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Discretion and the Implementation of Federal Disability Policy in Postsecondary Education

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Discretion and the Implementation of Federal Disability Policy in Postsecondary Education

A dissertation submitted in partial fulfillment
of the requirements for the degree of
Doctor of Philosophy in Public Policy

by

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Abstract

Disability Services Providers (DSPs) have historically been the personnel tasked with implementing federal disability policy at postsecondary institutions primarily since the passage of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act in 1990. The model adopted by the majority of DSP offices is student-driven and requires students seeking academic accommodations must go through a formal process to determine eligibility for services, and then play an active role in their provision. Disability-related policies at the campus level are usually authored by DSPs who are seen as experts by the institution and its stakeholders. However, sometimes the campus policy environment and other implementation challenges can limit the ability of the DSP to effectively establish or modify policies to make them more in line with the services needed by students with disabilities attending the institution.

The study was conducted to explore what factors affect the discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses through the policy implementation lens of Lipsky's (1980) street-level bureaucrats theory. The study utilized a convenience sample of DSPs at colleges and universities whose main responsibility was to implement the campus-based disability policies through their daily work practices and routines. The study found that Disability Services Providers (DSPs) considered 18 of the 28 AHEAD performance indicators to be critical to the implementation of the ADAAA. Although the campus policy environment may not have an effect on what DSPs consider to be critical to the implementation of federal disability policies, it can influence what services are provided by Disability Services offices. Increased demand for services was identified by DSPs as the number one implementation challenge at the campus level.

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To my husband, Michael, thank you for enduring my 12-year educational journey. Interestingly enough, you became aware of my endeavor on our first date in 2005 when you noticed the stack of law books in the backseat of my car. Later, you were understanding when I was otherwise occupied with briefing cases, reviewing materials for class, and studying for finals. To adjust, you initiated study dates at the library and coffee shops. You were also there when I walked across the stage at graduation to receive my law degree. Then, you were excited when I shared that my acceptance into a doctoral program a year after graduating law school. I will not pretend that the pace and sacrifice these programs demanded did not strain our friendship and relationship along the way, but we persevered. When I became your wife on June 29, 2012, it was the happiest day of my life because I married my best friend. Your love, support, patience, and understanding gave me the strength to accomplish this goal. You dried my tears when the burden felt too heavy, took some of the load so I could dedicate more time to my studies, and celebrated every small milestone as if it was a life-changing event. I still wonder what I did that was so awesome that God blessed me to have you by my side through it all. Now that this chapter is done (no pun intended), I am ready to start having all those adventures we put off until after I finished my dissertation.

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Dedication

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town in Arkansas (population of 372), I attended a consolidated (integrated) public school system so growing up looking and feeling different became part of my identity and being treated differently was the norm. I survived years of taunting and bullying from my peers that no impressionable child or adolescent should have endured. However, my tests have become my testimony; and my experiences have made me a stronger person and a passionate advocate for students who are “different” for a myriad of reasons. This is why I love my job. I am able to speak for those who do not have a voice at the table where policy decisions are made. I am able to work with faculty and administrators to aid them in thinking outside the box and see how “different” is not a bad thing; but instead it is the cornerstone of diversity, and its acceptance and respect are the building blocks of inclusion.

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Chapter 1

Introduction and Context of the Problem

The original passage of the Americans with Disabilities Act of 1990 (ADA) extended the federal policy protections of Section 504 of the Rehabilitation Act of 1973 to address widespread discrimination and access issues experienced by people with disabilities. Twenty-five years after the passage of this legislation and seven years after it was amended, there are noticeable issues with its implementation at postsecondary institutions, namely in four-year colleges and universities. The first problem is the level of participation among students with disabilities who utilize the official process for requesting academic accommodations. According to the United States Government Accountability Office (2009), 11% of college students have some form of disability that would qualify them for accommodation. However, many of these students do not utilize disability services and/or accommodations (Marshak, Van Wieren, Raeke Ferrell, Swiss, & Dugan, 2010). The second problem concerns special sub-populations of students with disabilities who have issues with social integration, such as students with Autism Spectrum Disorder, where the Disability Services implementation model itself represents a barrier (Cory, 2011).

The Americans with Disabilities Act (ADA), originally enacted in 1990 and later amended in 2008 as the ADA Amendment Acts (ADAAA), is an expansive piece of civil rights legislation designed to remove barriers and prevent discrimination targeted toward individuals with disabilities in multiple areas of society such as employment, state and federal entities, public accommodations, public transportation, and telecommunications (P.L. 110-325). At the

local level, in higher education, Disability Services Providers (DSPs) are to be employed as the officials responsible for implementing ADA requirements.

Conceptually, DSPs have the discretion to set up how the Americans with Disabilities Act (ADA) will be implemented on individual campuses as long as the efforts ensure that their campus is compliant with the ADA. In an effort to offer guidance, national organizations such as the Association on Higher Education and Disability (AHEAD) have developed measures for institutional compliance such as “AHEAD Professional Standards” and “AHEAD Program Standards and Performance Indicators.” However, the prevailing model adopted by DSPs is one in which students (1) drive the process and (2) are considered self-advocates who are capable of voicing accommodation problems or issues with instructors when they occur (Cory, 2011).

There are several problems with implementing the ADA based on the student-driven model. First, most of the students with disabilities entering college after high school have become accustomed to a system where others advocate on their behalf; and as a result, are unfamiliar and possibly uncomfortable with advocating on their own. Second, in most settings there is no set of student learning objectives to facilitate the acquisition of what are considered self-determination skills to be able to measure student growth.

Third, students with disabilities are expected to report issues with accommodations and possible problems with their instructors despite a power differential between students and instructors. Fourth, there is an ever-increasing sub-population of students with Autism Spectrum Disorder (ASD), complex chronic illnesses, and psychiatric disorders entering postsecondary education each year whose very limitations affect the student’s ability to effectively engage not

only in the accommodation registration process, but most importantly interacting with faculty and the DSP regarding the utilization of and issues with accommodations.

Purpose of the Study

The purpose for conducting this research study was to explore what variables affect the level of discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses. The study utilized a convenience sample of DSPs at colleges and universities whose main responsibility was to implement the campus-based disability policies through their daily work practices and routines. The study can provide a better understanding of the factors that positively and negatively affect DSPs' discretion in choosing how they implement the ADAAA, and can inform administrators, education programs, and professional organizations on areas of training and support for DSPs. The study results can also provide guidance on policy and procedure development at the local level that better reflect the needs of DSPs at the campus level.

Statement of the Research Questions

The study attempted to answer the following overarching research questions:

1. To what extent did disability services providers agree that the Association on Higher Education and Disability (AHEAD) Program Standards and Performance Indicators encompassed the critical elements of implementing the ADAAA on their campuses?
 - a. Of the AHEAD Program Standards, which were viewed by disability services providers as most important to the successful implementation of the ADAAA on their campuses?

- b. Of the AHEAD Program Standards, which were viewed by disability services providers as most difficult to implement on their campuses?
2. What implementation challenges did disability services providers identify most strongly with?
3. How did the policy environment on campus influence discretion used by disability services provider?
4. How much did feedback from the disability services provider's peers affect decisions regarding ADAAA implementation at the campus level?

Definitions

Americans with Disabilities Act (ADA): Americans with Disabilities Act, signed into law in 1990, to expand the protections of Section 504 of the Rehabilitation Act of 1973.

Americans with Disabilities Act Amendments Act (ADAAA): Americans with Disabilities Act Amendments Act, signed into law in 2008, to address the narrowing of the scope of the original ADA by the courts (Burke, Friedl, & Rigler, 2010).

Association on Higher Education and Disability (AHEAD): Association on Higher Education and Disability is an organization composed of stakeholders who are “interested in promoting the full participation of students with disabilities in higher education” (ahead.org/about, 2015, paragraph 1).

Auxiliary aids: Include practices that create access to information for persons with sensory impairments such as providing sign language interpreters for students who are deaf and readers for students who are blind (Stodden & Conway, 2003).

Discretion: a “component in the decision-making process that determines an individual’s action or non-action” (Carrington, 2005, p. 144).

Disability Services Providers (DSP): Disability Services Providers are personnel designated to establish and provide services to students with disabilities.

Disability Support Services (DSS): Disability Support Services office which specifically provides assistance to students with disabilities to ensure reasonable accommodations, programmatic and physical access, and address issues with ADA compliance (Katsiyannis, Zhang, Landmark, & Reber, 2009).

Policy Environment: The conditions or physical surroundings in which the decision-making process occurs that can positively or negatively affect the discretion used by the decision-maker.

Self-Advocacy: A component of self-determination; knowledge of self and one’s rights and being assertive enough to communicate that information effectively to others (Test, Fowler, Wood, Brewer, & Eddy, 2005).

Self-Determination: A combination of skills, knowledge and beliefs that enable a person to engage in goal-directed, self-regulated, autonomous behavior (Field, Martin, Miller, Ward, & Wehmeyer, 1998).

Self-Identification: The process of a student making known the presence of a disability in order to request reasonable accommodations.

Assumptions of the Study

The following assumptions were accepted as the study was conducted:

1. The participants who participated through the use of convenience sampling were appropriate to provide an initial description of what Disability Services Providers may perceive in their work.
2. The participants answered all questions in the survey honestly without bias or confusion.
3. Disability Services Providers (DSPs) interact directly with students, faculty, and other stakeholders; have a high demand for services; limited resources; and vague federal policy to implement which facilitates the need to make unique decisions based on expertise and the individual.
4. DSPs must use discretion in order to fulfill the requirements of their position responsibilities, and that level of discretion varies due to different variables.
5. DSPs desire to provide more services to students; but due to certain factors and conditions of their work environment, they must limit the amount and depth of services.
6. The use of questionnaires is efficient in terms of time and money by being able to sample a large number of people in a short amount of time. Participants can complete the questionnaire at a time and place that is convenient to them.

Limitations of the Study

The following limitations will be accepted for the study:

1. Gray (2004) pointed out that unless researchers can make “completing the questionnaire intrinsically rewarding, the response rate can be depressingly low” (p. 339). This may be remedied by (a) making sure the questionnaire is as concise as

- possible and (2) offering participants the option to win a gift card if they complete the survey.
2. There is no opportunity to ask questions or clear up ambiguous questions and/or statements on the questionnaire (Gray, 2004, p. 339). This limitation was accepted as every effort was made to clarify the survey wording
 3. Convenience sampling can be a useful indication of trends but needs to be treated with extreme caution in regards to it being a representative sample, especially when the sample is selected purely on the basis that the participants are conveniently available (Gray, 2004).

Significance of the Study

The model adopted by the majority of DSP offices is: Students seeking academic accommodations must go through a formal process to determine eligibility for services, and they play an active role in their provision. This process usually begins with the student contacting and meeting with a DSP to register for services. During this meeting, the student discusses educational experiences, submits formal documentation, and requests academic accommodations based on the limitations caused by symptoms related to the diagnosis, if the student has an understanding of what those are. Once eligibility is determined and reasonable accommodations approved, the student is notified by the DSP and the student requests accommodation letters. The student then comes to the DSP to pick up the accommodation letters to give to instructors so that they will have notice of and be able to provide the student's accommodations.

As the numbers increase of students coming to higher education whose disabilities limit their abilities to socially engage with DSPs and instructors, it is important for DSPs to modify

their campus policies to reflect that. If not, the very services set up to aid students with disabilities could also inadvertently be barriers as well. The significance of this study is to explore ways to reduce barriers and establish best practices for increasing the persistence of students with disabilities in a postsecondary setting. The results of the study could be used to justify changes in the ways that the Americans with Disabilities Act Amendment Acts of 2008 (ADAAA) are implemented at the street level in the postsecondary education setting. The intended audience of this study was comprised of disability service providers and senior-level administrators at postsecondary institutions; secondary education school counselors and special education teachers; students with disabilities; and parents of students with disabilities.

Theoretical Grounding: Street Level Bureaucracy

Public policy as a concept can have several meanings. These meanings can be as varied as the types of models through which public policy is studied. Anderson (1975) defined public policy as “a relatively stable, purposive course of action taken by an actor or set of actors in dealing with a problem or matter of public concern” (p. 9). The policy making process can also be difficult to define because it “involves an extremely complex set of elements that interact over time” (Sabatier, 2007, p. 3). This is due to the many theories and frameworks developed in which to view the policy process as the various stakeholders in the different levels of local, state, and federal government.

In order to establish a foundation prior to discussing the implementation theory of street level bureaucracy, the policy making process must be examined. Anderson (1975) defined the policy process as a “sequential pattern of action involving a number of functional categories of activity that can be analytical distinguished” (p. 19). Several models, theories, and approaches

have been created to present different ways to understand and view the policy-making process. One approach to the policy process was introduced by Ripley (1985) who divided the policy process into five major stages: (1) agenda setting; (2) formation and legitimation of goals and programs; (3) program implementation; (4) evaluation of implementation, performance, and impact; and (5) decision about the future of the policy and design. Each of these stages has distinct functional activities and culminates with a product that serves as the input for the next stage.

Ripley (1985) further described his stages of the policy process. The first stage, agenda setting, is where activities take place to help the government decide what problems it considers important enough to put on the agenda. The second stage is formulation and legitimation of goals and programs where problems are further scrutinized through the collection and analysis of information and discussions of alternatives in order to develop a policy or program to address the problem on an agenda. The third stage is called program implementation where policies are designed to ensure that those responsible for implementing the program as well as those utilizing it understand how the program works. The third and fourth stages evaluate the implementation of the policy; and based on the outcome, a decision will be made as to whether the policy effectively addressed the problem or whether to go back to the first stage of the policy process.

Policy implementation can generally be described as “steps taken to put a policy into practice” (Cochran, Mayer, Carr, & Cayer, 2009, p. 13). A more detailed definition of policy implementation was coined by Sabatier and Mazmanian (1980) as:

the carrying out of a basic policy decision, usually made in a statute. Ideally, that decision identifies the problem(s) to be addressed, stipulates the objective(s) to be pursued, and, in a variety of ways, "structures" the implementation process (p. 540).

Due to the sophisticated nature of some public policies, implementation may not be straightforward (Lipsky, 1980). As a result, policy is made through a great deal of discretion in decision-making during interactions with citizens on the front-line which equates to “agency behavior” (Lipsky, 1997, p. 13).

Lipsky developed the policy implementation theory called street-level bureaucracy to explain this phenomenon. Lipsky (1980) defined street level bureaucrats as “public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work” (p. 3). Meyers and Vorsanger (2007) added that:

by virtue of their position at the interface between citizens and the state, street-level bureaucrats have significant opportunities to influence the delivery of public policies. Front-line workers are responsible for many of the most central activities of public agencies, from determining program eligibility to allocating benefits, judging compliance, imposing sanctions... (p. 154).

Meyers and Vorsanger (2007) further noted that front line workers exert discretion well beyond their formal authority because of their position as the bridge between the policy-makers and the citizen. As a result, “leadership does not just occur in the higher echelons of a bureaucratic hierarchy but is endemic throughout the organization and is present even at the basic rank and file level” (Dicke, 2004, p. 231).

Conditions of Street Level Bureaucracy

Street level bureaucrats are like professionals in that they are “expected to exercise discretionary judgment in their field... [and]... are regularly deferred to in their specialized areas of work and are relatively free from supervision by supervisors or scrutiny from clients” (Lipsky, 2010, p. 14). The policy-making roles of street-level bureaucrats are built upon two foundations that are tied to their roles in the bureaucracy: a high level of discretion and a great degree of

autonomy from organizational authority (p. 13). Other conditions may also include inadequate resources; increased demand for services; conflicting or ambiguous goals; performance toward achievement difficult to measure; and sometimes non-voluntary participation (Lipsky, 1980).

Discretion

Discretion is one of the fundamental aspects of Lipsky's theory. Lipsky (1997) stated that discretion can be seen in the "decisions of street level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainty and work pressures, effectively become the public policies they carry out" (p. 389). Carrington (2005) defined discretion as a "component in the decision making process that determines an individual's action or non-action" (p. 144).

The reason that discretion is so fundamental to this policy approach is because "street-level bureaucrats working to manage complex human problems encounter a multitude of overlapping factors that demand immediate professional interpretation and response" (Dicke, 2004, p. 248). Dicke (2004) further elaborated that this type of environment makes discretion necessary because it would be impossible for policies and regulations to address every work-related issue to which responses are needed in a timely manner. This level of discretion is not absolute. Limitations in resource availability can be a determining factor as to the degree of discretion demonstrated by front line workers (Meyers & Vorsanger, 2007). In addition, an individual's perception of discretion can affect the amount of discretion exercised (Carrington, 2005).

However, it is important to note that street level bureaucrat's discretion does not go unchecked. Other stakeholders, such as the administrative hierarchy, can influence the decisions

and choices of street level bureaucrats. This can be done through rules, norms, regulations, practices, and the culture established by the organization (Lipsky, 2010). Lipsky added "these influences establish the major dimensions of street level policy and account for the degree of standardization that exists in public programs from place to place as well as in local programs" (p. 14). The potential influence that can be exerted by various stakeholders within and outside of the bureaucracy can have negative and positive effects on the level of discretion a street level bureaucrat has. This can be difficult at times depending on the stakeholders at the table and what their definitions of the problems and proposed solutions are before them.

At times, controversy and resistance to change can ensue. One reason for the controversy is due "a divided public perceives that social control in the name of public order and acceptance of the status quo are social objectives with which proposals to reduce the role of street level bureaucrats would interfere" (Lipsky, 2010, p. 12). Some stakeholders want things to remain the way they are because it is the way it has "always been done."

Autonomy

The ability to change or influence policy is directly proportionate to the level of autonomy held. "Street-level bureaucrats may be shown to have distinctly different interests from the interests of others in the agencies for which they work. Moreover, certain features of their role make it possible for these differences to manifest" (Lipsky, 1980, p. 18). These different interests can cause conflict between the street-level bureaucrat and the larger organization.

"Managers are interested in achieving results consistent with agency objectives while street-level bureaucrats are interested in processing work consistent with their own preference ...

Managers try to restrict workers' discretion in order to secure certain results, but street-level bureaucrats often regard such efforts as illegitimate and to some degree resist them successfully” (Lipsky, 1980, p. 19).

Summary

While studies seem to discuss general barriers to student utilization of accommodations, there is little if any research on what influences DSPs' decision regarding how to implement the ADAAA on their respective campuses. Lipsky's street level bureaucrat theory seems to capture the nuances involved in how DSPs ultimately decide to implement the ADAAA at the local level especially Lipsky's acknowledgement of the chronically limited resources relative to the tasks DSPs are asked to perform (Lipsky, 1980).

As increasing numbers of students with disabilities are heading into postsecondary education with diagnoses that negatively impacts their ability to navigate in the traditional disability services model which stresses student self-advocacy, it is important to study whether DSPs have used their discretion to change how they have implemented the ADAAA on their respective campuses, what influenced those decisions, and whether the Association on Higher Education and Disability (AHEAD) have encompassed the critical elements of implementation. The results of the study could be used to justify changes in the ways that the Americans with Disabilities Act Amendment Acts of 2008 is implemented at the street level in the postsecondary education setting.

Chapter II

Introduction

The purpose of this chapter is to review the literature related to street level bureaucracy implementation theory and the discretion used by disability service providers in postsecondary education in the implementation of federal disability laws at the local level. For organizational purposes, the information in this chapter is organized into four main sections: Federal Disability Laws, Disability Services in postsecondary education, centralized and decentralized campus policy and its impact on implementation and street level bureaucracy, and policy analysis versus policy advocacy. The chapter concludes with a summary.

Information for the chapter was primarily collected from the Mullins Library and the Young Law Library, both at the University of Arkansas, mainly through online search engines such as Google Scholar, JSTOR, and ProQuest Research Library. Some articles were provided through interlibrary loan at Mullins Library. The search was begun using Google Scholar with the general search term street level bureaucracy. The search was narrowed using terms such as disability services, postsecondary education, street level bureaucracy, discretion, and Association on Higher Education and Disability.

Federal Disability Laws

Historical Context

Until the late nineteenth century, most people with disabilities in the United States faced a difficult existence that was usually far removed from the view of society. Some spent their lives in over-crowded and largely unregulated mental institutions. Others were confined to their families' homes and kept a secret from the public (Longmore, 1987). This was a time when

disability was perceived by society as abnormal and invoked feelings of pity and shame from others. Due to limited federal social welfare programs, families were personally responsible for those individuals not remanded to an institution.

Generally, the government also offered virtually no assistance to families prior to the twentieth century. Other than institutionalization for the severely disabled, help from private charities was the only other option for families struggling to meet their obligations. However, as the twentieth century approached, a change began to take place in the way the government responded to the needs of individuals with disabilities. Key public policy areas that the government focused on regarding people with disabilities were education, health care, access, financial stability, and discrimination.

Prior to the twentieth century, the government did very little in regard to the plight of people with disabilities. Society and some state governments viewed people with disabilities “as incompetent to manage their own social careers, even as socially dangerous, and, therefore, proper objects of (often lifelong) supervision” (Longmore, 1987, p. 365). As a result, individuals with severe intellectual or physical disabilities were placed in institutions. However, as a true representation of the numbers of individuals requiring institutionalized became apparent through Census demographic data (Longmore, 1987), the government was left to explore other more sustainable and cost effective options regarding the care and rehabilitation of people with disabilities.

In addition, the viewpoints of government regarding individuals with disabilities began to change during and after World War I (Longmore, 1987).

From 1918 on, the federal funding and policymaking role in rehabilitation increased, and the definition of "handicapping conditions" broadened, but the underlying concept of disability remained constant: disability was a defect residing in the individual (p. 362).

The first programs introduced by the federal government were those that focused on veterans, women with children, and those with developmental disabilities. Injured veterans returning from war needed either rehabilitation to return to the workforce or financial support for those too injured to return to work. The U.S. Congress responded by passing the Smith-Sears Veterans Rehabilitation Act in 1918 to compensate veterans and put the Veteran's Administration in charge as the reporting agency. Two years later, the Smith-Fess Act of 1920 was passed which extended the provisions of the Smith-Sears Act to all citizens with disabilities (Chatterjee & Mitra, 1998). However, states had to provide matching funds, which greatly reduced the Smith-Fess Act's ability to reach those who needed the support.

As time went on, society's attitudes regarding individuals with disability slowly began to soften. Instead of hiding them away in institutions and out of sight, vocational training programs for those with intellectual disabilities were developed. The government's shift away from institutionalization continued, especially after "the Depression and World War II forced cutbacks in institutional budgets" (Longmore, 1987, p. 361). Longmore and Goldberger (2000) found that

Until the 1930s, local relief remained limited in scope, with the federal government playing only a small role in social welfare. But as millions of unemployed people overwhelmed private charities and state and local governments, the unprecedented crisis forced many Americans to rethink the federal government's role in ensuring the general welfare (p. 898).

This also applied to the plight of individuals with disabilities and the role of government in relation to their struggles for employment and a living wage.

Also during this time there was another shift in the way government viewed individuals with disabilities to a more of a socio-political perspective (Welch, 1995). Individuals with

disabilities began to be seen as an oppressed minority group whose plight could only be addressed through legislation and political action. However, they were still seen as helpless and incapable of living independently from assistance from state and federal agencies.

The 1950s and 1960s represented a flurry of public policy targeting individuals with disabilities. These two decades also represented a tremendous amount of social turbulence from different segments of society who were demanding government intervention in their struggle for justice and equality. People with disabilities were staging demonstrations of their own to bring to light the differential treatment they had suffered in the areas of access, employment, and transportation. The public policies addressing disability created during this time mainly addressed economic programs and health care benefits such as social security disability insurance (SSDI), social security insurance (SSI), Medicare, and Medicaid; and at the same time, “penalizing those who go back to work through the discontinuation of such benefits” (Kilbury, Benschhoff, & Rubin, 1992, p. 7).

The decades following the 1960s witnessed ground-breaking legislation that focused on access and education for individuals with disabilities. The government began initiating opportunities through public policy to integrate individuals with disabilities into society by removing the barriers that had prevented them from doing so. The Rehabilitation Act of 1973 was enacted to protect individuals with disabilities from discrimination in federally funded programs (Longmore, 1987). Prior to the passage of this act, “equal opportunities for people with disabilities were legislatively unprotected” (Kilbury, Benschhoff, & Rubin, 1992, p. 7).

Rehabilitation Act of 1973, Section 504

The language of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794), which applied to both primary and secondary schools in addition to higher education institutions, stated the population to which discrimination applies

No otherwise qualified person with a disability in the United States...shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

It further offered a definition of disability

... means 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 (29 U.S.C. Section 706(7)(B)).

As a result of Section 504, colleges and universities began to offer services to students with a wider variety of disabilities, such as learning disabilities (Madaus, 2011). There were limitations of the Act, namely its effectiveness was restricted to those entities that received some type of federal funding that applied to virtually all public and private institutions of higher education whose compliance responsibilities regarding access and accommodations were spelled out in Subpart E of the Act (Katsiyannis, Zhang, Landmark, & Reber, 2009).

In 1975, Congress passed the Education for All Handicapped Children Act (PL 94-142) which gave all children with disabilities the right to attend public school in the least restrictive environment and that special education services be provided (Madaus, 2011). According to Keogh (2007), the law included explicit verbiage giving all children with disabilities “a free and public education, due process, nondiscriminatory assessment, and an Individual Educational Plan (IEP) for every child” (p. 67). Madaus (2011) contributed the implementation of PL 94-142 in

the public school system to the increase in the numbers of students enrolling in postsecondary education institutions.

Americans with Disabilities Act

Because of the limitations of Section 504 of the Rehabilitation Act of 1973, it became obvious that a more expansive law was needed in order to address the barriers faced by individuals with disabilities. That time came in 1990 toward the end of George W. Bush's presidency, monumental legislation was signed into law, which forever changed the relationship between government and individuals with disabilities. The Americans with Disabilities Act was a ground-breaking civil rights law and on paper would bring individuals with disabilities rights that would seem innate. The law was the government's attempt to protect people with disabilities in such areas as employment, public accommodations, telecommunications, and government entities. It expanded the reach of government beyond the limitations of the Rehabilitation Act of 1973, because the receipt of federal funds was no longer a requirement to trigger protection.

While the ADA prohibits discrimination in such important areas as access to public accommodations, communications, transportation, voting, public services, education, housing, and recreation, the most important area of public policy addressed by the ADA concerns employment opportunities for people with disabilities. (Kilbury, Benschhoff, & Rubin, 1992, p. 8)

From an educational perspective, the Americans with Disabilities Act was created to provide "students with disabilities greater access to postsecondary education through required equal access to all services, benefits, programs, opportunities, and activities" (Christ, 2008, p. 223). In addition to preventing discrimination against persons with disabilities in employment, public services, public accommodations, and telecommunications, the Americans with

Disabilities Act of 1990 (and subsequently the Americans with Disabilities Act Amendments Act (ADAAA)) is the overarching federal disability law that guides postsecondary Disability Service Providers (DSPs) and their policies as they relate to students with disabilities.

The original intent of the Americans with Disabilities Act was to “ensure institutions are accessible to persons with disabilities” (Burke, Friedl, & Rigler, 2010, p. 64). Before signing the legislation, President Bush proclaimed, “Together, we must remove the physical barriers we have created and the social barriers that we have accepted. For ours will never be a truly prosperous nation until all within it prosper” (President George Bush’s Remarks on Signing the Americans with Disabilities Act of 1990, *Public Papers of the Presidents of the United States, George Bush* (Washington D.C.: National Archives and Records Administration, 1990), book 2, p. 1071.).

Similar to Section 504 of the Rehabilitation Act of 1973, the ADA defined a person with a disability as one who has

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment. (42 USC § 12102(1).

It further stated that “no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity” (42 USC § 12132).

The ADA did not offer a guarantee of rights to individuals with disabilities. Unlike with other civil rights legislation, the individual must overcome the burden of proving they are in the protected class before being able to address whether discrimination took place. Individuals

claiming race or gender discrimination do not have to do this. Therefore, individuals with disabilities are not entitled to the rights under the ADA until they can prove they are disabled and that discrimination took place.

Due to the way the original ADA was written, it was considered vague in the description of key terms that allowed the judiciary through the case decisions to narrow the scope of the ADA. While it is true that the government created legal and administrative avenues for individuals with disabilities through the ADA, it fell short of its stated purpose because the case law created in the courts continued to chip away at who was qualified to file an ADA claim. As a result, ADA began to lose some of its effectiveness because the roadblock for many individuals with disabilities in having their ADA claim addressed was the ever more difficult feat of proving that they had a disability.

Americans with Disabilities Act Amendments Act of 2008

In 2008, the ADA was amended by Congress to become the Americans with Disabilities Act Amendments Act of 2008 (ADAAA). The purpose of the ADAAA was to “reset” the ADA back to what Congress had intended when it was originally passed in 1990; and by doing so, overturned key Supreme Court cases that were instrumental in narrowing the scope of the law (Burke, Friedl, & Rigler, 2010). The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish having a disability within the meaning of the ADA.

The definition of disability had not changed under the ADAAA, but it is construed in favor of broad coverage under the Act. Congress also addressed some of the ambiguous language in the ADA that courts had commented on during their decisions such as: (1) the

determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures and (2) Congress expanded the definition of "major life activities" by including two non-exhaustive lists of activities and major bodily functions. The goal was to give the judiciary more insight (Bowman, 2011) and to make clear the intent of Congress.

Disability Services in Postsecondary Education

As a result of the federal mandates created by the passage of the disability legislation, colleges and universities now have at least one person on their respective campuses designated for disability-related compliance and implementation. This individual, which was termed a Disability Services Professional (DSP), has the responsibility at the very least to identify how these laws apply to that institution, particularly because the ADA gave virtually no guidelines on what type of documentation to use to determine whether a person had a disability (Cawthon & Cole, 2010), the accommodations associated with its limitations, or a model to use for campus implementation.

Initially, the central focus of the Disability Services Office was to be a point of contact for students with disabilities and to address disability-related issues on behalf of the higher education institution (Katsiyannis, Zhang, Landmark, & Reber, 2009). Beyond compliance, there was really no other function of the office. Therefore, each postsecondary institution was forced to create its own policies and procedures to guide its faculty and staff on what was necessary for them to be compliant with these federal laws. And in doing so, these institutions had to focus “more on the line between compliance and noncompliance, [and] balancing the rights and responsibilities of institutions with those of students with disabilities” (Simon, 2011,

p. 95). These personnel assigned or hired into these Disability Services Professionals (DSPs) positions were entrusted to “consider the application of qualified students with disabilities and to implement necessary accommodations and auxiliary aids for students with disabilities” (Madaus, 2011, p. 9) as an agent of the institution and consult with faculty about the appropriateness of accommodations.

Association on Higher Education and Disability (AHEAD)

In 1977, an organization that would eventually become the Association on Higher Education and Disability (AHEAD) was formed. According to the AHEAD website, it “is a professional membership organization for individuals involved in the development of policy and in the provision of quality services to meet the needs of persons with disabilities involved in all areas of higher education” (AHEAD.org/about, 2015, paragraph 1). To accomplish this, AHEAD sponsors “quality training to higher education personnel through conferences, workshops, publications and consultation” (AHEAD.org/about, 2015, paragraph 1).

The membership of AHEAD is composed of stakeholders who are “interested in promoting the full participation of students with disabilities in higher education” (AHEAD.org/about, 2015, paragraph 1) such as Disability Service Providers, ADA coordinators, administrators, and parents. In order to aid DSPs in their duty to implement the ADAAA on their respective campuses, AHEAD has developed documents such as the “AHEAD Program Standards” to offer guidance on compliance and their role as DSPs as well as assistance with documentation review.

AHEAD Program Standards

As the profession of Disability Services began to grow in the late 1990s, AHEAD as an organization decided to fund a study to “examine essential services components of Office for Students with Disabilities” (Dukes, 2001, p. 64) using empirical methods. The results of the study, which sampled 800 DSPs who were members and non-members of AHEAD, became what is now known as the AHEAD Program Standards. The membership of AHEAD approved its Program Standards in 1999 (Shaw & Dukes, 2001).

Dukes (2001) described the AHEAD Program Standards as “a necessary step in the development and refinement of services provided to students with disabilities is the identification of those elements considered essential for ensuring equal access” (p. 63). Dukes (2001) also pointed out that the purpose for developing the program standards was to help DSPs have a standard to measure the services being offered, determine empirically which services are essential, to help determine areas of training for DSPs, and aid students in their postsecondary institution selection. Another goal of the AHEAD program standards was to allow “more consistency with respect to the range of services that may be expected at an institution” (Dukes, 2001, p. 76).

Unfortunately, the AHEAD Program Standards became obsolete after a few years “due to a number of factors, but especially the changing nature of disability services” (Dukes, 2004, p. 5). This led to a second study to update the Standards to better reflect the expanding role of DSPs and their offices. As a result, Performance Indicators were added to help guide DSPs on how to meet the updated Program Standards. The membership adopted the AHEAD Program Standards and Performance Indicators in 2004 (Shaw & Dukes, 2004). The eight categories of

the AHEAD Program Standards are described below in Table 1.

Figure 1

Eight Categories of the AHEAD Program Standards

Categories	Descriptions
<i>Consultation/Collaboration</i>	Addresses working with campus faculty and administrators to accommodate more complex and hidden disabilities (p. 23)
<i>Information Dissemination</i>	Addresses institutional publications about disability services and disability-related policy, access to communications for students with disabilities, and providing information about resources (p. 23)
<i>Facility/Staff Awareness</i>	Focuses on helping faculty understand the accommodation needs of students with disabilities and being aware of the services available from the disability services office.
<i>Academic Adjustments</i>	Addresses the determination and provision of appropriate academic adjustments in order to provide equal access for students with disabilities (p. 23)
<i>Counseling and Self-Determination</i>	Focuses on the service delivery model that encourages students to develop independence utilizing self-determination theory (p. 24)
<i>Policies and Procedures</i>	Addresses critical issues regarding “reasonable accommodations,” student rights and responsibilities, and institutional rights and responsibilities, specifically disability documentation, course substitutions and appeal procedures (p. 24).
<i>Program Administration and Evaluation</i>	Focuses on providing services consistent with the institution’s mission and monitoring the effectiveness of disability services and supports (p. 24).
<i>Training and Professional Development</i>	Addresses providing disability services staff with professional development opportunities, competent staff, and adhering to the Code of Ethics (p. 25).

Note. From “Postsecondary Disability Program Standards and Performance Indicators: Minimum Essentials for the Office for Students with Disabilities,” by S. Shaw and L. Dukes, III, 2004, *Journal of Postsecondary Education and Disability*.

There are several reasons that DSPs may feel the onus to embrace and utilize the AHEAD Standards. The first is to protect students, the higher education institution, and themselves in light of the current adversarial and litigious climate in the United States. The second is having a set of expectations widely accepted by postsecondary disability services providers that

Provide a clear benchmark for postsecondary disability personnel and their institutions to assess the efficacy of their programs, identify policies and procedures to develop or revise, and specify the resources and training to allow personnel to provide equal access for students with disabilities in higher education. (Shaw & Dukes, 2004, p. 17)

Shaw (2007) found in his research that “legal challenges and judicial decisions reinforce the critical need clearly for articulated written policies and procedures as a component of every postsecondary institution’s compliance” (p. 394). This responsibility customarily falls on the DSP to author or revise disability-related policies and procedures for the campus. This can be a huge undertaking, depending on the size of the institution and the stakeholders involved. The DSP’s awareness of the legal consequences of a poorly written policy can be overwhelming. A DSP may not feel comfortable with policy development and feel the need to seek outside guidance from organizations such as like the Association on Higher Education and Disability (AHEAD).

The AHEAD Program Standards also provide an easy point of reference for DSPs to measure how well they are implementing the ADA. These standards also “demonstrate outcomes as well as “identify the skills and knowledge required of service providers and define the profession as a whole” (Shaw & Dukes, 2004, p. 17). This is important from an accountability standpoint as higher education budgets are shrinking and units must demonstrate

their benefit to student retention in measurable ways. Second, college administrators are requesting that OSD directors specify criteria to evaluate their programs (Dukes, 2004).

Shaw and Dukes (2004) caution that the AHEAD Program Standards specify “essential expectations for *all* postsecondary institutions in terms of minimum supports that must be available to provide equal access for students with disabilities” (p. 16). In other words, the AHEAD Program Standards represent the baseline of services a DSP can provide. However, DSPs and their respective institutions are free to go above and beyond those minimum standards.

There are some DSPs who do not follow the AHEAD Standards whether by choice or unawareness of its existence. This group of DSPs implements services based completely on their understanding of the ADA and the corresponding rules and regulations from the federal agencies charged with its enforcement. The obvious consequence of not utilizing AHEAD’s Program standards is that the DSPs will not have the assurance of having a set of parameters to rely on to measure how well they are implementing the ADA on their particular campus, to share with their administrators to clarify their responsibilities, and to use as a measure for program evaluation.

Implementation: Service Delivery Model

In regards to service delivery models of postsecondary Disability Services Offices, most have embraced the self-determination theory that gained popularity in the 1990s (Madaus, 2011). The AHEAD Program Standards and Program Indicators support the use of self-determination because it “encourages students with disabilities to develop independence (Standard 5.1)” (Shaw & Dukes, 2004, p. 24). The self-determination approach in disability services promotes a student-driven process that relies on student self-advocacy and has been shown to be a vital

component in a student's successful transition to higher education (Madaus, 2011). Although there are several definitions for self-determination, Field, Martin, Miller, Ward, and Wehmeyer (1998) defined it best stating

Self-determination is a combination of skills, knowledge and beliefs that enable a person to engage in goal-directed, self-regulated, autonomous behavior. An understanding of one's strengths and limitations together with a belief in oneself as capable and effective are essential to self-determination. When acting on the basis of these skills and attitudes, individuals have greater ability to take control of their lives and assume the role of successful adults in our society. (p. 2)

As a result, students are expected to (1) drive the accommodations process and (2) are considered self-advocates who are capable of voicing accommodation problems or issues with instructors when they occur. Kroeger (2010) responded by writing

On most college and university campuses, disabled students spend an inordinate amount of time establishing eligibility and requesting accommodations. Additionally, they are asked to perform a number of tasks to both schedule and receive accommodations. Oftentimes the rationale for this is self-determination and/or self-advocacy. While it is important for *all* students to learn to be responsible and assertive, identify issues, solve problems, and make decisions, why should disabled students be required to take responsibility for those access issues that are institutional problems? (p. 3)

There are several problems with implementing the ADAAA via this model. First, most of the students with disabilities entering postsecondary education after high school have become accustomed to a system where others advocate in their behalf; and as a result, they are unfamiliar and possibly uncomfortable with advocating in their own behalf. Second, in most settings there is no set of student learning objectives to facilitate the acquisition of what are considered self-determination skills to be able to measure student growth.

Third, students with disabilities are expected to report issues with accommodations and possible problems with their instructors when there is a definite power differential between students and instructor. Fourth, there is an ever-increasing sub-population of students with

Autism Spectrum Disorder (ASD), complex chronic illnesses, and psychiatric disorders entering into postsecondary education each year whose very limitations affect the student's ability to effectively engage not only in the accommodation registration process, but most importantly interacting with faculty and the DSP regarding the utilization of and issues with accommodations.

Under the current system, faculty are not properly equipped with much needed training in how to accommodate students with disabilities effectively, how to plan a course with students with disabilities in mind, and the latest advances in technology. Faculty are sometimes not informed on federal disability laws and how they apply to the academic environment; disability etiquette when handling difficult situations; and other pertinent topics.

The depth of implementation of the AHEAD Program Standards by DSPs is contingent upon university policy, the campus culture, and inferred ideology of campus administrators, faculty and staff. And, it is also contingent to some extent to how informed and empowered students and their families are in regard to their rights and responsibilities under the ADA. All of these variables can come together to create a policy environment that can affect the extent to which a DSP can use discretion to create and implement policies at the local level. These stakeholders and influences can also affect the services model used by DSPs and the focus of university-level disability-related policies in regard to whether they should concentrate on compliance or inclusion.

Implementation: Provision of Common Accommodations

There are several services and processes involved in implementing the ADA at the local level at colleges and universities. There are some accommodations that are provided at

most, if not all, Disability Services offices. The following is a brief overview and description of some of the more common services.

The Accommodation Process

The accommodations process is open to the greatest impact from a street level bureaucrat. The ADAAA does not explicitly state a process to follow to determine reasonable accommodations. However, the majority of DSPs have generally adopted widely accepted processes students' must undertake in order to register for services. Largely, the process begins with the student self-identifying as a student with a disability to Disability Services. Cory (2011) detailed the rest of the process

Using the documentation and the student's report, the staff member will make accommodation recommendations, which are usually presented to faculty in the form of a letter about accommodations. The letters are usually given to students, who deliver them to their instructors and teaching assistants personally. Ideally, students use the letters to initiate conversations about their needs. (p. 30)

However, DSPs exercise some variation within the process. Some DSPs allow students to have provisional accommodations while awaiting documentation. Other DSPs have less restrictive documentation requirements, and still other DSPs may require documentation to be submitted prior to meeting with the student.

Architectural and Programmatic Access

Except as otherwise provided in § 35.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity (2008 ADA Amendments Act, 28 CFR Part 35.149). In order to address this adequately, architectural access

will be addressed separately than programmatic access. Concerning architectural access, the ADA Architectural Guide (ADAAG) is very explicit in its description of specifications required in order for a building to be ADA-compliant, especially regarding new construction and building modifications/renovations.

Programmatic access includes students with disabilities ability to participate in academic programs, residential life, and university-affiliated programs. DSPs are usually heavily consulted in these situations and the DSPs opinion, depending on the institution, can be very persuasive. Both types of access that can be impacted by street level bureaucracy.

Documentation

A DSP's discretion can be seen most often when reviewing, determining the sufficiency of, and making accommodation decisions based on documentation. Most DSPs can utilize documentation guidelines that were, in most cases, created at the campus level. In line with the ADA Amendments Acts, AHEAD suggests that DSPs practice 'professional judgment' in regards to documentation decisions which increases the likelihood that DSPs will have to use their discretion.

Although not addressed in Title I or II, the Equal Employment Opportunity Commission (EEOC) explained in its rules and regulations related to the ADAAA that "when the need for an accommodation is not obvious, an employer, before providing a reasonable accommodation, may require that the individual with a disability provide documentation of the need for accommodation" (2008 ADA Amendments Act, 29 CFR Part 1630.9). It has been a well-established practice that higher education disability services takes into account case law based on employment claims from Title I when establishing or modifying policies and procedures.

Fundamental Alterations

Fundamental alteration represents an exception to providing a student with reasonable accommodations under the ADA. It states that

a public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity. (2008 ADA Amendments Act, 28 CFR Part 35.130)

Deciding to

DSPs are usually heavily consulted when academic departments engage in a process to decide whether an accommodation or modification is a fundamental alteration. The DSP's opinion, depending on the institution, can be very persuasive. This is an area that can be impacted by street level bureaucracy.

The Grievance Process

The policy relating to a disability-related grievance process is usually created at the institutional level. There are several stakeholders involved, such as legal counsel, senior level administrators, and the DSP. Frequently, instances regarding grievances of this nature are handled by a designated administrator on campus, other than the DSP regardless of whether it originated in the Disability Services Office. The process still may be impacted to some degree by the discretion of the DSP.

Compliance versus Inclusion

The compliance-inclusion continuum regarding disability-related policy at the local level is an interesting one. Corey (2011) stated "institutions have the opportunity to challenge themselves to push past legal compliance to a place of inclusion and integration of students" (p.

34). On one hand, compliance has been viewed as the first, and sometimes only, priority to which DSPs are responsible. But another viewpoint is gaining momentum among the DSP community, and that is inclusion. This is evidenced in the AHEAD Program Standards and Performance Indicators Standard 1.1.

Policies indicative of compliance would cover subject-matter relating to documentation guidelines, a summary of the documentation process, how accommodations work, make sure accommodations are provisioned according to the law (Huger, 2011). The verbiage from campus-level policies and Disability Services communications would be very legalistic with heavy references to federal law as the ultimate reason for accommodating students with disabilities. The mantra of compliance is, “Because we *have to*.” In essence, Disability services providers (DSPs) overarching responsibility is to provide reasonable academic accommodations and modifications (Huger, 2011, p. 9).

Inclusion should be viewed as the next evolutionary step up from compliance. Cory’s (2011) description of what inclusion looks like on a college campus is very telling

When campuses include disability in their conversations about diversity, they start to see that including individuals with disabilities as students, faculty and staff enhances the campus. This leads to creating a more inclusive environment.
(p. 34)

When looking at disability from the lens of inclusion, the focus, above providing academic accommodations, shifts to universal design principles, social justice, enhancing the experience of students with disability, and other topics that have absolutely nothing to do with compliance but everything to do with creating a welcoming campus culture and appreciating individual differences/diversity. All of these things add to students’ feelings of inclusiveness and connection to the university.

Centralized and Decentralized University Policy Impacts on Implementation and Street Level Bureaucracy

In a centralized organizational structure, street level bureaucracy has a greater impact because disability-related issues are funneled through the Disability Services Office. In addition, institutional policies do not vary across departments or academic units. A decentralized university policy distributes the administrative functions or powers among several units. According to Huger (2011), postsecondary institutions are inherently decentralized. In some cases, it seems that “departments can operate seemingly independently, with little opportunity for collaboration” (Huger, 2011, p. 4). As a result, decisions are made throughout campus. As each department or academic unit may maintain its own micro-administrative and student services, which may include the incorporation of functions normally reserved for the campus-level DSP. This can lessen the impact of a DSP and discretion under street level bureaucracy.

Wilson, Getzel, and Brown (2000) compared centralized and decentralized models in a succinct way more consistent with multi-campus community colleges or community college districts

The centralized models incorporated a substantial team of professional, administrative and support staff, exclusively responsible management and coordination of a comprehensive, support program for students with disabilities on campus. In contrast, the decentralized models serviced students through a meticulously managed network of professionals from a variety of university entities. In this model a core team served a program management and coordination function that monitored and facilitated a “satellite” method of service delivery. (p. 47)

Within large university settings, in order to minimize ambiguity and student confusion from trying to remember the different preferences and procedures for provision of accommodations, the DSO can internalize procedures such as creating a central testing center, coordinating the solicitation and selection of note takers, etc. This also minimizes the stress

instructors feel trying to provide accommodations for an ever-increasing number of students each semester.

Policy Analysis versus Policy Advocacy

According to Cochran, Mayer, Carr, and Cayer (2009), an important aspect of policy analysis is that it is “principally concerned with describing and investigating how and why particular policies are proposed, adopted, and implemented” (p. 7). Whereas, policy advocacy is a “policy practice that aims to help relatively powerless groups improve their resources and opportunities” (Jansson, 2008, p. 14). Cochran, Mayer, Carr, and Cayer (2009) highlighted that, unlike policy analysis, the goal of policy advocacy is a commitment to change through the advancement of their specific ideological beliefs such as “liberalism, conservatism, and environmentalism” (p. 8) than a deeper understand of the policy process.

The goal of this research is to gain a deeper understanding and invoke dialogue about ADA AAA implementation at the local level. The hope is that it also fosters change that benefits DSPs and students with disabilities. Unfortunately another hallmark of policy advocacy is the opposition or controversy that could be encountered during efforts to change policy for numerous reasons, “including divergent interests, divergent values and ideology. And different beliefs about whether a specific policy is, or will be, effective in addressing a specific problem” (Jansson, 2008, p. 16).

This research study is important because it can give a voice to students who have not found theirs yet. The results of this study could empower DSPs to understand and utilize their discretion on college campuses that can result in positive changes in the way services are provided. These findings can be critical in terms of DSPs being able to be a greater resource and

advocate to students with disabilities as well as other stakeholders at the institution. These results could also lead to new and more effective conversations between DSPs and their managers about additional resources.

Summary

Since its inception, Disability Services in postsecondary education have undergone a metamorphosis with the help of professional organizations such as AHEAD. With AHEAD's guidance on policy, procedures, and standards, this field has gained credibility as a specialized and important facet in higher education administration. The AHEAD Program Standards and Performance Indicators have set a baseline of what is considered to be minimum services for ensuring equal access for students with disabilities. Interwoven in these Standards are elements of compliance and inclusion that are operationally at opposite ends of the spectrum for Disability Services offices. These standards were last updated 11 years ago, and it begs the question of their relevance to the still changing face of Disability Services. If these Standards are not as relevant as they once were, DSPs by nature of their positions have the opportunity to make changes in how they choose to implement the ADA AAA on their respective campuses.

Although studies seem to discuss general barriers to student utilization of accommodations, there is little research on what influences DSPs' decision regarding how to implement the ADA AAA on their respective campuses. Lipsky's street level bureaucrat theory seems to capture the nuances involved how DSPs ultimately decide to implement the ADA AAA at the local level, especially Lipsky's acknowledgement of the chronically limited resources relative to the tasks DSPs are asked to perform (Lipsky, 1980).

As increasing numbers of students with disabilities are enrolling in post-secondary education with diagnoses that negatively impact their ability to navigate the traditional disability services model that stresses student self-advocacy, it is important to study whether DSPs have changed how they have implemented the ADAAA on their respective campuses, what influenced those decisions, and whether the Association on Higher Education and Disability (AHEAD) has encompassed the critical elements of implementing the ADAAA. The results of this study could be used to justify changes in the ways that the Americans with Disabilities Act Amendment Acts of 2008 is implemented at the street level in the postsecondary education setting.

Chapter III

Introduction

The purpose for conducting the study was to explore what variables affect the discretion exhibited by Disability Services Providers' (DSP) as they implement the Americans with Disabilities Act Amendments Act (ADAAA) on their respective campuses. The results of the study will help to gain a deeper understanding about disability policy implementation at the local level. The results of the study could also empower DSPs to understand and utilize their discretion on college campuses to result in positive changes in the way services are provided to students with disabilities.

The chapter provides detail about the research method used for the study and is organized into four main sections. The first section describes the population and sample used for the study. The second section discusses the research design and implementation. The third and fourth sections describe how data will be collected and analyzed, respectively. The chapter concludes with a summary.

Research Questions

A research design was employed to answer the following research questions:

1. To what extent did disability services providers agree that the Association on Higher Education and Disability (AHEAD) Program Standards and Performance Indicators encompassed the critical elements of implementing the ADAAA on their campuses?
 - a. Of the AHEAD Program Standards, which were viewed by disability services providers as most important to the successful implementation of the ADAAA on their campuses?

- b. Of the AHEAD Program Standards, which were viewed by disability services providers as most difficult to implement on their campuses?
2. What implementation challenges did disability services providers identify most strongly with?
3. How did the policy environment on campus influence discretion used by disability services provider?
4. How much did feedback from the disability services provider's peers affect decisions regarding ADA implementation at the campus level?

Population and Sample

The population for the study was Disability Services Providers (DSPs) who were members of the Association on Higher Education and Disability (AHEAD) and created disability-related policy for the purpose of compliance with federal disability policy at colleges and universities across the United States, or those who implemented the campus-based policies through their daily work practices and routines. The study sampled DSPs at postsecondary institutions across the United States that were representative of the population. Convenience sampling procedures were used for the study. Gray (2004) defined convenience sampling as “a non-probability sampling strategy that uses the most conveniently accessible people to participate in the study” (p. 396).

The AHEAD organization was chosen as a source for participants because it is the largest “professional membership organization for individuals involved in the development of policy and in the provision of quality services to meet the needs of persons with disabilities involved in all areas of higher education” (AHEAD.org/about, 2015, paragraph 1) with more than 2,800

members from around the world. The researcher utilized a searchable directory of members located on the AHEAD website. A list of members was compiled from those in the United States. This search yielded a total of 7,484 entries. These entries were then sorted by state; and those entries with inaccurate or incorrect names, email addresses, and incorrect city/state combinations were removed. In order to ensure that those participants invited to join the study worked in postsecondary education, the list was further reduced by eliminating all addresses that did not end in '.edu' and those entries that had no email addresses at all. As a result, the list was shortened to 3,900 entries. The researcher then looked up each email address to ensure the member was still employed at the institution listed in the entry and that only one DSP per institution received an invitation to participate. The final list contained 717 DSPs who were invited to participate in the study based on the following criteria: employed in a postsecondary institution in the United States; worked in a Disability Services office; and were employed at the director/coordinator level.

Research Design

A research design is described as an “overarching plan for the collection, measurement, and analysis of data” (Gray, 2004, p. 131). Barker, Pistrang, and Elliott (2002) added that a central concern is to choose an appropriate design for the research questions being asked (p. 159). Selecting the proper research design is important, because it “will describe the purpose of the study and the kinds of questions being addressed, the techniques to be used for collecting data, approaches to selecting samples and how the data are going to be analyzed” (Gray, 2004, p. 131).

Survey research was the research design chosen for this non-experimental quantitative study to examine if DSPs are utilizing their discretion during the implementation of federal disability policy on their campuses and whether there were there certain variables that have a bearing on the level of discretion practiced by the DSP. Non-experimental research “involves variables that are not manipulated by the researcher and instead are studied as they exist” (Belli, 2009, p. 60). Using a non-experimental approach in this design is suitable, because it is not feasible for random assignment to be employed because the participants cannot be randomly placed in groups nor their environments controlled or manipulated (Belli, 2009).

According to Gray (2004), “questionnaires are research tools through which people are asked to respond to the same set of questions in a predetermined order” (p. 337). A questionnaire is an appropriate research design for this study for the following reasons. Gray (2004) found that “where the audience is relatively large, and where standardized questions are needed, the questionnaire is ideal, and will allow, if this is required, an analytical approach exploring relationships between variables” (p. 338). Questionnaires can also “enable the collection of information in a standardized manner which, when gathered from a representative sample of a defined population, allows the inference of results to the wider population” (Rattray & Jones, 2007, p. 235). Gray (2004) also noted that survey research can utilize “scientific sampling and questionnaire design to measure characteristics of the population with statistical precision” (p. 338).

Instrumentation

An electronic questionnaire (Appendix A) consisting of 34 items was developed for the study based on the AHEAD Program Standards (Appendix B). The survey was divided into

three sections including demographic information, AHEAD program standards and performance indicators, and additional policy-related questions with a total of 34 questions. The initial page of the questionnaire contained informed consent forms that required participant to acknowledge electronically prior to the administration of the remainder of the questionnaire. The first section contained demographic information to identify DSPs within the AHEAD membership, type and size of institution, and years in the profession. DSPs among the AHEAD membership further self-identified through responses to the demographic information within the questionnaire.

Section two, questions 1-28, utilized the AHEAD Program Standards and Performance Indicators and was divided into eight areas (“Program Standards”): Consultation/Collaboration, Information Dissemination, Faculty/Staff Awareness, Academic Adjustments, Counseling and Self-Determination, Policies and Procedures, Program Administration and Evaluation, and Training and Professional Development.

The AHEAD organization was contacted and permission was given to use the contents of its ‘Program Standards and Professional Indicators’ document in the questionnaire (Appendix C). In this section, participants answered ‘yes’ or ‘no’ to each statement as to whether they perceived it to be critical to the implementation of the ADAAA on their respective campuses, and whether the DSP is providing the service on campus. The statements were based on AHEAD’s Performance Indicators.

Section three (questions 29-34) were composed of closed-ended questions that measured participants’ perceptions in regard to several variables. Questions 29-30 asked participants to rank the top five program standards that were most important and those most difficult. Question 31 also had participants rank a list of provided responses about their perceived implementation

challenges. Question 32 inquired whether DSPs were involved in or consulted during the creation or modification of campus disability-related policy. Question 33 and 34 asked participants to rate how the campus policy environment and how feedback from DSP colleagues may effect decisions at the campus level on a five-point, Likert-type scale.

Prior to administrating the survey, a pilot test was conducted among a small group of DSPs at the University of Arkansas. The DSPs participating in the pilot test received and completed the survey in the same manner as the survey participants. The researcher reviewed the data submitted from the pilot test and interviewed pilot participants. Their comments were integrated into the survey to increase the reliability and internal validity of the instrument.

Data Collection

Once approval was obtained from the University of Arkansas Institutional Review Board (Appendix D), an introductory email with a letter of intent (Appendix E) along with details of the survey, the criteria for selection, and a link to the survey was distributed to 717 participants inviting them to participate in the study. Participants were given a deadline to complete the survey. The data were collected and recorded in Qualtrics, a web-based survey tool. To increase response rates to the survey, two rounds of reminder emails were sent on a weekly basis to those participants who had not completed the survey (Appendices F and G).

Data Analysis

Descriptive and inferential statistics were used to analyze the data collected from the survey. Demographic information collected from the survey was analyzed using descriptive statistics. Descriptive statistics consist of measures of central tendency, such as mean, median, and mode that are characteristic of a “distribution of scores that describes where scores tend to

center” (Suter, 2012, p. 219). Of the three measures of central tendency, the mean is noted as a “more precise measure... because it takes into account the value of every score” (Ary, Jacobs, Sorensen, & Walker, 2014, p. 124). A limitation of measures of central tendency is that it cannot describe the variability of a distribution of score (DePoy & Gitlin, 2016, p. 290).

In order to know what types of descriptive statistics to use, the level of measurement must be determined. According to Ho (2014), nominal represents the “lowest level of measurement and involves simply categorizing the variable to be measured” (p. 7). As a result, this “least precise level is made up of mutually exclusive categories” (Salkind, 2004, p. 108). For nominal data, descriptive statistics such as mode and range were used. The ordinal level of measurement was characterized by ordering or ranking variables (Ho, 2014); and mean, median, interquartile range (IQR), and standard deviation were measures of descriptive statistics used.

The level of measurement can also determine whether parametric or non-parametric statistical analysis will be used. Non-parametric statistics were used for nominal and ordinal levels of measurement. Jean Turner (2010) described non-parametric statistics as

statistical formulas designed for use when the participants are not randomly chosen from a population and the samples may be small or of unequal sizes. Non-parametric formulas are useful for analyzing data that consist of rankable scores or frequency counts and don't require that the data be normally distributed. Though some researchers— and readers of research— consider parametric statistics to be more powerful than non-parametric ones, this is true only when the data are normally distributed. (p. 10)

Inferential statistics include t-tests, ANOVA, and correlational analysis for parametric analysis and Chi-square for goodness of fit, Fisher Exact Test, Spearman correlation, Mann Whitney U-test, and Krustal-Wallis Teat for non-parametric analysis. The researcher's decision to use parametric and non-parametric statistics hinges on several factors such as level of measurement, type of variable, and assumptions. For the purpose of the study, non-parametric

statistics were used to determine if significant differences in participant perceptions of the policy environment on campus existed among demographic variables.

Research Question 1: To what degree did disability services providers agree that the Association on Higher Education and Disability (AHEAD) Program Standards encompass the critical elements of implementing the ADA on their campuses?

Responses to statements 1-28 in section 2 of the survey were used to answer this research question. Participants answered whether or not each performance indicator was critical to the implementation of the ADA on the DSP's campus. Percentages and frequency distributions were calculated for each indicator to determine the level of consensus among DSPs. For the purpose of the study, consensus among participants for a Performance Indicator was indicated by a percentage of agreement of 90% or more. The findings were presented in a table format.

Research Question 1a: Of those Program standards, which were viewed by disability services providers as most important to the successful implementation of the ADA on their campuses? To answer this research question, participants answered Question 29 using radio buttons to rank the top five of the eight categories of the AHEAD program standards in the DSP's perceived order of importance. The means of the AHEAD standards were ranked lowest to highest. Percentages and frequencies were reported and presented in a table format.

Research Question 1b: Of those Program standards, which were viewed by disability services providers as most difficult to implement on their campuses? Participants answered Question 30 by using radio buttons to rank the top five of the eight categories of AHEAD program standards in the DSP's perceived order of the most difficult to implement. The means

of the AHEAD standards were ranked lowest to highest. Percentages and frequencies were reported and presented in a table format.

Research Question 2: What implementation challenges did disability services providers identify most strongly with? Participants answered Question 31 by utilizing radio buttons to identify the top 5 implementation challenges as identified by Lipsky in *Street-Level Bureaucracy: Dilemmas of Individual in Public Services* and research. Descriptive statistics were used to find the mean of each standard. The means of the AHEAD standards were ranked lowest to highest.

Research Question 3: How did the policy environment at the campus-level influence discretion used by disability services providers? This research question was answered using a Fisher Exact Test to determine whether DSPs' perception of the campus policy environment (responses to question 33) has an effect on the DSPs' discretion (responses to questions 1-28). Questions 1-28 asked participants whether (1) the professional standard was critical to the implementation of the ADA on the DSP's campus and (2) whether the DSP's office provided the standard in order to compare the DSP's perception of the policy environment at the campus level to the discretion exercised by the DSP.

Research Question 4: How much did feedback from the disability services provider's peers affect decisions regarding ADA implementation at the campus level? In Section 3, participants answered Question 34 using a five-point, Likert-type scale to indicate the influence of the DSP's peer in the DSP's implementation decisions at the campus level. Percentages and frequencies scores were reported.

Summary

The chapter described the methodology that was used for the study. The chapter provided detail about who was included in the sample and the research design used to collect data from the participants. Further, the chapter discussed how the data was analyzed.

Chapter IV

Introduction

The purpose of this chapter is to discuss the analysis of the data collected during the study. This chapter provides detail about the methods of data collection and analysis used for the study and is organized into three main sections. The first section details how the data was collected. The second section discusses data analysis and results. This chapter concludes with a summary.

Data Collection

The research protocol was submitted and approved by the University of Arkansas Institutional Review Board. On February 29, 2016, an introductory email along with details of the survey, the criteria for selection, and a link to the survey was distributed to 717 Disability Services Providers identified from the Association on Higher Education and Disability (AHEAD) membership list inviting them to participate in the study (Appendix E). DSPs receiving the invitation were given a deadline to participate in the study by March 15, 2016. A reminder email was sent one week later on March 7, 2016 to those participants who had not completed the survey (Appendix F). The final invitation to participate was sent on March 14, 2016, reminding participants of the final day to complete the survey (Appendix G). The data was collected and recorded in Qualtrics, a web-based survey tool. At the conclusion of the survey period. Of the 717 surveys distributed, 188 DSPs responded to the survey representing a response rate of 26%. Of the 188 responses, there were 182 completed surveys submitted.

Demographics of Participants

Participants reported working for a variety of institution types and sizes. The majority of participants (47%) responding to the survey were employed at a public college or university and 30% reported working at a community college (Table 1). Fifty-four percent (54%) of participants were employed at institutions with 10,000 students and less. The largest percentage of participants were employed at postsecondary institutions with over 20,000 students enrolled (22.9%).

Table 1
Institutional Data Reported by Participants

Variable	Frequency	Percentage
Institution Type		
Community College	45	22.4
Private College or University	61	30.3
Public College or University	95	47.3
For Profit College or University	0	0
Institution Size (Enrollment)		
Under 2,000	32	15.9
2,001 to 5,000	40	19.9
5,001 to 10,000	36	17.9
10,001 to 15,000	27	13.4
15,001 to 20,000	19	9.5
Over 20,000	46	22.9
I am not sure	1	0

Participants also varied in years of experience and education level. There seemed to be equal representation from each category level of experience with most of the participants (34%) had more than 15 years' experience working in the field of disability services (Table 2). Of the participants in the sample, 79.9% have master's degrees and 14.5% have doctorates.

Table 2
Demographic Data Reported by Participants

Variable	Frequency	Percentage
Years of Experience		
0- 2 years	14	7.0
2-5 years	32	15.9
5-10 years	46	22.9
10-15 years	40	19.9
15+ years	69	34.3
Level of Education		
Technical Certificate	0	0
Associate's Degree	3	1.5
Bachelor's Degree	9	4.5
Master's Degree	159	79.5
Doctorate (Ed.D., Ph.D., J.D.)	29	14.5

Ninety-seven percent (97.3%) of respondents indicated that their office involved or consulted during the creation or modification of campus disability-related policy.

Table 3
Participants Involved in Disability-Related Policy Creation or Modification

Involved in Policy Creation	Frequency	Percent
Yes	178	97.3
No	5	2.7

Data Analysis

Using IBM SPSS data analysis software, data from completed surveys was analyzed to provide answers to the study's research questions.

Research Question 1: To what extent did disability services providers agree that the Association on Higher Education and Disability (AHEAD) Program Standards and Performance Indicators encompassed the critical elements of implementing the ADA on their campuses?

The first research question was answered by participants responding to questions 1-28 which were made up of the 28 Performance Indicators divided among the eight AHEAD

Program Standards. Participants answered ‘yes’ or ‘no’ to each program standard as to whether it is critical to the implementation of the ADA on the DSP’s campus (Tables 4-11).

Percentages and frequencies were calculated for each indicator to determine the level of consensus among DSPs.

Under the Consultation/Collaboration program standard, participants indicated consensus that both performance indicators were critical to the implementation of the ADA (Table 4).

The indicator “serving as an advocate for issues regarding students with disabilities to ensure equal compliance” had the highest consensus (97.3%).

Table 4

Consultation/Collaboration: How critical is performance indicator to implementation of ADA on local campus

Area 1: Consultation/Collaboration	Responses			
	Yes		No	
Performance Indicators	Frequency	Percentage	Frequency	Percentage
1. Serve as an advocate for issues regarding students with disabilities to ensure equal access.	180	97.3	5	2.7
2. Provide disability representation on relevant campus committees.	172	93.5	12	6.5

Consensus was met for all performance indicators enumerated under the program standard of Information Dissemination (Table 5). Performance indicator 5 that stated, “disseminate information to students with disabilities regarding available campus and community disability resource” displayed the lowest consensus at 94.0%.

Table 5

Information Dissemination: How critical is performance indicator to implementation of ADA/AA on local campus

Area 2: Information Dissemination Performance Indicators	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
3. Disseminate information through institutional electronic and printed publications regarding disability services and how to access them.	183	98.4	3	1.6
4. Provide services that promote access to the campus community.	177	96.2	7	3.8
5. Disseminate information to students with disabilities regarding available campus and community disability resources.	172	94.0	11	6.0

There were varying degrees of consensus under Faculty/Staff regarding how critical its performance indicators were to the implementation of the ADA/AA at postsecondary institutions (Table 6). While the performance indicators for informing faculty of student accommodations (100%) and providing consultation to administrators regarding academic accommodations (99.5%) showed a very high degree of consensus, participants indicated a lower degree of consensus regarding providing disability awareness training to faculty, staff, and administration (92.3%) and providing information to faculty about available services to students with disabilities (91.8%).

Table 6

Faculty/Staff Awareness: How critical is performance indicator to implementation of ADAAA on local campus

Area 3: Faculty/Staff Awareness	Responses			
	Yes		No	
Performance Indicators	Frequency	Percentage	Frequency	Percentage
6. Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications.	183	100.0	0	0
7. Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.	181	99.5	1	0.5
8. Provide disability awareness training for campus constituencies such as faculty, staff, and administrators.	168	92.3	14	7.7
9. Provide information to faculty about services available to students with disabilities.	167	91.8	15	8.2

Participants showed consensus across all performance indicators within the Academic Adjustments program standard suggesting all were critical to the implementation of the ADAAA at the local level (Table 7). The lowest level of consensus was recorded for performance indicator regarding maintaining records that document the student’s plan for the provision of selected accommodations (93.9%).

Table 7

Academic Adjustments: How critical is performance indicator to implementation of ADAAA on local campus

Area 4: Academic Adjustments	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
10. Maintain records that document the student's plan for the provision of selected accommodations.	169	93.9	11	6.1
11. Determine with students appropriate academic accommodations and services.	178	97.8	4	2.2
12. Collaborate with faculty to ensure that reasonable academic accommodations do not fundamentally alter the program of study.	175	96.2	7	3.8

Participants did not indicate consensus with regard to the use of a service delivery model that encouraged the development of independence among students with disabilities (Table 8).

Only 86.1% of the sample agreed that this performance indicator was critical to ADAAA implementation.

Table 8

Counseling and Self-Determination: How critical is performance indicator to implementation of ADAAA on local campus

Area 5: Counseling and Self-Determination	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
13. Use a service delivery model that encourages students with disabilities to develop independence.	155	86.1	25	13.9

Participants also indicated consensus across all performance indicators within the Policy and Procedures program standard suggesting all were critical to the implementation of the ADAAA at the local level (Table 9). The performance indicator with the lowest consensus

centered on the development, review and revision of written policies and guidelines regarding confidentiality of disability information (90.9%).

Table 9

Policies and Procedures: How critical is performance indicator to implementation of ADAAA on local campus

Area 6: Policies and Procedures Performance Indicators	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
14. Develop, review and revise written policies and guidelines regarding procedures for determining and accessing “reasonable accommodations.”	177	97.8	4	2.2
15. Assist with the development, review, and revision of written policies and guidelines for institutional rights and responsibilities with respect to service provision.	169	93.9	11	6.1
16. Develop, review and revise written policies and guidelines for student rights and responsibilities with respect to receiving services.	169	93.9	11	6.1
17. Develop, review and revise written policies and guidelines regarding confidentiality of disability information.	159	90.9	16	7.2
18. Assist with the development, review, and revision of policies and guidelines for settling a formal complaint regarding the determination of a "reasonable accommodation."	171	96.1	7	3.9

There was no consensus among the performance indicators that made up the *Program Administration and Evaluation* (Table 10) program standard. The lowest rate of consensus among the 28 performance indicators was recorded for “collect student feedback to measure satisfaction with disability services” at 70.1%.

Table 10

Program Administration and Evaluation: How critical is performance indicator to implementation of ADAAA on local campus

Area 7: Program Administration and Evaluation Performance Indicator	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
19. Provide services that are aligned with the institution’s mission or services philosophy.	136	77.3	40	22.7
20. Coordinate services for students with disabilities through a full-time professional.	155	86.1	25	13.9
21. Collect student feedback to measure satisfaction with disability services.	124	70.1	53	29.9
22. Collect data to monitor use of disability services.	140	78.7	38	21.3
23. Report program evaluation data to administrators.	131	74.9	44	25.1
24. Provide fiscal management of the office that serves students with disabilities.	139	78.5	38	21.5
25. Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.	158	89.9	18	10.2

Only one performance indicator under Training and Professional Development (Table 11) program standard reached consensus among the sample which highlighted assuring that DSPs were adhering to relevant Codes of Ethics (90.6%).

Table 11

Training and Professional Development: How critical is performance indicator to implementation of ADA AAA on local campus

Area 8: Training and Professional Development Performance Indicators	Responses			
	Yes		No	
	Frequency	Percentage	Frequency	Percentage
26. Provide disability services staff with on-going opportunities for professional development.	161	89.9	18	10.1
27. Provide services by personnel with training and experience working with college students with disabilities (e.g., student development, degree programs).	141	80.1	35	19.9
28. Assure that personnel adhere to relevant Codes of Ethics (e.g., AHEAD, APA).	163	90.6	17	9.4

Research Question 1a: Of the AHEAD Program Standards, which were viewed by disability services providers as most important to the successful implementation of the ADA AAA on their campuses?

To answer this research question, participants answered Question 29 by ranking the top five of eight AHEAD program standards in the DSP’s perceived order of importance.

Descriptive statistics were used to find the mean and standard deviation for each program standard. The means were used to rank the five most important program standards with the lowest mean indicating which was the most important to the successful implementation of the ADA AAA (Table 12). To prevent skewing of the data, the analysis did not recognize any rankings past 5 (e.g., 6, 7, and 8). Academic adjustments were rated most important to implementing the ADA AAA (1.79). The least important of the eight program standards were Program Administration and Evaluation (mean=3.75) and Training and Professional Development (mean=3.86).

Table 12

Most Important AHEAD Program Standards for Successful Implementation of ADA

Ranking	Program Standard	Mean	S.D.
1- Most Important	Academic Adjustments	1.79	1.05
2	Policies and Procedures	2.88	1.48
3	Consultation/Collaboration	2.97	1.41
4	Counseling and Self-determination	3.02	1.33
5	Faculty/Staff Awareness	3.10	1.29

Research Question 1b: Of the AHEAD Program Standards, which were viewed by disability services providers as most difficult to implement on their campuses?

To answer this research question, participants answered Question 30 by ranking the top five of eight categories of AHEAD program standards in the DSP's perceived order of the most difficult to implement. Descriptive statistics were used to find the mean and standard deviation for each program standard. The means were used to rank the five most difficult program standards to implement with the lowest mean indicating which standard was most difficult (Table 13). To prevent skewing of the data, the analysis did not recognize any rankings past 5 (e.g., 6, 7, and 8). Faculty/Staff Awareness was rated most difficult to implement of the eight AHEAD program standards (mean=2.22). The least difficult of the eight program standards were Academic Adjustments (mean=3.38) and Consultation/Collaboration (mean=3.53).

Table 13
Most Difficult AHEAD Program Standards to Implement

Ranking	Program Standard	Mean	S.D.
1 –Most difficult	Faculty/Staff Awareness	2.22	1.34
2	Training and Professional Development	2.90	1.52
3	Program Administration and Evaluation	2.95	1.42
4	Policies and Procedures	3.06	1.42
5	Counseling and Self-determination	3.16	1.37

Research Question 2: What implementation challenges do disability services providers identify most strongly with?

Participants answered question 31 by utilizing radio buttons to identify the top 5 implementation challenges as identified by Lipsky in *Street-Level Bureaucracy: Dilemmas of Individual in Public Services* and research. Frequency and percentage will be reported. Descriptive statistics were used to find the mean and standard deviation for each program standard. The means were used to rank the top five implementation challenges with the lowest mean indicating the most challenging (Table 14). To prevent skewing of the data, the analysis did not recognize any rankings past 5 (e.g., 6, 7, and 8). Increased demand for services was rated as the top challenge to implementation of the ADA at the campus level (mean=2.29). The implementation challenge placing fifth was students not following procedures (mean=3.31).

Table 14
Implementation Challenges Most Strongly Identified with by Participants

Ranking	Implementation challenge	Mean	S.D.
1	Increased demand for services	2.29	1.29
2	Lack of fiscal resources	2.62	1.27
3	Inadequate staff resources	2.68	1.27
4	Resistance to change at campus level	3.13	1.39
5	Students not following processes	3.31	1.40

Research Question 3: How did the policy environment on campus influence discretion used by disability services provider?

A Fisher exact test was performed in SPSS to analyze the answers to Questions 1-28 in section 2 of the survey. Participants were asked whether each performance indicator is critical to the implementation of the ADAAA on the DSP’s campus, and then comparing that answer to whether the DSP’s office provides it as a service at the postsecondary institution. The results of the Fisher exact test determined if a statistically significant relationship exists between the participants’ responses to each AHEAD performance indicator as to whether it is critical to the implementation of the ADAAA and whether the DSP’s office provides that indicator as a service on campus. The participants’ answers to both parts of the question is consistent (e.g., “yes” performance indicator is critical and “yes” provided). As seen in Table 15.

Table 15
Demonstration of Discretion using a Fisher’s Exact Test Contingency Table

Service Provided by DSP	Critical to Implementation	
	No	Yes
No	Consistent	X
Yes	X	Consistent

The null hypothesis was that “there is no significant association between a performance indicator being critical to ADAAA implementation and the service being provided.” Testing at a 0.05 level of significance, the null hypothesis was rejected in 20 of the 28 performance indicators suggesting a significant relationship between an indicator being viewed as critical and whether it was offered as a service on the campus (Tables 16-23). The Fisher exact test contingency tables are listed in Appendix F.

For AHEAD performance indicator 1 (Table 16), there was no association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution ($p = 0.081$, not significant). For performance indicator 2, there was an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution ($p = 0.035$, significant). A significant p value signifies a rejected null and that the criticalness of a performance indicator does have an effect on whether service is provided.

Table 16
Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Consultation/Collaboration

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
1	0.081	0.05	$p > 0.05$	Do not reject the null
2	0.035	0.05	$p < 0.05$	Reject the null

Of the performance indicators listed under Information Dissemination (Table 17), only performance indicator 4 showed an association between being seen as critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution ($p = 0.009$, significant).

Table 17
Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Information Dissemination

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
3	0.081	0.05	$p > 0.05$	Do not reject the null
4	0.009	0.05	$p < 0.05$	Reject the null
5	0.081	0.05	$p < 0.05$	Do not reject the null

There were two performance indicators under Staff/Awareness demonstrating an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution. Those performance indicators were 6 ($p = 0.022$, significant) and 7 ($p = 0.006$, significant), respectively (Table 18).

Table 18
Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Faculty/Staff Awareness

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
6	0.081	0.05	$p > 0.05$	Do not reject the null
7	0.022	0.05	$p < 0.05$	Reject the null
8	0.006	0.05	$p < 0.05$	Reject the null
9	0.295	0.05	$p < 0.05$	Do not reject the null

There were two performance indicators under Staff/Awareness demonstrating an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution. Those performance indicators were 10 ($p = 0.000$, significant) and 11 ($p = 0.044$, significant), respectively (Table 19).

Table 19
Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Academic Adjustments

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
10	0.000	0.05	$p < 0.05$	Reject the null
11	0.044	0.05	$p < 0.05$	Reject the null
12	1.000	0.05	$p > 0.05$	Do not reject the null

For performance indicator 13 (Table 20), there was an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution ($p = 0.000$, significant).

Table 20

Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Counseling and Self-Determination

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
13	0.000	0.05	$p < 0.05$	Reject the null

There was an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution for all of the performance indicators under Policies and Procedures (Table 21).

Table 21

Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Policies and Procedures

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
14	0.000	0.05	$p < 0.05$	Reject the null
15	0.012	0.05	$p < 0.05$	Reject the null
16	0.000	0.05	$p < 0.05$	Reject the null
17	0.000	0.05	$p < 0.05$	Reject the null
18	0.000	0.05	$p < 0.05$	Reject the null

There was an association between the performance indicator being critical to the implementation of the ADAAA and the DSP providing the service at the postsecondary institution for all but one of the performance indicators under Program Administration and Evaluation (Table 22).

Table 22

Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Program Administration and Evaluation

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
19	0.001	0.05	$p < 0.05$	Reject the null
20	0.000	0.05	$p < 0.05$	Reject the null
21	0.000	0.05	$p < 0.05$	Reject the null
22	0.021	0.05	$p < 0.05$	Reject the null
23	0.000	0.05	$p < 0.05$	Reject the null
24	0.022	0.05	$p < 0.05$	Reject the null
25	0.186	0.05	$p > 0.05$	Do not reject the null

There were two performance indicators under Training and Professional Development signifying an association between the performance indicator being critical to the implementation of the ADA AA and the DSP providing the service at the postsecondary institution. Those performance indicators were 6 ($p = 0.022$, significant) and 7 ($p = 0.006$, significant), respectively (Table 23).

Table 23

Fisher's Exact Test Results of the Association Between the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision: Training and Professional Development

Performance Indicator	p (two-tailed)	Level of Significance	Result	Decision
26	0.089	0.05	$p > 0.05$	Do not reject the null
27	0.000	0.05	$p < 0.05$	Reject the null
28	0.000	0.05	$p < 0.05$	Reject the null

Next, the researcher compared the DSPs' perception of the campus policy environment (responses to question 33) to see if it had an effect on the DSPs' discretion (responses to questions 1-28). Sixty-five (65.9%) of participants perceived their campus environment to be either welcoming or somewhat welcoming (Table 24). A third (34.1%) of participants reported a campus policy environment that was somewhat resistant to change or resistant to change.

Table 24
Participants' Perception of the Campus Policy Environment

Campus Policy Environment	Frequency	Percent
Welcoming	45	24.7
Somewhat welcoming	75	41.2
Somewhat resistant to change	44	24.2
Resistant to change	18	9.9
I do not utilize	0	0

In order to compare the DSP's perception of the policy environment at the campus level to the discretion exercised by the DSP, another Fisher exact test was performed. In order to analyze the data, the data regarding the participants' perception of the campus policy environment was modified from ordinal level of measurement to nominal by combining the "welcoming" and "somewhat welcoming" and creating a "welcoming" category. Similarly, the "somewhat resistant to change" and "resistant to change" were combined to form "resistant" (Table 25).

Table 25
Participants' Perception of the Campus Policy Environment for Fisher Exact Test Analysis

Campus Policy Environment	Frequency	Percent
Welcoming	130	65.9%
Resistant to change	62	34.1%

The null hypothesis for the Fisher exact test was that "there is no significant association between the DSPs' perception of the campus environment and (1) whether they viewed a performance indicator being critical to ADAAA implementation and (2) the service being provided." Testing at a 0.05 level of significance, the null hypothesis was rejected in 5 of 56 instances (Table 26). In all of these instances, the rejection of the null pertained to a significant association between the perception of the campus policy environment and whether a performance indicator was offered as a service on the campus. Those indicators include:

- Under Faculty/Staff Awareness: Performance Indication 7 - Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications. Performance Indication 8 - Provide disability awareness training for campus constituencies such as faculty, staff, and administrators. Performance Indication 9 - Provide information to faculty about services available to students with disabilities
- Under Program Administration and Evaluation: Performance Indicator 25 - Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.
- Under Training and Professional Development: Performance Indicator 26 - Provide disability services staff with on-going opportunities for professional development

The Fisher exact test contingency tables are listed in Appendix G.

Table 26

Fisher's Exact Test Results of the Association Between the Campus Policy Environment and Discretion (the AHEAD Performance Indicator Being Critical to Implementation and its Service Provision)

Performance Indicator		p (two-tailed)	Level of Significance	Result	Decision
7	Critical to implementation	1.000	0.05	$p > 0.05$	Do not reject the null
7	Provide service	0.012	0.05	$p < 0.05$	Reject the null
8	Critical to implementation	0.566	0.05	$p > 0.05$	Do not reject the null
8	Provide service	0.008	0.05	$p < 0.05$	Reject the null
9	Critical to implementation	1.000	0.05	$p > 0.05$	Do not reject the null
9	Provide service	0.012	0.05	$p < 0.05$	Reject the null
25	Critical to implementation	1.000	0.05	$p > 0.05$	Do not reject the null
25	Provide service	0.043	0.05	$p < 0.05$	Reject the null
26	Critical to implementation	0.436	0.05	$p > 0.05$	Do not reject the null
26	Provide service	0.015	0.05	$p < 0.05$	Reject the null

Of the 9.9% of participants that reported a campus policy environment that was resistant to change, 56% were from institutions with enrollments of 5,001-10,000 students. Fifty-six percent (56%) of these participants were from public colleges and universities and 17% were from community colleges. Participants in this sub-group also designated resistance to change at the campus level (33%) and inadequate fiscal resources (28%) as the top two implementation challenges they most strongly identified with.

Research Question 4: How much did feedback from the disability services provider's peers affect decisions regarding ADA AAA implementation at the campus level?

In Section 2, participants answered Question 34 using a five-point Likert-type scale to indicate the influence of the DSP's peer in the DSP's implementation decisions at the campus level. Percentages and frequencies scores were reported. Ninety-four percent (94%) of participants indicated that feedback from DSP peers either significantly or somewhat affected their decisions regarding ADA AAA implementation at the campus level (Table 27).

Table 27
The Effect of Colleague Feedback on Participants' Implementation Decisions

Level of Effect	Frequency	Percent
Significantly	88	48%
Somewhat	84	46%
Very little	7	4%
Not at all	1	1%
I do not utilize	2	1%

Summary

The purpose for conducting this research study was to explore what variables affect the discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADA AAA) on their respective campuses. This chapter provides detail about the methods of data collection and analysis used for the study and is organized into three main sections. The study utilized a convenience sample of DSPs at colleges and universities in the United States whose main responsibility was to implement the campus-based disability policies through their daily work practices and routines. An electronic survey created in Qualtrics and distributed to DSPs' via email. Descriptive and

inferential statistics were used to analyze the data collected from the survey using *Statistical Package for the Social Sciences* (SPSS) to provide answers to the study's research questions.

Chapter V

Introduction

From the perspective of higher education, the intent of the passages of Section 504 of the Rehabilitation Act of 1973 and later the Americans with Disabilities Act of 1990 (ADA) were to address widespread discrimination and access issues experienced by people with disabilities. At the local level, in higher education, Disability Services Providers (DSPs) have been employed as the officials responsible for insuring that postsecondary institutions are compliant with federal laws. In most settings, the majority of the roles and responsibilities of DSPs at post-secondary institutions involve working with students with disabilities through a process to register them for services and determine appropriate accommodations and also working with faculty to ensure those accommodations are being provided.

This chapter provides detail about the findings of the study and is organized into four main sections. The first section describes the summary of the study. The second section discusses the conclusions of the study. The third and fourth sections describe recommendations for future research and practice, respectively. This chapter concludes with a summary.

Summary of the Study

As stated above, the purpose for conducting the study was to explore what variables affect the discretion exhibited by Disability Services Providers' (DSP) as they implement the Americans with Disabilities Act (ADA) on their respective campuses. The results of the study will help to gain a deeper understanding about disability policy implementation at the local level. The results of the study could also empower DSPs to understand and successfully navigate the factors that may negatively affect their exercise of discretion on college campuses.

As expansive as the ADA claims to be, neither it, campus-level policy, nor AHEAD standard can address all situations that DSPs find themselves in on a daily basis. Therefore, their ability to exercise discretion is crucial to the effective and timely ADA implementation on their respective campuses. As a result, DSPs conceptually have the discretion to set up how the ADA will be implemented on individual campuses as long as those efforts ensure that their campus is compliant with federal laws.

Through their daily interactions with students, DSPs make decisions regarding student eligibility and extent of accommodations, the processes and procedures the student should follow, and whether the student will be penalized for not following those processes. These decisions become policies followed by the DS office and the institution. This study is predicated on those implementation decisions (e.g., discretion) and factors affecting that discretion at the campus level.

The DSPs' work environment and exercise of discretion is best exemplified through the lens of the Lipsky's street level bureaucracy policy implementation theory. Lipsky (1980) defined street level bureaucrats as "public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work" (p. 3). Meyers and Vorsanger (2007) further noted that front line workers exert discretion well beyond their formal authority because of their position as the bridge between the policy-makers and the citizen. Dicke (2004) further elaborated that this type of environment makes discretion necessary because it would be impossible for policies and regulations to address every work-related issue to which responses are needed in a timely manner. Other stakeholders, such as the administrative hierarchy, can influence the decisions and choices of street level bureaucrats.

This can be done through rules, norms, regulations, practices, and the culture established by the organization (Lipsky, 2010).

Initially, the central focus of the Disability Services Office was to be a point of contact for students with disabilities and to address disability-related issues on behalf of the higher education institution (Katsiyannis, Zhang, Landmark, & Reber, 2009). Beyond compliance, there was really no other function of the office. Therefore, each postsecondary institution was forced to create its own policies and procedures to guide its faculty and staff on what was necessary for them to be compliant with these federal laws. And in doing so, these institutions had to focus “more on the line between compliance and noncompliance, [and] balancing the rights and responsibilities of institutions with those of students with disabilities” (Simon, 2011, p. 95).

Dukes (2001) described the AHEAD Program Standards as “a necessary step in the development and refinement of services provided to students with disabilities is the identification of those elements considered essential for ensuring equal access” (p. 63). Dukes (2001) also pointed out that the purpose for developing the program standards was to help DSPs have a standard to measure the services being offered, determine empirically which services are essential, to help determine areas of training for DSPs, and aid students in their postsecondary institution selection.

The study was completed by utilizing a survey distributed via convenience sampling procedures. Participants were identified from the Association for Disability and Higher Education (AHEAD) from its online membership database. The population of interest in the study was DSPs who make disability-related policy for the purpose of compliance with federal

disability policy at colleges and universities across the United States and/or those who implement the campus-based policies through their daily work practices and routines.

The final list contained 717 DSPs who were invited to participate in the study based on the following criteria: employed in a postsecondary institution in the United States; worked in a Disability Services office; and preference was given to those who were at the director/coordinator level. DSPs were invited via email to participate in a web-based questionnaire on three occasions during the two-weeks the survey was open to participants to complete.

The study was designed to address the following research questions.

- 1. To what extent did disability services providers agree that the Association on Higher Education and Disability (AHEAD) Program Standards and Performance Indicators encompassed the critical elements of implementing the ADA/AA on their campuses?*

After conducting a descriptive analysis on the data from questions 1-28 in Section 2 of the survey of which performance indicators did DSPs consider to be critical to the implementation of the ADA/AA, it was found that there was consensus of 90% agreement or higher on 18 of the 28 indicators (Tables 4-11). There were 10 performance indicators that did not have consensus that included utilizing a service delivery model that developed independence among students with disabilities (1 indicator), all of the performance indicators encompassing program administration and evaluation (7 indicators), and performance indicators addressing DSPs' professional development and level of training/experience (2 indicators). More research will be needed to determine the reasoning for the non-consensus of those 10 indicators.

- 1a. *Of the AHEAD Program Standards, which were viewed by disability services providers as most important to the successful implementation of the ADAAA on their campuses?*
- 1b. *Of the AHEAD Program Standards, which were viewed by disability services providers as most difficult to implement on their campuses?*

These research questions examined the overarching AHEAD program standards to see which standards were viewed as most important to the implementation of the ADAAA and which were most difficult to implement. Using SPSS, the ranked data was analyzed using descriptive statistics. The most important program standard for implementation was academic adjustments (Table 12). On the contrary, faculty/staff awareness was perceived as the most difficult program standard to implement (Table 13).

2. *What implementation challenges did disability services providers identify most strongly with?*

This research question was answered using descriptive statistics to find the mean and standard deviation for each program standard. Increased demand for services was rated as the top challenge to implementation of the ADAAA at the campus level followed by lack of fiscal resources (Table 14).

3. *How does the policy environment on campus influence discretion used by disability services provider?*

This research question was answered using a Fisher Exact Test in SPSS to determine if a statistically significant relationship exists between the participants' responses to each AHEAD performance indicator as to whether it is critical to the implementation of the ADAAA and

whether the DSP's office provides that indicator as a service on campus. Testing at a 0.05 level of significance, the null hypothesis was rejected in 20 of the 28 performance indicators suggesting a significant relationship between an indicator being viewed as critical and whether it was offered as a service on the campus (Tables 15-22).

In order to compare the DSP's perception of the policy environment at the campus level to the discretion exercised by the DSP, another set of Fisher exact tests were performed. Because Fisher exact tests are limited to a 2x2 analysis between two dichotomous variables, each with only two levels, the data regarding the participants' perception of the campus policy environment was modified from ordinal level of measurement to nominal by combining the "welcoming" and "somewhat welcoming" and creating a "welcoming" category. Similarly, the "somewhat resistant to change" and "resistant to change" were combined to form "resistant" (Table 25). Testing at a 0.05 level of significance, the null hypothesis was rejected in 5 of 56 instances (Table 26). In all of these instances, the rejection of the null pertained to a significant association between the perception of the campus policy environment and whether a performance indicator was offered as a service on the campus.

4. How much did feedback from the disability services provider's peers affect decisions regarding ADA implementation at the campus level?

This research question was answered using descriptive statistics such as percentages and frequencies scores. Ninety-four percent (94%) of participants indicated that feedback from DSP peers either significantly or somewhat affected their decisions regarding ADA implementation at the campus level.

Policy Implications

The policy-making roles of street-level bureaucrats are built upon two foundations that are tied to their roles in the bureaucracy: a high level of discretion and a great degree of autonomy from organizational authority (Lipsky, 2010). Other conditions that may affect street-level bureaucrats' roles are inadequate resources; increased demand for services; conflicting or ambiguous goals; and performance toward achievement difficult to measure (Lipsky, 1980).

Although the rules and regulations that appear in public policies, such as the ADA, are usually decided at the highest levels of the federal government, workers at the local level on the front lines are being relied upon to implement the policy as it was intended. Meyers and Vorsanger (2007) noted that front line workers exert discretion well beyond their formal authority because of their position as the bridge between the policy-makers and the citizen. As a result, "leadership does not just occur in the higher echelons of a bureaucratic hierarchy but is endemic throughout the organization and is present even at the basic rank and file level" (Dicke, 2004, p. 231).

DSPs interact with various stakeholders such as parents; students; faculty, staff, and administrators; and these interactions can cause challenges in their efforts to implement the ADA on their respective campuses. In the course of their duties and in an effort to implement the ADA on their respective campuses, DSPs must work with stakeholders regarding changes in campus policies or office procedures. This can be difficult at times depending on the stakeholders at the table and what their definition of the problem and proposed solution before them. Some stakeholders want things to remain the way they are because it is the

way it has “always been done” despite the lack of access it may cause some students with disabilities.

DSPs’ most important work in their efforts to implement the ADA is in their direct interaction with students with disabilities. Lipsky (2010) described a street level bureaucrat as “public service workers who interact directly with citizens in the course of their jobs and who have substantial discretion in the execution of their work” (p. 3). DSPs interact daily with students with disabilities to make decisions regarding their eligibility for services and approval of accommodations.

From a policy perspective, it is important for DSPs and administrators to realize the complexities that surround implementing the ADA on a local campus from problems with the policy environment to a lack of fiscal resources to increases in service demand. The study of the public policy cycle and accompanying theories can also assist DSPs navigate this landscape. To be more specific, the implementation theory of street-level bureaucracy can offer DSPs insight into the realities of their work environments and implementation challenges.

Conclusions

1. Disability Services Providers (DSPs) considered 18 of the 28 performance indicators to be critical to the implementation of the ADA; but 25 of the 28 performance indicators were provided as a campus service which can be an indication of DSPs’ lack of discretion in implementation.
 - a. DSPs did not perceive any of the seven performance indicators listed under the Program Administration and Evaluation program standard as critical to the implementation of the ADA. This is consistent with the DSPs responses

later in the survey where, out of the eight program standards, program administration and evaluation was designed seventh in importance to successful ADA/AA implementation and the third most difficult standard to implement. In regards to providing the service, DSPs indicated consensus on five of the seven performance indicators. The only indicators that did not have consensus included (i) collecting student feedback to measure satisfaction with disability services and (ii) reporting program evaluation data to administrators, both of which are important institutional measures for colleges and universities in regards to fiscal and human resources.

- b. Eighty-six percent (86.1%) of DSPs did not perceive utilizing the performance indicator (i.e., use a service delivery model that encourages students with disabilities to develop independence) under the Counseling and Self-Determination program standard as critical to the implementation of the ADA/AA. However, the program standard itself was rated as fourth in importance for successful ADA/AA implementation. Interestingly, although the performance indicator was not deemed as critical to implementation, ninety-six percent (96.2%) of DSPs indicated that they provide this service delivery model. The self-determination approach in disability services promotes a student-driven process that relies on student self-advocacy and has been shown to be a vital component in a student's successful transition to higher education (Madaus, 2011). As a result, students are expected to (1) drive the accommodations process and (2) are considered self-advocates who

are capable of voicing accommodation problems or issues with instructors when they occur.

2. Faculty/Staff Awareness was observed by DSP as the fifth most important AHEAD program standard for successful ADA/AA implementation. Yet, it was also considered by DSPs to be the most difficult to implement. Making faculty aware of their obligation under the ADA is crucial to implementing the ADA and can directly impact students' receipt of accommodations
3. Three of the five AHEAD Program Standards perceived as most difficult to implement (i.e., Faculty/Staff Awareness; Program Administration and Evaluation; and Counseling and Self-Determination) was also viewed as not critical to implementing the ADA/AA at postsecondary institutions.
4. Although the campus policy environment may not have an effect on what DSPs consider to be critical to the implementation of federal disability policies, it can influence what services are provided. The study also identified other implementation challenges. Increased demand for services was identified by participants as the number one implementation challenge which seems to be consistent with literature stating more students with disabilities are coming to campus. Eleven percent (11%) of students attending postsecondary institutions have some form of disability that would qualify them for accommodation (United States Government Accountability Office, 2009). Lipsky's street level bureaucrat theory seems to capture the nuances involved how DSPs ultimately decide to implement the ADA/AA at the local level,

especially Lipsky's acknowledgement of the chronically limited resources relative to the tasks DSPs are asked to perform (Lipsky, 1980).

5. In 20 of 28 Fisher exact tests analyses, there were significant associations between performance indicators being critical to ADA implementation and providing them as campus services to students with disabilities. A significant association (i.e., a significant p value) is equivalent to inconsistent responses from DSPs (e.g., "yes" critical and "no" service provided) or, more specifically, a lack of discretion. Lipsky (1997) stated that discretion can be seen in the "decisions of street level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainty and work pressures, effectively become the public policies they carry out" (p. 389).
6. Twenty-eight (28) Fisher Exact Tests measured the relationship between the campus policy environment and a performance indicator being critical the null hypothesis was not rejected in any of the 28 instances between the perception of the campus policy environment and whether a performance indicator was critical to implementation. Another 28 Fisher Exact Tests measured the relationship between the campus policy environment and a performance indicator being offered as a service the null hypothesis was rejected in 5 of 28 instances indicating a significant association between the perception of the campus policy environment and whether a performance indicator was offered as a service on the campus. While a rejection of the null in 5 of 28 test may seem low, it may be an indication that there are other factors outside of the campus policy environment affecting discretion.

Recommendations for Future Research

1. The study should be replicated using a larger sample of Disability Services Providers (DSPs) by sampling multiple DSPs at the same institutions from front line DSPs to directors. A larger sample will make the survey more generalizable and allow the researcher to look at how discretion may be affected by position within the Disability Services office.
2. A similar study is encouraged using mixed methods. The qualitative portion of the study will provide richer data and a greater understanding of which of the reasons behind participant responses in regards to lack of discretion and implementation challenges.
3. The portion of the study highlighting the AHEAD Program Standards and Performance Indicators should utilize a Likert-scale instead of binomial. This will allow the researcher more options when analyzing the data.
4. The study should be replicated utilizing better defined terms and emphasizing the connection between the program standards and the performance indicators that comprise them.

Recommendations for Practice

1. The study findings should be shared with Disability Services Providers (DSPs) in the field to aid them in identifying gaps in practices that could lead to new and more effective conversations between DSPs and their managers about additional resources. It is also important for DSPs to become more involved in program evaluation and assessment.

2. The study findings should be shared with immediate supervisors at postsecondary institutions to help them better understand DSPs' implementation challenges as well as how those challenges affect the DSPs' discretion and the ability to provide services to students with disabilities. Supervisors may be in positions to control Disability Services Offices' fiscal and human resources, to make inroads with other campus decision-makers to better the policy environment, and become a more informed ally to DSPs regarding issues concerning students with disabilities.
3. The study should be shared with senior level administrators in postsecondary institutions to highlight the importance of annual professional development opportunities for DSPs in order to stay informed of the latest developments and changes in the federal disability policy to allow DSPs to continue to gain expertise in their field. In addition, support of DSPs' implementation decisions from senior administration is important when creating a welcoming campus policy environment.
4. The study should be shared with the Association on Higher Education and Disability (AHEAD) to aid in program evaluation and policy-related training topics for conferences, workshops, publications and consultation. AHEAD may use the results as justification for further research involving revising the AHEAD Program Standards and Performance Indicators to reflect changes in DSP perceptions in the last 12 years.
5. The study emphasizes the importance of DSPs having the resources to attend training opportunities for exposure to legal updates and best practices in the profession. There are several opportunities for training at the state, regional, and national levels as well as webinar trainings for DSPs to attend to increase their knowledge of the ADA, AA, and ACAA.

options regarding service delivery, professional judgment, and other topics regarding best practices and current trends.

6. The study results should be used to develop training about collecting data and conducting program evaluations for DSPs due to the emphasis placed on these institutional measures to gauge progress toward strategic goals and in justifying additional fiscal resources at most postsecondary institutions.

Summary

This chapter provided details about the summary of the study in regards to discretion and the implementation of federal disability policy at postsecondary institutions. The chapter included a summary of the answers to the research questions. The chapter discussed recommendations for future research and practice as well as policy implications that were guided by the study results.

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Appendices

Appendix A
DSP Survey

Discretion and the Implementation of Federal Disability Policy in Postsecondary Education Consent to Participate in a Research Study

Principal Researcher: Katy Washington

Faculty Advisor: Dr. Michael Miller

INVITATION TO PARTICIPATE

You are invited to participate in a research study about what variables affect the level of discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses. You are being asked to participate in this study because you have been identified as a disability services provider in a postsecondary institution in the United States who is a member of the Association on Higher Education and Disability (AHEAD).

WHAT YOU SHOULD KNOW ABOUT THE RESEARCH STUDY

Who is the Principal Researcher?

Katy Washington, M.S., J.D.

Who is the Faculty Advisor?

Michael T. Miller, PhD

What is the purpose of this research study?

The purpose for conducting this research study will be to explore what variables affect the level of discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses.

Who will participate in this study?

Disability services providers from across the United States who are members of the Association on Higher Education and Disability (AHEAD) will be invited to participate in the study.

What am I being asked to do?

Your participation will require the following:

Filling out a 34 question online survey and submit it no later than March 15, 2016.

What are the possible risks or discomforts?

There are no anticipated risks.

What are the possible benefits of this study?

There are no anticipated benefits.

How long will the study last?

Completion of the survey should take no longer than 15-20 minutes.

Will I receive compensation for my time and inconvenience if I choose to participate in this study?

No

Will I have to pay for anything?

No, there will be no cost associated with your participation.

What are the options if I do not want to be in the study?

If you do not want to be in this study, you may refuse to participate. Also, you may refuse to participate at any time during the study.

How will my confidentiality be protected?

All information will be kept confidential to the extent allowed by applicable State and Federal law. In order to ensure confidentiality of data, documents containing identifying information will be stored in a locked location.

Will I know the results of the study?

At the conclusion of the study you will have the right to request feedback about the results. You may contact the faculty advisor, Dr. Michael T. Miller at @uark.edu or Principal Researcher, Katy Washington at @uark.edu. You will receive a copy of this form for your files.

What do I do if I have questions about the research study?

You have the right to contact the Principal Researcher or Faculty Advisor as listed below for any concerns that you may have.

Principal Researcher
Katy Washington, M.S., J.D.

Faculty Advisor
Michael T. Miller, Ph.D.

You may also contact the University of Arkansas Research Compliance office listed below if you have questions about your rights as a participant, or to discuss any concerns about, or problems with the research.

Ro Windwalker, CIP
Institutional Review Board Coordinator
Research Compliance
University of Arkansas
109 MLKG Building
Fayetteville, AR 72701-1201

I have read the above statement and have been able to ask questions and express concerns, which have been satisfactorily responded to by the investigator. I understand the purpose of the study as well as the potential benefits and risks that are involved. I understand that participation is voluntary. I understand that significant new findings developed during this research will be shared with the participant. My completion of the survey indicates that I consent for my responses to be used in this research.

Discretion and the Implementation of Federal Disability Policy in Postsecondary Education

Survey

Demographic Information

A. Do you CURRENTLY establish and provide services to students with disabilities?	<input type="radio"/> Yes <input type="radio"/> No
B. Which setting do you work?	<input type="radio"/> Community College <input type="radio"/> Private College or University <input type="radio"/> Public College or University <input type="radio"/> For Profit College or University
C. Which student enrollment range best fits your college/university?	<input type="radio"/> under 2,000 <input type="radio"/> between 2,001 and 5,000 <input type="radio"/> between 5,001 and 10,000 <input type="radio"/> between 10,001 and 15,000 <input type="radio"/> between 15,001 and 20,000 <input type="radio"/> over 20,000 <input type="radio"/> I am not sure
D. How many years have you worked with students with disability in the higher education setting?	<input type="radio"/> 0 – 2 years <input type="radio"/> 2 – 5 years <input type="radio"/> 5 – 10 years <input type="radio"/> 10 – 15 years <input type="radio"/> 15 + years
E. What is the highest (most advanced) degree you have COMPLETED at this time? Do not include degrees that are in progress.	<input type="radio"/> Technical certificate <input type="radio"/> Associates degree <input type="radio"/> Bachelor’s degree <input type="radio"/> Master’s degree <input type="radio"/> Doctorate (Ph.D., E.D., M.D., J.D.)
F. Is anyone in your office a member of the Association on Higher Education and Disability (AHEAD)?	<input type="radio"/> Yes <input type="radio"/> No

Section 2

Area 1: Consultation/Collaboration: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
1. Serve as an advocate for issues regarding students with disabilities to ensure equal access.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Provide disability representation on relevant campus committees.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 2: Information Dissemination: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
3. Disseminate information through institutional electronic and printed publications regarding disability services and how to access them.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Provide services that promote access to the campus community.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Disseminate information to students with disabilities regarding available campus and community disability resources.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 3: Faculty/Staff Awareness: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
6. Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. Provide disability awareness training for campus constituencies such as faculty, staff, and administrators.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. Provide information to faculty about services available to students with disabilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 4: Academic Adjustments: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
10. Maintain records that document the student's plan for the provision of selected accommodations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
11. Determine with students appropriate academic accommodations and services.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
12. Collaborate with faculty to ensure that reasonable academic accommodations do not fundamentally alter the program of study.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 5: Counseling and Self-Determination: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
13. Use a service delivery model that encourages students with disabilities to develop independence.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 6: Policies and Procedures: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
14. Develop, review and revise written policies and guidelines regarding procedures for determining and accessing “reasonable accommodations.”	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
15. Assist with the development, review, and revision of written policies and guidelines for institutional rights and responsibilities with respect to service provision.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
16. Develop, review and revise written policies and guidelines for student rights and responsibilities with respect to receiving services.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Yes	No	Yes	No
17. Develop, review and revise written policies and guidelines regarding confidentiality of disability information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
18. Assist with the development, review, and revision of policies and guidelines for settling a formal complaint regarding the determination of a "reasonable accommodation."	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 7: Program Administration and Evaluation: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
19. Provide services that are aligned with the institution's mission or services philosophy.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
20. Coordinate services for students with disabilities through a full-time professional.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
21. Collect student feedback to measure satisfaction with disability services.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
22. Collect data to monitor use of disability services.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Yes	No	Yes	No
23. Report program evaluation data to administrators.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
24. Provide fiscal management of the office that serves students with disabilities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
25. Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Area 8: Training and Professional Development: To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

	This is critical to the implementation of the ADA/AA on my campus		This Disability Services Office/campus provides this service	
	Yes	No	Yes	No
26. Provide disability services staff with on-going opportunities for professional development.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
27. Provide services by personnel with training and experience working with college students with disabilities (e.g., student development, degree programs).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Yes	No	Yes	No
28. Assure that personnel adhere to relevant Codes of Ethics (e.g., AHEAD, APA).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Section 3

29. Of the areas of program standards listed below, which five (5) do you identify as being most important to implement on your campus (with 1 being the most important)? Please click on the corresponding number next to your selection.

	1	2	3	4	5	6	7	8
Consultation/Collaboration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information Dissemination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty/Staff Awareness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Academic Adjustments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Counseling and Self-Determination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policies and Procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Program Administration and Evaluation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Training and Professional Development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

30. Of the areas of program standards listed below, which five (5) do you identify as being most difficult to implement (with 1 being the most difficult)? Please click on the corresponding number next to your selection.

	1	2	3	4	5	6	7	8
Consultation/Collaboration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Information Dissemination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Faculty/Staff Awareness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Academic Adjustments	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Counseling and Self-Determination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policies and Procedures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Program Administration and Evaluation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Training and Professional Development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

31. Of the implementation challenges listed below, which five (5) do you identify with most strongly (with 1 being the most challenging)? Please click on the corresponding number next to your selection.

	1	2	3	4	5	6	7	8
Inadequate fiscal resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased demand for services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conflicting or ambiguous goals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Resistance to change on campus level	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Unavailability of appropriate performance measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Inadequate staff resources	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lack of discretion to make or revise policy	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Students not following processes	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

32. Are you or your office involved or consulted during the creation or modification of campus disability-related policy?

- Yes
- No

33. How would you describe the policy environment on your campus?

- Welcoming
- Somewhat welcoming
- Somewhat resistant to change
- Resistant to change
- I do not utilize

34. How much does the feedback from your colleagues in the Disability Services field affect your decisions regarding how you implement the ADA on your campus?

- Significantly
- Somewhat
- Very little
- Not at all
- I do not utilize

Appendix B

AHEAD Program Standards and Performance Indicators

AHEAD Program Standards and Performance Indicators

The Association on Higher Education And Disability (AHEAD) is pleased to offer these revised Professional Standards and Performance Indicators to the field. The standards reflect the maturation of the postsecondary disability services profession, describe the breadth of skills and knowledge required of personnel administering the Office for Students with Disabilities (OSD), and present a consensus among experts in the field regarding minimum essential services. These standards are intended to enhance service provision for college students with disabilities by directing program evaluation and development efforts, improving personnel preparation and staff development, guiding the formulation of job descriptions for OSD personnel, informing judges and requisite court decisions regarding appropriate practice and, lastly, expanding the vision of disability services at the postsecondary level.

1. Consultation / Collaboration

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 1.1 *Serve as an advocate for issues regarding students with disabilities to ensure equal access.*
 - Foster collaboration between disability services and administration as it relates to policy implementation.
 - Ensure key administrators remain informed of emerging disability issues on campus that may warrant a new or revised policy.
 - Foster a strong institutional commitment to collaboration on disability issues among key administrative personnel (e.g., deans, registrar, campus legal counsel).
 - Work with facilities to foster campus awareness regarding physical access.
 - Work collaboratively with academic affairs on policy regarding course substitutions.
 - Foster an institutional commitment to promoting student abilities rather than a student's disability.
 - Foster meaningful inclusion of students with disabilities in campus life (e.g., residential activities, extracurricular activities).

- 1.2 *Provide disability representation on relevant campus committees.*
 - Advise campus student affairs regarding disability-related issues (e.g., student discipline, student activities).
 - Participate on a campus-wide disability advisory committee consisting of faculty, students, administrators, and community representatives.
 - Participate on campus administrative committees such as a campus committee on individuals with disabilities.

2. Information Dissemination

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

2.1 Disseminate information through institutional electronic and printed publications regarding disability services and how to access them.

- Distribute policy and procedures(s) on availability of services via all relevant campus publications (catalogs, programmatic materials, web sites, etc.).
- Ensure referral, documentation, and disability services information is up to date and accessible on the institution's web site.
- Ensure that criteria and procedures for accessing accommodations are clearly delineated and disseminated to the campus community.
- Ensure access to information about disabilities to students, administration, faculty, and service professionals.
- Provide information on grievance and complaint procedures when requested.
- Include a statement in the institutional publications regarding self-disclosure for students with disabilities.

2.2 Provide services that promote access to the campus community.

- Facilitate the acquisition and availability of a wide variety of assistive technology to help students access materials in alternative formats (e.g., JAWS for Windows screen reader, Kurzweil Voice Pro, Mountbatten Braille).
- Provide information for the acquisition of computerized communication, text telephone (TT), or telecommunications devices (TDD) for the deaf.
- Promote universal design in facilities.
- Promote universal design in communication.
- Promote universal design in instruction.

2.3 Disseminate information to students with disabilities regarding available campus and community disability resources.

- Provide information and referrals to assist students in accessing campus resources.

3. Faculty / Staff Awareness

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 3.1 *Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications.*
 - Inform faculty of their rights and responsibilities to ensure equal educational access.
 - Inform faculty of the procedures that students with disabilities must follow in arranging for accommodations.
 - Collaborate with faculty on accommodation decisions when there is a potential for a fundamental alteration of an academic requirement.
- 3.2 *Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.*
 - Foster administrative understanding of the impact of disabilities on students.
- 3.3 *Provide disability awareness training for campus constituencies such as faculty, staff, and administrators.*
 - Provide staff development regarding understanding of policies and practices that apply to students with disabilities in postsecondary settings.
 - Provide staff development to enhance understanding of faculty's responsibility to provide accommodations to students and how to provide accommodations and modifications.
 - Provide administration and staff training to enhance institutional understanding of the rights of students with disabilities.
 - Participate in administrative and staff training to delineate responsibilities relative to students with disabilities.
 - Training for staff (e.g., residential life, maintenance, and library personnel) to facilitate and enhance the integration of students with disabilities into the college community.
- 3.4 *Provide information to faculty about services available to students with disabilities.*
 - Provide staff development for faculty and staff to refer students who may need disability services.

4. Academic Adjustments

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

4.1 *Maintain records that document the student's plan for the provision of selected accommodations.*

- Create a confidential file on each student including relevant information pertaining to eligibility and provision of services.
- Document the basis for accommodation decisions and recommendations.
- Develop a case management system that addresses the maintenance of careful and accurate records of each student.

4.2 *Determine with students appropriate academic accommodations and services.*

- Conduct a review of disability documentation.
- Incorporate a process that fosters the use of effective accommodations, taking into consideration the environment, task, and the unique needs of the individual.
- Review the diagnostic testing to determine appropriate accommodations or supports.
- Accommodation requests are handled on a case-by-case basis and relate to students' strengths and weaknesses, which are identified in their documentation.
- Determine if the student's documentation supports the need for the requested accommodation.
- On a case-by-case basis, consider providing time-limited, provisional accommodations pending receipt of clinical documentation, after which a determination is made.

4.3 *Collaborate with faculty to ensure that reasonable academic accommodations do not fundamentally alter the program of study.*

- Provide reasonable accommodations for students with disabilities to ensure program accessibility, yet do not compromise the essential elements of the course or curriculum.
- Ensure an array of supports, services and assistive technology so that student needs for modifications and accommodations can be met.

5. Counseling and Self-Determination

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

5.1 *Use a service delivery model that encourages students with disabilities to develop independence.*

- Educate and assist students with disabilities to function independently.
- Develop a program mission that is committed to promoting self-determination for students with disabilities.

6. Policies and Procedures

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

6.1 *Develop, review and revise written policies and guidelines regarding procedures for determining and accessing “reasonable accommodations.”*

- Develop, review and revise procedures for students to follow regarding the accommodation process.
- Develop, review and revise policies describing disability documentation review.
- Develop, review and revise procedures regarding student eligibility for services.
- Develop, review and revise eligibility for services policies and procedures that delineate steps required for students to access services, including accommodations.
- Develop, review and revise procedures to determine if students receive provisional accommodations during any interim period (e.g., assessment is being updated or re-administered).

6.2 *Assist with the development, review, and revision of written policies and guidelines for institutional rights and responsibilities with respect to service provision.*

- Assist with the development, review, and revision of policies and procedures on course substitutions, including institution requirements (e.g., foreign language or writing requirements).

- Assist with the development, review, and revision of policy and procedures regarding priority registration.
- Develop, review and revise policies and procedures that maintain a balance between "reasonable accommodation" and "otherwise qualified" while "not substantially altering technical standards."
- Develop, review, and revise policies regarding the provision of disability services (e.g., interpreter services).
- Develop, review and revise disability documentation guidelines to determine eligibility for accommodations at the postsecondary level.
- Assist the institution with the development, review, and revision of policies regarding the faculty's responsibility for serving students with disabilities.
- Collaborate with the development, review, and revision of policies regarding IT (e.g., alternative formats).

6.3 *Develop, review and revise written policies and guidelines for student rights and responsibilities with respect to receiving services.*

- Develop consistent practices and standards for documentation.
- Develop, review and revise policies regarding students' responsibility to provide recent and appropriate documentation of disability.
- Assist with the development, review, and revision of policies regarding students' responsibility to meet the Institution's qualifications and essential technical, academic, and institutional standards.
- Develop, review and revise policies regarding students' responsibility to follow specific procedures for obtaining reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids.
- Assist with the development, review, and revision of procedures a student must follow regarding program modifications (e.g., course substitutions).
- Develop, review, and revise procedures for notifying staff (e.g., interpreter, notetaker) when a student will not attend a class meeting.

- 6.4 *Develop, review and revise written policies and guidelines regarding confidentiality of disability information.*
- Develop, review and revise policy articulating students understanding of who will have access to their documentation and the assurance that it will not be shared inappropriately with other campus units.
 - Develop, review and revise policies and procedures regarding privacy of records, including testing information, prior records and permission to release confidential records to other agencies or individuals.
- 6.5 *Assist with the development, review, and revision of policies and guidelines for settling a formal complaint regarding the determination of a "reasonable accommodation."*
- Assist with the development, review, and revision of procedures for resolving disagreements regarding specific accommodation requests, including a defined process by which a review of the request can occur.
 - Assist with the development, review, and revision of compliance efforts and procedures to investigate complaints.
 - Assist with the development, review, and revision of a conflict resolution process with a systematic procedure to follow by both the grievant and the institutional representative.

7. Program Administration and Evaluation

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 7.1 *Provide services that are aligned with the institution's mission or services philosophy.*
- Develop a program mission statement and philosophy that is compatible with the mission of the institution.
 - Program personnel and other institutional staff understand and support the mission of the office for students with disabilities.
- 7.2 *Coordinate services for students with disabilities through a full-time professional.*
- At least one full-time professional is responsible for disability services as a primary role.
- 7.3 *Collect student feedback to measure satisfaction with disability services.*
- Assess the effectiveness of accommodations and access provided to students with disabilities (e.g., timeliness of response to accommodation request).

- Student satisfaction data is included in evaluation of disability services.

7.4 *Collect data to monitor use of disability services.*

- Provide feedback to physical plant regarding physical access for students with disabilities.
- Collect data to assess the effectiveness of services provided.
- Collect data to identify ways the program can be improved.
- Collect data to project program growth and needed funding increases.

7.5 *Report program evaluation data to administrators.*

- Develop an annual evaluation report on your program using the qualitative and quantitative data you've collected.

7.6 *Provide fiscal management of the office that serves students with disabilities.*

- Develop a program budget.
- Effectively manage your program's fiscal resources.
- Seek additional internal or external funds as needed.
- Develop political support for your program and its budget.

7.7 *Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.*

- Assist with the determination of the needs for assistive technology and adaptive equipment at your institution.
- Advise other departments regarding the procurement of needed assistive technology and adaptive equipment.
- Provide or arrange for assistance to students to operate assistive technology and adaptive equipment.

8. Training and Professional Development

To facilitate equal access to postsecondary education for students with disabilities, the office that provides services to students with disabilities should:

- 8.1 *Provide disability services staff with on-going opportunities for professional development.*
 - Provide orientation and staff development for new disability personnel.
 - Ensure that professional development funds are available for disability personnel.
 - Provide opportunities for ongoing training based on a needs assessment of the knowledge and skills of disability personnel.
- 8.2 *Provide services by personnel with training and experience working with college students with disabilities (e.g., student development, degree programs).*
 - Ensure staff can understand and interpret assessments/documentation.
- 8.3 *Assure that personnel adhere to relevant Codes of Ethics (e.g., AHEAD, APA).*
 - Refer to and apply a relevant professional code of ethics when dealing with challenging situations.

Note. From “*Program standards and performance indicators.* (2004) Retrieved from <http://ahead.org/learn/resources.”>

Appendix C

Permission to Use AHEAD Professional Standards

From: @ahead.org
Sent: Tuesday, November 03, 2015 4:31 PM
To: Katy Washington
Subject: RE: [Information Request] Request to use AHEAD material - AHEAD Program Standards and Performance Indicators

Thank you. Please consider this email response to be official permission to use the AHEAD material as you outline below.

www.ahead.org

From: Katy Washington
Sent: Tuesday, November 03, 2015 1:48 PM
To: @ahead.org
Subject: FW: [Information Request] Request to use AHEAD material - AHEAD Program Standards and Performance Indicators

Hi,

See below for responses to questions posed and let me know if you have further questions.

Katy

-----Original Message-----

From: [@ahead.org]
Sent: Tuesday, November 03, 2015 12:35 PM
To: Katy Washington
Subject: RE: [Information Request] Request to use AHEAD material - AHEAD Program Standards and Performance Indicators

Hello Katy,

For our records we ask people who use or reference our materials (print or online) to respond to the questions below in an email. I will send a Reply email with permission to use the material.

1. Identify the AHEAD material you wish to use by title or other identifier.
I would like to request permission to use the AHEAD Program Standards and Performance Indicators.

2. Specify the intended use of the AHEAD material.

I am writing my Ph.D. dissertation in Public Policy at the University of Arkansas. The dissertation focuses on Disability Services Providers in postsecondary institutions in the United States. I plan to create a survey to assess the extent to which these standards are used by Disability Services Professionals and how it relates to discretion in the implementation of the ADAAA on campuses.

3. Include a sample of how the AHEAD material will be cited.

The material will be cited this way: *Program standards and performance indicators.* (2004)
Retrieved from <http://ahead.org/learn/resources>.

4. Verify that the AHEAD material used will not be sold.

The AHEAD material will not be sold.

www.ahead.org

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AHEAD 2016 Call for Proposals deadline is November 13th. Submit today!

Our full line-up of webinars, AHEADtoYOU! And the Technology Access Series.

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Not yet a member of AHEAD? We welcome you to join AHEAD now.

<http://ahead.org/join/become-a-member>

-----Original Message-----

From: ahead@ahead.org

Sent: Tuesday, November 03, 2015 5:58 AM

To: @uark.edu

Cc: @ahead.org

Subject: Re: [Information Request] Request to use AHEAD material - AHEAD Program Standards and Performance Indicators

Hi Katy, I am copying your email to ____, he takes care of approvals. I am sure it won't be a problem but you do need his approval to use our documents.

Kindest regards,

-----Original Message-----

From: @uark.edu

To: @ahead.org

Subject: [Information Request] Request to use AHEAD material - AHEAD
Program Standards and Performance Indicators

Sent: Nov 03 '15 08:21

Katy Washington sent a message using
the contact form at <http://ahead.org/contact>.

To: AHEAD

I would like to request permission to use the AHEAD Program Standards and Performance Indicators. I am writing my Ph.D. dissertation in Public Policy at the University of Arkansas. The dissertation focuses on Disability Services Providers in postsecondary institutions in the United States. I would like to use the AHEAD Program Standards and Performance Indicators to assess the extent to which these standards are used by Disability Services Providers to implement the ADA on their respective campuses as part of the dissertation.

If you have any questions or concerns, please contact me at .

Sincerely,

Katy Washington

Ph.D. Candidate Public Policy

Appendix D
IRB Approval

From: irb
Sent: Friday, February 05, 2016 1:46 PM
To: Katy Washington
Cc: Miller
Subject: IRB #16-01-476 Protocol Approval

Hello,

Your IRB protocol titled *Discretion and the Implementation of Federal Disability Policy in Postsecondary Education* was approved on 2/5/16. You may begin your project. Your official approval letter is attached.

Please note: We implemented a new administrative procedure last spring. Your consent form(s) and any recruitment materials will be returned to you in Adobe PDF format with the approval period stamped on them. If you use hardcopy consent forms, please use print-outs or copies of the stamped version of the consent form when giving them to participants. If using electronic consent, and the formatting you are using allows it, please add the IRB protocol number, approval date, and expiration date, to the consent form online. Either way, please be certain that the text of the online consent exactly matches the text of the stamped approved copy in your records.

The approval dates do not need to be used in advertisements or recruiting; in this case, it is simply a method of documentation for your records as to what text was approved for use. Any form of recruitment which has not received an approval period stamp must be submitted to the IRB for review.

If you have any questions, please do not hesitate to contact me.

Thank you,

Ro

Iroshi (Ro) Windwalker, CIP
IRB Coordinator



UNIVERSITY OF ARKANSAS

Office of Research Compliance
Institutional Review Board

February 5, 2016

MEMORANDUM

TO: Katy Washington
Michael Miller

FROM: Ro Windwalker
IRB Coordinator

RE: New Protocol Approval

IRB Protocol #: 16-01-476

Protocol Title: *Discretion and the Implementation of Federal Disability Policy in Postsecondary Education*

Review Type: EXEMPT EXPEDITED FULL IRB

Approved Project Period: Start Date: 02/05/2016 Expiration Date: 02/04/2017

Your protocol has been approved by the IRB. Protocols are approved for a maximum period of one year. If you wish to continue the project past the approved project period (see above), you must submit a request, using the form *Continuing Review for IRB Approved Projects*, prior to the expiration date. This form is available from the IRB Coordinator or on the Research Compliance website (<https://vpred.uark.edu/units/rscp/index.php>). As a courtesy, you will be sent a reminder two months in advance of that date. However, failure to receive a reminder does not negate your obligation to make the request in sufficient time for review and approval. Federal regulations prohibit retroactive approval of continuation. Failure to receive approval to continue the project prior to the expiration date will result in Termination of the protocol approval. The IRB Coordinator can give you guidance on submission times.

This protocol has been approved for 750 participants. If you wish to make *any* modifications in the approved protocol, including enrolling more than this number, you must seek approval *prior* to implementing those changes. All modifications should be requested in writing (email is acceptable) and must provide sufficient detail to assess the impact of the change.

If you have questions or need any assistance from the IRB, please contact me at 109 MLKG Building, 5-2208, or irb@uark.edu.

Appendix E
First Letter of Intent Email

From: Katy Washington
Sent: Monday, February 29, 2016 4:10 PM
To: Survey Participant <email address>
Subject: Dissertation Research Participation Invitation: Your assistance is needed

Dear Colleague,

My name is Katy Washington, and I am currently a doctoral student at the University of Arkansas. My dissertation examines what variables affect the level of discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses.

You have been identified as the Disability Services Administrator for your campus, and your participation is needed to collect research for our profession. If you are not the best person in your office to complete this survey, would you please forward this e-mail and survey link to the appropriate staff member? Only one response per office is needed.

I realize that your time is valuable. Therefore, the survey is designed to be completed in approximately fifteen to twenty (15-20) minutes. Your participation is voluntary, and you maintain the right to withdraw from the study at any time. All answers will be submitted anonymously.

Please click on the link below and complete the survey by March 15, 2016. Should you have any questions about the study or the content of the survey, please feel free to contact either me or my advisor, Dr. Miller. For questions or concerns about your rights as a research participant, please contact Ro Windwalker, the University IRB Coordinator.

Follow this link to the Survey:

Or copy and paste the URL below into your internet browser:

Thank you in advance for your consideration to participate in the study and for your help in my dissertation research.

Sincerely,
Katy Washington
Doctoral Candidate
Public Policy

University of Arkansas IRB #16-01-476
Approved: 02/05/2016
Expires: 02/04/2017

Follow the link to opt out of future emails:
[Click here to unsubscribe](#)

Appendix F
Second Letter of Intent Email

From: Katy Washington
Sent: Monday, March 07, 2016 10:01 AM
To: Survey Participant <email address>
Subject: Dissertation Research Participation Invitation: Your assistance is needed

Dear Colleague,

My name is Katy Washington, and I am currently a doctoral student at the University of Arkansas. My dissertation examines what variables affect the level of discretion exhibited among Disability Services Providers (DSPs) as they implement the Americans with Disabilities Act Amendments Acts (ADAAA) on their respective campuses. You have been identified as the Disability Services Administrator for your campus, and your participation is needed to collect research for our profession. If you are not the best person in your office to complete this survey, would you please forward this e-mail and survey link to the appropriate staff member? Only one response per office is needed.

If you have already taken the survey, please disregard this message, and I thank you for your time.

The survey is designed to be completed in approximately twenty (20) minutes. Your participation is voluntary, and you maintain the right to withdraw from the study at any time. All answers will be submitted anonymously.

Your participation in this study is very important. Please click on the link below and complete the survey by March 15.

Follow this link to the Survey:

Or copy and paste the URL below into your internet browser:

Should you have any questions about the study or the content of the survey, please feel free to contact either me or my advisor, Dr. Miller.

Thank you in advance for your consideration to participate in the study and for your help in my dissertation research.

Sincerely,
Katy Washington
Doctoral Candidate
Public Policy

University of Arkansas IRB #16-01-476
Approved: 02/05/2016
Expires: 02/04/2017

Follow the link to opt out of future emails:
[Click here to unsubscribe](#)

Appendix G
Third Letter of Intent Email

From: Katy Washington
Sent: Monday, March 14, 2016 10:02 PM
To: Survey Participant <email address>
Subject: Dissertation Research Participation Invitation: Your assistance is needed

Dear Colleague,

Hello again! I am working on a dissertation that relates to our profession, and seek your assistance to take the survey (link below).

Follow this link to the Survey:
[Take the Survey](#)

Or copy and paste the URL below into your internet browser:
http://uark.qualtrics.com/SE?SID=SV_bIsKpSnlAZaPn4F&Q_CHL=email&Preview=Survey

Your participation in this study is very important. If you have already taken the survey, please disregard this message, and I thank you very much for your time.

The survey should only take approximately twenty (20) minutes and consists of Likert scale and multiple choice questions. Your participation in this study is very important. Please click on the link below and complete the survey by tomorrow, March 15.

Should you have any questions about the study or the content of the survey, please feel free to contact either me or my advisor, Dr. Miller.

Sincerely,

Katy Washington
Doctoral Candidate
Public Policy
University of Arkansas

IRB #16-01-476
Approved: 02/05/2016
Expires: 02/04/2017

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Appendix H

Contingency Tables for Fisher's Exact Test:

Critical to ADAAA Implementation and the Service Being Provided

Consultation/Collaboration: How critical is performance indicator to implementation of ADAAA on local campus

Area 1: Consultation/Collaboration	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicators	Yes	No	Yes	No
1. Serve as an advocate for issues regarding students with disabilities to ensure equal access.	180 (97.3%)	5 (2.7%)	183 (98.4%)	3 (1.6%)
2. Provide disability representation on relevant campus committees.	172 (93.5%)	12 (6.5%)	174 (93.5%)	12 (6.5%)

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 1 being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 1

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	1	2	3
Yes	4	174	178
Total	5	176	181

Result: p (two-tailed) = 0.081
 p (two-tailed) > 0.05
 Decision: Do not reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 2 being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 2

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	3	9	12
Yes	9	160	169
Total	12	169	181

Result: p (two-tailed) = 0.035
 p (two-tailed) < 0.05
 Decision: Reject Ho

Information Dissemination: How critical is performance indicator to implementation of ADA AAA on local campus

Area 2: Information Dissemination	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicators				
3. Disseminate information through institutional electronic and printed publications regarding disability services and how to access them.	183 (98.4%)	3 (1.6%)	182 (98.4%)	3 (1.6%)
4. Provide services that promote access to the campus community.	177 (96.2%)	7 (3.8%)	172 (93.0%)	13 (7.0%)
5. Disseminate information to students with disabilities regarding available campus and community disability resources.	172 (94.0%)	11 (6.0%)	181 (97.3%)	5 (2.7%)

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 3 being critical to ADA AAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADA AAA Implementation and the Service being provided: Performance Indicator 3

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	0	3	3
Yes	3	177	180
Total	3	180	183

Result: p (two-tailed) = 1.000

p (two-tailed) > 0.05

Decision: Do not reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 4 being critical to ADA AAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADA AAA Implementation and the Service being provided: Performance Indicator 4

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	3	10	13
Yes	4	164	168
Total	7	174	181

Result: p (two-tailed) = 0.009

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 5 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 5

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	1	4	5
Yes	10	166	176
Total	11	170	181

Result: p (two-tailed) = 0.081

p (two-tailed) > 0.05

Decision: Do not reject Ho

Faculty/Staff Awareness: How critical is performance indicator to implementation of ADAAA on local campus

Area 3: Faculty/Staff Awareness	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicators				
6. Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications.	183 (100.0%)	0 (0%)	179 (97.8%)	4 (2.2%)
7. Provide consultation with administrators regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, physical, and curriculum modifications.	181 (99.5%)	1 (0.5%)	179 (97.8%)	4 (2.2%)
8. Provide disability awareness training for campus constituencies such as faculty, staff, and administrators.	168 (92.3%)	14 (7.7%)	174 (95.1%)	11 (4.9%)
9. Provide information to faculty about services available to students with disabilities.	167 (91.8%)	15 (8.2%)	180 (97.8%)	4 (2.2%)

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 6 being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 6

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No		4	
Yes		176	
Total		180	

Result: p (two-tailed) = 0.081

p (two-tailed) > 0.05

Decision: Do not reject Ho

No measures of association are computed for the crosstabulation of Prov Area 3.62: Faculty/Staff Awareness: 6. Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications. * Crit Area 3.61: Faculty/Staff Awareness: 6. Inform faculty regarding academic accommodations, compliance with legal responsibilities, as well as instructional, programmatic, and curriculum modifications. At least one variable in each 2-way table upon which measures of association are computed is a constant.

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 7 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 7

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	1	3	4
Yes	0	176	176
Total	1	179	180

Result: p (two-tailed) = 0.022

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 8 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 8

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	4	7	11
Yes	10	160	170
Total	14	167	181

Result: p (two-tailed) = 0.006

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 9 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 9

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	1	3	4
Yes	14	163	177
Total	15	166	181

Result: p (two-tailed) = 0.295

p (two-tailed) > 0.05

Decision: Do not reject Ho

Academic Adjustments: How critical is performance indicator to implementation of ADAAA on local campus

Area 4: Academic Adjustments	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicators				
10. Maintain records that document the student's plan for the provision of selected accommodations.	169 (93.9%)	11 (6.1%)	177 (97.3%)	5 (2.7%)
11. Determine with students appropriate academic accommodations and services.	178 (97.8%)	4 (2.2%)	181 (98.9%)	2 (1.1%)
12. Collaborate with faculty to ensure that reasonable academic accommodations do not fundamentally alter the program of study.	175 (96.2%)	7 (3.8%)	181 (98.4%)	3 (1.6%)

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 10 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 10

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	4	1	5
Yes	7	166	173
Total	11	167	178

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 11 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 11

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	1	1	2
Yes	3	174	177
Total	4	175	179

Result: p (two-tailed) = 0.044

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 12 being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 12

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	0	2	2
Yes	7	171	178
Total	7	173	180

Result: p (two-tailed) = 1.000

p (two-tailed) > 0.05

Decision: Do not reject Ho

Counseling and Self-Determination: How critical is performance indicator to implementation of ADAAA on local campus

Area 5: Counseling and Self-Determination Performance Indicators	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
13. Use a service delivery model that encourages students with disabilities to develop independence.	155 (86.1%)	25 (13.9%)	179 (96.2%)	7 (3.8%)

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator _ being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 13

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	6	1	7
Yes	19	154	173
Total	25	155	180

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Policies and Procedures: How critical is performance indicator to implementation of ADAAA on local campus

Area 6: Policies and Procedures	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicators				
14. Develop, review and revise written policies and guidelines regarding procedures for determining and accessing “reasonable accommodations.”	177 (97.8%)	4 (2.2%)	179 (97.3%)	5 (2.7%)
15. Assist with the development, review, and revision of written policies and guidelines for institutional rights and responsibilities with respect to service provision.	169 (93.9%)	11 (6.1%)	173 (94.5%)	10 (5.5%)
16. Develop, review and revise written policies and guidelines for student rights and responsibilities with respect to receiving services.	169 (93.9%)	11 (6.1%)	177 (96.7%)	6 (3.3%)
17. Develop, review and revise written policies and guidelines regarding confidentiality of disability information.	159 (90.9%)	16 (7.2%)	175 (95.6%)	8 (4.4%)
18. Assist with the development, review, and revision of policies and guidelines for settling a formal complaint regarding the determination of a "reasonable accommodation."	171 (96.1%)	7 (3.9%)	163 (90.1%)	18 (9.9%)

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 14 being critical to ADAAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 14

Service Provided by DSP	Critical to Implementation		
	No	Yes	Total
No	3	2	5
Yes	1	173	174
Total	4	175	179

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 15 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 15

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	3	6	9
Yes	8	161	169
Total	11	167	178

Result: p (two-tailed) = 0.012

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 16 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 16

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	4	2	6
Yes	7	164	171
Total	11	166	177

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 17 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 17

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	5	3	8
Yes	11	155	166
Total	16	158	174

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 18 being critical to ADA/AA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADA/AA Implementation and the Service being provided: Performance Indicator 18

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	5	12	17
Yes	2	156	158
Total	7	168	175

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Program Administration and Evaluation: How critical is performance indicator to implementation of ADA/AA on local campus

Area 7: Program Administration and Evaluation	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
Performance Indicator	Yes	No	Yes	No
19. Provide services that are aligned with the institution’s mission or services philosophy.	136 (77.3%)	40 (22.7%)	178 (97.3%)	5 (2.7%)
20. Coordinate services for students with disabilities through a full-time professional.	155 (86.1%)	25 (13.9%)	174 (95.1%)	9 (4.9%)
21. Collect student feedback to measure satisfaction with disability services.	124 (70.1%)	53 (29.9%)	138 (74.6%)	47 (25.4%)
22. Collect data to monitor use of disability services.	140 (78.7%)	38 (21.3%)	169 (91.8%)	15 (8.2%)
23. Report program evaluation data to administrators.	131 (74.9%)	44 (25.1%)	160 (87.9%)	22 (12.1%)
24. Provide fiscal management of the office that serves students with disabilities.	139 (78.5%)	38 (21.5%)	168 (91.3%)	16 (8.7%)
25. Collaborate in establishing procedures for purchasing the adaptive equipment needed to assure equal access.	158 (89.9%)	18 (10.2%)	169 (91.8%)	15 (8.2%)

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 19 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 19

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	5	0	5
Yes	35	134	169
Total	40	134	174

Result: p (two-tailed) = 0.001

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 20 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 20

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	6	3	9
Yes	19	150	169
Total	25	153	178

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 21 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 21

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	27	19	46
Yes	26	105	131
Total	53	124	177

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 22 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 22

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	7	8	15
Yes	31	131	162
Total	38	139	177

Result: p (two-tailed) = 0.021

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 23 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 23

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	15	7	22
Yes	29	123	152
Total	44	130	174

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 24 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 24

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	7	8	15
Yes	31	130	161
Total	38	138	176

Result: p (two-tailed) = 0.022

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher’s Exact Test

A) Ho: There is no significant association between Performance Indicator 25 being critical to ADA AAA implementation and the service being provided.

Fisher’s test on Association between Performance Indicator being critical to ADA AAA Implementation and the Service being provided: Performance Indicator 25

Service Provided by DSP	Critical to Implementation		
	No	Yes	Total
No	3	12	15
Yes	15	146	161
Total	18	158	176

Result: p (two-tailed) = 0.186

p (two-tailed) > 0.05

Decision: Do not reject Ho

Training and Professional Development: How critical is performance indicator to implementation of ADA AAA on local campus

Area 8: Training and Professional Development Performance Indicators	Responses			
	Critical to Implementation		Service Provided	
	Yes	No	Yes	No
26. Provide disability services staff with on-going opportunities for professional development.	161 (89.9%)	18 (10.1%)	170 (93.9%)	11 (6.1%)
27. Provide services by personnel with training and experience working with college students with disabilities (e.g., student development, degree programs).	141 (80.1%)	35 (19.9%)	157 (87.2%)	23 (12.8%)
28. Assure that personnel adhere to relevant Codes of Ethics (e.g., AHEAD, APA).	163 (90.6%)	17 (9.4%)	173 (95.1%)	9 (4.9%)

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 26 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 26

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	3	8	11
Yes	15	149	164
Total	18	157	175

Result: p (two-tailed) = 0.089

p (two-tailed) > 0.05

Decision: Do not reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 27 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 27

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	12	9	21
Yes	22	131	153
Total	34	140	174

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Contingency Table for Fisher's Exact Test

A) Ho: There is no significant association between Performance Indicator 28 being critical to ADAAA implementation and the service being provided.

Fisher's test on Association between Performance Indicator being critical to ADAAA Implementation and the Service being provided: Performance Indicator 28

Service Provided by DSP	Critical to Implementation		Total
	No	Yes	
No	5	3	8
Yes	12	157	169
Total	17	160	177

Result: p (two-tailed) = 0.000

p (two-tailed) < 0.05

Decision: Reject Ho

Appendix I

Contingency Tables for Fisher's Exact Test:

Discretion and Policy Environment

A) Ho: There is no significant association between the performance indicator and the campus policy environment.

Fisher's test on Association between how critical Performance Indicator 7 is to ADAAA Implementation and Campus Political Environment

Critical to ADAAA Implementation	Campus Policy Environment		Total
	Resistant	Welcoming	
No	1	3	4
Yes	61	112	173
Total	62	115	177

Result: p (two-tailed) = 1.00

p (two-tailed) > 0.05

Decision: Do not reject Ho

Fisher's test on Association between Performance Indicator 7 being provided as a service and Campus Political Environment

Provide as a Service	Campus Policy Environment		Total
	Resistant	Welcoming	
No	4	0	4
Yes	56	118	174
Total	60	118	178

Result: p (two-tailed) = 0.012

p (two-tailed) < 0.05

Decision: Reject Ho

A) Ho: There is no significant association between the performance indicator and the campus policy environment.

Fisher's test on Association between how critical Performance Indicator 8 is to ADAAA Implementation and Campus Political Environment

Critical to ADAAA Implementation	Campus Policy Environment		Total
	Resistant	Welcoming	
No	6	8	14
Yes	56	107	163
Total	62	115	177

Result: p (two-tailed) = 0.566

p (two-tailed) > 0.05

Decision: Do not reject Ho

Fisher's test on Association between Performance Indicator 8 being provided as a service and Campus Political Environment

Provide as a Service	Campus Policy Environment		Total
	Resistant	Welcoming	
No	8	3	11
Yes	53	116	169
Total	61	119	180

Result: p (two-tailed) = 0.008

p (two-tailed) < 0.05

Decision: Reject Ho

A) Ho: There is no significant association between the performance indicator and the campus policy environment.

Fisher's test on Association between how critical Performance Indicator 9 is to ADAAA Implementation and Campus Political Environment

Critical to ADAAA Implementation	Campus Policy Environment		Total
	Resistant	Welcoming	
No	5	9	14
Yes	56	107	163
Total	61	116	176

Result: p (two-tailed) = 1.00

p (two-tailed) > 0.05

Decision: Do not reject Ho

Fisher's test on Association between Performance Indicator 9 being provided as a service and Campus Political Environment

Provide as a Service	Campus Policy Environment		Total
	Resistant	Welcoming	
No	4	0	4
Yes	56	119	175
Total	60	119	179

Result: p (two-tailed) = 0.012

p (two-tailed) < 0.05

Decision: Reject Ho

A) Ho: There is no significant association between the performance indicator and the campus policy environment.

Fisher's test on Association between how critical Performance Indicator 25 is to ADAAA Implementation and Campus Political Environment

Critical to ADAAA Implementation	Campus Policy Environment		Total
	Resistant	Welcoming	
No	6	12	18
Yes	53	102	155
Total	59	114	173

Result: p (two-tailed) = 1.00

p (two-tailed) > 0.05

Decision: Do not reject Ho

Fisher's test on Association between Performance Indicator 25 being provided as a service and Campus Political Environment

Provide as a Service	Campus Policy Environment		Total
	Resistant	Welcoming	
No	9	6	15
Yes	52	113	165
Total	61	119	180

Result: p (two-tailed) = 0.043

p (two-tailed) < 0.05

Decision: Reject Ho

A) Ho: There is no significant association between the performance indicator and the campus policy environment.

Fisher's test on Association between how critical Performance Indicator 26 is to ADAAA Implementation and Campus Political Environment

Critical to ADAAA Implementation	Campus Policy Environment		Total
	Resistant	Welcoming	
No	8	10	18
Yes	53	104	157
Total	61	114	175

Result: p (two-tailed) = .436

p (two-tailed) > 0.05

Decision: Do not reject Ho

Fisher's test on Association between Performance Indicator 26 being provided as a service and Campus Political Environment

Provide as a Service	Campus Policy Environment		Total
	Resistant	Welcoming	
No	7	3	10
Yes	51	116	167
Total	58	119	177

Result: p (two-tailed) = 0.015

p (two-tailed) < 0.05

Decision: Reject Ho