

Mining LD and ADHD Disability Documentation for Clues in Determining Eligibility for Specific Accommodations

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Manju Banerjee, Ph.D.
Associate Director, Center for Students with Disabilities
University of Connecticut
Manju.banerjee@uconn.edu

Loring Brinckerhoff, Ph.D.
Director, Office of Disability Policy
Educational Testing Service
lbrinckerhoff@ets.org

Session Objectives

Participants will learn how disability documentation and accommodation requests are reviewed from legal and practitioner perspectives.

Participants will be introduced to a disability decision making model as a template for documentation review.

Participants will learn to mine disability documentation for evidence supporting request for (1) *note-takers*, (2) *alternate media*, (3) *foreign language substitution* and (4) *reduced course load*.

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Understanding Postsecondary Accommodations

SECONDARY: Accommodations are changes to: (1) *presentation*, (2) *response*, (3) *setting/scheduling*, and (3) *time* of instructional and/or assessment materials and procedures designed to enable students to learn without the impediment of their disability. (*Thurlow, 2002*)

POSTSECONDARY: Accommodations are "appropriate academic adjustments as necessary to ensure that it (the institution) does not discriminate on the basis of disability". (*Office of Civil Rights, 2004*)

➤ "Qualified student with a disability" differs based on educational level – secondary vs. postsecondary (DOE)

Secondary – eligible for FAPE (special education)

Postsecondary – meets admission and technical standards for participation with or without accommodations

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Understanding Postsecondary Accommodations (cont.)

➤ Accommodations cannot result in lowering of academic and technical standards or provide unfair advantage to others
Questions: Who decides whether technical standards are violated? Who decides "unfair advantage"?

➤ Accommodations are determined on a case-by-case basis
Question: Does the institution have to comply with the student's request for a preferred accommodation?

➤ Accommodation decision making must consider past history
Question: Can students require the same accommodation they received in the past?

Does the Americans with Disabilities Act Amendments Act of 2008 affect postsecondary accommodations decision making?

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Implications of ADA AA for Accommodations (legal)

1.
 - Broader definition for who is an "individual with a disability", but accommodation determination is still based on established documentation guidelines
2.
 - Eligibility for accommodations must be considered without accounting for mitigating measures
3.
 - Episodic disabilities must be accommodated
 - Increased emphasis on precedence and past history of accommodations

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Basic Steps in Accommodation Decision Making

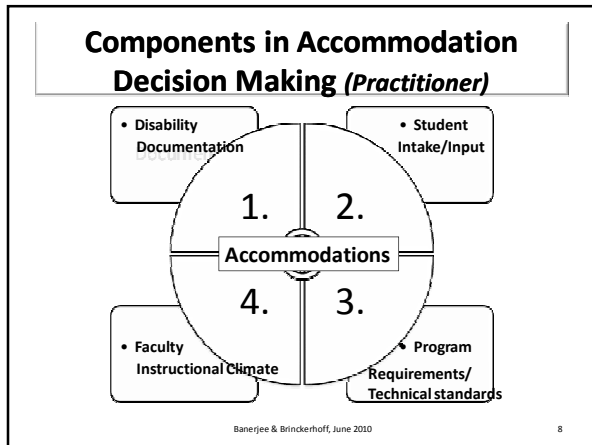
1.
 - Does the individual have a disability?
 - Is he/she eligible as an individual with a disability under the law?
2.
 - What are the individual's documented functional limitations?
3.
 - Do the functional limitations support the requested accommodations?
 - What are the appropriate accommodations?

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Accommodation Decision Making (Practitioner)

1. **Disability Documentation guidelines**
 - AHEAD best practices
 - ETS guidelines
 - Institutional guidelines
2. **Accommodation decision making is application of adopted guidelines through a review process**
 - Example: ETS has a 9 step review criteria for accommodation decision making
3. **There are multiple models of documentation review**
 - Solo; Team Approach; Consultant

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1. Note-Taker Accommodation Request

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1. Note-Taker Accommodation Request

Rationale for request: Difficulty listening and writing simultaneously; illegible handwriting; can't follow class lecture – gaps in notes; can't write fast enough

Underlying Deficits	Objective Evidence
Auditory Processing	WJ-III: Following Directions; WJ –III: Visual-Auditory Learning; Paced Auditory Serial Test (PASAT)
Distractibility Other conditions affecting attention (PTSD; ADHD, ASD)	Rating Scales for ADHD Conners' Adult ADHD Rating Scale (CAARS) Tests of Attention and Memory Test of Variable Attention (TOVA); Wechsler Memory Scales; WAIS –III-Working Memory Index

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1. Note-Taker Accommodation Request

Rationale for request: Difficulty listening and writing simultaneously; illegible handwriting; can't follow class discussion – gaps in notes; can't write fast enough

Underlying Deficits	Objective Evidence (cont.)
Processing speed*	WAIS-III – Processing Speed Index WJ-III – Processing Speed subtest
Visual attention/ Divided attention	Trail Making Test- Part A and B Wisconsin Card Sorting Test

*** This factor needs to be considered with a caveat; it often becomes a catch-all for all accommodation requests.**

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1. Note-Taker Accommodation Request

Rationale for request: Difficulty listening and writing simultaneously; illegible handwriting; can't follow pace of class discussion – gaps in notes, can't write fast enough

Documentation Markers	Authentic Evidence
Prior use/ background history	Use of note-taker accommodation noted in documentation (self reported)
Graphomotor skill	Poor handwriting (reported in documentation)
Use of technology for note-taking	Has used audio (tape) recorder; portable word processor/laptop; Smartpen

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1. Note-Taker Accommodation Request

Rationale for request: Difficulty listening and writing simultaneously; illegible handwriting; can't follow pace of class discussion – gaps in notes, can't write fast enough

Supplemental Information	Relevant Evidence
Content knowledge? Note taking strategies?	Note taker Intake (<i>handout</i>): Does student have pre-requisite knowledge & readiness for course? Sample of class notes
Instructional environment	Format of delivery; opportunity for clarification; faculty expectations
Usage pattern	Record of use (note-taker data base)

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2. Alternative Media Accommodation Request

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2. Alt Media Accommodation Request

Request based on: slow reader; background history (Mom read to me in high school); get distracted while reading, have difficulty reading unfamiliar words

Underlying Factors	Objective Evidence
Decoding	WJ-III: <i>Letter-Word Identification; Word Attack</i> WIAT: <i>Decoding; WRAT – 4 (screening)</i>
Reading Fluency	WJ-III: <i>Reading Fluency;</i> Test of Word Reading Efficiency (<i>TOWRE</i>)
Reading Comprehension	WJ-III: <i>Passage Comprehension, Reading Vocabulary</i> WIAT: <i>Reading Comprehension</i> Nelson-Denny Reading Test (NDRT) SATA: <i>Vocabulary & Reading Comprehension</i>

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2. Alt Media Accommodation Request

Request based on: slow reader; background history (Mom read to me in high school); get distracted while reading, have difficulty reading unfamiliar words

Documentation Markers	<u>Authentic Evidence</u>
Background History	Self report in documentation: <ul style="list-style-type: none"> - never/rarely reads for pleasure - limited vocabulary base - reading difficulty from early grades - repeated re-reading print without understanding - reads slowly and hesitantly

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2. Alt Media Accommodation Request

Request based on: slow reader; background history (Mom read to me in high school); get distracted while reading, have difficulty reading unfamiliar words

Supplemental Information	<u>Relevant Evidence</u>
Student Intake	Handout - Audio Matching Profile for Students (<i>AMPS Inventory for audio books</i>)
Experience with technology	Has used alt media in the past for reading support

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3. Foreign Language Course Substitution Request

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3. Foreign Language Substitution Request

Rationale for request: Unable to learn a foreign language (FL) despite attempt; has difficulty speaking another language; cannot remember; was exempted/struggled with (FL) in high school

Underlying Deficits	Objective Evidence
Memory (Auditory & Verbal) (Visual- Auditory integration)	WAIS- III: <i>Digit Span; Working Memory Index</i> WJ-III: <i>Story Recall, Understanding Directions, Memory for Sentences</i> PASAT: <i>Auditory memory/attention + processing speed + cognitive load (calculation)</i> CVLT – <i>Verbal Memory</i> Wide Range Assessment of Memory & Learning - 2

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3. Foreign Language Substitution Request

Underlying Deficits	Objective Evidence
Phonological Processing	CTOPP: <i>Phonological Awareness; Phonological Memory, Rapid Naming</i> WJ-III: <i>Word Attack, Spelling of Sounds, Sound Awareness</i>
Expressive/ Receptive Language	TOAL: <i>Spoken & Written language abilities;</i> WJ-III: <i>Verbal analogies. Listening Comprehension, Oral Vocabulary;</i> WIAT-III; COWAT; CELF-4;
Language learning ability	MLAT* – <i>Phonetic coding, grammatical sensitivity, rote learning; inductive language learning (* Lacks technical adequacy); TLC-E (level 2)</i>

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3. Foreign Language Substitution Request

Rationale for request: Unable to learn a foreign language (FL) despite attempt; has difficulty speaking another language; cannot remember; was exempted/struggled with (FL) in high school

Documentation Markers	Authentic Evidence
Grade school history	Exemption or substitution of foreign language in grade school
Grades in attempted FL courses	High school and college transcripts

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3. Foreign Language Substitution Request

Supplemental Information	Relevant Evidence
Student Intake/Personal Statement	Letter written by student explaining rationale for FL substitution accommodation request E.g., Academic Adjustment Petition (<i>UConn</i>); <i>Handout</i>
Grades received	Student explanation of type of FL course attempted in grade school and grading rubric used
Letters of support	Letter from guidance counselor, tutor, FL teacher in support of request

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4. Reduced Course Load Accommodation Request

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4. Reduced Course Load Request

Rationale for request: Transfer student; multiple disabilities; on academic probation

Underlying Deficits	Objective Evidence
Overall cognitive abilities	WAIS-IV; WJ-III: Broad Cognitive Ability
Anxiety	Diagnosis of Generalized Anxiety Disorder; MMPI-2
Other diagnoses	Psychiatric; Post Traumatic Stress Disorder; Sleep Disorder

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4. Reduced Course Load Request

Rationale for request: Transfer student; multiple disabilities; on probation

Documentation Markers	<u>Authentic Evidence</u>
Psychiatric overlay	Reported anxiety, even if not formally diagnosed
Medical	Frequently missed classes due to medical condition (Crohns) or side effects of medication

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4. Reduced Course Load Request

Rationale for request: Transfer student; multiple disabilities; on probation

Supplemental Information	<u>Relevant Evidence</u>
Academic	Failing to meet minimal GPA for program advancement
Significant deficits in basic skills areas	Need to meet "Gen Ed" requirements that tap into area of deficit

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Tipping Points in Documentation Review


- Compelling history of accommodations
 - ◆ Coping strategies (self-accommodation) ◆ Informal
 - ◆ Classroom/other tests ◆ High stakes tests
- Absolute versus a relative deficit (scores)
- Threshold level of cognitive abilities (evidence of unexplained underachievement)
- Strong evidence of deficiency in area directly related to the accommodation request
- 5*. Evidence of improved performance with accommodation

Concluding Thoughts

1. • Avoid simplistic defaults to requested accommodations
2. • Accommodation determination should be dynamic – semester by semester
3. • Accommodations are not a guarantee for success; students need to understand this premise

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Audience Q and A



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