

Learning Disabilities

DISABILITY DOCUMENTATION

Definition of Disability

An individual must demonstrate that his/her condition meets the definition of a disability under the **Rehabilitation Act, 1973** and/or the **Americans with Disability Act (ADA), 1990**. The ADA defines a disability as a physical or mental impairment that substantially limits one or more major life activities.

Substantially limits under ADA refer to significant restrictions as to the **condition, manner, or duration** under which an individual can perform a particular major life activity as compared to most people.

Whether a condition is substantially limiting to support an accommodation request is a decision made by qualified professional(s) based upon multiple sources of information.

A clinical diagnosis is not synonymous with a disability. The specific symptoms that are present should be stated in the documentation. Evidence that these symptoms are associated with substantial impairment in a major life activity is required for provision of accommodations. A detailed description of current substantial limitation in the academic environment is essential to identify appropriate academic accommodations, auxiliary aids, and services. Specific requests for accommodations need to be linked to the student's current functional limitations, and the rationale for each recommendation clearly stated.

General Documentation Guidelines

All institutions are required to have written policies and procedures for review of documentation submitted by students with disabilities. Decision-making for the provision of institutional-level accommodation is provided by the Office of Disability Services (ODS) or a designated office at an individual college or university.

Secondary education eligibility reports, Individualized Educational Plans, Summary of Progress reports, or previous provision of special education services may not be sufficient documentation for college-level accommodations.

Documentation should provide a diagnostic statement identifying the disability, describe the diagnostic criteria and methodology used to diagnose the condition, and detail the progression of the condition if its impact on the student's functioning is expected to change over time.

Documentation should provide an adequate representation of the student's current functional abilities. In most situations, documentation should be within three years of the student's application for services. Professional judgment, however, must be used in accepting older documentation of conditions that are permanent or non-varying, or in requiring more recent documentation for conditions for which the functional impact may change over time.

Documentation must include the names, signatures, titles, and license numbers of the appropriate evaluators, as well as the dates of testing and contact information. Evaluators must be licensed professionals whose training and licensure status is consistent with expertise in the disability for which they provide documentation.

Learning Disabilities

Learning disabilities is a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical skills. These disorders are intrinsic to the individual, presumed to be due to central nervous system dysfunction, and may occur across the life span. Problems in self-regulatory behaviors, social perception, and social interaction may exist with learning disabilities but do not, by themselves, constitute a learning disability. Although learning disabilities may occur concomitantly with other disabilities (e.g., sensory impairment, mental retardation, serious emotional disturbance), or with extrinsic influences (such as cultural differences, insufficient or inappropriate instruction), they are not the result of those conditions or influences (NJCLD, Learning Disabilities: Issues on Definition, January, 1990).

- General documentation guidelines (see above).
- Clear and specific identification of a learning disability must be stated in the documentation. For example, the terms "Learning styles" or "Learning differences" are not synonymous with a learning disability.
- Documentation of a developmental and educational history consistent with a learning disability.
- Since the manifestations of a learning disability may change over the period of childhood and adolescence, documentation must reflect either data collected within the past three years or after the age of 18.
- Information gained from standardized assessment instruments is one essential piece of the methodology used to diagnose learning disabilities. Therefore, documentation of learning disabilities must include standardized measures of academic achievement and cognitive processing abilities that have age-appropriate normative data for high school/college students or older adult non-traditional students. All standardized measures must be represented by standard scores and percentile ranks based on published norms.
- Documentation of a functional limitation(s) in one or more of the following areas of academic achievement:
 - Reading (decoding, fluency, and comprehension)
 - Mathematics (calculations, math fluency, and applied reasoning)
 - Written Language (spelling, fluency, and written expression)
- Documentation of relative strength(s) in academic achievement in order to establish the presence of a significant discrepancy between academic domains. The presence of a significant discrepancy will typically require a difference of one standard deviation between scores. However, qualified professionals may use other widely accepted metrics for documenting a significant difference between two scores (e.g., standard error of measurement).
- Documentation that alternative explanations for the academic limitation(s) have been considered and ruled out (e.g., low cognitive ability, lack of adequate instruction, emotional factors such as anxiety or depression).
- Documentation of a pattern of cognitive processing weaknesses and strengths that is associated in a meaningful way with the identified area(s) of academic limitation.
- Both processing weaknesses and processing strengths must be identified and must represent a significant discrepancy between cognitive domains. The presence of a significant discrepancy will typically require a difference of one standard deviation between scores. However, qualified professionals may document a significant difference between two scores using other widely accepted metrics (e.g., standard error of measurement).

- Processing weaknesses and strengths must be evident on multiple measures and not based on a single discrepant score on an individual test or subtest.
 - Cognitive Processing Skills (selection dependent upon case)
 - Attention
 - Executive Functions
 - Fluency/Automaticity
 - Memory/Learning
 - Oral Language
 - Phonological/Orthographic Processing
 - Visual-Motor
 - Visual-Perceptual/Visual-Spatial
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- Documentation that alternative explanations for the cognitive limitation(s) have been considered and ruled out (e.g., low cognitive ability, lack of adequate instruction, emotional factors such as anxiety or depression).
 - These guidelines are intended to guide the review of documentation and cannot substitute for the expertise and clinical judgment of a qualified professional. Failure to fully meet each of the above criteria does not automatically preclude a diagnosis of learning disabilities. In some circumstances, this diagnosis may be justified, based on an expert's integration of a student's history, test performance, and current functioning.

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