
**DISABILITY SERVICES:**  
**MISCELLANEOUS INTERNAL FORMS**

<b>UNIVERSITY D</b>	
Application for Services	<ul style="list-style-type: none"> <li>• Type of disability</li> <li>• Accommodations requested</li> <li>• Academic background</li> <li>• Professional documentation source, including name and telephone number</li> </ul>
Student Personal Statement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Authorization for Release of Information	<ul style="list-style-type: none"> <li>• Authorization to release or obtain disability-related information</li> </ul>
Requests for Services Each Term	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Student Contract for Services	<ul style="list-style-type: none"> <li>• Used only for terms associated with receipt of audio-taped materials</li> </ul>
Provisional Services Contract	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Examination Agreement	<ul style="list-style-type: none"> <li>• Examination form indicates type and length of test as well as delivery and receipt information.</li> </ul>
Other Forms	<ul style="list-style-type: none"> <li>• Loan of equipment:               <ul style="list-style-type: none"> <li>√ Tape recorders</li> <li>√ Other necessary equipment</li> <li>√ Student responsible for damage and replacement</li> </ul> </li> </ul>

(table continues)

**TABLE 3**  
**DISABILITY SERVICES:**  
**MISCELLANEOUS INTERNAL FORMS**

**UNIVERSITY E**

Application for Services	<ul style="list-style-type: none"> <li>• Disability "category"</li> <li>• Documentation provided and requested</li> <li>• Date of most recent documentation</li> <li>• Past accommodations received</li> <li>• Academic and medical history</li> <li>• Current medications</li> </ul>
Student Personal Statement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Authorization for Release of Information	<ul style="list-style-type: none"> <li>• Authorization to release or obtain disability-related information; voided upon written notice from student</li> </ul>
Requests for Services Each Term	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Student Contract for Services	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Provisional Services Contract	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Examination Agreement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Other Forms	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>

(table continues)

**TABLE 3  
DISABILITY SERVICES:  
MISCELLANEOUS INTERNAL FORMS**

<b>UNIVERSITY F</b>	
Application for Services	<ul style="list-style-type: none"> <li>• Check-list for accommodations approved by Disability Service Provider</li> </ul>
Student Personal Statement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Authorization for Release of Information	<ul style="list-style-type: none"> <li>• Authorization to release all disability-related information to faculty, administration, legal guardians, and other individuals considered appropriate by the Disability Service Provider</li> </ul>
Requests for Services Each Term	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Student Contract for Services	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Provisional Services Contract	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Examination Agreement	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>
Other Forms	<ul style="list-style-type: none"> <li>• Not used by Disability Services</li> </ul>

Four of the universities' disability services offices provided internally-published handbooks and guides. Of these, University A's materials contained a guide for students, a policies and procedures manual, and a guide for instructors. Universities B and D both summarized this information into comprehensive guides for students and instructors, and University C's disability services office had two such publications, a general guide for students and a handbook for note-takers. Neither University E nor University F had published materials of this kind. Table 4 summarizes information found in the disability services offices' internally-published handbooks and guides related to the following: (a) mission statements; (b) the degree of procedural description; (c) specificity of references to disabilities, documentation needs, and accommodations provided; (d) processes for appeal; and (e) resources beyond the campuses, including references to laws and community agencies.

**TABLE 4  
DISABILITY SERVICES:  
PUBLICATIONS**

**UNIVERSITY A**

**SOURCE: Disability Services Policies and Procedures Manual**

Mission Statement	• Not included in publication
Procedures	• Specific information about services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• General information - No reference to specific requirements
Appeal	• Not included in publication
Resources	• §504 and ADA - Prohibition of discrimination

**SOURCE: Disability Services Guide**

Mission Statement	• Included in publication
Procedures	• Specific information about services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• General information - No reference to specific requirements
Appeal	• Not included in publication
Resources	• §504 - Prohibition of discrimination • Community agencies and organizations

(table continues)

**TABLE 4  
DISABILITY SERVICES:  
PUBLICATIONS**

**UNIVERSITY B**

**SOURCE:** Disability Services Guide

Mission Statement	<ul style="list-style-type: none"> <li>• Included in publication</li> </ul>
Procedures	<ul style="list-style-type: none"> <li>• Specific information about services</li> </ul>
Disability Categories	<ul style="list-style-type: none"> <li>• Specific information - No reference to psychological disabilities</li> </ul>
Accommodations	<ul style="list-style-type: none"> <li>• Listed</li> </ul>
Documentation	<ul style="list-style-type: none"> <li>• Not included in publication</li> </ul>
Appeal	<ul style="list-style-type: none"> <li>• Disability Services Office and Equal Opportunity Office</li> </ul>
Resources	<ul style="list-style-type: none"> <li>• §504 and ADA - Prohibition of discrimination</li> <li>• Study strategy training for students with learning disabilities</li> </ul>

**UNIVERSITY C**

**SOURCE:** Disability Services Guide

Mission Statement	<ul style="list-style-type: none"> <li>• Included in publication</li> </ul>
Procedures	<ul style="list-style-type: none"> <li>• Specific information about services</li> </ul>
Disability Categories	<ul style="list-style-type: none"> <li>• General information - No reference to specific disabilities</li> </ul>
Accommodations	<ul style="list-style-type: none"> <li>• Listed</li> </ul>
Documentation	<ul style="list-style-type: none"> <li>• General information - No reference to specific requirements</li> </ul>
Appeal	<ul style="list-style-type: none"> <li>• Two- tiered committee process</li> </ul>
Resources	<ul style="list-style-type: none"> <li>• ADA definition of disability</li> <li>• Community, state and national agencies - includes two local sources for "psychiatric disabilities"</li> <li>• Handbook for note-takers - includes recognition for services, confidentiality advisory, and note-taker strategies</li> </ul>

(table continues)

**TABLE 4**  
**DISABILITY SERVICES:**  
**PUBLICATIONS**

**UNIVERSITY D**

**SOURCE:** Disability Services Guide

Mission Statement	<ul style="list-style-type: none"> <li>• Included in publication</li> </ul>
Procedures	<ul style="list-style-type: none"> <li>• Specific information about services</li> </ul>
Disability Categories	<ul style="list-style-type: none"> <li>• Specific information - Includes psychological disabilities</li> </ul>
Accommodations	<ul style="list-style-type: none"> <li>• Listed</li> </ul>
Documentation	<ul style="list-style-type: none"> <li>• General information - No reference to specific requirements</li> </ul>
Appeal	<ul style="list-style-type: none"> <li>• No information</li> </ul>
Resources	<ul style="list-style-type: none"> <li>• §504 - Prohibition of discrimination</li> </ul>

**UNIVERSITY E**

No publications provided by the Disability Services Office

**UNIVERSITY F**

No publications provided by the Disability Services Office

Functional descriptions. DSPs reported similarities in certain areas of function. All provided special testing arrangements, including test administration, for students with disabilities who registered for (and were approved for) these arrangements. Other accommodations included note-takers and readers for eligible students. Expanded coverage of student accommodations is provided in “Accommodations for Students,” a later section of this chapter. At Universities A, B, and D, adapted technological equipment was also available. In each university, DSPs notified instructors of students’ testing needs and other accommodations (to be discussed further in “Communication about Students,” a subsequent section of this chapter).

Self-evaluation. DSPs at the universities mostly gave their offices positive evaluations regarding effectiveness in accommodating students’ needs. However, University E’s DSP differed, describing these services as “weak,” adding that the university “must struggle” to provide accommodations for students. This was explained by stating that the university was faced with new challenges in responding to students’ needs, such as having to purchase adaptive computer equipment.

At University A, the DSPs indicated that “as a general rule, we are fairly effective.” University B’s primary DSP said that “the feedback we get is that we’re doing a good job.” DSPs at both schools indicated that their procedures often went beyond legal requirements; as University B’s DSP said, “even if we

feel the office can't offer what the student needs, we still have to try." The secondary DSP at University B expressed that services were "really fair" and "go beyond what's required."

University C's DSP reported that "compared with legal standards, it's appropriate," referring to that university's full range of services being in compliance with disability law. At University D, the DSP rated services as "academically, very well." University F's DSP described these as "excellent," adding that "everyone works well together. We're pretty creative."

Student interactions. All of the DSPs reported that students interacted with their offices at the beginning of each semester. They indicated that many students were in contact with them on a more frequent basis.

At University A, the main campus DSP said that "in the initial meeting with the student, we'll discuss accommodations needed,...and are frequently guided by that....We try not to be over-broad with accommodations." The DSP divided the office's responsibilities into "complying with ADA and Section 504 requirements" in terms of academic adjustments, and "academic...and personal counseling...that focuses on academics." Students needing counseling beyond that parameter, it was reported, "are referred to Counseling and other agencies."

University A's DSP indicated that up to 30 students per week visited the office to discuss needs and concerns, in addition to a "core of...about 25

that come in on a fairly regular basis...needing on-going assistance” with adaptive equipment. The DSP further noted that students with psychological disabilities interacted with the office “pretty much at the same rate as other students,...usually one to two per week. Sometimes these students will take longer, as when academic difficulties are present. Then the meetings can go to a half hour or more.”

The DSP on University A’s satellite campus reinforced the main campus DSP’s comments, adding that “we do whatever we can,...as much as we can,” without the students’ becoming “too dependent....We try to deliver, if it’s appropriate.” This DSP added that frequency of interaction with disabled students “depends on how independent,...self-confident,...and mature the student is...and the development of self-advocacy skills,” as well as “severity of the disability.”

For students with psychological disabilities, the main campus DSP said the “variables are different than for other disabilities,” explaining that “it depends on how severe the psychological disability is,...if the student is following a medical protocol, and...is able to stay in school.” University A’s satellite campus DSP concluded that differences between the university’s two disability services locations were only in terms of physical space, which the satellite campus DSP said was becoming inadequate.

DSPs at University B described their interactions with students in a manner similar to those at University A. University B's primary DSP noted that "in their in-take interview, students are asked about their classroom and testing experiences, so we can provide the most effective accommodations here." In addition to the in-take process, both DSPs said that students' needs were determined through analysis of documentation, and if necessary, follow-up contact with the authors of students' documentation.

The secondary DSP remarked that students visited the office daily, but neither DSP could ascertain approximate numbers. This DSP further reported that students with psychological disabilities "attempt to interact more often,...usually by drop-in visits, not appointments, and they aren't as successful in seeing me as if they'd had appointments."

The DSP responsible for disability services coordination on University B's satellite campus explained that systematic considerations were made, including, "first, what the student wants to do; what is the student's goal at [university]?...Then, how will we proceed,...depending on the disability, the student's needs,...and educational background?" The DSP noted that frequency of contact with students "depends on the students' disabilities," and added that "I see students with psychological disabilities more often than other students."

At the time of this researcher's interview with University C's DSP, this individual had been in the DSP position for less than four months. Partially for this reason the DSP was unable to approximate frequency of student contact, describing it as "regular" and "predictable," for all students, including those with psychological disabilities.

At University D, interactions with students reportedly took place "daily. One student comes in every day....Half, 30 to 40, come in once a week....With others, it varies. Usually once a semester."

Relative to student interactions, University E's DSP said, "it depends. I might have one twice a semester. I see at least one student once a week."

University F's DSP reported having "an open door policy " in seeing students "on everything from personal relationships to tutoring and academic subjects. In addition to regular office hours, the office's coordinator "lives on campus...and is available until ten o'clock at night during the week." The DSP expressed the philosophy that "a truly accessible office doesn't close up at five," explaining that having lived on campus in the past, the individual believed that evening hours were when "students really need someone to talk to."

This DSP reflected that all disability-related services "work well...we're able to work one-on-one with students to provide services," and noted that the university's small size "encourages more one-on-one interactions than is seen at

other schools.” Within the learning disabilities program, the DSP’s freshmen students came in twice per week. Often there were “more than 20 students per day,” to discuss “personal relationships, study strategies, and tutoring for classes.”

University F’s DSP then added that for other students with disabilities (those not part of the learning disabilities program), “we ask them to check in periodically,” and then estimated that students with psychological disabilities would be “in contact with someone, one-to-one, at least three times a week, maybe daily.” The DSP referred to the university’s counseling center as an example.

### Counseling Services

The counseling centers at each of the universities were recommended by DSPs as sources of additional information regarding students with psychological disabilities. In addition, university officials involved in facilitating psychologically-related student withdrawals all indicated that such students were routinely referred to counseling, as were students involved in behavioral conduct violations. Expanded discussions of each of these referral sources are found in “Identification of Students,” a subsequent section of this chapter.

Given the perceived importance of counseling services at these universities relative to students with psychological disabilities, the scope of

these offices was analyzed, in terms of organizational structure, counseling personnel experience, and general operations of each center. Descriptions of physical space were not included as interviews with directors took place by telephone.

Table 5 summarizes counseling center information regarding services and staff found in university publications.

Office and organizational structure. All universities' counseling centers were organizationally part of larger student affairs offices which also oversaw disability services offices and others related to student personnel administration. With the exception of Universities E and F, counseling centers provided clinical training for students in graduate programs related to counseling and psychology.

The offices varied in the number of professional counselors. Operations at Universities A and B both included 15 counselors on two campus locations (main and satellite). University C had 6 counselors on its main campus. University D's operation, which served as a career counseling center as well, had a staff composed of an administrator, a clinical supervisor, and a counselor, in addition to occasional student interns. At Universities E and F, one and two part-time counselors, respectively, worked with students in addition to the director.

**TABLE 5**  
**UNIVERSITY COUNSELING**  
**SERVICES**

UNIV.	SOURCE	SERVICES	STAFF
A	Catalogs Handbook Internet	<ul style="list-style-type: none"> <li>• "Individual, couples/group counseling and biofeedback"</li> <li>• Psychological testing</li> <li>• Services: confidential; free</li> <li>• Staff names and telephone numbers.</li> </ul>	<ul style="list-style-type: none"> <li>• Licensed psychologists</li> <li>• Mental health counselors</li> </ul>
B	Catalogs Handbook Internet	<ul style="list-style-type: none"> <li>• "Personal counseling:" <ul style="list-style-type: none"> <li>√ Academics</li> <li>√ Social problems</li> <li>√ Relationships</li> </ul> </li> <li>• Services: confidential - except in cases which present a clear danger to the university or to the community</li> <li>• Locations and telephone numbers</li> </ul>	<ul style="list-style-type: none"> <li>• Licensed psychologists</li> <li>• Consulting psychiatrist</li> </ul>
C	Catalogs Handbook Internet	<ul style="list-style-type: none"> <li>• "Psychotherapy - individual and group"</li> <li>• "Career and educational counseling"</li> <li>• "Personal concerns," i.e. "nervousness, depression. . . interfering with studies."</li> <li>• Services: confidential; free for "full time students"</li> </ul>	<ul style="list-style-type: none"> <li>• "Experienced psychologists"</li> </ul>
D	Catalogs Internet	<ul style="list-style-type: none"> <li>• "Personal counseling"</li> <li>• Referrals to "consulting psychiatrist" and/or "community agencies"</li> </ul>	<ul style="list-style-type: none"> <li>• Internet: counseling staff listed by name, background, education and counseling experience</li> </ul>
E	Handbook	<ul style="list-style-type: none"> <li>• "Personal counseling"</li> <li>• "Crisis intervention"</li> <li>• Referral information</li> <li>• Office hours</li> </ul>	<ul style="list-style-type: none"> <li>• "Licensed psychologists"</li> </ul>
F	Handbook	<ul style="list-style-type: none"> <li>• "Individual and group sessions"</li> <li>• Topical literature and videos</li> <li>• Services: confidential; free</li> <li>• Location</li> </ul>	<ul style="list-style-type: none"> <li>• "Master's level counselors"</li> <li>• "Licensed mental health counselors"</li> </ul>

Professional backgrounds. Counseling staff at Universities A and B were primarily comprised of individuals with doctoral degrees in psychology; at Universities C and E, all staff were so educated. At Universities D and F, counseling staff consisted of master's level educated counselors.

The directors themselves varied in their length of time with their respective institutions, from 2 to almost 30 years. For two of them, their present employment represented their first post-doctoral degree positions. Additionally, one had previously performed a similar role at another university, and two had been in secondary educational guidance counseling and, administration (respectively) prior to their current positions.

Functional descriptions. Counseling center directors varied in the limits they had set for the number of sessions per semester a student could receive. Only University D's center set the specific limit of six sessions per individual, but at the other universities, counseling center directors all indicated that services were oriented toward short-term counseling. Each, however, indicated that counseling could extend through an academic year if resources allowed.

All directors reported that services at the counseling centers were free of charge, generally to students who paid an activity or student service fee along with tuition. In addition, they all reported that due to professional ethical guidelines, students receiving counseling services from outside sources were not eligible for services from the universities' counseling centers.

Directors at Universities A, B, and C all said that students with psychological disabilities could receive counseling services at the centers, and University A's director indicated that this was done "sometimes for students with anxiety or depression." Directors expressed variations, however, in their ability to discern students' existing psychological disorders. Each reported that psychological diagnoses generally were not sought, as insurance-related reasons prevalent in private psychotherapy were not relevant in the university setting.

Directors at Universities A and B said students could indicate previous history of psychological disorders or treatment on in-take paperwork. According to University A's director, the staff was reportedly qualified to "form diagnostic impressions" of students. Similarly, University B's director noted that "we can usually determine if a disorder already exists..., but usually don't unless there's a need to for treatment purposes." While directors at both universities indicated they "work closely with disability services" in referring students, University B's director reported relying heavily on the DSPs' "expertise" in determining students' psychological disability status.

At University C, the director related that the staff was "trained to judge...and make diagnoses, through psychological testing," at which the staff reportedly was "very experienced. Existing documentation is helpful; any information provided is helpful," but not necessary to make diagnoses. The director said "it all depends...and there's no set answer," adding that "we're

familiar” with disability-related terminology, but that “we...focus on that...rarely.”

University E’s director said that “I might make recommendations to a psychiatrist,” but this director noted that any questions regarding the diagnosis of serious psychological disorders were referred to psychiatrists who worked with the university as consultants. Directors at Universities D and F reported similar referral procedures to psychiatrists under these circumstances.

All directors reported that students were referred to consulting psychiatrists for medication-related needs, a practice reportedly rarely exercised, although University F’s director said that “I’ve told students that I won’t see them until they see a psychiatrist.” Generally, directors indicated that the preferred short-term nature of counseling services was not geared to addressing circumstances associated with serious psychological disorders or disabilities.

### Analysis

Scope of disability services. Organizational structure of disability services offices within the universities appeared to influence both the internal forms used and extent of internal disability services publications provided. The four universities with separate disability services offices utilized a multiplicity of forms and publications, with Universities A and B maintaining the largest

array of internal forms. (As noted, the forms of University C were not analyzed as the DSP was unwilling to providing these sources of internal information.)

The size of the institution and the number of students registered with disability services appeared to have a bearing on the existence of internal forms and publications. A large number of these materials was likely a reflection of the perceived necessity of having standardized, written policies and procedures for working with a large number of students. Again, Universities A and B, also the largest of the six, displayed the widest range of services through their forms and publications.

In contrast, disability services operations at Universities E and F, which were subsumed within larger organizational entities, had no publications, and fewer forms were in existence. At University E, the small number of students may not have compelled the need for extensive forms and publications; however, University F's disabled student population was much more sizable. At University F, emphasis on extended hours of operation and personalized student attention possibly influenced the perception that written and standardized operations were not as important.

In essence, the quality of descriptions by the various DSPs of their services varied. With the exception of the DSP at University E, all DSPs highly evaluated their operations for services to students. Individuals at Universities A and B spoke of working with students in determining goals and encouraging

independence, even as they provided services. DSPs at Universities C and D, in comparison, mainly confined their comments to functional descriptions of services and evaluations of those services.

University F's DSP reflected the heaviest degree of personal contact with students, including the office's evening hours. The DSP at University E, on the other hand, in addition to providing functional information about services, candidly acknowledged such services as "very minimal."

Universities A and B indicated differences in contacts with students who had psychological disabilities as compared with other students. Increased length of meetings and a greater frequency of office visits, including those unplanned, were described by these DSPs. At the other universities (which had smaller numbers of students with psychological disabilities), such distinguishing contacts with these students were not so noted.

Scope of counseling services. The counseling directors all indicated that counseling services were designed to be temporary. They noted their major task was to address current student circumstances, not longitudinal psychological disorders. All directors indicated that due to professional ethical requirements, their services were limited to students who were not receiving psychotherapeutic services elsewhere.

Based on their diagnostic capabilities, the universities' counseling centers offices varied widely in their abilities to work with students having

psychological disabilities. At Universities A, B, and C, diagnoses could be discerned, while at Universities D, E, and F, no such diagnostic impressions were part of counseling services. University F's director, however, did report having made occasional recommendations to consulting psychiatrists, based on impressions.

When provided at all, diagnostic impressions were reportedly rarely done, and the infrequency or complete lack of this service at counseling centers appears to have been influenced by the absence of health insurance considerations generally guiding the need for diagnosis. In addition, at Universities D and F, the master's level education of all counselors may have further discouraged the practice of forming diagnostic impressions.

In general, directors at Universities A, B, and C indicated greater potential for working directly with psychologically disabled students than did their counterparts at Universities D, E, and F. Of the first group, directors at Universities A and B reported the highest incidence of interactions with psychologically disabled students, including interactions with disability services. University C's services reportedly rarely involved these interactions.

All universities' counseling directors indicated that most treatment needs of students with psychological disabilities were referred to consulting psychiatrists. Once such referrals took place, the counseling centers' involvement with these students generally ended.

## Identification of Students

To receive disability-related accommodations, individuals with disabilities are responsible for identifying their needs to the post-secondary institutions they attend. Without such notification from students, institutions are not legally obligated to offer them such services. As noted in the previous chapter, Office of Civil Rights (OCR) decisions have been levied in favor of institutions that could prove they had no knowledge of disability regarding students who alleged discrimination due to lack of accommodations.

Institutions do, however, have responsibilities for notifying applicants, students, and other members of the general public of policies concerning non-discrimination on the basis of disability. Additionally, it is the university's responsibility to notify those same individuals of the designated contact person or office for disability-related services. Both notices must be in a form accessible to the public, such as being published in handbooks or catalogs which are made available to applicants, students, and the general public [34 C.F.R. § 104.8 (a) & (b) (1990)].

In addition to such notices, institutions are required (per Section 504 of the Rehabilitation Act of 1973) to have policies and procedures for addressing disputes regarding accommodation-related decisions. By law, such policies and procedures should be in written form and available to the public [34 C.F.R. § 104.47 (b) (1990); 28 C.F.R. § 35.107 (1992)].

Beyond these requirements, colleges and universities may elect to provide disability-related notices that offer specific information. These notices may cover services provided and documentation required, as well as examples of students' disabilities for which services are provided.

To the extent that these notices include specific information, individuals may gain immediate guidance on their responsibilities as well as an indication of services that can be provided, and for whom. Particularly for individuals with hidden disabilities (including psychological disabilities), such expanded notices may offer validation and encourage them to seek assistance in light of the invisibility of their disabilities and associated stigmas. At the six universities in this study, these notices (found in catalogs, student handbooks, internally-produced guides and manuals, and via the Internet) were analyzed.

The extent and nature of referrals of students with disabilities to disability services offices was reviewed, including the roles of counseling staff and other employees in this endeavor. Services at each university's counseling center were also reviewed, in terms of (a) their being a referral source from other offices, including disability services; and (b) the extent to which counselors identified interventions appropriate for these students, including identification of their psychological disabilities and referrals to disability services.

## References to Non-Discrimination

All of the DSPs referred to student handbooks and/or catalogs for information regarding their institutions' non-discrimination statements. Each university had such statements or philosophies. All but one referenced "disability" or "handicap" or in other ways referred to disability as a consideration in non-discrimination. University E's publications contained no reference to disability in either its non-discrimination statement (found in many publications) or its mission statement, which otherwise welcomed "a diverse community of learners."

Phraseology used by the universities varied. University D's statement, found in its student handbook and catalogs, referenced "physical limitation" only. University A's admissions policy, located in its catalogs, encouraged applications "without regard to physical handicap." University A's other university-wide non-discrimination references, and such notices made by Universities B, C, and F all contained terms such as "disability," "disablement," and/or "handicap." Table 6 provides an accounting of sources, types of statements, and contents of the universities' published non-discrimination policies.

**TABLE 6**  
**NON-DISCRIMINATION REFERENCES**  
**IN UNIVERSITY PUBLICATIONS**

UNIV.	SOURCE	REFERENCE	CONTENT
A	Handbook	Statement for Students	Students encouraged to promote "compassion" and challenge "prejudice" based upon "handicap" (et al.).
		Non - Discrimination Statement	Non-discrimination on the basis of "disability" and other factors in "student organizations, university activities, academic programs, employment, use of facilities and housing."
		Sexual Harassment Policy	Ensures that individuals "be permitted to work or study in an environment free from...illegal discrimination, including on the basis of disability."
	Catalogs	Introduction	Reiterates the university's commitment to "non-discrimination with respect to handicap."
		Admissions Policy	Encourages applicants "without regard to physical handicap."
B	Handbook	Mission Statement	"Equal access to the University Community regardless of ...disability."
		ADA, Title II	"Non-discrimination on the basis of disability...in admission to the university, its services and activities or operations of its programs."
	Catalogs	Introduction	Non-discrimination on the basis of "mental or physical disablement, provided such disablement, with reasonable accommodation, does not prevent satisfactory work performance."
		Admissions Policy	Refers to "full consideration of the potential of students from groups traditionally under represented in higher education [such as]...students with disabilities."
C	Handbook	Non-Discrimination Statement	Prohibits individuals with disabilities from discrimination by being "excluded from participation in...denied the benefits of...or subjected to discrimination under...any program or activity."
	Catalogs	Introduction	States the university "is committed...that all...[are] welcome as seekers...regardless of handicap...."
		Student Organizations	Student organizations are advised that "discrimination clauses pertaining to handicap" (et al.) are forbidden.

(table continues)

**TABLE 6**  
**NON-DISCRIMINATION REFERENCES**  
**IN UNIVERSITY PUBLICATIONS**

UNIV.	SOURCE	REFERENCE	CONTENT
D	Catalogs Handbook	Introduction	Non-discrimination on the basis of "physical limitation... in the educational program, employment and personnel practices, admissions, scholarships/grants/loans and participation in athletic or other student activities."
E	Catalogs Handbook Admissions Application	Non-Discrimination Statement	No reference to disability.
	Handbook	Mission Statement	No reference to disability in the discussion focusing on "peace, freedom, justice, the dignity of the individual, [and] the betterment of humanity."
F	Handbook	Mission Statement	Refers to commitment to "equal access to educational and employment opportunities for all qualified students" and "implementing federal and state laws, regulations and policies governing equal access...opportunity."
		Non-Discrimination Statement	Attests to admission of students "of any disability...to all of the rights, privileges, programs and activities ...available to students." Specifically notes that the university "does not discriminate on the basis of disability...in administration of its educational policies...and other school administered programs."

## Disability Services: University-Wide Sources of Information

The universities differed in their depth and breadth of information provided in university-wide publications about disability-related services. Public coverage of this area of university access ranged from minimal to extensive. Most often, general information about procedures, accommodations, documentation guidelines, and disabilities was provided.

In addition to these sources, University A published general information about procedures and accommodations in its class schedule bulletins. As noted, on University D's disability services office door, a sign listed well-known individuals and their disabilities, including those with "mental illness." Regarding university-wide documents, it was noted that specified references to psychological disabilities were found in relatively few locations. At University A, the catalogs referred to "psychological disorders" among the categories of disabilities individuals seeking assistance could have. University D's catalogs referenced "psychological disabilities" in a similar manner. Internet sites for Universities A and D both provided documentation guidelines specific to psychological disabilities. University A's Internet site listed specific disabilities as well, but psychological disabilities were not included.

DSPs who had provided formal training to instructors (all but University E's) indicated that during training, they recommended the inclusion

of a statement on the course syllabi which encouraged otherwise unidentified students with disabilities to visit the disability services office. DSPs all said that the recommended language for this type of syllabus statement included references to students with disabilities in general, rather than focusing on specific disabilities. University E's DSP said that this recommendation had been made informally. Although DSPs had no specific knowledge of the degree to which faculty included such disability-related references in their syllabi, University B's DSP was aware that the "entire English Department" had adopted this procedure.

Table 7 offers a dissemination of disability information across the universities, based on (a) type of publication, (b) mission statement, (c) procedures, (d) disabilities specified, (e) accommodations, (f) documentation guidelines, (g) appeal procedures, and (h) other resources, as found in student handbooks, catalogs and via the Internet.

**TABLE 7**  
**UNIVERSITY-WIDE PUBLICATIONS:**  
**REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY A</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Included in publication
Procedures	• General information- No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• Must describe and substantiate impact & need
Appeal	• Equal Opportunity Office
Resources	• Community, state, national agencies and organizations • Personal counseling • Emergency evacuation procedures
<b>SOURCE: Catalogs</b>	
Mission Statement	• Included in publication
Procedures	• General information- No reference to specific services
Disability Categories	• Specific Information - Includes "psychological disorders"
Accommodations	• Listed
Documentation	• Must be "current"
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Internet</b>	
Mission Statement	• Included in Disabilities Services web site
Procedures	• Specific information- "Frequently Asked Questions"
Disability Categories	• Specific Information - No reference to psychological disabilities
Accommodations	• Listed
Documentation	• Specific to disability - Includes psychological disabilities
Appeal	• Not included in Disabilities Services web site
Resources	• Internet links - related to specific disabilities - no reference to psychological disabilities

(table continues)

**TABLE 7**  
**UNIVERSITY-WIDE PUBLICATIONS:**  
**REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY B</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Not included in publication
Procedures	• General information - No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• General information - No reference to specific accommodations
Documentation	• Must be "appropriate"
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Catalogs</b>	
Mission Statement	• Included in publication
Procedures	• General information - No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• General information - No reference to specific accommodations
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Financial aid and scholarship information
<b>SOURCE: Internet</b>	
Mission Statement	• Included in Disability Services web site
Procedures	• Specific - "Frequently Asked Questions"
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• General information - No reference to specific accommodations
Documentation	• Specific to disability - Includes psychological disabilities
Appeal	• No information
Resources	• Internet links - all related to physical disabilities - no reference to psychological disabilities

(table continues)

**TABLE 7**  
**UNIVERSITY-WIDE PUBLICATIONS:**  
**REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY C</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Included in publication
Procedures	• General information - No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• Must be "current, appropriate" • Must explain nature of disability and need for services
Appeal	• Not included in publication
Resources	• ADA definition of disability
<b>SOURCE: Catalogs</b>	
Mission Statement	• Included in publication
Procedures	• General information - No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• Must be "current, appropriate" • Must explain nature of disability and need for services
Appeal	• Not included in publication
Resources	• ADA definition of disability
<b>SOURCE: Internet</b>	
Mission Statement	• Included in Disability Services web site
Procedures	• General information - No reference to specific services
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• Listed
Documentation	• Must be "current, appropriate" • Must explain nature of disability and need for services
Appeal	• Not included in Disability Services web site
Resources	• ADA definition of disability

(table continues)

**TABLE 7**  
**UNIVERSITY-WIDE PUBLICATIONS:**  
**REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY D</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Not included in publication
Procedures	• Not included in publication
Disability Categories	• Not included in publication
Accommodations	• Not included in publication
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Catalogs</b>	
Mission Statement	• Included in publication
Procedures	• General information - No reference to specific disabilities
Disability Categories	• Specific information - Includes psychological disabilities
Accommodations	• General information - No reference to specific accommodations
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Internet</b>	
Mission Statement	• Not included in university web site
Procedures	• Not included in university web site
Disability Categories	• Not included in university web site
Accommodations	• Not included in university web site
Documentation	• Not included in university web site
Appeal	• Not included in university web site
Resources	• Not included in university web site

(table continues)

**TABLE 7  
UNIVERSITY-WIDE PUBLICATIONS:  
REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY E</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Not included in publication
Procedures	• Not included in publication
Disability Categories	• Not included in publication
Accommodations	• Not included in publication
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Catalogs</b>	
Mission Statement	• Not included in publication
Procedures	• Minimal information - No reference to specific services
Disability Categories	• Not included in publication
Accommodations	• Not included in publication
Documentation	• Must be "current, verifiable"
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Internet</b>	
Mission Statement	• Not included in university web site
Procedures	• Not included in university web site
Disability Categories	• Not included in university web site
Accommodations	• Not included in university web site
Documentation	• Not included in university web site
Appeal	• Not included in university web site
Resources	• Not included in university web site

(table continues)

**TABLE 7**  
**UNIVERSITY-WIDE PUBLICATIONS:**  
**REFERENCES TO DISABILITY SERVICES**

<b>UNIVERSITY F</b>	
<b>SOURCE: Handbook</b>	
Mission Statement	• Included in publication
Procedures	• Specific:   √ Academic assistance   √ Residence halls √ Non-academic assistance   √ Transportation
Disability Categories	• General information - No reference to specific disabilities
Accommodations	• General information - No reference to specific accommodations
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Catalogs</b>	
Mission Statement	• Not included in publication
Procedures	• Not included in publication
Disability Categories	• Not included in publication
Accommodations	• Not included in publication
Documentation	• Not included in publication
Appeal	• Not included in publication
Resources	• Not included in publication
<b>SOURCE: Internet</b>	
Mission Statement	• Not included in university web site
Procedures	• Not included in university web site
Disability Categories	• Not included in university web site
Accommodations	• Not included in university web site
Documentation	• Not included in university web site
Appeal	• Not included in university web site
Resources	• Not included in university web site

## Counseling and Disability Services: Initial Student Contacts

Counseling directors at the universities estimated that the majority of students visiting their centers were self-referrals. They also said that instructors, academic advisors, other staff and students, as well as family, had been referral sources to a lesser degree. University E's director said that "we're a small community, so faculty know which students are having problems." At University F, also a small institution, the director had developed a process for considering, through weekly committee meetings, which students potentially needed counseling services.

DSPs reported that students in general came to their offices at any point to seek services. A few came prior to enrollment, but the majority introduced themselves to disability services offices either as a result of a new student orientation program or as transfer students from other institutions where they had already been receiving services. Of students referred by others, DSPs indicated generally that instructors, particularly full-time faculty, were the most likely sources.

According to the DSPs, their initial contacts with students with psychological disabilities differed from this pattern.

University A. The DSP at this university said that "quite a number of students with...psychological disabilities get in contact with us after midterms, after they've done poorly." The DSP said these students either were "aware of

their disabilities but were trying to make it without accommodations” or were “just in the process of accepting or coming to terms with their disabilities.” The DSP said that a referral to the counseling center, instead of disability services, would be “more threatening...than [disability services].” The DSP continued, added that disability services could be viewed as a “safe place” for those students, “safer than counseling,” in light of “negative associations” with psychological disabilities.

On this university’s satellite campus, the DSP said such students either “transferred from [a local community college], or were referred by faculty or from DVR [the state Department of Vocational Rehabilitation].” This DSP said that in cases where students were “acting out bizarrely,” instructors referred them to disability services.

University A’s counseling director reported that the office “works closely with disability services,” and if a counselor “feels a student could benefit from services provided by [disability services], a recommendation for referral can be made.” The director also said that counseling center “will provide documentation for psychological disabilities,” although frequency of this occurrence could not be ascertained.

University B. This university’s secondary DSP on the main campus reported that students with psychological disabilities “may reveal another [non-psychological] disability “on the in-take form” which all students seeking

services complete. This DSP reported discovering that the students' psychologists "discourage them from coming forth" with information about their disabilities. In these instances, "something in the wording of what the student says on the in-take...or later...when we talk to them, caused them to "realize the real disability is different." This individual also said that documentation in such instances was "different than what the student said." The DSP reported having the impression, from conversations with students, that psychologists were "afraid of labeling the students," whom they allegedly felt "would be treated differently" if associated with psychological disorders.

Both of University B's DSPs said that referrals for these students could come from the office that handles "medical withdrawals." Students, if presenting circumstances that suggested the presence of psychological disabilities, were advised to contact disability services if they re-enrolled, the DSP reported.

Follow-up communication with disability services and the office handling these withdrawals revealed that such students were routinely referred by that office to the counseling center, not disability services. Referrals from faculty regarding these students were reportedly "rare." In contrast, the university's satellite campus DSP said such students were generally referred by faculty, as well as academic advisors.

University B's counseling director indicated working "closely" with disability services "when it appears a student may have educational needs and issues hampered by a mental disorder." The director expressed familiarity with disability-related terminology "to a degree, but not exactly," and indicated reliance on disability services for "expertise in these matters...including recommendations." The director said recommendations were infrequently made, but when done, "common sense" was used in the absence of educational knowledge.

University C. The DSP at this university said that "Disability Services' initial contact with students with disabilities "could be at any point. There's no set pattern." In contrast to a statement University A's DSP made, this DSP speculated that students with psychological disabilities who disclosed disability-related information to instructors "would be referred to counseling, not disability services." The DSP added, "I've referred students to counseling in that way...as an instructor."

The counseling director at University C said that "on occasion, not frequently," students had been referred to disability services from the counseling center, adding that "more likely students do it on their own," and that "there would need to be a significant reason for referral," such as "a situation that interfered with academic ability." The director said that the

counseling center provided psychological documentation “if we’ve done evaluation and testing of the student.”

University D. Regarding the timing of students’ initial contacts with disability services, University D’s DSP said that “it depends,” adding that “half of the students do it right away, on their applications. The other half don’t want to disclose...and then they hit a stumbling block and come to [disability services ].” The two students known to have psychological disabilities, according to the DSP, “at first just wanted us to know about their disabilities, but didn’t want any services...until they hit a stumbling block, too.”

At University D’s counseling center, the director indicated that recommendations had been made for students with learning disabilities or physical disabilities to seek disability services assistance. However, this individual noted that “in the last four years, we haven’t had to do this...and I can’t think of when it would’ve been appropriate.” Referrals elsewhere, to a consulting psychiatrist, were viewed as more appropriate. The director acknowledged that “sending such a student...to disability services if it [the student’s disability] impacted academic functioning” theoretically could be realistic.

University E. “Students can come in at any time,” reported University E’s DSP, speaking of the small number of students who interacted with disability services. This individual indicated that the former student with a

psychological disability came to the office soon after enrolling at the university.

This university's counseling director said that no students had been referred to disability services for psychological disability-related reasons, but would have been referred to a consulting psychiatrist. The director noted that actual or approximated numbers of referrals could not be ascertained, and at the time of the interview could not think of any students for whom referral to disability services would have been appropriate.

University F. Regarding initial contacts, this university's DSP reported that "most come in as freshmen, because that's when most of them come into the [learning disabilities] program....A few don't...disclose until they're already here." The DSP added that "most students with psychological disabilities might not end up in my office, but would be referred to counseling."

In the counseling center at University F, the director said "we have never done this," speaking of referring students to Disability Services on the basis of psychological disability. The director reflected that "students may not be aware that they have psychological disabilities," and then expressed an attempt by the center to "move away from a clinical model" involving DSM-IV diagnoses.

The director and the researcher then switched roles, and the director asked, "what would be required for a referral? A diagnosis?...What accommodations would these students have?" The researcher explained that

other universities' counseling directors had indicated referrals to disability services for such students in cases when disabilities appeared to affect academic functioning. The researcher further explained that certain accommodations were provided for these students through various universities' disability services offices, based on documented student needs. University F's counseling director expressed great interest in this information, which was reportedly "something I hadn't considered."

#### Other University Offices' Policies and Procedures

Admissions. Procedures for admission to colleges and universities offer the initial means of identifying individuals with disabilities. The universities in this study differed in their ways of sharing disability-related information with applicants.

Universities A, B, D, and F had policies for optional special admission consideration based on disability. At Universities D and F, this consideration was provided for students applying to their respective learning disabilities programs. Universities C and E did not employ these or similar mechanisms.

At Universities A, B, and F, applications involving special disability consideration were referred to DSPs for recommendations regarding admission, as confirmed by DSPs and admissions officers at these universities. (At University D, the director of the learning disabilities program, not a focus of this study, reviewed these applications.)

DSPs at these three universities reported sparse results from this policy with respect to applicants with psychological disabilities, again reinforced by admission representatives. DSPs at these universities described their processes as “effective,” and indicated that the “majority” of such applicants, including those with psychological disabilities, were admitted.

At University A, the DSP said that “occasionally, but not often at all,...students with psychological disabilities will request this sort of consideration. In these cases, they’ve struggled for years and years when they were out there on their own,...then discovered...or received treatment for...their disabilities,...got on medication, and achieved greater success. The DSP said such individuals could refer to poor academic performance from the past as indicative of their untreated disabilities and ask for consideration on that basis.

At University B, the DSP estimated that “five...out of literally hundreds” of applicants requesting disability waiver of requirements had involved psychological disabilities. University F’s DSP said that “this rarely happens,” referring to the same matter.

Three of the universities provided follow-up information to applicants beyond the initial application stage. University B sent all admitted applicants a form to indicate additional disability-related data, to be returned to the disability services office. This form specified use by any individual with a “physical, mental, learning, or emotional disability.”

Universities C and D enclosed general announcements to all applicants regarding the role of the respective disability services offices, including telephone numbers for individuals to contact these offices. At these schools, DSPs and admissions officers reported that all disability-related inquiries were referred to disability services. Admissions officers and DSPs at Universities C and D recalled no psychologically-related inquiries from applicants.

The researcher witnessed an incident which conflicted with University D's admissions officer's response. At the close of the researcher's DSP interview, a representative of the university's admissions office came into the Disability Services office, visibly shaken. The admissions representative sought the DSP's advice on how to proceed in a matter involving the current application of an individual who had disclosed a psychological disability in her application. The admissions representative told the DSP that the applicant previously had been accepted for admission but had never attended the university.

During the applicant's earlier application process, the admissions office had been contacted by another individual claiming to be associated with a psychiatric residential facility where the applicant then lived. Apparently during this contact, the other individual had strongly advised the university not to admit the applicant due to her serious psychological problems. Subsequently, a note of unknown origin had been placed in the applicant's file,

advising that prior to reconsideration, the applicant would need to provide professional documentation attesting to her ability to attend the university.

The admissions representative reported speaking with the applicant, who expressed a desire to reapply to the university. The admissions representative further reported telling the applicant of the note and its conditions, to which the applicant (according to the staff member), became “hysterical,” stating that her previous “doctor” was now “dead,” and that her “new doctor would never” write such a letter.

Confused, concerned, and quite upset, the admissions representative turned to the DSP, who thanked the individual for raising the question. The DSP then advised the admissions representative that the note could not be allowed, that the student could not have this additional codicil attached to other published university requirements.

Afterward, the DSP, in a discussion with the researcher, expressed gratitude for any occasion when a university representative asked a question rather than proceeded in ignorance. The DSP said that in some cases, particularly involving individuals with hidden disabilities such as psychological disabilities, other admissions personnel seemed to react in extremes: from concluding, as the DSP explained, that “they’re disabled, so we have to accept them;” to blind prohibition, as in this present instance. Table 8 summarizes the universities’ admission policies and procedures appurtenant to disability.

**TABLE 8**  
**DISABILITY - RELATED**  
**ADMISSION POLICIES AND PROCEDURES**

UNIV.	SOURCE	CONTENT
A	Handbook	<ul style="list-style-type: none"> <li>• Admissions accommodations are provided, including “waiving admission requirements” for applicants with disabilities.</li> </ul>
	Catalogs	<ul style="list-style-type: none"> <li>• Individuals with “physical disabilities” are encouraged to apply.</li> </ul>
	Undergraduate Admission Application	<ul style="list-style-type: none"> <li>• Applicants wanting “special admission consideration based on a disability” are advised that disability-related information is “voluntary,” kept “confidential,” and only used in “university’s voluntary efforts” at overcoming the effects of past discrimination for individuals with disabilities.</li> </ul>
		<ul style="list-style-type: none"> <li>• Applicants are advised that requesting this optional consideration requires documentation, but that refusal to provide information will not subject applicants to “adverse treatment.”</li> </ul>
	Graduate Admission Application	<ul style="list-style-type: none"> <li>• Applicants may request optional special consideration based on disability; documentation is required.</li> </ul>
B	Handbook	<ul style="list-style-type: none"> <li>• “Undergraduate and graduate applicants may request special admissions consideration based on disability.”</li> </ul>
	Catalogs	<ul style="list-style-type: none"> <li>• Undergraduate: Students with physical and learning disabilities may request substitutions for specific admission requirements.</li> <li>• Graduate: Applicants with disabilities may request special admission consideration.</li> </ul>
	Undergraduate Admission Application	<ul style="list-style-type: none"> <li>• Applicants wanting “special admission consideration based on a disability” are advised that disability-related information is “voluntary,” kept “confidential,” and only used in “university’s voluntary efforts” at overcoming the effects of past discrimination for individuals with disabilities.</li> </ul>
	Graduate Admission Application	<ul style="list-style-type: none"> <li>• Applicants may request optional special consideration based on disability; documentation is required.</li> </ul>
	Disability Services Information Form	<ul style="list-style-type: none"> <li>• Admitted applicants with “physical, mental, learning, or emotional disability” may provide disability-related information and send to Disability Services.</li> </ul>

(table continues)

**TABLE 8**  
**DISABILITY - RELATED**  
**ADMISSION POLICIES AND PROCEDURES**

UNIV.	SOURCE	CONTENT
C	Disability Services information letter	<ul style="list-style-type: none"> <li>• Disability-related services are described; all applicants with disabilities are encouraged to contact Disability Services.</li> </ul>
D	Disability Services information notice	<ul style="list-style-type: none"> <li>• Disability-related services are described; all applicants with disabilities are encouraged to contact Disability Services.</li> </ul>
E	No published policies or procedures	
F	Admission Application; Internet	<ul style="list-style-type: none"> <li>• Applicants may request special admission consideration based on disability (learning disabilities program only).</li> </ul>

Policies for general behavioral conduct. A review of each university's conduct policies found in student handbooks and/or catalogs revealed no provisions pertaining specifically to students with disabilities. Individuals recommended by DSPs for the researcher to contact recalled no student hearings or procedures addressing violations that involved consideration of any disability as a mitigating or otherwise explanatory factor. Each of them reported that at times, student conduct violations had been made by students appearing to have serious behavioral disturbances. None of the officials, however, was able to discern the existence of psychological disabilities in these students, as none was professionally qualified to do so. Nevertheless, each university had one or more means of intervening when student behavior caused campus concern.

Policies for medical/psychological withdrawal. One type of conduct policy found in writing at five of the six universities was viewed as relating to conduct involving students with psychological disabilities, as well as any other students. With the exception of University E, the universities had written policies governing student behavior determined to be a "clear and present danger," "health hazard," or "threat," or which otherwise "endangers...[or] is detrimental to the health and safety of the student or others," or causes a university official to believe the "student may physically harm himself or herself or cause harm to any person or property." Policies for mandatory

student withdrawal addressing these circumstances, as well as related policies for voluntary withdrawal, were found in four of the five universities' student handbooks. University D promulgated this information in both its graduate and undergraduate catalogs.

Jurisdiction associated with this conduct varied across the universities, and included administrative committees, counseling center directors, and other student affairs administrators. In each institution, documented language reflected that a student found to have engaged in such conduct could be required, after appropriate student hearings or interviews, to withdraw from the university for a sufficient period of time to allow appropriate treatment related to the cause of the behavior. To be considered for re-enrollment, the student would have to provide documentation indicating successful resolution or treatment of the original cause for withdrawal. Similar policies existed for students requesting voluntary withdrawals or leaves of absence based on medical or psychological circumstances.

Individuals in the offices charged with reviewing psychologically-based withdrawals were asked about the incidence of serious psychological circumstances for student voluntary and mandatory withdrawal. At each institution, these individuals indicated that the overwhelming preponderance of all cases did not involve students with serious disorders. Students who did

present documentation indicating the presence of such disorders were referred to the universities' counseling centers.

Policies for mandatory counseling. In addition to policies and procedures for student withdrawal, each of the universities provided sanctions involving mandatory referral to the counseling center for behavioral misconduct.

Universities A, B, and C maintained this information in writing. University A's student handbook provisions noted "referral for assessment at...[the counseling center] or agency identified by the...[counseling center] for...general mental health or other counseling issues." University B's catalogs each contained an advisory relative to "recommendations for administrative action from...[the counseling center] when students' psychological conditions prevent fulfillment of academic responsibilities or limit ability for appropriate behavior." University C's student handbook policy stated only that "the student may be referred to...[counseling center]."

Reports from the counseling center directors at these institutions provided somewhat different information. Despite the existence of the written policy, University A's director stated that "this isn't done." University B's director reported knowledge of only one instance in a two and one-half year period, a referral for "anger management counseling."

At University C, the director said that although counseling itself was not mandated, "mandatory psychological evaluations could be ordered, depending

on the student's conduct violation." The director indicated this was an infrequent procedure and was unable to provide exactitudes or estimates regarding the percentage of instances involving students with possible psychological disabilities.

Counseling center directors at Universities D, E, and F all reported that provisions for mandatory referrals as disciplinary sanctions were in place, despite the absence of written information available to the public.

University D's counseling director cited instances involving "disruptive behavior" among the reasons for mandatory referrals to the counseling center. Counseling directors at Universities E and F remarked that such policies were not welcome, the former noting that "we try really hard to discourage these kinds of referrals," and the latter stating they were "not high on the list of things to do." Both indicated that sessions with such students were generally "unproductive," due to their involuntary nature.

Directors at Universities D and F estimated that 2% of the mandatory referrals had serious psychological disorders but could not ascertain actual numbers. Each said these students had been referred to the university's consulting psychiatrist.

### Analysis

Where general disability-related information was found in catalogs, handbooks, the Internet, or instructors' syllabi, students with psychological

disabilities arguably could have had the same opportunities for self-identification to disability services offices as students with other disabilities. Certain obstacles, however, could influenced their inaction in this regard.

Students' identification with negative disability stereotypes or denial of their disabilities could preclude them from coming forth. Additionally, students not perceiving psychological disorders as disabilities could consider themselves ineligible for related services. When specific information about disability categories did not include psychological disabilities, students with these disabilities could have been even less likely to come forward. In these instances, the omission of these disabilities could reinforce student denial of, or lack of association with, the disability concept.

Although counseling centers were unanimously recommended by DSPs as an additional resource for information regarding students with psychological disabilities, the role of these offices in providing information about, and meeting the needs of, these students was reportedly minimal. Generally, the universities' counseling centers were designed for students undergoing daily life problems which indicated brief sessions of counseling. Thus, even when therapy became long-term, psychological matters that would not constitute mentally or emotionally disabling conditions were the predominate focus.

Only at Universities A and B did the counseling directors indicate having referred students with psychological disabilities to disability services.

Although University C's counseling director reported the counseling staff was professionally able to diagnose, the director said they "rarely" did.

Furthermore, consideration of psychological disorders as disabilities warranting academic adjustments was not a focus of the counseling office.

Viewing the universities' counseling centers as potential sources for the identification of students with psychological disabilities was problematic for two reasons. First, the likelihood existed that such students were already engaged in psychotherapy, including medication management, with psychotherapists outside the university sphere. In such cases, psychotherapeutic interventions by the universities' counseling centers (beyond communicating with existing psychotherapists regarding student behavior that posed a danger to the student or others) would be unethical. Additionally, if students had no such outside support, the universities' counseling centers could only provide support on a temporary basis, and would then refer the students to consulting psychiatrists for long-term services, which likely would not focus on educational needs.

A related problem was found in the prevalence of referrals from other university offices to Counseling, instead of disability services, for such students. Although the counseling center may have been able to address certain important needs of psychologically disabled students (either through brief psychotherapy or psychiatric referrals), their educational needs went unnoticed

without referrals to disability services. At several of the counseling centers, directors were not oriented toward viewing students with serious psychological disorders as benefitting from academic adjustments; as a result, referrals to disability services were rarely, if ever, made.

Evidently other offices across the campuses did not consider students with psychological disabilities eligible for disability-related services, either, at least not in the same way they perceived other students with disabilities. Even two of the DSPs indicated that their counseling centers, over the disability services offices, were the most expected and appropriate offices for these students seeking assistance.

Not one of the six universities tracked the rates of referrals of these students to counseling centers, which, in turn, did not record the instances of referrals to consulting psychiatrists. Understandably, confidentiality requirements would have precluded the release of actual names of students, but mere numbers would not have compromised their rights to confidentiality. Except to note, therefore, that counseling services existed as a potential source of support (albeit generally an incomplete one), little meaningful information regarding their interactions with this population could be ascertained.

Beyond the parameters of this research, this information would be useful for the universities themselves, in comparing the incidence of referrals to the numbers of students with psychological disabilities registered with disability

services offices. If the information revealed higher rates of student referrals to counseling than to disability services, strategies could be considered for enhancing the effectiveness of university-wide procedures for identifying these students.

DSPs and admissions officers all spoke of the infrequency, or non-existence, of psychological disability-related inquiries during the admission process. University D's DSP was among those who reported no known incidents of this sort. However, as recounted by this researcher following his interview with the DSP (after an admissions officer sought guidance on interacting with an applicant who reportedly had a psychological disability), the DSP remarked that certain Admissions staff "did not know how to interact effectively with applicants with hidden disabilities." This incident raised questions as to the number of other unknown and unreported incidents of this sort, based on ignorance in interacting with, and providing educational access for, individuals with psychological disabilities.

### Accommodations for Students

Individuals with disabilities must provide documentation of their disabilities in order to be eligible for post-secondary educational accommodations. Several earlier-cited OCR and federal court decisions were rendered in favor of institutions because students had not submitted this

documentation. Particularly for psychological and other hidden disabilities, collegial institutions must receive disability substantiation from an appropriate professional practitioners. This substantiation (including information about limitations associated with the disability) allows DSPs to determine accommodations. Recommendations from practitioners treating the individuals' disabilities may assist the DSPs in determining these accommodations.

Documentation guidelines instruct students in providing what schools need, allowing the schools to grant the reasonable accommodations students must have. Guidelines for specific types of disabilities accomplish the same end and may be especially effective for students with psychological or other hidden disabilities.

According to Section 504 and its implementing regulations, colleges and universities must offer academic adjustments to students with disabilities unless doing so alters educational requirements the schools can prove essential [34 C.F.R. § 104.44 (a) (1990)]. The regulations also require schools to maintain grievance procedures for addressing disputes related to requested accommodations, and these must include means for timely resolution [34 C.F.R. § 104.7 (b) (1990)].

Appropriate individuals at the six universities in this study were asked about their documentation guidelines, academic adjustments provided, and

grievance procedures. University documents were also reviewed. Given this study's focus, particular attention was devoted to these policies and procedures as they pertained to students with psychological disabilities.

### Documentation Guidelines

All universities except University F had published general guidelines for students to follow in providing appropriate documentation of disabilities. These guidelines were found on Internet sites, in student catalogs and handbooks, and in internal disability services publications at Universities A, B, and C. University E's undergraduate catalog and University D's internal Disability Services guide contained them as well. Tables 9 and 10 contain information concerning each university's source of general and psychological disability-related documentation guidelines delineated for timeliness, content, author, and other factors associated with the guidelines.

Only Universities A and B provided specific guidelines for documentation of psychological disabilities. DSPs at both universities stressed the need for current documentation. As succinctly stated by University A's DSP, "it's fairly well established that currency of documentation is important." University B's primary DSP reasoned that "we need to know how the students are doing now." In contrast, University C's DSP told of their procedure of accepting non-current documentation without the need for update, while seeking to speak with the "most recent provider."

**TABLE 9**  
**GENERAL DISABILITY DOCUMENTATION GUIDELINES**

University	Source	Timeliness	Content	Author	Other
A	Catalogs	"current"			
	Handbook		description of disability; need for accommodations		
	Internet		specific to disability categories	specific to disability categories	
	Disability Services Policies and Procedures Manual	within last 3 years		"appropriate professional"	
	Disability Services Guide	within last 2 years	description of disability; need for accommodations	"appropriate licensed professional"	
B	Handbook	"current"	"appropriate... verifying the disability"		
	Disability Services Guide		"appropriate... substantiates the disability"		"sensory, physical, learning disabilities & other health impairments"
C	Catalogs Handbook Internet	"current"	description of disability; need for accommodations	"qualified professional"	
D	Disability Services Guide		"clear"	"appropriately licensed or certified official"	no documentation required "if a prudent person can determine a disability"
E	Catalog (Undergraduate only)	"current"	"verifiable"		
F	NO PUBLISHED GUIDELINES				

**TABLE 10**  
**PSYCHOLOGICAL DISABILITY DOCUMENTATION GUIDELINES**

University	Source	Timeliness	Content	Author	Other
A	Internet		DSM-IV diagnosis; medical management; psycho-educational assessment	mental health practitioner: psychologist or psychiatrist	
			Individualized rehabilitation plan	Vocational Rehabilitation counselor	
B	Internet		Psychological evaluation; diagnosis, academic limitations, medications, side effects	psychologist	
	Disabilities Services form: "Authorization for Release of Information"		Diagnostic codes; diagnosis date, severity, tests, medications, academic limitations	psychologist or psychiatrist	
C	NO PUBLISHED GUIDELINES				
D	NO PUBLISHED GUIDELINES				
E	NO PUBLISHED GUIDELINES				
F	NO PUBLISHED GUIDELINES				

At the remaining three schools, guidelines were described as “very good,” “enough that cover us legally,” “pretty effective, “clear,” and “consistent.” DSPs expressed that psychiatrists, psychologists, or other licensed mental health professionals must author such documentation.

At University D, the DSP said that “we want it to be current.” University E’s DSP said that the university had only “general” guidelines which did not cover any specific requirements of psychological evaluations, about which this individual stated that “we’re working on it now,” looking to “make sure we’re complying” with federal law. This DSP related that the former student with a psychological disability had “old documentation from a psychiatrist,” which was never updated because the student was about to graduate when the DSP followed up on the matter. University F’s DSP expressed being “pretty open” about guidelines in general, which were “loose, by design.”

Schools varied in their need for specific diagnoses and recommendations from the authors of the documentation. Universities A and B both required specific DSM-IV diagnoses and sought recommendations. At University A, these included the disability’s “impact...on the student’s academic standing, and...affect [sic] on academic performance.” University B’s DSPs looked for the “effects and nature of the diagnosis.” At University C, the DSP reported looking for a DSM-IV diagnosis as well as “recommended accommodations,”

and University D's DSP said that "we prefer if recommendations and diagnosis are there, but it's not necessary." At University F, the DSP expressed that "nothing specific to DSM-IV" was necessary, and indicated that recommendations were not expected, as "there aren't a lot of accommodations recommended for psychologically disabled students." All DSPs except those at Universities E and F reported contacting professionals for any needed clarification or supplemental information. DSPs at Universities E and F each recounted that they had never considered recommendations in the documentation of a student's psychological disability.

DSPs were also varied in their perceptions of mental health professionals' ability to offer appropriate recommendations in students' documentation. DSPs at Universities A, B, and C spoke about professionals' ignorance of the educational environment as a factor in making inappropriate recommendations.

University A's DSP said that "very often...they don't make recommendations because they don't know what the student would need. Others go overboard and make too many recommendations, stating, for example, that a student shouldn't have to take tests...or attend classes." At University B, the primary DSP declared that recommendations "may be totally off the wall," and the satellite campus counterpart said that "some are very good...and others...will send documentation on a prescription pad...while

others want to copy their case notes.” The satellite campus DSP reflected that “[disability services] needs to educate professionals as to our needs,” and said this was kept in mind in interactions with mental health professionals.

University C’s DSP reinforced these comments, expressing that these professionals “could use a CEU [continuing education unit] in doing this.” The DSP then added that although “everyone seems to know about extended time” being an appropriate academic adjustment, “the professionals might not think of other helpful accommodations, like reduced course loads, which we ask about.” At University D, the DSP found recommendations generally “reasonable,” but when, “documentation isn’t sufficient, I’ll call the psychologist.”

The universities’ counseling directors were asked about their roles in providing documentation and recommendations for students with psychological disabilities to submit to the disability services offices. Directors from Universities D, E, and F expressed that they had never performed this function; the University D director said that “we would defer to disability services for recommendations. We wouldn’t do that in the counseling center.” At University C, the director said that “we generally wouldn’t provide them on our own.” Directors at Universities A and B indicated that recommendations had been made on occasion, in the respective forms of “reduced course loads and extended test taking time” and “isolated test conditions.”

## Accommodation-Related Requests

Written references to accommodations differed across the universities in this study. Universities A, B, C, and D all gave examples of accommodations for a variety of students' disabilities in their internally-published materials. Universities A and C also did so in their student handbooks, catalogs, and Internet websites.

Universities A and D offered written examples of accommodations for students with psychological disabilities as well. University A's fact sheet on these disabilities (which, with student authorization, accompanied instructor notification of students' needs) included "advocacy,...priority registration,...test adaptations,...and "referral to counseling for therapy, evaluation, workshops, stress management, [and] biofeedback."

University D provided suggested accommodations for these students in its disability services guide. Accommodations included "extended time for exams, quiet testing areas with proctors, note-takers, readers, or tape-recorders in class, [and] seating arrangements." Also suggested were "incomplete grades or late withdrawals," due to "prolonged illness, ...assistance with time management and study skills,...flexibility in attendance requirements" due to "health-related absences," and "encouragement to use relaxation and stress reducing techniques during exams."

DSPs at all universities except University F reported the most common accommodation provided to all students with disabilities was extended time for examinations, tests, and quizzes. Other commonly provided services included note-takers, sign-language interpreters, readers, and adapted technological equipment. Instead of generalizing, University F's DSP stated that accommodations were provided "on a case-by-case basis, as with everything. We try not to have too rigid a set of procedures and accommodations, but keep things unique to the individual student."

Each of the DSPs reported on the academic adjustments provided to students with psychologically disabilities, with examples given by some. Many of the procedural comments made by these individuals were similar; however, their priorities for addressing student needs differed, as indicated by their responses.

University A. A combination of recommendations from professionals and "creativity" determined accommodations for these students at this university. "Extensions of time to complete assignments or take exams may be necessary due to stress," the DSP said. Other accommodations included "run[ning] interference with professors to get withdrawals, drops, or incompletes" for students. In addition, counseling referrals were reportedly done when deemed necessary. On University A's satellite campus, the DSP mirrored these remarks, commenting on students who were "unable to

complete their classes within the term,...and need incompletes.” This DSP explained that “flexibility” was necessary in providing students with “a longer amount of time to complete assignments.” The DSP added that “accommodating...doesn’t mean giving a student whatever they want,” but that “it’s necessary to be understanding and compassionate, and know how to approach the student.”

“Academic adjustments,” University A’s main campus DSP explained, “are not so much auxiliary aids and services” as they might be for other students, but “more where situations are administrative in nature, for example, the need to intercede on a student’s behalf to allow him or her to withdraw from a course after the deadline.” Above all, this individual said, “creativity is important” in making accommodations.

The DSP reported that students with psychological disabilities required more time from disability services than other students. A circumstance from several years before was related by the DSP in making this point. The DSP explained that a student’s depression was seriously interfering with his ability to complete his class assignments. In this case, the DSP said, the student “became more depressed because he couldn’t complete the courses, which led to a vicious cycle of more depression and less ability to complete anything.” The DSP said the student was provided an “assistant” whose primary role was

to act as a “cheerleader” for the student, encouraging him to complete his work.

University B. Students with psychological disabilities, according to the secondary DSP at this university, had “extended time for exams, in an isolated setting.” This DSP explained that concentration difficulties characteristic of certain psychological disorders were the rationale for these accommodations, the latter also provided for students with anxiety disorders. The primary DSP added that often the DSPs gave “pep talks” or “coaching” to students relative to academic concerns and study strategies. This DSP added that occasionally students “may need to reschedule finals,” if the students had more than one on a single day, for example.

Both DSPs said that for many students with psychological disabilities, no accommodations were sought but that the students “take comfort in knowing we’re here.” The primary DSP said that students with psychological disabilities viewed their office as a “safe haven,” and said that this office “is the only place many of them have where they feel comfortable.” This individual said these students often preferred to use the office’s computer lab rather than similar labs available for all students, because of their feeling more comfortable in disability services. The primary DSP added that students “sometimes just want to sit in here, and read or study.”

The DSPs reported that with a student's permission, they would contact the student's parents, sometimes engaging in "family counseling." For example, when a residence hall student with a psychological disability was staying at home and not attending classes the DSPs intervened by telling "his parents that as long as they allowed him to stay at home, he would never come to class."

On University B's satellite campus, the DSP reinforced the main campus counterparts' comments about isolated settings, extended time, and rescheduling relative to students' examinations, explaining that such accommodations could "reduce anxiety." The DSP added that the students had been approved to tape-record class lectures and had been provided with note-takers. The latter accommodations, according to the DSP, were granted to students for whom effects of medication could hamper their competence in taking in-class notes.

"It's different; their needs are different," reflected this DSP, about interacting with these students. More than with any other students, the DSP expressed "work[ing] closely with the Counseling Center, to establish a support system," referring students to that office when appropriate. "Sometimes," the DSP said, "I have to request incompletes for students," to allow them extensions of time to complete course assignments.

The DSP remarked that in certain instances, these students were not given exactly what they requested. As an example of this practice, the DSP recounted a student's request for "extended time for class projects." Rather than granting this accommodation, the DSP recalled offering "time management" training for the student, to "empower the student out of the need for accommodations." The DSP also provided other training to students, counseling them on study strategies.

University C. Accommodations provided for students with psychological disabilities by University C's DSP were "reduced course loads,...and separate testing locations, sometimes," as well as other accommodations recommended in students' documentation, such as a "schedule change for exams because of medication." The DSP added that "I'll speak to a professor before a student enrolls, and ask what anticipated stress level the course has,...and that helps in seeing the course load the student should have." The DSP also reported helping a student with a psychological disability "who shouldn't be isolated" to "find adequate housing." The DSP's predecessor, who had been contacted for historical information due to the current DSP's short time at the university, offered similar information, adding that "more than with any other students, accommodations were worked out case-by-case."

University D. The DSP at this university discussed the accommodations received by the two students with psychological disabilities. For the student

who had multiple personality disorder, “excused absences, that we work out with the professors,” and “books on tape” were provided, an explanation for the latter being that the student “hears voices when reading.” During a follow-up contact at the university, it was revealed that the accommodation of audio-taping had been discontinued because the student “heard voices on tape, too.” The DSP’s role with the other student was as a “sounding board...although he has asked for additional testing time in the past.”

The DSP’s supervisor provided historical information that the DSP was unable to offer due to the short time the latter individual had been at the university. The supervisor said that students with psychological disabilities “many times...if on medication, will want class excusals [sic]” due to the effects of medication. The supervisor recounted one student’s situation in which the student agreed that a specific professor could know that medication was the factor in her absences, though the student did not want to provide any specific information about the nature of the disability.

The supervisor also mentioned that at times these students were placed on “academic contracts,” which stipulated the number of courses to be completed each term. Most recently, this had been done with a student who was regularly dropping courses and coming dangerously close to not being able to complete a specific academic program within its prescribed time period. The supervisor explained that some programs had specified time limits due to

licensing requirements that knowledge be “current.” In this situation, the student agreed to the academic contract, which stated that failure to complete specific courses each term would result in academic dismissal. The contract was a way of allowing exception to time limits while keeping the student’s progress in check and preserving a modicum of guidelines.

University E. The DSP recalled that the one former student with a psychological disability had not received accommodations specifically for this disability. The student, who also had a learning disability, received accommodations, including “extended time for math tests...and tutoring from his math professors,” on that basis.

University F. “Sure, I’ve done things but not often,” said the DSP at University F. The DSP recalled “reduced course loads” on occasion for students with “stress and anxiety disorders,” and mentioned “refer[ring] kids for medication” to the counseling center, which would refer them to a consulting psychiatrist. “We haven’t given accommodations for psychological disabilities too often,” the DSP concluded.

### Accommodation-Related Disputes

Five of the six universities’ DSPs reported information about their universities’ available processes for appealing decisions related to students’ accommodations. At these universities, appeals were required to begin with disability services, and were referred to this office if initially addressed

elsewhere. University E's DSP explained that no appellate process was in existence but "we're working on it,...putting it in writing." Table 11 displays the universities' published policies for appealing disability-related accommodation decisions.

**TABLE 11**  
**ACCOMMODATIONS FOR STUDENTS:**  
**APPELLATE POLICIES & PROCEDURES**

UNIV.	SOURCE	CONTACT	REMEDY
A	Handbook, Catalogs	Equal Opportunity	Student advised that disability-related decisions may be appealed. Procedures for filing formal and informal complaints offered, with time frames for filing complaint and rendering decisions with appropriate referrals. Catalog advises that office and university adhere to ADA.
B	Handbook, Catalogs	Ombudsperson	Assistance with resolving problems which existing policies and procedures "seem incapable of, or are causing inordinate delay in, resolving.
	Disability Services Guide	Disability Services Equal Opportunity	"Students with disabilities who experience discrimination from a university employee on the basis of their disabilities...should contact [Disability Service Provider] or the Director of [Equal Opportunity]."
	Catalogs	Equal Opportunity	Helps assure education without discrimination on the basis of "handicap;" coordinates compliance efforts on campus.
C	Handbook/ Internet	Ombudsperson	Explains that ombudsperson is for students/employee grievances - lists "trouble shooters," including Disability Service Provider (DSP), responsible for answering questions and cutting "red tape."
	Handbook	Equal Opportunity	"For discrimination on the basis of...handicap, contact Director of [Equal Opportunity]."
	Disability Services Guide	Two-tiered committee process	Student with disability-related grievance invited to submit grievance to the first committee, which refers the grievance to the second committee.
D	Graduate and Undergrad. Catalogs	DSP Senior Administrators	Student advised to appeal in writing, first to DSP; if unsatisfactory, to VP/Academic Affairs, if still unsatisfactory, to the president whose decision is final. Intra-level decisions reached within 10 days of the appeal.
E	No appellate policies and procedures		DSP stated: "We're working on establishing them [appellate policies], putting them in writing."
F	No published policies and procedures	Provost VP/Student Affairs DSP Admissions	DSP reported that a committee composed of these officers reviews disability-related appeals for the university.

At three universities, offices other than disability services responded to student appeals and allegations based on discrimination due to gender, race, religion, sexual orientation, and disability. At Universities A, B, and C, equal opportunity offices held this function. Universities B and C also had designated ombudspersons responsible for addressing disputes related to discrimination and assisting students in working through difficulties in adhering to university policies. For disability-related appeals only, University C had a two-committee process.

At University D, a three-tiered process (involving the DSP, a senior administrator, and the president) was available. University F had a single committee, on which the DSP sat, for reviewing such matters.

None of the DSPs (nor the predecessor of University C's DSP or the supervisor of University D's DSP) recalled any student disputes specifically oriented to psychological disabilities. Communications with ombudspersons and equal opportunity office representatives all reinforced the DSPs' reports.

In addition to the absence of psychological disability-related appeals at all universities, DSPs at the five universities having appeal processes all indicated that disagreements involving accommodations were most often resolved within the disability services offices. They further noted that challenges to disability services decisions by appellate offices were "rare,"

“infrequent,” or “never done.” This consensus was reflected by University C’s DSP predecessor, and by University D’s DSP supervisor.

University A’s DSP offered an explanation for the lack of appeals by students with psychological disabilities, stating that “most of the situations with these students involve responding to crises...and intervening with faculty on that basis. The DSP added that student requests for services generally were “on a more basic survival level” than other students’ requests, explaining that “disagreements don’t happen on that level.”

“More than any other students,” University B’s primary DSP said, “the psychologically disabled ones keep a low profile.” The DSP added that “they’ll question things in our office, because we’re a sounding board for them,...but they rarely ever challenge a faculty member...or talk to them about their needs.” The DSP recalled that one former student with a psychological disability was

a real self-advocate,...and he handled a lot of things on his own....But this was a student who had been with us for a long time, and we were able to work with him on advocating for his needs.

The DSP concluded, “most of the time, these students don’t like to call attention to themselves because they’re afraid of other people’s reactions.”

University D’s DSP offered similar comments, explaining that students “don’t ask for anything that would be controversial, that we would deny, that a faculty member would object to.” University C’s DSP echoed these remarks. At

University F, the DSP's interactions with the students had been infrequent and had rarely involved academic adjustments. These universities' DSPs reported that the small number of students identified with psychological disabilities was directly related to the absence of appeals by these students.

### Analysis

The universities with the highest degree of coverage of general and psychological disability-related documentation guidelines had the strictest policies in practice. These universities also had the largest numbers of students with psychological and other disabilities, likely influencing the DSPs' perceived need for enhanced structure for students and their own offices to follow. Relatedly, these universities sought recommendations from professionals in determining accommodations for students.

The DSPs' reported experiences with the quality of documentation provided by mental health professionals, including recommendations made, suggested the lack of orientation by these professionals to their clients' educational needs. Other unsound recommendations made reflected ignorance of the necessity for reasonableness in students' accommodations.

At most universities, students with psychological disabilities reportedly received some of the same accommodations as students with other disabilities. Extended time for tests and projects, note-takers, and the use of tape-recorders in classes were standard accommodations offered.

DSPs at most of the universities studied appeared to be sensitive to the needs of students with psychological disabilities by providing carefully considered services. Adversely, University E's DSP had never had this experience, as the one former student with a psychological disability had not received accommodations on that basis. At University F, the DSP reported that referrals to the counseling center had been this individual's most common response to the needs of students with psychological disabilities.

University B's DSPs also noted referrals to the counseling center as an accommodation, but counseling services at University B were more likely to be attuned to the needs of these students than counseling services at the other universities.

Possibly the most effective aids provided for students with psychological disabilities were those which went beyond what might be considered reasonable and required by law. Providing a student an assistant to encourage completion of academic work certainly was not required. Neither was offering time management skills and other academic study strategies, nor was determining an instructor's anticipated class workload to help a student plan the semester schedule. These supports were by far more time-consuming for DSPs than granting accommodations. For example, time management training would require a greater investment of time on the part of the DSP than merely approving a student to have extended time on academic projects.

Of the universities studied, University B personnel appeared to be the most oriented toward student empowerment. The extra academic training aided in this goal, and other remarks by University B's DSPs gave evidence of this philosophy of encouraging independence in these students, even as they provided assistance to them.

Based upon comments made by DSPs familiar with them, most students with psychological disabilities appeared to be lacking in independence. In general, the DSPs spoke of this characteristic as a way of explaining the students' avoidance of challenging decisions or handling matters on their own. Remarks by DSPs at Universities A and B portrayed the students as having needs on a survival level that precluded assertiveness. University B's DSPs particularly described these students as shrinking from attention due to fear of reactions to their disabilities. It appeared that without extra attention from the DSPs, these students would easily compromise their opportunities for attaining academic assistance.

### Communication about Students

The universities' efforts at communicating with their campus communities were investigated, for three reasons. First, communication on a university-wide level about the nature and needs of students with disabilities was seen as promoting awareness and understanding of the students, leading to

increased acceptance of them. Additionally, communication in the form of training was viewed as not only advancing student acceptance but also as giving participants the means of effective interaction with the students. Finally, communication with faculty, in particular, about students' needs was considered crucial in facilitating the delivery of accommodations for students enrolled in their classes.

These means of communication were reported by DSPs as applying to all students with disabilities. In this analysis, special attention was given to their effects on students with psychological disabilities. DSPs reported information about campus-wide disability awareness efforts, including the frequency, duration, audience, and content of each of these events.

Information on training offered to the university communities was provided in a similar manner. The means of communicating with faculty about students' accommodation-related needs was reported, including the physical content of notices to instructors and forms used to facilitate certain student requests. DSPs also reported their experiences in working with instructors regarding these students' needs.

### Disability Awareness Events

DSPs facilitated different types of campus-wide disability awareness efforts. Universities C, E, and F did not have such programs, according to their respective DSPs. At University A, the DSP reported that the month of March

was designated as “Disability Awareness Month,” in which related events were spread over six days throughout the month. In addition to recognition for faculty, staff, and students instrumental in providing disability-related services, a number of guest speakers and films related to disabilities were offered.

At University B, campus-wide disability awareness took place on one day, also in March, according to the primary DSP who reported that “we started at the top and worked our way down,” referring to targeting descending layers of university administration. The DSP said the event primarily involved simulated disability exercises, in which the targeted administrators were asked to perform various routine tasks while temporarily disabled. In addition, films with disability-related themes, available to all students, were shown on this day.

At University D, disability-related events similar to University A’s took place over a five-day period, according to the DSP. These included an open-house in disability services, a simulated wheel-chair exercise, and expert speakers in physical and learning disabilities.

DSPs at the universities which sponsored campus-wide disability awareness efforts indicated success of these efforts in promoting disability-related awareness, particularly regarding simulations of physical and certain learning disabilities. They reported that despite the efforts at comprehensive

coverage of different types of individuals' disabilities, psychological disabilities had received minimal coverage.

At University B, the primary DSP reported that "we'd love to include psychological with the others...but we couldn't figure out how," referring to awareness-building disability simulation activities. At Universities A and D, psychological disabilities received similarly light coverage within the full scope of other numerous activities. DSPs at these schools reportedly "couldn't imagine how we'd simulate a psychological disability."

### Training

All universities except University E reported providing disability training, in varying degrees, for campus employees. DSPs reported that training had been offered most often to faculty. In addition to differences in frequency and audience, DSPs indicated variances in perceived effectiveness of these efforts as well as thoughts regarding more effective alternative means of communication.

DSPs at three universities reported the most successful training was that requested by academic departments, generally taking place in faculty meetings. University A's DSP reported that "in the past, we've scheduled faculty training, with disappointing results," explaining that "the same dozen faculty always attended, so it was like preaching to the choir." In contrast, the DSP referred to the "captive audience" present in faculty meetings as an ingredient

in training success, and said that “since they [the faculty] ask us to come to their meetings, they have specific requests for information for us to provide, so they’re interested in what we have to say.” At University A, according to the DSP, training by academic department request was done several times each academic year, depending on requests made. No similar faculty training was provided on University A’s satellite campus, according to its DSP.

At University B, the primary DSP reported to have been “working with faculty for several years” in providing training, adding that “the most effective is when we get calls from department heads, wanting me to do training for faculty.” The satellite campus DSP reinforced the primary DSP’s remarks.

The DSP at University D indicated that training would be provided “for any department that gets in touch with us.” According to the DSP, training was generally done “on an as-needed basis,” which generally occurred three times per semester. As at University A, the DSP said that “faculty usually tell me what they want to hear about,” and reported that “often the same departments will ask for a presentation, on different topics, at different times.”

Several DSPs reflected on the importance of “educating the faculty,” as University A’s DSP noted, “particularly about hidden disabilities....No one has a problem with accommodating students with physical disabilities,...but with...learning disabilities or psychological disabilities, there are more challenges...involving the credibility and understanding of the disabilities.”

“A well-trained faculty makes life a lot easier,” explained the main campus (primary) DSP at University B, adding that “if the faculty know what we’re here for, and what we do,...they’ll work with us.” At University D, the DSP stressed that a “major responsibility...is promoting awareness of students with disabilities,” which the DSP found important because of “resistance from faculty in dealing with hidden disabilities.” At the same time, the DSP’s supervisor reflected that “in the past few years,” there has been “greater awareness” of disability-related needs and of “conditions, like psychological, that are considered disabilities.”

DSPs at Universities A and B reported that individual contacts with instructors were more effective than formal training in achieving understanding of students’ disabilities and related needs. University A’s DSP said “we have a great amount of one-on-one interactions...particularly when dealing with faculty questions” about students’ disabilities. At University B, the DSPs echoed these remarks, stating that “we’re seeing more faculty walk-ins,...especially new faculty, who want to get a better understanding of what we do....We’ll sit with them and explain how things work.”

Several DSPs reported providing training other than upon request. At Universities A and B, this training was routinely provided to employees whose responsibilities included high levels of student contact. At Universities C and F, the training included instructors as well as other campus personnel.

University A's DSP spoke of all-day required training for academic support tutors, explaining that "in the morning, we'll cover mobility and visual impairments and other physical disabilities,...and in the afternoon, we spend a lot of time on learning disabilities,...and touch on other disabilities, such as emotional or psychiatric." Training for tutors and other staff reportedly was done once each semester.

At University B, training was provided to "front line" employees, the primary DSP said. These included offices with heavy student contact, such as those involved with student admissions, financial aid, or course registration. On this university's satellite campus, the DSP indicated providing similar training, expressing that "it's important to provide education for the university community."

Additionally, University B's DSPs, upon instructor request, facilitated volunteer students as "guest speakers for classes," and said that a number of students with disabilities were quite open about their disabilities. The DSPs indicated receiving "outstanding" feedback from instructors, but said students with psychological disabilities had not been among these volunteers.

University C's DSP reported that at the request of senior administration, training was "done at the beginning of each academic year...for faculty, residential staff, and anyone else who's interested." In light of that DSP's short time in the position, meaningful evaluations of training were

impossible. Questions about training effectiveness were asked of this individual's predecessor, who remarked that "sure, some of the same people came year after year, but a lot of new faculty would come, too," indicating that training was helpful in promoting understanding and acceptance of students.

The DSP at University F said that "lots of training" had been done, "to faculty, to administrators," adding that disability law experts had been brought in as well. This DSP said that such training was generally done when the DSP sensed it was needed, due to conflicts in academic departments or administrative offices.

According to the DSPs, all training, regardless of whether requested, available, or required, included general coverage of disability laws pertaining to higher education. DSPs all said that the content of faculty training depended on what was requested, but generally included discussions of legal implications relative to faculty actions. DSPs also said they tried to focus on ways in which the instructors could facilitate effective classroom techniques for students with disabilities. No DSP said that faculty had requested training specifically for psychological disabilities.

Training made available or required for specific non-faculty personnel typically involved discussions of various disabilities, related student needs, and effective communication with the students, including referrals to disability services. In this training, psychological disabilities were generally covered under

the rubric of “hidden disabilities,” of which learning disabilities had the greatest coverage, with psychological disabilities receiving much less attention.

None of the DSPs indicated reliance on materials for participants, although those at Universities A, B, C, and D made available copies of their internal publications and reported using transparencies displayed on overhead projectors in making presentations. For instructor training, content included brief presentations and much longer question-and-answer sessions. Training for other personnel often included role-playing of hypothetical scenarios involving students with disabilities. Beyond the DSPs’ comments regarding effectiveness of training, no follow-up measures were undertaken at any university to gauge the extent of transfer of training to practice on the job.

#### Other Communication with Faculty

General relations. All of the DSPs reported good working relationships with faculty at their universities. Instructors were described as “extremely cooperative,” and “wonderful,” and the relationships between disability services and them were noted as “getting along really well,” “very positive,” “good,” and “a good cooperative network.” Full-time faculty were noted as having better relations with DSPs than adjunct instructors, who, as University A’s satellite campus DSP noted, “don’t have an on-going relationship with the office.” At University D, the DSP found it “hard to promote awareness, especially with adjuncts.” University F’s DSP reflected this

disparity as well, describing the relationship as “strong with full-time faculty,...with adjuncts, not as strong.”

DSPs offered specific comments relative to the reasons for good relations with instructors. At University B, the primary DSP reported that “spending a lot of years cultivating the faculty” and “teaching students to problem-solve” had influenced these good relations. Regarding the latter, the DSP said that “this translates into directing students to try to work out many of their own issues with faculty themselves,” causing instructors to “respect the students more that way.” The DSP reflected that faculty would view disability services as “protective” of students with disabilities if the office tried to solve the students’ problems for them.

At University C, the DSP expressed that past experiences as a faculty member provided a different perspective from what other DSPs might have. This DSP reported approaching instructors by asking them, “please tell me the purpose of your course, and what you’re trying to accomplish....Then, we discuss accommodations.” The DSP indicated that this strategy “respects faculty and their expectations, and is better than just giving them a list of accommodations without any discussion.” University F’s DSP offered a similar perspective, stating that “I’m on the same level as other faculty,” and “it helps with credibility when I’m asking them to do the same things I’m doing in my classes.”

Faculty notification. Each of the universities' DSPs generated written notices for faculty regarding students with disabilities enrolled in the their classes; students approved such action by written authorization. The DSPs all expressed that these procedures were part of what University B's secondary DSP described as "being a liaison between students and faculty about students' accommodations." These communications were in standardized form, allowing for the names of the instructor and the student, as well as the student's accommodations, to be specified. All DSPs indicated satisfaction in their processes for instructor notification. Table 12 displays the universities' written forms of communication with instructors regarding students with disabilities.

**TABLE 12  
INSTRUCTOR NOTIFICATION  
POLICIES AND PROCEDURES**

**UNIVERSITY A**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

**(A) Tape Recording Agreement**

Student Responsibility	• Use of material for self and class only; no infringement on instructor copyright or other use against instructor.
Teacher Responsibility	• Allowing accommodation as specified.
Laws	• §504 - specific regulation

**(B) Examination Information**

Student Responsibility	• Communication with instructor; providing class schedule.
Teacher Responsibility	• Arranging test delivery, with instructions, to Disability Services.

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

Accommodations	• Specific accommodations; general policies regarding accommodations
Student Responsibility	• Self-identification
Instructor Responsibility and Recommendations	• Referral to disability services if students disclose disability; confidential treatment of information.
Laws	• ADA definition of disability

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Accommodations	• Three types of letters: (1) Student has disability; no accommodations needed. (2) Student has disability; needs accommodations [general list] (3) Student has disability; needs accommodations [general list and fact sheet].
Student Responsibility	• Letters do not address student responsibility.
Instructor Responsibility and Recommendations	• Letters do not address instructor responsibility.
Laws	• Letters do not address the law.

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

	<ul style="list-style-type: none"> <li>• Specific disabilities including psychological disabilities.</li> <li>• Discussion of: depression, anxiety, medication, accommodations, student behavioral control, documentation guidelines.</li> <li>• Recommendations for instructors regarding student behavior.</li> </ul>
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(table continues)

**TABLE 12**  
**INSTRUCTOR NOTIFICATION**  
**POLICIES AND PROCEDURES**

**UNIVERSITY B**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

No internal forms for instructor notification were used by Disability Services.

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Noted as specific to student.</li> <li>• Should not alter "academic standards or course content."</li> <li>• Disability Services tries to ensure "the integrity of the curriculum is not violated."</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Meeting class expectations.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Adapting course to meet student's needs.</li> <li>• Respecting confidentiality.</li> <li>• Use of recommended syllabi statement.</li> <li>• Test delivery and administration: Disability Services or instructor?</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• §504 and ADA - Prohibition of discrimination.</li> </ul>

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Student has disability; needs accommodations ["in class; examination adjustments"].</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• No information.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• If note-taker needed, instructor makes announcement to class without use of recipient student's name.</li> <li>• Instructor must sign indicating receipt of letter.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• Accommodations ensure university does not discriminate against students with disabilities, and that students have no disadvantage based on disability.</li> </ul>

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

No fact sheets published by Disability Services.

(table continues)

**TABLE 12**  
**INSTRUCTOR NOTIFICATION**  
**POLICIES AND PROCEDURES**

**UNIVERSITY C**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

DSP would not authorize the release of internal forms used for instructor notification.

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Specific accommodations - including preparation of letters to instructors.</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Signing annual release-of-information authorization.</li> <li>• Pick-up and delivery of letters to instructors.</li> <li>• Discussion of needs with instructor at beginning of term.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Disability Services publications do not address instructor responsibility.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• Disability Services publications do not address laws.</li> </ul>

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Disability Service Provider would not authorize the release of a prototype of letter to instructors.

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

No fact sheets published by Disability Services.

(table continues)

**TABLE 12  
INSTRUCTOR NOTIFICATION  
POLICIES AND PROCEDURES**

**UNIVERSITY D**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

**(A) Tape Recording Agreement**

Student Responsibility	<ul style="list-style-type: none"> <li>• Use of material for self and class only; no infringement on instructor copyright.</li> </ul>
Teacher Responsibility	<ul style="list-style-type: none"> <li>• Allowing accommodation as specified.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• §504 - specific regulation</li> </ul>

**(B) Examination Information**

Student Responsibility	<ul style="list-style-type: none"> <li>• Communication with instructor; providing class schedule.</li> </ul>
Teacher Responsibility	<ul style="list-style-type: none"> <li>• Arranging test delivery, with instructions, to Disability Services.</li> </ul>

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Specific accommodations; general policies regarding accommodations</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Discussion of the need for accommodations; self-advocacy.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Discussion of specific disabilities, including psychological disabilities: depression, anxiety, medication, accommodations, student behavioral control, and documentation guidelines.</li> <li>• Recommendations for instructors regarding student behavior and confidential treatment of information.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• Disability Services publications do not address laws.</li> </ul>

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Student has disability and is registered with Disability Services; needs accommodations [general list].</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Letters do not address student responsibility.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Letters do not address instructor responsibility.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• §504 - Students with disabilities are entitled to reasonable accommodations enabling success* in academic pursuits.</li> </ul>

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

No fact sheets published by Disability Services.

**NOTE:**

\* According to §504, students are entitled to equal opportunity for success, not success itself.

(table continues)

**TABLE 12**  
**INSTRUCTOR NOTIFICATION**  
**POLICIES AND PROCEDURES**

**UNIVERSITY E**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

No internal forms for instructor notification were used by Disability Services.

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

No internal publications for instructor notification were used by Disability Services.

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Student has disability; needs accommodations ["classroom; exam"].</li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Letters do not address student responsibility.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Delivery and pick-up of student examinations administered by Disability Services.</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• §504 - ensures equal access, not special treatment.</li> </ul>

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

No fact sheets published by Disability Services.

(table continues)

**TABLE 12**  
**INSTRUCTOR NOTIFICATION**  
**POLICIES AND PROCEDURES**

**UNIVERSITY F**

**DISABILITY SERVICES FORMS FOR INSTRUCTORS - CONCERNING:**

No internal forms for instructor notification were used by Disability Services.

**DISABILITY SERVICES PUBLICATIONS FOR INSTRUCTORS - CONCERNING:**

No internal publications for instructor notification were used by Disability Services.

**DISABILITY SERVICES LETTERS TO INSTRUCTORS - CONCERNING:**

Accommodations	<ul style="list-style-type: none"> <li>• Two types of letters:               <ul style="list-style-type: none"> <li>(1) Student has learning disability; needs accommodations ["classroom; exam"].</li> <li>(2) Student has learning disability;* needs accommodations ["exam only"].**</li> </ul> </li> </ul>
Student Responsibility	<ul style="list-style-type: none"> <li>• Mastery of material; responsible use of accommodation.</li> </ul>
Instructor Responsibility and Recommendations	<ul style="list-style-type: none"> <li>• Instructor "Rights" -                "When students request an accommodation...the instructor ...has the right to require specific proof of the ...disability."†</li> </ul>
Laws	<ul style="list-style-type: none"> <li>• §504 and ADA ensure student right to "reasonable accommodation."</li> </ul>

**DISABILITY-SPECIFIC FACT SHEETS FOR INSTRUCTORS - CONCERNING:**

No fact sheets published by Disability Services.

**NOTES:**

- \* According to the Disability Service Provider, the letter mistakenly referred to "learning disability," instead of "disability" only.
- \*\* According to §504, accommodations cannot be limited to examinations only.
- † According to §504, disability-related confidentiality must be maintained.

At four institutions, such notices were available for students to pick up and deliver to instructors; DSPs from Universities A and B offered differing explanations for this process. The former referred to the number of letters sent being too large a quantity for inter-office mail. At University B, the DSPs said the student delivery process was part of “encouraging problem-solving by the students.” At Universities D and E, the letters were delivered directly from the DSPs’ offices.

At Universities A and D, additional information was made available regarding several types of disabilities, including psychological disabilities. At both schools, the information on psychological disabilities included discussions of “anxiety” and “depression,” and focused on possible behavioral manifestations stemming from students’ disabilities and medications used in treatment. Instructors were advised on strategies for maintaining firmness in interacting with students whose conduct was disruptive, with recommendations for referrals to the DSP for mediation efforts. Instructors were advised about the lack of “control” of behavior for many such students, which “research,” University A’s advisory suggested, “increasingly indicates...are driven by biology, not by character defects.”

Similarly, University D’s statement advised that “such conduct makes it hard to remember that they have as little control over their disabilities as do the physically disabled.” University A’s materials were in the form of

supplemental information which could be included with instructor notifications if students consented to such release; however, “with psychological disabilities,” the DSP stated, “generally the students don’t want this to be known.” University D’s materials were included in the disability services office’s guide for students and instructors, within a section focusing on teaching techniques for students with various disabilities.

Generally, the universities’ notices to faculty only informed recipients that students had disabilities, and indicated the accommodations approved for the students. University A offered a variation of its letter which only advised faculty that students had disabilities but sought no accommodations; this letter was used, according to the DSP, when students wanted “instructors to be aware...of the possibility of the need for future accommodations for the student, and not be taken by surprise.”

University F’s DSP supplied two versions of instructor notifications, one for use in the learning disabilities program and one for other students with disabilities. The letters were virtually identical, except that the former had provisions for “classroom” and “exam” accommodations, and the latter referenced only “exam” accommodations. The content of both of University F’s letters strikingly departed from the other universities’ advisories relative to the need for confidential treatment of disability-related information. Within University F’s letters, instructors were told that “when students request an

accommodation...the instructor...has the right to require specific proof of the learning disability.”

The researcher contacted University F’s DSP to clarify three points of confusion. First, the use of the term “learning disability” on both letters, when only one was specifically referred to such students, was questioned.

The DSP was secondly asked about the rationale for instructor access to confidential student information as an apparent condition of student receipt of accommodations. Finally, the researcher inquired about the lack of “classroom” accommodations on one of the letters, the absence of which could suggest incomplete accommodations for students. (The researcher had been independently advised that lack of confidential treatment of disability-related information was a violation of Section 504 regulations, which prohibit disclosure absent extenuating circumstances.)

In response to the first question, the DSP realized, apparently for the first time, that the “learning disability” reference on the general disability letter had been a mistake, and said that “we’ll correct it.” The researcher requested that a corrected copy be sent, but it had not been received as of this writing,

Regarding the second inquiry, the DSP explained that “students do a voluntary release so that faculty can get more specific disability-related information...meant to be an assist.” The DSP said it was “the same kind of voluntary release for tutors to have,” and that “if students allow it, instructors

can look at student files in my office.” The DSP said that students routinely authorized such release of information, which gave the DSP “sole discretion” in allowing others access to it.

Concerning the third question raised by the researcher, the DSP offered that “our ADA students get exam accommodation; our learning disabled kids get both.” (The DSP referred to non-learning disabled as ADA students.”) Through the limiting contents of this letter, the DSP gave the appearance of not adhering to the individually-based philosophy necessary in offering disability related services.

### Analysis

With the exception of University E, the universities in this study were engaged in promoting disability awareness and acceptance, either through campus-wide events, specific training, or both. Awareness-raising activities were comprehensive in their disability coverage, including the simulations reported as particularly effective in communicating the experiences of individuals with disabilities.

Training for faculty and other university personnel appeared to be conducted when needed, and offered basic information on students with disabilities and how to interact with them. Unlike corporate training initiatives, training in these academic environments consisted of solitary events, with no follow-up measures made to determine effectiveness.

Psychological disabilities were covered with much less frequency through these campus awareness efforts. Understandably, DSPs were unable to discern how to simulate these disabilities, but their exclusion disallowed the same potential for that awareness as was possible with other disabilities.

Exclusion of these disabilities in training was evident as well. DSPs at three universities expressed the importance of educating faculty on psychological and other “hidden” disabilities due to faculty “resistance” in accepting these students’ needs. Given that faculty training at these schools was confined to an on-request basis, never including requests for psychological disability information, educating faculty about these students was limited to individual interactions with instructors, and as such likely would reach far fewer of them than through training.

All of the DSPs reported positive relations between their offices and faculty; however, three of the universities’ DSPs offered information explained as enhancing their effective interactions with instructors on behalf of students.

University B’s DSPs spoke, as they had before, about promoting student empowerment by encouraging students to handle certain requests directly with instructors. The DSPs reasoned that such conduct would engender faculty respect for the students and their needs. At University C, the DSP’s past experiences as an instructor influenced this individual in addressing faculty expectations before student needs, encouraging faculty cooperation on that

basis. As a member of the faculty, University F's DSP interacted with them as colleagues, a level of interaction different from any of the other schools' DSPs, and used that leverage in working with them.

All of the universities appeared to follow similar procedures for notifying instructors of the disability-related needs of students enrolled in their classes. Universities A and D offered additional factual information about disabilities, including psychological disabilities, to faculty. Through this communication, the DSPs generally adhered to legal requirements for keeping specific disability-related information confidential, while informing instructors of student needs. Only at University F did the DSP's practices suggest a liberal interpretation of guidelines for confidential treatment of this information, as well as limited accommodations for some students.

Generally, the universities' DSPs seemed to make many efforts at educating their campuses about disabilities, with apparent success overall. Separated out, however, psychological disabilities had much less success as part of these educational efforts. In university-wide events, the nature of these disabilities seemed to preclude the same effectiveness in education realized by other disabilities. In training, the lack of coverage concerning psychological disabilities suggested a low priority, or even a lack of knowledge about these disabilities, on the part of those requesting the training.

## Perspectives on Students

Although previous sections of this chapter have focused on the six universities' circumstances involving students with psychological disabilities, few glimpses into direct perspectives on these students have been offered. This section focuses on the perspectives of others at the universities regarding these students.

It is regrettable that no students volunteered to participate in this study. Their contributions would have provided direct insights into their experiences, possibly counterbalancing remarks made by others. Further, DSPs were unable to supply names of instructors who they knew had had relationships with students relative to disabilities. Therefore, no faculty were available to participate, which is unfortunate, as their remarks likely would have been most insightful.

For these reasons, the perspectives in this section are limited to those offered by only the DSPs. Nonetheless, these individuals contributed enlightening information through their own perceptions of faculty attitudes and other institutional reactions relative to these students.

### Changes

DSPs most often spoke of increased numbers of students with disabilities as the most significant change they had witnessed during their time with their respective universities. In addition to numbers, University E's DSP

expressed that “now disabled students know where to go,” referring to disability services, adding that “this wasn’t always too well known.”

University A’s DSP on the main campus referred to increases in numbers of students with psychological disabilities, stating that, “this is particularly true of the more severe...disabilities such as schizophrenia and bipolar disorder, not just mild depression or anxiety disorder.” University A’s satellite campus DSP noted increases in “students who would have been considered unfit for college in the past, including the ones with psychological disabilities.”

University B’s primary DSP-1 noted that psychologically disabled students had been “one of the fastest growing” types of students with disabilities, adding that “there were no psychologically disabled students” when this individual began working at the university. University B’s satellite campus representative reinforced these remarks, explaining that “awareness” of these disabilities was “influential.” Both DSPs expressed the perception that students were “becoming more free with disclosure” of disability, although they noted that students with psychological disabilities yet remained reticent in this area.

The DSPs at both Universities B and F acknowledged that students were increasingly aware of disability laws. University F’s DSP reflected that “it’s wonderful that students have been empowered to self-advocate.” The DSP quickly added, however, that a “negative aspect of that was the sense of

entitlement” that students expressed which sometimes brought an “outrageous” demand that “you have to provide such-and-such, because I’m covered by the law.”

University C’s DSP acknowledged that due to the short time in the DSP position, this individual was unable to comment on these changes at the university. The predecessor, however, spoke to increased numbers, remarking that “when I started, there were two students with psychiatric disabilities,...when I left [three years later], there were six.”

As University C’s DSP, the DSP at University D had been in the position for too short a time to comment on changes. This DSP’s supervisor (a senior administrator who had first been asked to oversee disability-related matters four years earlier) expressed that “today there is more openness about disabilities and a greater awareness of conditions, like psychological, that are considered disabilities.”

### Challenges

DSPs spoke of a variety of challenges associated with interacting with psychologically disabled students. University A’s main campus DSP explained that “because of the variety of psychological disabilities, it’s difficult to get a handle on what to do at times,...[and] difficult to provide auxiliary aids....Sometimes we can only refer to counseling, or medication, for students...when the disability is of a particular severity.”

University B's primary DSP noted that "responding to their emotional crises" was challenging. The university's satellite campus counterpart reflected this feeling, explaining that these students were "not always in control of their own behavior," necessitating "interventions...beyond the scope of my position,...such as referring them to the Counseling Center."

This individual expressed that in general, the greatest challenge was "teaching them [students] independence and self-advocacy, and getting them to accept responsibility for themselves and what they can choose to do with their lives." At University B's main campus, the primary DSP-1 reinforced these remarks, referring to the importance of "teaching students to self-advocate," which some students, "particularly the psychologically disabled ones," resisted.

At Universities C, D, and E, DSPs spoke of challenges in general terms. The DSPs at Universities C and E referred to the general procedures for delivering accommodations as most challenging. University D's DSP also expressed that "in light of the students' secretive or open preferences in discussing disability-related needs, knowing how to relate to them, because of their different ways of reacting" was a challenge. This individual expressed undertaking a "trial and error" process in communicating optimally with these students.

University F's DSP gave a range of activities noted as challenging. This individual indicated seeing students, often more than 20 per day, regarding a full range of problems, situations, and advice. The DSP reported talking to students about their "personal relationships," working with them on "study strategies," and "tutoring for classes." The DSP reflected that "I band-aid a lot," and "do a lot of personal counseling."

### Student Descriptions

Disability-related perceptions. DSPs reported students with psychological disabilities were associated with certain limitations not found as prevalently in other students with disabilities. These limitations were hallmarked by academic crises necessitating disability services interventions, by dependency on disability services, and by a related reluctance to be self-advocates about their disability-related needs.

At University A, the DSP explained that "most students...need intensive assistance at the beginning, and then many of them wean themselves off of that dependency." Regarding students with psychological disabilities, the DSP added, "these remain dependent."

The DSP noted that disability services "has struggled through with some of these students, some who shouldn't have been here in the first place." The DSP explained that "more severe situations" concerned students with "paranoid schizophrenia," which involved students having "delusions" or

“hearing voices;” or “bi-polar disorder,” marked by “mood swings,...doing a thousand things at once, and then becoming so depressed that they can’t do anything.” The DSP said these occurrences, resulting in an interference with the students’ “academic situation,” were caused by students’ “not getting the medication treatment...or therapy...they should be getting.” The DSP recalled that issues involving students with psychological disabilities included “struggling with courses or dropping classes after the deadline, all due to an intervening psychological crisis....”

This DSP also reported interacting with students “who feel instructors are making comments about them; that everyone’s after them.” The DSP gave an example of a student who “became upset when his professor discussed [the crime of] DWI [driving while intoxicated].” The DSP reported that the office “has to run interference when these things happen, usually trying to talk to the student rationally about it.”

University A’s satellite DSP said that “sometimes the students are unable to get to campus due to panic or fear...and their ability to focus is limited.” This DSP spoke of two students, one of whom “believes people are zapping needles into him,” and another, “who believes she’s being persecuted by the Nazis. The latter, the DSP explained, would call Disability Services from home, “saying that she can’t get out of the house.” The DSP reported

responding to such statements with “I’m sorry you’re having a bad day,” and would “try to be there for the student.”

University B’s DSPs spoke of “permanent students” who reflected the psychologically disabled population at their university, and who viewed academe as “a secure little place.” The DSPs said that “if the students don’t continue their studies here, they generally return to school somewhere else.” The secondary DSP reported knowing of students who “graduate here with a bachelor’s degree, and go elsewhere for a second bachelor’s, so they can stay in the secure academic environment.”

Both DSPs at University B’s main campus stressed the importance of fostering “self-advocacy” and “independence” in students with disabilities, and undertook a number of strategies to encourage those qualities. As noted earlier, the DSPs described these students as non-assertive and dependent. The students were much less likely to advocate for their needs and were much less independent than other students who interacted with the disability services office. As an example, the DSPs said these students had “first priority” for a memorial scholarship, but because of their reluctance in being publicly associated with their disabilities, the scholarship “usually goes to other students.”

The DSP at University C reflected that “stress that all students experience may be harder for these students to adapt to. It may seem more

severe than with other students.” The DSP’s predecessor added that these students “fight a tough battle to stay in school, and it takes a lot for them to stay in school.”

At University D, similar behavior on the part of one of two students with psychological disabilities was reported. The DSP indicated frequent visits by this student to disability services, claiming that “everyone’s out to get me,” and expressing perceptions of injustice meted out by virtually all with whom the student interacted.

Disability-related actions. DSPs at three universities recalled specific incidents involving dangerous or unusual behavior on the part of students with psychological disabilities which necessitated interventions by disability services. University A’s main campus DSP recalled an interaction with a “suicidal” student who expressed “having threatening voices and visions.” This DSP arranged a consultation by the counseling center with the student’s psychologist, which lead to subsequent hospitalization of the student.

University A’s satellite campus DSP recounted the greatest number of anecdotes regarding students’ disruptive behavior. This DSP spoke of students who “verbally abused our office, causing assistants to hide when they came in.” The students’ “outbursts” were described as “horrendous.”

DSPs at Universities D and E recalled incidents occurring with psychologically disabled students in their own offices. DSPs reported telling

students that they could not continue to interact with them if the inappropriate, verbally-abusive behavior continued. Both reported advising the students that they would contact campus security offices if necessary.

DSPs generally were unaware of students with psychological disabilities being any more represented in university disciplinary actions than other students. More frequently, behavioral incidents in the classroom would involve consultation between disability services and faculty.

Perspectives on faculty attitudes. DSPs generally expressed that behavioral disruptions by students with psychological disabilities were problematic for faculty, with varying results. The main campus DSP at University A explained that “faculty may be aware of it [a student’s psychological disability] even if no one has told them....The fear factor with those who display bizarre behavior, talking to themselves, inappropriate handling of anger...is present among some of our faculty.” The DSP concluded that “these students, by their behavior, make their disabilities obvious even though they may not want to.”

The DSP said “we’ll frequently have situations where instructors call [disability services]...with problems with disruptive behavior. Can we intervene?” The DSP admitted that “professors are probably more hesitant to take action against a student, knowing there’s an underlying disability.” The DSP added that “if the situation isn’t corrected...if there’s no effective aid or

service...if behavior is disruptive to the class, the student then needs to be removed from the circumstances.” In those cases, he said, students usually were not forced to withdraw, but “counseling people out of courses does happen.”

On University A’s satellite campus, the DSP referred to the need for “smoothing out difficulties with faculty” regarding students who “terrorized” departments, and spoke of a recent interaction with an instructor who “was angry...about a student’s conduct in class.” The DSP noted that “in cases where a student has verbally abused a professor,... there’s a tremendous amount of hostility towards the student,...which gets in the way of positive relations with faculty about the legitimate needs of the student.” This DSP spoke of the importance of having “the understanding that faculty may be threatened by a student’s psychological disability,” adding that “faculty need to understand that the student’s reality is different.”

At University B, the DSPs said that these students had been known to “cause disruptions in class,” eliciting calls from instructors. Referring to a student “who catches [imaginary] butterflies” in class, the primary DSP added that “if faculty know in advance about what to expect, they aren’t so taken off guard by it....But we wouldn’t tell them why a student might act out in class without the student’s permission, which they usually don’t give.” The secondary DSP added that students often referred to their disabilities as “medical conditions.”

Beyond behavioral disruptions influencing instructors' perceptions of these students, University B's secondary DSP commented on instructors' attitudes as influenced by their knowledge level of psychological disabilities. "If a student has been hospitalized, then it's understood," the DSP began. "But for a student...with OCD [Obsessive-Compulsive Disorder], they don't understand why extended time [for examinations] would be necessary."

The DSP expressed that instructors, and individuals in general, discounted psychological disabilities, saying "Oh, everyone has that, and...we all get depressed...and stressed." The DSP further stated that psychological disabilities "are not fully understood by faculty...even those teaching psychology...social work, [and]...education."

The DSP said that "faculty accept...learning disabilities, but psych [sic] disabilities have a long way to go." As an example, the DSP recounted an instance when "a student with MPD [multiple-personality disorder]...was in a psych [sic] class and told her professor about having MPD. The student said he said 'that's impossible. You couldn't be maintaining a good GPA with that condition.'"

In contrast, to negative reports of faculty attitudes, University C's current and former DSPs were unaware of any behavioral incidents involving students with psychological disabilities. The former DSP recalled that "faculty really didn't have a problem with these students, not as compared to the ones

with learning disabilities.” University E’s DSP was also unaware of any problems instructors had had with that university’s former psychologically disabled student. On University B ’s satellite campus, the DSP reported that “once faculty has a letter from [disability services]” regarding a psychologically disabled student, “they are respectful and know the student has gone through the proper channels.”

Strengths. Most of the reported perspectives about students with psychological disabilities highlighted their vulnerabilities. Recounted behaviors which distinguished these students from others were negative and centered on debilitating or limiting aspects of their disabilities.

In contrast to these reports, University B’s three DSPs offered accounts of the students’ positive qualities. On the main campus, the DSPs said that “many of them want to help out,” and said the staff would give them office errands and other tasks that did not compromise the confidentiality of other students.

During the holiday season in December, the main and satellite campus offices at this university each donated gifts to a family in financial need. Students with disabilities were asked to contribute to the effort. One DSP reported that a student with a psychological disability had “helped us out a lot, wrapping a lot of gifts.” The satellite campus DSP noted that “a student with a serious psychological disability” had been “the most generous to the family,

and the most concerned about them.” This DSP added that “students with psychological disabilities which are stabilized can be very involved with the community, and want to work with others and be active in the community.” Further, the DSP reflected that these students were regarded by the university community “as serious and determined,” and were “admired.”

### Analysis

DSPs at all but two of the universities offered a variety of insights about students with psychological disabilities. They reported that these students stood out among the general population of students with whom these individuals worked, particularly in terms of the challenges associated with addressing these students’ disability-related behaviors and needs. Students with these disabilities were also described as one of the fastest growing disability-related groups on the campuses.

DSPs at the largest universities reported success in fostering independence and self-confidence in most students with whom they worked. In contrast, students with psychological disabilities were characterized as dependent on disability services for assistance in matters other students handled independently. Behavioral distinctions were also reported, which concentrated on students’ (a) disruptions in classes, disability services, or other offices; (b) defensive reactions to the actions or statements of instructors or

others; and (c) internal crises which became manifested in their inability to meet certain academic expectations within established time parameters.

DSPs generally displayed a combination of empathy and objectivity in their expressed perceptions of these students. Their statements reflected efforts in understanding not only the students' perspectives and experiences, but also the difficulties of others in communicating with the students. Several DSPs perceived that campus awareness and acceptance of individuals with psychological disabilities had increased; however, they also expressed that improvements were still needed in these areas. These DSPs determined that providing education related to these improvements was their responsibility.

Although all DSPs expressed that most instructors were accepting and cooperative relative to students' disability-related needs in general, several of the DSPs with the greatest numbers of psychological disabilities also indicated faculty were less likely to respond as positively relative to students with psychological disabilities. The discrepancy likely is explained by the hidden nature of the disabilities as compared to certain physical disabilities.

Additionally, instructors were described as fearful of the students, or through a single example, dubious about their capabilities. The DSPs reflected that these faculty attitudes were shaped by the students' negative behavioral actions in classes, particularly if the instructors had no cause to anticipate the behaviors.

Through their actions as reported by DSPs, many students with psychological disabilities did not encourage the campus-wide awareness and acceptance emphasized by DSPs. Ironically, as these students reportedly tried to hide their disabilities, some of their disability-related behaviors made their disabilities apparent to others, reinforcing negative generalizations already present about these individuals.

The abundance of unfavorable characteristics and circumstances reported about these students stands in marked contrast to the few positive reflections made by University B's DSPs. These individuals, more than any others, encouraged students to be independent and generous. As noted, and possibly related to their disabilities, self-reliance was not a characteristic associated with these students. They may have realized some of its same benefits, notably enhanced self-confidence, through acts of kindness to others. Interestingly, only at this university did a DSP express that the campus population regarded the students in positive ways.

The accuracy of the other DSPs' negative remarks is not questioned here. The reported positive attributes, however, despite their scarcity, demonstrate that these students may be viewed in favorable terms, beyond negative generalizations. By providing the students a means of making positive differences in the lives of others, University B's DSPs efforts at promoting awareness and acceptance of disabilities may have been augmented.

## Summary

### Qualitative Evaluation

Responses were obtained from a variety of individuals at the six universities in this study offering commentaries concerning their institutional procedures in identifying and serving the needs of students with psychological disabilities. An in-depth analysis of these responses uncovered a variety of procedures wherein several areas concerning the needs of these students was, at best, minimal.

Certain processes for identifying these students were determined to be incomplete as compared with similar interventions on behalf of students with other disabilities. Additionally, representatives of various university offices were found to be unfamiliar with the educational needs of students with psychological disabilities, resulting in actions that were inadequate in encouraging proper educational assistance.

In disability services offices, DSPs differed in their ability to offer appropriate services for these students. Several indicated working with them beyond legal requirements, while others were not nearly as attentive to their academic needs.

In all cases, disability awareness and training efforts were found to focus much more on disabilities other than psychological. This lack of exposure was most likely influenced by the relatively small number of these students, and the

lack of institutional priority in communicating about their disabilities. The students' own avoidance of public disability disclosure did not advance disability awareness efforts.

Campus communications (concerning disabilities) and institutional publications across the universities were reviewed, analyzed, summarized, and presented in tables within this chapter. These analyses revealed the six universities were in general compliance with federal disability law, with a few isolated exceptions. In addition, on a university-wide level, published information about disability-related services was inconsistent in its specificity which resulted in variations in assisting these students in seeking help.

Generally, students with psychological disabilities were described in limiting terms by university personnel as compared with other students with disabilities. Strides made in awareness, acceptance, and independence of students with other disabilities contrasted greatly with the lack of similar advancement made by those with psychological disabilities.

The degree to which post-secondary institutions were willing to put forth extra effort in working with these students was seen as influential in enhancing positive qualities in these students and encouraging others to associate such characteristics with them.

## Quantitative Evaluation

The researcher evaluated the universities comprehensively in terms of their operations concerning students with psychological disabilities. These operations were rated, using a Likert scale (1 - 5) in terms of their (a) overall scope, (b) facility for identifying students, (c) provisions for accommodating students, (d) means of communicating about students, and (e) perspectives and attitudes concerning students. Table 13 offers the results of this evaluation, which may be viewed on two levels, categorical and institutional. In addition, information from Table 2, focusing on student demographic information, supplements the institutional discussion.

The researcher advises that these ratings, when viewed as composites, are not necessarily meant to reflect compliance with disability law, as a number of categories -- disability awareness efforts, training and all perspectives on students -- do not reflect areas of operation required by law. In addition, the ratings, which represent the researcher's efforts in consolidating individual areas of evaluation, only reflect as accurate a picture of university responsiveness through this investigation as could be obtained through documents, participants, observations, and insights.

**TABLE 13**  
**RESEARCHER EVALUATION OF UNIVERSITY RESPONSIVENESS**  
**CONCERNING STUDENTS WITH PSYCHOLOGICAL DISABILITIES**

FOCUS (*)	UNIVERSITY						FOCUS MEAN
	A	B	C	D	E	F	
<b>Scope of Services</b>							
Disability Services (å)	5	5	4	4	2	2	3.67
Counseling (ç)	3	3	3	2	2	2	2.50
<b>Identification of Students</b>							
Non-Discrimination Statements (ð)	4	5	5	2	1	5	3.67
Policies & Procedures (f)	4	4	4	4	2	2	3.33
Referrals to Disability Services (Δ)							
From Counseling	2	2	2	1	1	1	1.50
From Other Offices	2	2	2	2	2	2	2.00
<b>Accommodations for Students</b>							
Documentation Guidelines (μ)	4	4	3	3	1	1	2.67
Sensitivity to Accommodations (ø)	5	5	5	4	1	2	3.67
Appellate Policies & Procedures (π)	5	4	3	3	1	2	3.00
<b>Communication about Students</b>							
Disability Awareness Efforts (β)	3	4	1	4	1	1	2.33
Training (ß)	3	3	3	3	1	2	2.50
Faculty Relations (♣)	4	4	4	4	4	4	4.00
Faculty Notification (√)	5	4	(n/a)	5	3	2	3.80 (ø)
<b>Perspectives on Students</b>							
Challenges (¥)	4	4	3	4	3	3	3.50
Descriptions (Ω)	4	5	2	3	3	2	3.17
<b>TOTAL FOR UNIVERSITY</b>	<b>3.80</b>	<b>3.87</b>	<b>3.14 (≈)</b>	<b>3.20</b>	<b>1.87</b>	<b>2.20</b>	
<b>EVALUATION LEGEND</b> 5 = excels as a model for other universities 4 = exceeds basic services and/or requirements 3 = meets basic services and/or requirements 2 = falls below basic services and/or requirements 1 = offers no services		<b>EVALUATION CRITERIA</b> å - Overall degree of standardized practices for students with psychological disabilities. ç - Degree to which counseling services met the needs of students with psychological disabilities. ð - Inclusion of disability in non-discrimination statement. f - University-wide written exposure to disability-related policies and procedures. Δ - Degree to which offices referred to Disability Services when appropriate. μ - Degree of specificity and consistency across publications. ø - Degree of proactivity in meeting student needs. π - Degree to which operations were available and published. β - Inclusion of psychological disabilities. ♣ - Degree of positive relations. √ - Degree of accuracy and options available for instructor notification. ¥ - Degree to which challenges were specific to students with psychological disabilities. Ω - Degree to which descriptions of students offered a balanced perspective.  <b>NOTES</b> * - Focus areas refer to Disability Services only unless otherwise noted. ◇ - Excludes University C - data not available. ≈ - Excludes category as noted - data not available.					

Categorical. Based on the results of this evaluation, 9 of the 15 categories earned ratings of 3 or higher, indicating adherence to, or exceeding, basic services and/or legal requirements. Six categories across the universities were evaluated as inadequate. These ratings, discussed below, reflect and summarize the overall results discussed throughout the various analysis sections of this chapter.

Within the overall scope of services, the rating for counseling reflected a lack of responsiveness to the needs of students with psychological disabilities at all universities. Relatedly, provisions for referring students to disability services offices from counseling and other offices, determined to be an important means of identifying students, was rarely done, as reflected by the ratings received. Disability documentation guidelines, perceived as crucial to advancing institutional expectations of students, were virtually non-existent at two universities, resulting in a mean categorical score below average. Both disability awareness events and training programs, viewed as essential to promoting campus disability-related communication, did not cover psychological disabilities to the same degree as other disabilities, resulting in lowered scores.

The universities earned the highest marks on faculty relations and notification procedures, viewed as important in facilitating campus communication. Disability services' offices overall operations and institutional non-discrimination statements were found to exceed basic legal requirements,

despite individual deficiencies. In addition to published policies and procedures, DSP sensitivity to accommodations, challenges, and balanced perspectives associated with psychologically disabled students were found at acceptable or higher levels.

Institutional. Based on the information presented in Table 13, two-thirds of the universities achieved adequate or higher ratings. Universities A and B, the largest universities in the study, received overall ratings indicating operations beyond basic expectations or requirements. Universities D and B followed, within acceptance ranges. Universities F and E, the smallest universities, had the lowest overall scores, both falling below basic levels.

Drawing from Table 2, the largest universities also had the largest numbers of students with psychological disabilities, suggesting that these numbers were associated with enhanced services. The researcher notes that despite the fast-growing presence of students with psychological disabilities on the campuses, the ratios of these students to the overall disabled student populations at the participating universities were small, even at Universities A and B, the institutions with the greatest number of students and levels of services. Of the estimated 1350 students with disabilities across the six universities, only 6.2%, or 84, of the students with identified disabilities had psychological disabilities. These small numbers may be influenced by stigmas discouraging students with psychological disabilities from identifying

themselves, compromising the responsiveness, proactive or otherwise, of the universities to their needs.

## Chapter VI: Summary, Conclusions, and Recommendations

### Summary

A review of the literature indicated a lack of research concerning students with psychological disabilities, and more specifically, their ability to gain access to post-secondary education. For that reason, the purpose of this study was to determine the nature of access to post-secondary educational institutions for individuals with these disabilities. Disability laws and 36 legal decisions were analyzed regarding claims of discrimination on the basis of psychological disability made by individuals toward colleges and universities. Participants at six regionally accredited Southeastern United States universities were interviewed about their policies, procedures, and experiences in interacting with these individuals. Their responses, as well as relevant published documents from these universities, were analyzed.

Findings in the legal analysis indicated requirements for colleges and universities relative to disability law compliance. Through a review of legal decisions, examples of procedural non-compliance and discriminatory practices were provided, and institutional policies and procedures which guarded against individual discrimination claims were also noted. Discrepancies within and across legal decisions were reviewed and analyzed.

Findings from participating institutions included the discovery of factors which did not encourage students with psychological disabilities to avail

themselves of disability-related services. These obstacles were discovered through document analysis, which indicated minimal and sometimes inconsistent levels of written institutional guidelines for students. Reported institutional practices also highlighted these obstacles. Student opportunities for disability related accommodations were circumvented by misplaced student referrals to counseling centers, by other university offices.

DSPs displayed varying knowledge levels relative to accommodating the needs of these students. Although most of the DSPs offered appropriate accommodations for them, others were not knowledgeable about the students' educational needs, or viewed counseling referrals as adequate in meeting those needs.

In campus training and other disability awareness activities (undertaken by some of the universities studied), psychological disabilities were not covered to the same extent as other disabilities. The possible factors in this reduced educational coverage were (a) the small numbers of these students, (b) the reported reticence of these students in discussing their disabilities, (c) superseding priorities of campus constituencies requesting training, and (d) the inability of DSPs to convey meaningful educational activities related to these disabilities.

### Legal Analysis

The researcher obtained legal materials from several sources. Initially, the U.S. Department of Education's Office for Civil Rights (OCR) was contacted to request summaries of OCR decisions. Additionally, the researcher consulted a comprehensive, multi-volume publication focusing on disability law. Summaries of OCR and federal court legal decisions were selected if germane to the focus of this research. Another publication was referenced for two of the cases used in this analysis.

Case summaries were organized according to areas of focus (e.g., admission, course practices, dismissal) and type of decision rendered (e.g., for individual or institution). Cases were summarized further and analyzed using investigative questions created for this purpose. The resulting narrative analysis explained demographic information and decisions reached, as applied to individuals with psychological disabilities and higher education institutions.

### Institutional Analysis

University participants, who were contacted prior to interviews to explain the nature of the research, provided written consent for their participation. Standardized interview guides specific to participants' institutional roles were used in obtaining responses. Initial participants consisted of representatives of disability services offices (DSPs). Subsequent

participants were referred by DSPs, and consisted of counseling center directors and representatives of the admissions, equal opportunity, and other miscellaneous offices.

Participant responses were transferred to typed transcripts which were later organized, by participant role, into comprehensive reports. Responses were reviewed and coded, leading to the development of an analytical framework, from which the institutional narrative analysis was produced.

University documents obtained were reviewed and analyzed with the use of investigative questions created for this purpose. Summaries were incorporated into the institutional narrative analysis.

In addition to those campus personnel who participated in this study, the researcher had anticipated having contacts with both faculty and students. Instructors did not participate, as DSPs, the principal means of referral, were unable to supply the researcher with these contacts. Students did not respond to the researcher's letter of invitation, despite its assurances of confidential treatment of information. Their lack of participation was viewed as reinforcing the DSPs' depiction of these students as reticent to discuss their disabilities or focus attention upon themselves.

## Conclusions and Recommendations

This study's conclusions generated recommendations which are broadly organized into two sections. The first section focuses on conclusions and recommendations for institutional practices, and the second section provides suggestions for possible future research.

Conclusions and recommendations for post-secondary institutions partly stemmed from the study's analysis of legal matters. Additionally, conclusions and recommendations in this section were derived from the analysis of the six participating universities. These covered four of the analyzed areas of Chapter V: (a) demographics and operations, (b) identification of students, (c) accommodations for students, and (d) communication about students. Participant reflections contributed to most of these recommendations.

Institutionally-directed recommendations focused on:

- pretextual decision-making
- written policies and procedures
- written records of student conduct
- legal compliance in documents
- institutional demographic record-keeping
- disability-related written procedures and referral policies
- increased DSP professional development
- disability awareness events -- inclusion of psychological disabilities and revolving campus participation

Conclusions and recommendations for further research were derived from various findings in this study. Participant perspectives also reinforced

certain recommendations in this section. These recommendations were focused as follows:

- student empowerment through training
- education of mental health professionals
- education of society
- expansion of current research

### Conclusions and Recommendations: Institutional Practice

Legal analysis: Pretextual decisions. As noted in Chapter IV, certain federal court cases and Office for Civil Rights (OCR) decisions were found in favor of individuals claiming discrimination on the basis of psychological disability. In these decisions, institutions were found to have denied individuals' educational access on the basis of "pretextual" or stereotypical assumptions about their capabilities. Certain institutions enforced special individual requirements, which OCR also found in violation of Section 504, except when schools demonstrated that requirements were essential. The majority of these decisions focused on the schools' use of disability-related inquiries, based on stereotypical assumptions, made to students on a non-voluntary basis prior to admission.

Three universities in this study asked applicants about their disabilities prior to admission. However, these inquiries were (a) part of processes for special admission consideration based upon disability, (b) clearly noted as optional, and (c) within the regulations guiding Section 504.

Unless colleges and universities follow Section 504's guidelines in making pre-admission inquiries, the institutions would be advised to avoid any disability-related inquiry until after applicant acceptance. Additionally, institutions should ensure that requested disability documentation related to admission can be demonstrated as academically essential. In general, decisions regarding applicant or student capabilities for undertaking higher education should be made only with the concurrence of mental health professionals qualified to assess these capabilities.

Legal analysis: Written policies and procedures. Most of the institutions of higher education involved in the OCR decisions or federal court cases analyzed were found in compliance of Section 504. Influential in many of these decisions were the written policies and procedures maintained by the institutions under scrutiny. In many cases, these documents constituted evidence refuting individual claims of discrimination, aiding in decisions in favor of the schools.

Given that claims of discrimination may target a broad spectrum of institutional policies and procedures, it is recommended that colleges and universities maintain all policies and procedures in writing, and where applicable, in student-accessible publications. These written regulations should reflect institutional expectations of students, and address student requests for

medical or psychological waivers and withdrawals, as well as policies for awarding grades, including incomplete (“I”) grades.

In the present study, all of the participating universities maintained varying levels of internal and external written policies and procedures, both related and unrelated to disability. The differing sizes of the universities likely was influential, the smaller ones having less of a need for extensive guidelines than the larger ones.

The two smallest universities were found to maintain the most minimal array of guidelines, both disability-related and general. At one university the DSP’s stated philosophy of operating on an “individual” or “case-by-case” basis in most matters may have influenced the lack of written policy development. Nonetheless, written institutional guidelines encourage consistency in policy deployment, an important consideration by OCR and the courts in determining institutional compliance with disability law.

Legal analysis: Written records of student contact. In addition to written standards, OCR and the courts reviewed records regarding administrative interactions with students. As with the written standards, these records served as evidence of institutional efforts on behalf of students, and often contradicted and refuted student claims related to discrimination.

Colleges and universities, therefore, should be advised to document all interactions with students. Copies of documents signed by students

authorizing certain actions should be kept in confidential, but accessible locations.

Legal analysis: Compliance in documents. In several OCR decisions, institutions otherwise cleared of violations claimed by complainants were found in non-compliance due to inadequate printed materials relating to disability-related non-discrimination. In addition, OCR targeted institutions which had inadequate grievance procedures for addressing disability discrimination claims and accommodation disagreements. Three of the participating universities in this study could be found in violation of Section 504, based on inadequacies similar to these noted. Additionally, one university's written notice to faculty regarding accommodations could be found to violate Section 504, based on the lack of confidential treatment of sensitive information.

Given these reported discrepancies, through legal and institutional analyses, universities are recommended to review the language in all references to non-discrimination and dispute procedures to ensure that individuals with any disabilities are adequately included. In addition, written procedures and other methods of internal communication should be carefully scrutinized for adherence to legal standards.

Institutional demographics and operations. One of the findings of this research was the lack of statistical records regarding students with disabilities maintained by the offices of counseling and disability services. Counseling center directors were asked about the numbers of students referred to consulting psychiatrists and disability services offices, as well as reasons for the referrals. None of the counseling centers had maintained records of this sort.

Based on the absence of these data, this researcher recommends that university counseling centers record and maintain records of this type of information. These data would not need to include individual names for reporting purposes outside the centers. This recommendation is offered due to the likelihood that these data (concerning existing diagnoses and other references to psychological history) could determine the extent to which students with psychological disabilities seek services with the universities' counseling centers. Data denoting the number of, and reasons for, referrals to consulting psychiatrists would allow institutions to compare these numbers of students with those registered with disability services offices.

It is further recommended that similar tracking of referrals to disability services be maintained in order to provide comparative data on the number of students referred to those already registered with disability services. With such information, institutions would be able to gauge the extent to which students with psychological disabilities sought services from disability services and

counseling, allowing for increased institutional effectiveness in identifying, and facilitating services for, these students.

Similarly, it is recommended that disability services offices compile and maintain meaningful data on students registered within their offices. Only one of the universities in this study compiled such data; however, its cumulative nature made intra-data comparisons impossible.

A comprehensive database of students is recommended, organized by the variables of disability category, attrition, and date of registry with disability services. As with the recommendation for counseling center data, the information would not need to include individual names, for reporting purposes outside of disability services offices. It is further recommended that such a database be updated each semester of the academic year, with each year's data retained. This information would allow the offices to monitor both semester and annual changes in the number of students, based on disability, and the percentages of students within disability categories who withdraw or graduate.

By revealing rates of annual change, this information could be contributed to nationwide data base regarding changes in collegiate attendance by students with disabilities. This information could provide institutions with the means for considering interventions to aid in improving retention rates, if

the data indicated deficiencies in the retention of certain categories of individuals.

Identification of students: Institutional publications. In this study, the universities varied in their extent of references to psychological disabilities in published materials such as student handbooks and catalogs. Usually, disability-related references were of a general nature, primarily indicating the availability of services for these students, specifying neither the nature of the services nor exemplifying disability types.

Several of the participants spoke to the need for improved information. “Better dissemination of information, from [disability services] and other offices” would aid in spreading knowledge about psychological disabilities and would speak to the needs of psychologically disabled students, too, “many of...[whom] don’t consider themselves having disabilities.” Also recommended was supplying information that would provide students with an “awareness of their disabilities...and [the] educational services available.” “Distribut[ing] information about psychological disabilities when students enter school” was suggested as well.

In light of the effects the presentation of this information could have on the self-identification of individuals with psychological disabilities, recommendations for enhancing access for these students are two-fold. It is recommended that universities promote student self-advocacy by specifying, in

prominently published locations, disability-related information that includes examples of psychological disabilities. This information would not only encourage individuals with these disabilities to come forth but would also influence awareness and credibility of these disabilities by the campuses in general.

It is further recommended that in drafting materials, consistency within, and across, publications be scrutinized. For example, disabilities included in a comprehensive list should also be included in any comprehensive documentation guidelines, as well as in any comprehensive list of accommodations. Given the public's ever-increasing access to Internet resources, information found in publications should also be available on institutional Internet websites.

Identification of students: Institutional referral policies. Several counseling center directors were not oriented to viewing students with psychological disabilities as having needs that could be addressed by disability services. One counseling director, recognizing the benefit of this expanded perspective, suggested "that a member of the [counseling] staff should have disability training...to become familiar with disability law and the educational needs of students with psychological disabilities and others."

Therefore, it is recommended that counseling center staff receive disability training which covers the legal definition of disability and

accommodations for students, including those with psychological disabilities. In its coverage of accommodations, this training should highlight examples of appropriate professional recommendations.

Informing counseling personnel of the educational services beneficial to these students could result in increased counseling referrals of these students to disability services. In addition, through this training counselors would become equipped to make documented recommendations, aiding students and disability services.

In this study, representatives of offices that facilitated or processed students' requests for university leaves of absence or withdrawal all indicated referring students with serious psychologically-related circumstances to the universities' counseling centers. Given the role of disability services, these offices would be recommended to advise these students returning from leaves of absence or withdrawals that both counseling services and disability services could be sought. Advising students of both options would serve two purposes: giving students already engaged in psychotherapy outside the university a meaningful referral source, and offering all students the opportunity to be considered for academic adjustments and services based on their disabilities.

One of the counseling directors spoke of the importance of "educating the university about the reality of the number of folks with psychological disabilities...and the accommodations they need." Similar recommendations for

disability-related training and policies for referrals to disability services should be made not only to counseling centers but to all other offices with significant student interaction.

Accommodations for students. Although the majority of DSPs were knowledgeable about appropriate accommodations, one viewed counseling referrals as a panacea. Additionally, one was not only inexperienced in providing these students with accommodations, but also demonstrated ignorance of psychological disorders.

Given these deficiencies, it is recommended that DSPs further their professional development in the area of psychological disability services. Conferences and professional journals would offer guidance in this area. In addition, DSPs are recommended to form alliances with nearby post-secondary institutions as have most of those in this study. Collaboration with colleagues could enhance professional practices in the delivery of services to students with psychological and other disabilities.

Communication about students. In this research, three of the universities held annual organized disability awareness programs, designed to educate the campus community about individuals with disabilities. Two of these universities reported including simulation activities for their respective campus communities. These activities were designed to enhance understanding through experiencing the disabilities' effects and limitations. Neither of the

institutions' DSPs reported knowing how to include psychological disabilities in this activity.

It is recommended that universities which offer disability awareness events incorporate coverage of psychological disabilities into simulations of disability-related experiences. Participants could experience certain effects of these disabilities by wearing headphones attached to audio-tape recorders playing alternating and repetitive voice patterns. This would provide participants with experiences of auditory hallucinations, one of the accompanying features of certain psychological disabilities. In this exercise, participants would attempt to read and explain the contents of written information, engage in conversation, or request technical information from other offices at the university while the taped voices constantly rambled. In this manner, participants engaged in this exercise would gain an understanding of the challenges faced by some of these students in undertaking activities otherwise considered routine and ordinary.

Additionally, the awareness of individuals with disabilities in general, as well as those with psychological disabilities, may be enhanced by associating those disabilities with well-known individuals who had them. It is recommended that institutions offering disability awareness programs include such information, both in writing (as proclaimed by a poster on the door of

one university's disability services office) and in seminar presentations during the course of the disability awareness program.

Promoting disability awareness to certain constituencies is also recommended. The program used by one university in its disability awareness program can serve as a model for all institutions. In that university's program, each year individuals at various levels of administration were asked to participate in disability simulations, as previously explained. In the present recommendation, a modified strategy is proposed, involving various academic departments and administrative offices. Endorsement of these activities by senior administrators of these offices would be necessary.

### Conclusions and Recommendations: Future Research

Empowerment through training. A recommendation is made in conjunction with a practice by one university in this study, and Van-Meter's research (1993), both of which focused on encouraging student proactivity, rather than dependence, through changes in disability services delivery.

Drawing on Van-Meter's research and the institutional practice, this researcher recommends that a quantitative study investigate the effects of exposing students with psychological disabilities to study skills and time management training. Similar to Van-Meter's study, training effects on student dependency levels and accommodation needs could be measured. Rather than replicating the previous research, which included a variety of interventions, and

individuals with disabilities, the recommended study would focus specifically on both psychological disabilities and exposure to training.

Education of mental health professionals. The majority of DSPs reported inadequacies on the part of mental health professionals to recommend accommodations and supply appropriate documentation in general. One DSP spoke of the need to educate mental health professionals about the rigors of academe for students with psychological disabilities, explaining that such professionals at times “mistakenly look at school as therapeutic,...as a half-way house,...with built-in structure.”

In light of these comments, research is recommended to explore the potential benefits of training to mental health professionals concerning the educational needs of their clients enrolled in institutions of higher education. This research could pinpoint the educational significance of the training relative to mental health professionals. Additionally, based on research findings, aspects of this training could be incorporated into graduate mental health programs.

Education of society. Two of the DSPs expressed comments relative to public perceptions of individuals with psychological disabilities. One noted that “society in general has a lot of fear related to people with psychological disabilities;...therefore, there’s a greater amount of discrimination,...and a greater need for legal protection.” Another DSP referred to the need to “re-

educate the world” regarding psychological disabilities, including “an increase in the knowledge of the functioning capacity of these individuals.”

These comments reinforce the often limited and inaccurate views of society regarding individuals who have psychological disabilities. Future research is recommended which seeks to determine the effects of educating the public regarding the nature, capabilities, and needs of individuals with psychological disabilities. Attitudinal surveys administered before and after training would reveal the effects of societal exposure, possibly encouraging an increase in public service information through the media, and a corresponding decrease in the negative, often violent, stereotypical portrayals of individuals with psychological disabilities.

Expansion of current research. Qualitative methodology is associated with an intensity of focus not found in quantitative research initiatives. Additionally, the nature of qualitative research does not allow for the same level of planning, prior to undertaking the study, as does quantitative research. Significant investments of time accompany qualitative methodology, given the evolving and unpredictable features of this type of research.

Researchers interested in exploring research questions in depth may espouse qualitative methodology, due to its emphasis on exploring the full complexion of matters under investigation. On the other hand, if desired research elements include efficiency of time and design, as well as projection of

sample results to a larger population, researchers should consider the merits of quantitative methods in their endeavors.

Each of the areas of findings in this research could be expanded into studies of broader scope than was possible in this depth-oriented study. It is recommended that future studies involving large numbers of institutions focus on individual areas of the present research: document analysis, accommodations for students, and disability awareness efforts. These studies could determine, on a national level, the adherence to disability law, as well as the scope of services, offered by institutions of higher education for individuals with psychological disabilities.

For the private sector, it is recommended that studies be conducted concerning corporate procedures and accommodations relative to employees with psychological disabilities. A corresponding analysis of legal decisions, involving corporate policy relative to employees with psychological disabilities, is recommended as well.

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## Appendix A

### Definition of Terms

The following list defines terms utilized throughout the text of this study. Many of these are legal terms, and their definitions are derived from actual texts of law. Others concern the study of psychology and related disorders. They are presented alphabetically to allow ease of reference.

- Academic adjustment: adaptation in post-secondary educational settings, including the use of auxiliary aids, as well as alteration in classroom instruction, degree requirements, and examinations, for individuals with disabilities (Brinckerhoff, Shaw, & McGuire, 1993). See “reasonable accommodation” for differential definition.
- Americans with Disabilities Act (ADA): otherwise known as Public Law 101-336, omnibus disability law covering employment, public entities and facilities, and educational institutions, licensing entities, and other operations not covered under earlier disability law (Colker, 1995).
- Anxiety disorder: “excessive anxiety and worry...,” difficult to control, “occurring more days than not for at least 6 months, about a number of events or activities;” may be marked by concentration difficulties, “sleep disturbance,” “restlessness or feeling keyed up or on edge” (American Psychiatric Association, 1994, p. 435-436).
- Bi-polar disorder: (a) clinical term for “manic-depression,” characterized by “alternation between manic...and depressive symptoms,” or simultaneous occurrence of such symptoms. Manic symptoms are marked by “abnormally and persistently elevated, expansive, or irritable mood,” often involving activities resulting in “negative consequences” due to illegality, or financial, sexual, or occupational poor judgment. Depressive symptoms include “tearfulness, irritability,... obsessive rumination,...[and] suicide risk” (American Psychiatric Association, 1994, pp. 323, 328-329, 366). (b) “an affective disorder characterized by periods of mania alternating with periods of depression” (Webster’s New Universal Unabridged Dictionary, 1996, p. 211).

## Appendix A (continued)

- Dissociative identity disorder: Formerly known as “multiple personality disorder;” marked by “the presence of two or more...identities or personality states...[which are] enduring...and...recurrently take control of...behavior” (American Psychiatric Association, 1994, p. 487).
- Depression: varying degrees of sadness, apathy, suicide risk, significant weight change, and/or preoccupying negative thoughts or images. (American Psychiatric Association, 1994); “a condition of general emotional dejection and withdrawal; sadness greater and more prolonged than that warranted by any objective reason.” (Webster’s New Universal Unabridged Dictionary, 1996, p. 535)
- Fundamental alteration: substantial modification to an essential element in organizational operations or programming through providing accommodation; not required if an organization can prove both its essential nature and substantial modification by accommodation (Jarrow, 1992).
- Higher education: “education beyond high school, especially that provided by colleges, graduate and professional schools. Also called higher learning” (Webster’s New Universal Unabridged Dictionary, 1996, p. 902).
- Individual with a disability: “...with respect to an individual -- (A) a physical or mental impairment which substantially limits one or more of [such person’s] major life activities...; (B) a record of such an impairment; or (C) being regarded as having such an impairment” (ADA Handbook, 1995, p. 2).
- Individuals with Disabilities in Education Act of 1975: Otherwise known as Public Law 94-142, “...guarantees that all children, regardless of disability, are entitled to a free, appropriate public education in the least restrictive environment” (Brinckerhoff, Shaw, & McGuire, 1993, p. 22).
- Learning disability: “a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical

## Appendix A (continued)

abilities. Intrinsic to the individual, presumed to be due to central nervous system dysfunction, and may occur across the life span,...learning disabilities may occur concomitantly with other handicapping conditions (for example, sensory impairment, mental retardation, serious emotional disturbance) or with extrinsic influences (such as cultural differences, insufficient, or inappropriate instruction). [However,] they are not the result of those conditions or influences” (National Joint Committee on Learning Disabilities, 1988, p. 1).

- Major life activity: “caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working” (Brinckerhoff, Shaw, & McGuire, 1993, p. 25).
- Mental impairment: “any mental or psychological disorder, such as...emotional or mental illness” (Section 504 Compliance Handbook, 1997, p. 621).
- Obsessive-compulsive disorder: “recurrent obsessions” [persisting ideas, thoughts, impulses, or images] or compulsions [repetitive physical or mental acts]...severe enough to be time consuming or cause marked distress, or significant impairment....At some point..., the person has recognized that the obsessions or compulsions are excessive or unreasonable” (American Psychiatric Association, 1994, p. 417-418).
- Otherwise qualified: With respect an individual with a disability seeking access to post-secondary and vocational education services, “a...person who meets the academic and technical standards requisite to admission or participation in the [institution’s] education program or activity” (Rothstein, 1995, p. 47).
- Personality disorder: “an enduring pattern of inner experience and behavior that deviates markedly from the expectations of the individual’s culture, is pervasive and inflexible, is stable over time, and leads to distress or impairment.” Personality traits pertaining to “cognition, affectivity, interpersonal functioning, or impulse control” are “inflexible and maladaptive and cause significant functional impairment” (American Psychiatric Association, 1994, pp. 629-630).

## Appendix A (continued)

- Phobia: “marked and persistent fear” of harm, regarding, “clearly discernible, circumscribed objects or situations,” the exposure to which “almost invariably provokes an immediate anxiety response,” recognized as “excessive or unreasonable” by adults with the disorder (American Psychiatric Association, 1994, p. 405).
- Post-secondary education: (see higher education)
- Post-traumatic stress disorder: “development of characteristic symptoms following exposure to an extreme traumatic condition involving direct personal experience,” or “witnessing” or “learning about” such an event. The disorder causes “significant distress or impairment in...important areas of functioning,” particularly if long-standing or chronic (American Psychiatric Association, 1994, p. 424).
- Psychological disability: “diagnosed mental illnesses that limit [individuals’] capacity to perform certain functions (e.g., conversing with family and friends, interviewing for a job) and their ability to perform in certain roles (e.g., worker student)” (Anthony, Cohen, and Farkas, 1990, p. 4).
- Reasonable accommodation: Per ADA, Title I, § 12111, “...(A) making existing facilities used by employees readily accessible to and usable by individuals with disabilities; and (B) job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment of modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities” (Colker, 1995, p. 83). See “academic adjustment” for differential definition.
- Record of impairment: With respect to protection against discrimination, refers to an individual who, although without disability, had a documented disability in the past (Rothstein, 1995).
- Regarded as having an impairment: With respect to protection against discrimination, refers to individuals whom others may perceive as having a disability, regardless of actual disability (Rothstein, 1995).

## Appendix A (continued)

- Rehabilitation Act of 1973: Otherwise known as Public Law 93-112, the only other major law until 1990 protecting individuals with disabilities from discrimination (Rothstein, 1995).
- Schizophrenia: “includes delusions, hallucinations, disorganized speech, grossly disorganized or catatonic behavior,” or apathy or emotional flattening. “Social,” “occupational,” and other areas of life functioning are impaired. (American Psychiatric Association, 1994, pp. 273, 285); “severe mental disorder characterized by some, but not necessarily all, of the following features: emotional blunting, intellectual deterioration, social isolation, disorganized speech and behavior, delusions, and hallucinations” (Webster’s New Universal Unabridged Dictionary, 1996, p. 1714).
- Section 504: the section of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of non-disqualifying disability in employment and education by entities receiving federal funding (Tucker, 1996).
- Substantial limitation: According to Section 504 and the ADA, refers to an individual who is “unable to perform a major life activity that the average person...can perform; or...significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person...can perform that same major life activity” (Rothstein, 1995, p. 39).
- Technical standards: Refers to all nonacademic admissions criteria that are essential to participation in the program in question (Rothstein, 1995).
- Undue hardship: Factors considered in this determination include “...(i) the nature and cost of the accommodation needed...; (ii) the overall financial resources of the facility...involved in the provision of the reasonable accommodation; the number of persons employed at such facility; the effect on expenses and resources, or the impact otherwise of such accommodation upon the operation of the facility; (iii) the overall

## Appendix A (continued)

financial resources of the covered entity; the overall size of the business of a covered entity with respect to the number of its employees; the number, type, and location of its facilities; and (iv) the type of operation or operations of the covered entity, including the composition, structure, and functions of the work force of such entity; the geographic separateness, administrative, or fiscal relationship of the facility or facilities in question to the covered entity” (ADA Handbook, 1995, p. 3).

## Appendix B

### Legal Document Analysis Guide

(LA-1) Upon what aspect(s) of the Code of Federal Regulations was the decision based, and why?

(LA-2) For federal cases, what reasoning standard was influential, and how?

(LA-3) What institutionally-provided documentation influenced the decision, and how (e.g., written procedures or guidelines, or internally-chronicled events)?

(LA-4) What specific student documentation or circumstances influenced the decision, and how?

(LA-5) In what specific area of higher education (e.g., admissions, examination procedures, academic dismissal) did the alleged discrimination occur?

(LA-6) How do these answers to the above questions compare across cases?

## Appendix C

### Disability Service Provider Interview Guide

(DSP-1) How long have you worked in this profession at this institution?

(DSP-1) a. What previous academic and/or disability-related professional experiences have you had?

(DSP-2) What sort of training, formal or otherwise, have you had for working with students with disabilities, including those with psychological disabilities?

(DSP-3) How much exposure, in length and frequency of visits, have you had with students with disabilities, including those with psychological disabilities?

(DSP-4) How many students with disabilities, including those with psychological disabilities, are enrolled at the institution?

(DSP-4) a. How many students with psychological disabilities have other disabilities (specify) as well?

(DSP-4) b. What percentages of these students fall into the following categories: campus residents; commuters; enrolled full-time; enrolled part-time?

(DSP-5) What is the university's student retention rate?

(DSP-5) a. How do students with disabilities, including those with psychological disabilities, compare?

(DSP-6) What is the scope of responsibilities for the Disability Services office?

(DSP-6) a. What non-disability related responsibilities does the office have?

(DSP-7) What is the organizational structure of the office?

(DSP-8, ID-1) What non-discrimination-on-the-basis-of-disability statement(s) does the institution have?

(DSP-9, ID-2) What policies and procedures exist for addressing disability-related issues, including requests and disputes from applicants and students?

## Appendix C (continued)

(DSP-9, ID-2) a. In what specific publications are which policies published?

(DSP-9, ID-2) b. What offices or departments contain such policies, or separate policies?

(DSP-9, ID-2) c. How is this information disseminated, and to whom?

(DSP-10) At what point in their education (e.g., pre- or post-admission, freshman, sophomore, etc.) do students with disabilities, including those with psychological disabilities, generally contact the Disability Services office?

(DSP-11) To what extent are students with disabilities, including those with psychological disabilities, referred to the Disability Services, and by whom?

(DSP-12, E-12, F-12) What circumstances or situations have students with disabilities, including those with psychological disabilities, brought to the Disability Services office?

(DSP-13, ID-3) What guidelines exist for determining adequacy of psychological disability-related documentation, in terms of (a) its author; (b) its age; and/or (c) any specific diagnosis and recommended academic adjustments referenced therein?

(DSP-14) What academic adjustments are made for students with disabilities, including those with psychological disabilities?

(DSP-14) a. How are these adjustments determined?

(DSP-14) b. What experiences have you had with professional providers' ability to translate diagnostic information into recommended accommodations?

(DSP-15, ID-4) What procedures exist for notifying instructors of approved academic adjustments for students with disabilities, including those with psychological disabilities?

## Appendix C (continued)

(DSP-16) How would you describe the institution's delivery of academic adjustments for students with disabilities, including those with psychological disabilities?

(DSP-17, ID-5) What policies exist for determining acceptable student conduct, including addressing allegations of disruptive, violent, or otherwise unacceptable student conduct?

(DSP-18, E-8, F-8) What disciplinary actions have involved students with disabilities, including those with psychological disabilities?

(DSP-18, E-8, F-8) a. How have these been resolved?

(DSP-18, E-8, F-8) b. How do these actions and resolutions compare with situations involving other students?

(DSP-19) How would you characterize the relationship between full-time and adjunct faculty and the Disability Services office in the delivery of adjustments to students with disabilities, including those with psychological disabilities?

(DSP-20) How has working with students with disabilities, particularly those with psychological disabilities, changed during the time you have been in this position?

(DSP-21, E-11, F-11) What challenges have you faced in your interactions with students with disabilities, including those with psychological disabilities?

(DSP-22, E-9, F-9) How would you describe training or dissemination of information on disabilities, including psychological disabilities, that you have delivered to faculty and/or other university personnel?

(DSP-23) How would you describe the effectiveness of the university's disability-related policies and procedures in (a) admissions; (b) documentation guidelines; (c) instructor notification; (d) student conduct procedures; and (e) student requests for accommodations and related disputes?

## Appendix C (continued)

(DSP-24, E-12, F-12) Who would you recommend I contact regarding experiences he/she/they may have had with students who have psychological disabilities?

(DSP-25, CC-12) Would you contact students with psychological disabilities who are registered with your office and provide each of them with the letter (which invites their participation) that I have drafted for them?

(DSP-26, E-13, F-13, S-15, CC-13) What recommendations do you have for improving access to post-secondary education for students with psychological disabilities?

(DSP-27) Would you provide me with a copy of (a) initial student disability information forms and/or accommodation form; (b) notice to faculty regarding student accommodations; (c) written disability-related policies and procedures; (d) other forms students must complete and/or take to instructors and/or professional providers; and (e) internal Disability Services publications?

## Appendix D

### Counseling Center Director Interview Guide

(CC-1) What is the organizational structure of the Counseling Center?

(CC-2) What education and experience related to psychotherapy do you and other counselors have?

(CC-3) What limits exist concerning the number of counseling sessions a student may have?

(CC-4) How is the Counseling Center able to determine whether a student client has an existing psychological disorder? (e.g., through existing documentation; or diagnosis through the Counseling Center; if the latter, at what point in the therapist-client relationship does or can the Center make such a diagnosis?)

(CC-5) Who has referred student clients to the Counseling Center, and on what basis?

(CC-6) How does, or can, the Counseling Center ascertain, or aid in ascertaining, whether a student client may have a psychological “disability?”

(CC-7) When does the Counseling Center refer students to Disability Services office (with or without documentation)?

(CC-8) Under what conditions does, or can, the Counseling Center communicate with Disability Services office about a student’s needs or requests for accommodations (e.g., if the student authorizes this discussion through “release-of-information” or related form)?

(CC-9) With what other university entity or individual, and under what conditions, does, or can, the Counseling Center communicate regarding students? (In such instances, what is divulged?)

(CC-10) In what instances are students “mandated” to seek counseling (e.g., violation of conduct code)?

## Appendix D (continued)

(CC-11) What records does the Counseling Center have regarding:

- a. the number of students with (specify) disorders (already diagnosed, or diagnosed through Center--please separate out if possible);
- b. the number of these students seen--one time, short-term, or on an extended/regular basis (if applicable);
- c. the number of students referred by (specify) -- (e.g., disability services office, academic advisor, faculty, others);
- d. the number of students referred to disability services office by the Counseling Center;
- e. the number of students "mandated" to seek counseling.

(CC-12) Would you provide students you know to have psychological disabilities and provide each of them with the letter (which invites their participation) that I have drafted for them?

(CC-13) What recommendations do you have for improving access to post-secondary education for students with psychological disabilities?

## Appendix E

### Admissions Interview Guide

(ADM-1) What procedures does your office have for special admission consideration based on disability?

(ADM-2) What response do you / would you give to applicants disclosing this information?

(ADM-3) What procedures do you have for applicants who disclose psychological disabilities?

(ADM-4) What other experiences have you had involving applicants who disclosed psychological disabilities?

## Appendix F

### Medical/Psychological Withdrawal Interview Guide

(M-1) What are the procedures for students requesting medical leaves of absence / withdrawal?

(M-2) How do the numbers of students taking such leaves / withdrawals compare with the number who seek and are granted reentry to the university?

(M-3) Of these students (both groups), how many involve documented psychiatric or serious psychological diagnoses / conditions?

(M-4) Under what circumstances are such students referred to Disability Services?

## Appendix G

### Equal Opportunity Office Interview Guide

(EO-1) In what instances do applicants, students, or university employees contact you regarding grievances concerning the provision of disability-related academic adjustments?

(EO-2) What experiences have you with applicants, students, or university employees filing grievances based on psychological disabilities?

(EO-3) What steps must a grievant take in undertaking the filing of a grievance based on disability?

(EO-4) What processes does the university have in responding to a grievant's disability-related claims?

## Appendix H

### Student Interview Guide (Not Used)

(S-1) How long have you been enrolled at the university?

(S-2) What declared major, or any thoughts on possible interest areas, do you have?

(S-3) Are you (a) a campus resident, (b) a commuter, (c) enrolled full-time, (d) enrolled part-time, and (e) degree-seeking?

(S-4) What led you to enroll at this university?

(S-5) How have you interacted with instructors, other personnel, and other students?

(S-6) What do you think about the term “disability,” with respect to yourself and to others?

(S-6) a. What other disabilities, primary or secondary, do you have?

(S-7) How long have you known that you have this disability?

(S-8) At what point did you disclose that disability at the university, to whom, and why?

(S-9) With whom else on campus (e.g., other personnel, instructors, students) have you discussed your disability?

(S-9) a. What was the nature of this discussion?

(S-9) b. How did that/those individual(s) respond?

(S-10) What disability-related services or academic adjustments have you requested?

(S-11) What services or academic adjustments are you receiving at present?

## Appendix H (continued)

(S-12) How would you describe the effectiveness of these services or academic adjustments?

(S-13, F-7, E-7) When have you used the appellate process in place for disability-related disputes?

(S-13, F-7, E-7) a. How would you describe the effectiveness of that process?

(S-14) What else would you like to share about your experiences at this university?

(S-15, F-13, E-13, DSP-26, CC-13) What recommendations do you have for improving access to education for students with psychological disabilities?

## Appendix I

### Faculty Interview Guide (Not Used)

(F-1) How long have you been an instructor for the university, in a full time, adjunct or other capacity, and in what specialty area(s)?

(F-1) a. What previous teaching and/or other academic work experience have you had?

(F-2, E-2, DSP-12) What circumstances or situations have students with disabilities, including psychological disabilities, brought to you?

(F-3, E-3) How have you responded to students' direct or indirect disclosures of their disabilities, including psychological disabilities?

(F-4, E-4) How have you responded to requests for academic assistance or adjustment, waiver or relaxation of policy(ies), or other matters?

(F-5, E-5) When have you referred students with disabilities, including psychological disabilities, to the disability services office or other office?

(F-5, E-5) a. What if students asked you not to do so?

(F-6, ID-7) What course syllabi statement do you provide that mentions services for students with disabilities?

(F-7, E-7, S-13) When have you used the university's appellate process for disability-related disputes?

(F-7, E-7, S-13) a. How would you describe the effectiveness of that process?

(F-8, E-8, DSP-18) What disciplinary actions have involved students with disabilities, including psychological disabilities?

(F-8, E-8, DSP-18) a. How have they been resolved?

## Appendix I (continued)

(F-8, E-8, DSP-18) b. How do these actions and resolutions compare with situations involving other students?

(F-9, E-9, DSP-22) What training has been provided, to whom and by whom, for working with students with disabilities, including psychological disabilities?

(F-10, E-10, DSP-20) How has working with students with disabilities on campus, particularly with students who have psychological disabilities, changed during the time you have been in this position?

(F-11, E-11, DSP-21) What challenges have you faced in dealing with students with disabilities, including psychological disabilities?

(F-11, E-11) a. How do these challenges compare with those involving students in general?

(F-12, E-12, DSP-24) Who would you recommend I contact regarding experiences they have had with students who have psychological disabilities?

(F-13, E-13, DSP-26, S-15, CC-13) What recommendations do you have for improving access to education for students with psychological disabilities?

## Appendix J

### Employee Interview Guide (Not Used)

(E-1) How long have you been associated with the university?

(E-1) a. What previous academic experiences have you had?

(E-2, F-2, DSP-12) What circumstances or situations have students with disabilities, including psychological disabilities, brought to you?

(E-3, F-3) How have you responded to students' direct or indirect disclosures of their disabilities, including psychological disabilities?

(E-4, F-4) How have you responded to requests for academic assistance or adjustment, waiver or relaxation of policy(ies), or other matters?

(E-5, F-5) When have you referred students with disabilities, including psychological disabilities, to the disability services office or other office?

(E-5, F-5) a. What if students asked you not to do so?

(E-6, ID-8) What written policies exist in your office for accommodating individuals with disabilities, including psychological disabilities?

(E-7, F-7, S-13) When have you used the university's appellate process for disability-related disputes?

(E-7, F-7, S-13) a. How would you describe the effectiveness of that process?

(E-8, F-8, DSP-18) What disciplinary actions have involved students with disabilities, including psychological disabilities?

(E-8, F-8, DSP-18) a. How have they been resolved?

(E-8, F-8, DSP-18) b. How do these actions and resolutions compare with situations involving other students?

## Appendix J (continued)

(E-9, F-9, DSP-22) What training has been provided, to whom and by whom, for working with students with disabilities, including psychological disabilities?

(E-10, F-10, DSP-20) How has working with students with disabilities on campus, particularly with students who have psychological disabilities, changed during the time you have been in this position?

(E-11, F-11, DSP-21) What challenges have you faced in dealing with students with disabilities, including psychological disabilities?

(E-11, F-11) a. How do these challenges compare with those involving students in general?

(E-12, F-12, DSP-24) Who would you recommend I contact regarding experiences they have had with students who have psychological disabilities?

(E-13, F-13, DSP-26, S-15, CC-13) What recommendations do you have for improving access to education for students with psychological disabilities?

## Appendix K

### Informed Consent Form

#### POSTSECONDARY ACCESS FOR INDIVIDUALS WITH PSYCHOLOGICAL DISABILITIES: AN ANALYSIS OF FEDERAL RULINGS AND INSTITUTIONAL PHILOSOPHIES, POLICIES, AND PRACTICES

I freely and voluntarily consent to be an interviewed participant in the above-titled research project, to be conducted at Florida International University during the Fall 1997 and/or Spring 1998 semesters, with John Chaffin as Principal Investigator. I have been told that this interview will last approximately one hour.

I understand that the purpose of this research is to examine the access students with psychological disabilities have to postsecondary education, through an analysis of (1) relevant legal cases; (2) university policies and procedures; and (3) the related perspectives of disability service providers, instructors, other appropriate university employees, and students with psychological disabilities.

I understand that I will be interviewed individually about my experiences and perspectives related to postsecondary access for individuals with psychological disabilities, both at the university with which I am affiliated and in general.

I understand that there are no known risks involved in my participation in this study. I understand that my responses may benefit the general area of knowledge regarding postsecondary educational access for individuals with psychological disabilities. My identity, as well as all participants' and universities' identities, will be kept confidential. Throughout the study, pseudonyms will be used in place of all participants' and universities' names to ensure identity protection.

I have been assured that my responses will be kept strictly confidential. I understand that my individual interview may be audio-tape recorded if I expressly permit such audio-taping, and that follow-up questions may be necessary for clarification of information. All notes and audio-tapes made from my interview by the Principal Investigator will be kept in a locked file cabinet, to which the Principal Investigator has sole access, in his home office. All of

## Appendix K (continued)

these notes and audio-tapes will be destroyed and erased, respectively, upon this study's completion.

I understand that I may withdraw my consent and discontinue participation in this study at any time with no negative consequences. I have been given the right to ask questions concerning this study and my involvement in it, and my questions have been answered to my satisfaction. I understand that if I desire further information about this study, I should contact Dr. Charles Divita at (305) 347-2728. I have been offered a copy of this informed consent form.

I have read and understand the above.

---

Participant's signature

---

Date

I understand the terms and protections related to audio-taping interviews in this study as explained in this informed consent form, and I agree to having my interviews audio-tape recorded.

---

Participant's signature

---

Date

I have explained and defined in detail the procedures in which the participant has agreed to participate, and I have offered him/her a copy of this informed consent form.

---

Principal Investigator's signature

---

Date

## Appendix L

### Letter of Invitation for Student Research Participation

Dear Student:

As a doctoral candidate at Florida International University, I am conducting a study concerning the access to higher education for students with psychological disabilities. Although a large number of related studies have been done regarding individuals with other disabilities, studies focusing on individuals with psychological disabilities have been lacking.

I would like to talk to you about your experiences at the university you attend, including the access to education and educational services you believe you have now, and have had in the past. This discussion should take no more than one hour of your time, and it can be arranged at your convenience.

Please be assured that I will respect and maintain your anonymity. I will not use your actual name, nor the name of the university you attend, in my research. I will not reveal your identity to anyone. You may discontinue your participation at any time, with no further expectations of participation.

Through your contributions, awareness of the educational needs of students with psychological disabilities may be heightened. In addition, important improvements related to these needs may be revealed, and recommendations may be made, leading to enhanced educational experiences for all students with psychological disabilities. I believe your input would be quite valuable in this regard.

If you are interested in participating in my research, please contact me at [telephone number]. You may also contact me by e-mail at [electronic mail address]. I will be happy to respond to any questions or concerns you may have about participating before you make a decision to share your experiences with me.

I look forward to talking with you, and I thank you in advance for your interest.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

## Appendix M

### Letter of Thanks to Disability Service Providers

Dear [name]:

Thank you very much for your time today in talking with me. Your input was quite informative and insightful and will be a real benefit to my research as well as, ultimately, to individuals with psychological and other disabilities.

I also appreciate your willingness to provide me with written materials -- forms, memos, handbooks, and catalogs. This information, in addition to your own personal perspective, will prove valuable, I am certain, and I look forward to reviewing it.

Enclosed is another copy of the student letter, which I would appreciate your sharing with any student you find to be an appropriate recipient. In addition, I have enclosed a copy of the informed consent form signed by us both.

Again, thank you for your many contributions to my study. I will keep you informed of further developments concerning my study, and I hope you will contact me [telephone number; electronic mail address] if you have any questions or concerns.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosures

## Appendix N

### Follow-up Letter to Disability Service Providers

Dear [name]:

Since we last spoke, I have absorbed what many individuals across South Florida universities have expressed regarding access to higher education for individuals with psychological disabilities. I particularly appreciate the contributions of information, interest, and time you have made to my study.

I am also grateful for any efforts you have been able to make in sharing the letter inviting student participation in my study. I am enclosing another copy of this letter. Please share it with any student with a psychological disability that you, in your professional judgment, believe is an appropriate recipient. Student contributions would be quite valuable, not only to my study but to furthering awareness of the perspectives of individuals with psychological disabilities as well.

I understand the reluctance many students may have in speaking about potentially sensitive disability-related matters. Nevertheless, I would greatly appreciate your making this letter available to appropriate students, if any, at your university. If you have any questions or concerns, please contact me [telephone number and electronic mail address]. Thank you very much for your assistance.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosure

## Appendix O

### Letter of Introduction to Counseling Center Directors

Dear [name]:

[Name(s) of disability service provider(s)] of your university recommended that I speak to you regarding a matter that should take no more than 30 minutes of your time.

As a doctoral candidate at Florida International University, I am conducting research focusing on access to higher education for individuals with psychological disabilities. Compared with studies involving individuals with other disabilities, relatively little has been published regarding this population in the specific area of postsecondary education.

I have a short list of questions I would like to ask you about the interactions your office has had with students who have psychological disabilities. I appreciate the confidentiality under which your office likely operates, and I am not seeking personal information about any specific individual who has utilized your office's counseling services. Moreover, I will not use your name or your university's name in my research, and I will otherwise endeavor to protect the identities of all with whom I interact in the course of this research.

In an effort to expend as little of your time as possible, I have enclosed a list of the questions I would like to ask you. I will contact you during the week of January 26th to arrange a time convenient for us to speak by telephone.

In addition, I have enclosed an informed consent form explaining the nature of my research. Please disregard the section concerning audio-tape recording, as our telephone conversation(s) will not be recorded.

Thank you very much in advance for your attention to these questions. In the meantime, if you wish to contact me, you may reach me at [telephone number; electronic mail address]. I look forward to speaking with you soon.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosures

## Appendix P

### Letter of Introduction to Other University Personnel

Dear [name]:

[Name(s) of disability service provider(s)] of your university recommended that I speak to you regarding a matter that should take no more than 30 minutes of your time.

As a doctoral candidate at Florida International University, I am conducting research focusing on access to higher education for individuals with psychological disabilities. Compared with studies involving individuals with other disabilities, relatively little has been published regarding this population in the specific area of postsecondary education.

I have a short list of questions I would like to ask you about the interactions your office has had with students who have psychological disabilities. I appreciate the confidentiality under which your office likely operates, and I am not seeking personal information about any specific individual who has utilized your office's services. Moreover, I will not use your name or your university's name in my research, and I will otherwise endeavor to protect the identities of all with whom I interact in the course of this research.

In an effort to expend as little of your time as possible, I have enclosed a list of the questions I would like to ask you. I will contact you during the week of January 26th to arrange a time convenient for us to speak by telephone.

In addition, I have enclosed an informed consent form explaining the nature of my research. Please disregard the section concerning audio-tape recording, as our telephone conversation(s) will not be recorded.

Thank you very much in advance for your attention to these questions. In the meantime, if you wish to contact me, you may reach me at [telephone number; electronic mail address]. I look forward to speaking with you soon.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosures

## Appendix Q

### Letter of Thanks to Counseling Center Directors

Dear [name]:

Thank you very much for your time in speaking with me. Your input was quite informative and insightful and will be a real benefit to my research as well, ultimately, to individuals with psychological and other disabilities.

I am enclosing another copy of the letter for students; please share with colleagues and students as you may find appropriate. Also enclosed is a copy of the informed consent form, signed by us both. I will keep you informed of further developments concerning my study, and I hope you will contact me [telephone number; electronic mail address] if you have any questions or concerns.

Again, thank you for your assistance.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosures

## Appendix R

### Letter of Thanks to Other University Personnel

Dear [name]:

Thank you very much for your time in speaking with me. Your input was quite informative and insightful and will be a real benefit to my research as well, ultimately, to individuals with psychological and other disabilities.

Enclosed is a copy of the informed consent form, signed by us both. I will keep you informed of further developments concerning my study, and I hope you will contact me [telephone number; electronic mail address] if you have any questions or concerns.

Again, thank you for your assistance.

Sincerely,

John Chaffin, M.S.  
Doctoral Candidate  
Florida International University

Enclosures

## Appendix S

### Institutional Document Analysis Guide

(ID-1, DSP-8) What non-discrimination-on-the-basis-of-disability statement(s) does the institution have?

(ID-2, DSP-9) What policies and procedures exist for addressing disability-related issues, including requests and disputes from applicants and students?

(ID-2, DSP-9) a. In what specific publications are which policies published?

(ID-2, DSP-9) b. What offices or departments contain such policies, or separate policies?

(ID-2, DSP-9) c. How is this information disseminated, and to whom?

(ID-3, DSP-13) What guidelines exist for determining adequacy of psychological disability-related documentation, in terms of (a) its author; (b) its age; and/or (c) any specific diagnosis and recommended academic adjustments referenced therein?

(ID-4, DSP-15) What procedures exist for notifying instructors of approved academic adjustments for students with disabilities, including those with psychological disabilities?

(ID-5, DSP-17) What policies exist for determining acceptable student conduct, including addressing allegations of disruptive, violent, or otherwise unacceptable student conduct?

VITA  
JOHN EDWARDS CHAFFIN

September 6, 1960	Born, Athens, Georgia
1983	B.A., History University of Georgia Athens, Georgia
1984-1987	Legislative Aide / Press Secretary U.S. House of Representatives Washington, DC
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