STAF-006

Documentation Required to Establish a Student with a Disability

Effective Date Monday, May 19, 2025

Status Final

Policy Type Student Affairs

Contact Office Student Health and Wellness

Oversight Executive
Vice President and Chief Student Affairs Officer

Applies To Academic Division.

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Reason for Policy

Pursuant to Virginia Code Section 23.1-401.3, the University is required to provide guidance on documentation or evidence sufficient to establish that a student is an individual with a disability.

Definition of Terms

Disability(ies)

Description A mental or physical impairment that substantially limits one or more major life activities.

Individualized Education Program (IEP)

Description

Overseen by local K-12 public school divisions, an IEP is comprised of specially designed instruction that involves adapting the content, methodology, or delivery of instruction to address the needs of the student and accommodations, modifications, and other supplementary aids and services to provide for access to the general curriculum so the child can meet the educational standards that apply to all children in the Commonwealth.

Policy Statement

In addition to the documentation guidelines published by the Student Disability Access Center (SDAC), the following documentation or evidence establishes that a student is an individual with a disability:

- Documentation that the individual has had an individualized education program (IEP) in accordance with the federal Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq. The University may request additional documentation from such an individual if the IEP (i) was not in effect immediately prior to the date on which the individual graduated from or was otherwise no longer enrolled in high school; or (ii) is otherwise not sufficient to establish that such individual is an individual with a disability pursuant to the federal Americans with Disabilities Act as Amended, 42 U.S.C. § 12131 et seq.

  Any IEP shall be deemed sufficient to establish that such individual is an individual with a disability under the federal Americans with Disabilities Act that includes (a) information on the nature of the individual's physical or mental impairment; (b) a documented history or record of such physical or mental impairment, including documentation of an evaluation that has been completed or updated no more than three years prior to such individual's application for admission to the institution; and (c) an explanation of substantial limitations experienced by such individual as a result of such disability and the related accommodations needed by such individual.

- Documentation of the individual's disability due to service in the Armed Forces of the United States or the Commonwealth.
- Any other documentation or evidence that the University deems appropriate for such purpose.

In the event that a student's disability or need for accommodations has not been properly documented, and additional time is needed to conduct the process by which the University determines eligibility for accommodations, the University grants such student provisional or temporary accommodations while such determination process continues.

The University disseminates information about such process to students, including all new students; to the parents of students as appropriate; and to faculty in accessible formats and makes such information available in a conspicuous and publicly accessible manner, including on the University's website.

1. **Responsibilities:**
   The ***student*** is responsible for:

   - Meeting the University's academic and technical standards for admission to and ongoing participation in University programs and activities, with or without accommodation.
   - Timely disclosing disability status to SDAC.
   - Providing documentation requested by SDAC to document the nature of the disability, related functional limitations, and the need for specific requested accommodations.
   - Engaging with SDAC in an interactive process to identify appropriate accommodations.
   - Recognizing that the intake and eligibility determination process must be completed before SDAC approves accommodations; this does not preclude provisional accommodations from being granted.

   SDAC Staff are responsible for:

   - Within two to three weeks upon receipt of a request for accommodations, engaging in an interactive process with the student, and instructor as necessary, to identify appropriate accommodations as part of the intake and eligibility process.
   - Requiring appropriate, professional documentation necessary to demonstrate the nature and extent of the functional limitations caused by a disability and seeking additional documentation and clarification if such documentation is not provided.

2. **Compliance with Policy:**
   Failure to comply with the requirements of this policy may result in delay of disability-related services and accommodations.

   Direct questions about this policy to the Department of Student Health and Wellness.

Procedures

To apply for SDAC services, see SDAC Procedures and Guidelines.

Major Category Student Affairs Policies

Next Scheduled Review Friday, May 19, 2028

Approved By Vice President and Chief Student Affairs Officer

Approved Date Friday, May 16, 2025