

# A Survey of Postsecondary Disability Service Websites Post ADA AA: Recommendations for Practitioners

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## Abstract

Since the passage of the Americans with Disabilities Act Amendments Act (2008) and elevation of self-reported information in determining disability status and eligibility for accommodations, a debate has been raging in the field about the importance of disability documentation, documentation guidelines, self-reported information, and protocols used by disability service practitioners. Some argue that self-report is the most authentic information for determining functional limitations in a real-life context; while others contend self-report by definition is biased and often inaccurate. Adding to the debate is research-based evidence that students often do not use requested accommodations, and do not connect with postsecondary disability services even with a history of special education and Individualized Education Programs or Section 504 plans. This study summarizes results from a survey of 118 disability services websites from four classifications of postsecondary institutions regarding self-report, interactive process, documentation guidelines, and the protocol for receiving accommodations.

*Keywords: disability documentation, guidelines, postsecondary education, disability services*

The 2011 final regulations which followed the ADA Amendments Act of 2008 (ADA AA, 2008) sought to make it easier for individuals with disabilities to seek protection under the Americans with Disabilities Act of 1990. The regulations noted that the definition of disability should be “broadly construed,” and that “substantial limits” should not be defined by the high bar previously applied by the courts (e.g., *Sutton v. United Airlines, Inc.*, 1999). Of significance in the regulations was the statement that determining whether an impairment substantially limits a major life activity should not generally require extensive scientific, medical, or statistical evidence. In the following year, the Association on Higher Education And Disability (AHEAD) published a document titled *Supporting Accommodation Requests: Guidance on Documentation Practices* (2012) which elevated student self-report to be the primary source of information on disability and accommodations. The AHEAD document asserted that a student’s personal narrative

regarding their experience in living with a disability and stated request for specific accommodations should be sufficient validation for ADA compliance. However, not all colleges adopted this guidance, and the problem a decade later is the lack of uniformity and/or agreement among postsecondary disability service providers regarding self-reported information in making accommodation decisions.

## Review of the Literature

Self-report is the lived experience of the individual as understood and described by that individual. It is a commentary on the ways in which the functional limitations of the disability actually affect the individual, as reported or perceived. Self-report is subjective and a rich source of information that is not typically identified within a standard neuropsychological or psychoeducational evaluation. As proponents have claimed, it is the most real information

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that one can get on challenges faced by the individual due to the disability (Phelan, 2016). Neuropsychological and psychoeducational evaluations on the other hand, provide standardized information which are independently verifiable. For instance, a score at the 23rd percentile on the *Woodcock Johnson Battery IV* is interpreted the same way by all who review such information, leaving no ambiguity.

Self-reported information and behavioral observations during a diagnostic evaluation have always been useful, but have been considered as supplemental to the information generated by the formal assessment. There are several reasons for this position. Self-report is often influenced by individual perceptions and may not be accurate. Individual perspectives on the severity of the condition can be highly variable. Some researchers also bring up the case of malingering (Booksh et al., 2010; Harrison et al., 2007, 2008; Musso et al., 2016), given the high stakes for receiving accommodations in some situations. Malingering is defined as the “intentional production of false or grossly exaggerated physical or psychological problems” (Bienenfeld, 2017, ¶ 1).

On the other hand, there is strong support for considering self-reported evidence as significantly more relevant than any formal standardized test or subtest score. Early impetus for this thinking comes from the 2008 Amendments Act of the ADA. The Amendments Act underscores interpreting “disability” more broadly than in the past and without extensive analysis (US Department of Justice, n.d.) with the rationale being that the bar for establishing eligibility for disability status under the ADA had become too high. It also put the burden of proof on institutions and organizations for refusing to approve an accommodation, instead of the responsibility being solely on the individual (Heyward, 2015).

As noted earlier, in 2012, AHEAD put forth a guidance document regarding disability information in postsecondary settings which specifically ranked three sources of information. The *primary source* being identified as student self-report. The guidance document noted that,

A student’s narrative of his or her experience of disability, barriers, and effective and ineffective accommodations is an important tool which, when structured by interview or questionnaire and interpreted, may be sufficient for establishing disability and a need for accommodation. (p. 2)

The *secondary source* of information was identified as impressions and observed interpretations of higher education disability professionals based on student

intake, interview, and accommodation request conversations. The *tertiary source* of information was identified as documentation from external sources such as a neuropsychological evaluation report, an Individual Education Program (IEP) or Section 504 Plan, medical records from health care providers, school psychologists, and other formal reports from the educational system.

The proposal by AHEAD created a stir in the postsecondary education and disability community. Several professionals discussed the pros and cons of student self-report as the primary source of disability information (AHEAD, n.d.; Banerjee & Brinckerhoff, 2015). The Educational Testing Service (ETS) which has long been a leader among high-stakes testing agencies in formulating disability documentation guidelines acknowledged the value of self-report by inviting test-takers to submit a personal statement letter in support of their request. ETS also provides guidance to test-takers for writing a personal statement letter (see <https://www.ets.org/s/disabilities/pdf/personal-statement.pdf>).

An implication of the ADA Amendments Act was the emphasis on an interactive process for determining accommodations. In other words, accommodations were no longer to be decided unilaterally by one stake holder or another, but should be based on consideration of all relevant information through an iterative and engaged process between the individual seeking accommodations and the institution.

In the higher education community, the process by which students make requests for and are granted accommodations is fairly standard. Students must self-initiate a meeting or contact with the campus disability services office. Typically, they are asked to fill-out an accommodation request form during or before the initial meeting. Some institutions require students to participate in an intake interview. This is the start of the interactive process where initial self-reported information is collected. While an intake is useful information, there are no established protocols for what the intake should include, and how much self-report is provided in the intake. Not all institutions require students to participate in an intake.

Most institutions, however, ask for disability documentation from a qualified evaluator as validation of disability status and eligibility for accommodations. Many have specific guidelines for disability documentation, and some have different guidelines for different categories of disabilities. Documentation is reviewed by disability services personnel and an accommodation letter is crafted and either given to the students to provide to their faculty, or is sent to faculty on their behalf. The accommodation letter

states that the student has a disability and is entitled to the listed accommodations. In the majority of cases, the accommodation letter does not specify any particulars about the disability or the individual's functional limitations.

In the traditional approach to accommodation determination, the interactive process is quite limited. The primary determinant of accommodations is disability documentation. The documentation must be signed by a qualified evaluator, be current, clearly indicate a diagnosis or diagnoses, report all the test and subtest scores used in the test battery which should be comprehensive, discuss the identified functional limitations and make recommendations for accommodations. Since the ADA AA and the AHEAD 2012 guidance on documentation practices, there has been a steady shift in the process by which institutions determine accommodations. Some institutions put more weight on a student's past history of receiving accommodations, and self-report is now elevated in making accommodation determinations. For example, consider the following quotation from the University of Massachusetts Amherst's website on accommodations: "Consumer's self-report: We recognize that people with disabilities are experts of their own experiences and important sources of information. Accordingly, we welcome self-disclosures and personal histories as critical elements of the application screening process" (University of Massachusetts Amherst, 2019, ¶ 2).

Despite such examples, it is unclear as to the extent to which institutions have fully embraced the interactive process and use of self-reported information in determining accommodations. The situation is even more complex when one considers high-stakes testing agencies such as Educational Testing Service (ETS), the College Board, the Law School Admissions Council (LSAC), the ACT, and the Graduate Management Admission Test (GMAT). ETS and the College Board use a vetting process that relies in part on collateral evidence such as disability service providers and school guidance counselors to attest to accommodations used in the past and current need, for certain accommodations. Since January 2017, the College Board which administers the SAT and AP exams has been approving accommodations identified in the students' IEP or 504 Plan if the student meets the criteria for the school verification policy. When a request is submitted by the student's school which verifies that: (a) the requested accommodations are part of a qualified school plan (i.e., IEP, 504, or their qualified formal plan); and (b) that the student is consistently using the accommodation for classroom tests, in most cases the accommodation is

automatically approved. This applies to most, but not all accommodation requests.

The perception among many education professionals is that the use of self-report by institutions of higher education in making accommodation decisions is unclear and highly varied. There is lack of clarity regarding disability documentation requirements and the importance of self-reported information about one's disability.

### Depiction of Issue

The issue that this study seeks to address is a better understanding of the current state of accommodation decision-making in light of the growing importance of self-report and personal statements by individuals with disabilities. Within this context, it is important to note that some disabilities are *per se disabilities* that by their very nature are obvious and do not require additional documentation or self-report to justify that they constitute a substantial limitation to a major life activity (U.S. Equal Employment Opportunity Commission, 2011). However, the list of *per se* disabilities has been controversial, particularly the inclusion of psychiatric disorders. This list, as articulated by the U.S. Equal Employment Opportunity Commission, includes: deafness, blindness, intellectual disability, partially or completely missing limbs, mobility impairments requiring use of a wheelchair, autism, cancer, cerebral palsy, diabetes, epilepsy, HIV infection, multiple sclerosis, muscular dystrophy, major depressive disorder, bipolar disorder, post-traumatic stress disorder, obsessive-compulsive disorder, and schizophrenia.

Information posted on postsecondary websites on accommodation protocol and documentation guidelines offers an indirect but effective way of gauging how the organization makes accommodation decisions, and the value they place on self-reported information. Self-reported information offers a less burdensome option for the student for demonstrating the need for accommodations; but not all are equally comfortable with the subjectivity of such a process. Disability services websites are a proxy for current state of acceptance of self-report and disability documentation.

### Assessment Undertaken

A stratified random sample of 10% of four categories of colleges was identified from the Carnegie Classification of Colleges. The categories of colleges chosen were those with (a) doctoral programs ( $n = 27$ ), (b) masters programs ( $n = 21$ ), (c) baccalaureate programs ( $n = 34$ ), and (d) associate programs ( $n = 36$ ).

The study undertaken examined disability related websites of these institutions through a survey that sought to assess whether these institutions specifically mentioned student's self-report and/or the interactive process. Data were collected on words indicative of an interactive process such as student intake interview, accommodation request form, student input, and personal statement. Use of the words such as "self-report," "interactive process," and/or "in collaboration with" were also recorded. The following section describes the results of the findings. Inter-rater reliability was established at 100% by selecting five sets of data from each institutional category which were then double coded by another researcher.

### Description of Outcomes

The final sample consisted of 118 institutions of higher education. Several categories of website information were examined. Tables 1-3 describe the aggregate responses for all the questions in the survey across the different categories of colleges. Not unexpectedly, the majority of postsecondary institutions did not mention the actual words "self-report," "interactive process," and/or "collaboration with students" in determining accommodations on their websites. However, as noted in Tables 1-3, a majority of institutions asked students to provide their own information by requesting students fill-out an accommodation request form which included self-report of the effect of their disability. Some websites noted in-person student intakes and/or interviews with disability services personnel. Student intakes and intake interviews are not a new practice, but this study identified the number of institutions that explicitly state the intake process on their website is large ( $n = 83$ , 70%). An intake form or interview can be expansive or limited, but it does provide self-reported information about the disability. One of the institutional websites noted:

We value a collaborative process as we work with students to establish services. Student Disability Services (SDS) staff will work with you on an individual basis to determine reasonable accommodations that facilitate access to learning, living, and other experiences. The information you provide is an essential component in the determination of reasonable accommodations and services. (Doctoral Institution)

Pre-ADA AA it was common for disability services websites to mention the need for disability documentation, but in this survey ( $n = 20$ , 17%) did not mention it at all. Slightly less than a quarter of the

institutions ( $n=26$ , 22%) required evaluators to fill in a documentation form in lieu of or in addition to the disability documentation. Mention of guidelines for disability documentation was split evenly between those who mentioned guidelines and those who did not.

The study also looked at the mention of IEP and 504 Plan information on disability services websites. As noted in Table 3, a majority of institutions ( $n = 82$ , 69%) did not mention IEP/504 plans at all; and among those that did, a few ( $n = 22$ , 19%) reported that such information was helpful, and ( $n = 6$ , 5%) said that IEP/504 Plan information was adequate in determining accommodations. There were statistically significant differences in documentation and accommodation information posted on websites across the different categories of colleges.

Table 4 illustrates these differences for three selected questions: (1) does the website mention "self-report," "interactive process," "collaboration with student" as part of accommodation determination; (2) does the website mention "disability documentation" for accommodations; and (3) does the website mention "disability documentation guidelines"? On a t-test of difference of proportions, there was a statistically significant difference on Question 1 between doctoral and associate degree colleges ( $p = 0.0004$ ), doctoral and master's degree colleges ( $p = 0.0140$ ), and doctoral and baccalaureate degree colleges ( $p = 0.0003$ ). On Question 2, there was a statistically significant difference between doctoral and master's degree colleges ( $p = 0.0155$ ) and doctoral and baccalaureate colleges ( $p = 0.0523$ ). On Question 3, there was a statistically significant difference between doctoral and associate colleges ( $p = 0.0000$ ), doctoral and masters colleges ( $p = 0.0006$ ), and doctoral and baccalaureate colleges ( $p = 0.0003$ ).

The findings highlight the variability in website information on disability services across institutions of higher education. The results suggest that colleges with doctoral programs are more inclined to mention accommodations as an interactive process compared to associate degree colleges, but they also mention the need for disability documentation and need to comply with documentation guidelines compared to masters and baccalaureate colleges.

Overall, this survey revealed that the language used in the disability services websites was confusing at times, and not always user-friendly. For example, some sites mentioned who to contact but nothing more. One institution simply asked students to identify themselves to a particular office; and another institution only mentioned accommodations for physical access. In most cases, even where importance of self-reported information was acknowledged, there



was a lack of clarity on how this information would be used. For instance, does a student's self-reported inability to complete timed tests outweigh disability documentation data which indicates average processing speed, working memory, reading rate, and/or other indicators for extended time? Another interesting observation was that while overall more than ( $n=83,70\%$ ) of institutions did not mention "self-report," "interactive process," or "collaboration with student" as part of accommodation process on their website, an equal number ( $n=83, 70\%$ ) mentioned words that are suggestive of an interactive process such as "intake interview/form," "accommodation request form," "student input," and "personal statement." The following section addresses implications of this survey and recommendations for disability services practitioners.

### **Recommendations for Disability Services Practitioners**

The finding that there is significant variability in how information is presented on institutional websites of disability service is particularly important for students with disabilities. The website represents not only the policies and protocol for compliance and inclusion, but also the colleges' mission and philosophy towards students with disabilities. A non-friendly or confusing website can be a turn-off to students. The *State of Learning Disabilities: Understanding the 1 in 5* report by the National Center for Learning Disabilities (2019) notes that 69% of students with learning disabilities do not inform their college's DS office because they no longer considered themselves to have a learning disability (even though people do not "grow out" of learning disabilities). Reasons for not connecting with the disability services office include burdensome protocol and stigma associated with disabilities (Banerjee & Brinckerhoff, 2019). This study suggests lack of connection between disability services and students could also be due to information presented or lack thereof, on the website. The requirement that students provide disability documentation for accommodations and services is still observed by the vast majority of colleges, but insistence on documentation guidelines may be waning. This study found that only ( $n=59, 50\%$ ) of institutions required disability documentation to meet specific guidelines.

#### **Recommendations**

Disability services websites are the outward facing voice of the office. Clarity of processes used to determine accommodations and access is central to the website. Equally important is the opportunity to

demonstrate how the office is responding to emerging research and trends in the field. Accommodations as an interactive process has gained significance since the passage of the Americans with Disabilities Act Amendments Act (2008). Information on how a disability service office operationalizes the interactive process can help make the office more approachable to students. Recognizing that each student situation is different, the following recommendation are suggested:

- Consider describing how the office uses self-reported information in making accommodation decisions.
- Mention that accommodation determination is an interactive process between information shared by the student, technical standards as established by the program of study, course expectations identified in the syllabus by the faculty member, and information presented in the disability documentation (Banerjee, 2013).
- Note on the website that exceptions to the requirement of disability documentation and documentation guidelines may be considered on a case-by-case basis. This recommendation takes on particular significance post COVID-19.
- Suggest ways students can develop a portfolio of information to establish their disability status and eligibility for accommodations in accordance with current trends, which notes that disability documentation may not be the sole determining criteria.
- Consider the profiles of the students attending the particular institution in describing the disability services office on the website. For example, an institution that primarily serves non-traditional age students should tailor their website information to be facilitative of the students' circumstances and context.

For disability service practitioners, these results present a real opportunity to engage with students with disabilities who may have been disenfranchised with traditional approaches to accommodations and service delivery. Disability service websites need to address students' self-reported information and accommodation determination as an interactive process more explicitly than in the past. Given the common mission of all disability services across all categories of postsecondary institutions, it is imperative that we have common practices for reporting of information that help students with disabilities connect with postsecondary disability offices.

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**Table 1**

*Language Describing Accommodation Process on Disability Services Websites*

Question	Does the website mention "self-report," "interactive process," or "collaboration with student" as part of accommodation determination?		Does the website mention words suggestive of an interactive process such as "intake interview/form," "accommodation request form," "student input," or "personal statement?"	
	Yes (%)	No (%)	Yes (%)	No (%)
Institution Type				
All Colleges <i>n</i> =118	35 (30)	83 (70)	83 (70)	35 (30)
Doctoral <i>n</i> =27	16 (59)	11 (41)	27 (100)	0 (0)
Masters <i>n</i> =21	5 (24)	16 (76)	11 (52)	10 (48)
Baccalaureate <i>n</i> =34	8 (24)	26 (76)	22 (65)	13 (35)
Associates <i>n</i> =36	6 (17)	30 (83)	23 (64)	13 (36)

**Table 2**

*Information on Disability Documentation on Disability Services Websites*

Question	Does the website mention disability documentation for accommodations?		Does the website mention AHEAD or ETS documentation guidelines?		Does the website mention disability documentation form required from the evaluator?		Does the website mention "disability documentation" guidelines?		Does the website identify disability documentation guidelines by disability categories?	
Institution Type	Yes (%)	No (%)	Yes (%)	No (%)	Yes (%)	No (%)	Yes (%)	No (%)	Yes (%)	No (%)
All Colleges n=118	98 (83)	20 (17)	7 (6)	111 (94)	26 (22)	92 (78)	59 (50)	59 (50)	37 (31)	81 (69)
Doctoral n=27	26 (96)	1 (4)	3 (11)	24 (89)	8 (30)	19 (70)	24 (89)	3 (11)	15 (56)	12 (44)
Masters n=21	15 (71)	6 (29)	0 (0)	21 (100)	7 (33)	14 (67)	9 (43)	12 (57)	7 (33)	14 (67)
Baccalaureate n=34	27 (79)	7 (21)	1 (3)	33 (97)	3 (9)	31 (91)	15 (44)	19 (56)	7 (21)	27 (79)
Associates n=36	30 (83)	6 (17)	3 (8)	33 (92)	8 (22)	28 (78)	11 (31)	25 (69)	8 (22)	28 (78)



**Table 3***Information on IEP and 504 Plans on Disability Websites*

Institution Type	Does the website mention disability IEP, 504 Plans or SOP?		If IEP/504 plan is mentioned, does website note it as adequate, helpful, or other?		
	Yes (%)	No (%)	Adequate (%)	Helpful (%)	Other (%)
All Colleges <i>n</i> =118	36 (31)	82 (69)	6 (17)	22 (61)	8 (22)
Doctoral <i>n</i> =27	15 (56)	12 (44)	3 (11)	8 (30)	4 (15)
Masters <i>n</i> =21	4 (19)	17 (81)	0 (0)	1 (5)	2* (10)
Baccalaureate <i>n</i> =34	9 (26)	25 (74)	2 (6)	7 (21)	0 (0)
Associates <i>n</i> =36	8 (22)	28 (78)	1 (3)	5 (14)	2 (6)

*Note.* \*One site mentioned IEP but did not clarify further. Therefore, total does not add up to 4.

**Table 4**

*Difference of Proportions – t-test*

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**Question:** Does the website mention "self-report;" "interactive process;" "collaboration with student" as part of accommodation determination?

	D	A	D	M	D	B	M	B	M	A	B	A
n	27	36	27	21	27	34	21	34	21	36	34	36
Proportion	0.59	0.17	0.59	0.24	0.59	0.24	0.24	0.24	0.24	0.17	0.24	0.17
p-value	0.0004**		0.0140*		0.0003**		0.9810		0.5098		0.4731	

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\*\*significant at 1%, \*significant at 5%

**Question:** Does the website mention "disability documentation" for accommodations?

	D	A	D	M	D	B	M	B	M	A	B	A
n	27	36	27	21	27	34	21	34	21	36	34	36
Proportion	0.96	0.83	0.96	0.71	0.96	0.79	0.71	0.79	0.71	0.83	0.79	0.83
p-value	0.1052		0.0155*		0.0523		0.4984		0.2876		0.6733	

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\*significant at 5%

**Question:** Does the website mention "disability documentation guidelines?"

	D	A	D	M	D	B	M	B	M	A	B	A
n	27	36	27	21	27	34	21	34	21	36	34	36
Proportion	0.89	0.31	0.89	0.43	0.89	0.44	0.43	0.44	0.43	0.31	0.44	0.31
p-value	0.0000**		0.0006**		0.0003**		0.9270		0.3479		0.2405	

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\*\*significant at 1%

*Note.* D=doctoral institutions, M=masters institutions, B= baccalaureate institutions, A=associates institutions.