

HOBART AND WILLIAM SMITH COLLEGES
Center for Teaching and Learning
Geneva, NY 14456

Guidelines for Documenting Learning Disabilities

The students of Hobart and William Smith Colleges are protected from discrimination on the basis of disability by Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act (ADA), and other applicable law. By such legislation, individuals with disabilities are guaranteed certain protections and rights of equal access to programs and services. Eligibility is based on the existence of an identified physical, mental, or health impairment and/or a disability that substantially limits a major life activity.

Not every impairment qualifies as a disability protected by the ADA, because not every impairment is substantially life limiting. This is why a determination of disability must be made on an individual, case-by-case basis. Whether a substantial limitation to a major life activity exists depends upon an analysis of: (1) the nature and severity of the impairment, (2) the duration of the impairment, and (3) the permanent or long-term impact of impairment. Thus, the key factor in answering the question of whether there is a substantial limitation is the actual effect on the individual's life.

Documentation of Learning Disability and Related Accommodation

According to the National Joint Committee on Learning Disabilities, *learning disability* is "a generic 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 abilities. These disorders are intrinsic to the individual and presumed to be due to central nervous system dysfunction. Even though a learning disability may occur concomitantly with other handicapping conditions . . . or environmental influences . . . it is not the direct result of those conditions or influences." The criteria that comprise the diagnostic elements of Learning Disorders are detailed in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV).

Hobart and William Smith Colleges recognize that some students with Learning Disabilities require accommodations. An HWS student, either incoming or enrolled, who believes that she/he may be eligible for disability related accommodations due to a Learning Disability, must first establish eligibility by voluntarily disclosing the disability and providing suitable evidence of Learning Disability to the Colleges. This is accomplished by registering with the Office of Disability Services in the Center for Teaching and Learning and submitting comprehensive documentation of disability to that office. In order to receive accommodations, the registration and documentation processes must be completed.

Reasonable accommodation of Learning Disabilities is an effort on the part of the Colleges to provide students disabled by the various disorders access to its programs and services, while maintaining the Colleges' academic standards and the essential nature of its traditions and practices as a residential liberal arts college.

Accommodations are determined on an individual basis as substantiated by diagnostic documentation, and are based on the impact to major life activities. Documentation review, accommodations, and student support are provided through various offices of the Colleges, and are coordinated through the Office of Disability Services in the Center for Teaching and Learning.

Guidelines for Documentation of Learning Disabilities

The following guidelines are intended to help define the type of information needed to substantiate eligibility and support requests for reasonable accommodations of Learning Disabilities.

Documentation should be original copies of comprehensive clinical/diagnostic evaluations, usually including a psycho-educational evaluation, on the letterhead of the professionals who conducted the assessments. The name, title, and professional credentials of each evaluator as well as information about his or her licenses or certifications, area of specialization, and location of employment or practice should be included in the documentation. Faxed or emailed documentation is not acceptable.

Comprehensive documentation of Learning Disabilities should include the following six components: 1) evidence of existing impairment; 2) background information (e.g., interview, review of records); 3) relevant testing; 4) specific diagnosis, in the case of Learning Disabilities, addressing the diagnostic criteria set forth in the DSM-IV; 5) rule-out of alternative diagnoses or explanations; 6) an integrated summary.

In making a specific diagnosis of Learning Disability, the evaluator should use direct, definitive language. Clinicians should avoid speculative language such as “suggests,” “has problems with,” “is indicative of,” etc. in making diagnostic statements. Terms like “individual learning style,” “academic problems,” and “test anxiety” do not substantiate a disability.

Comprehensive documentation should contain a description of the current levels of performance as they relate to functional limitations in the residential college environment. The degree to which these limitations affect major life activities should be clearly articulated.

A diagnosis of a Learning Disability in and of itself does not automatically warrant accommodation. Further, prior history of accommodation without evidence of current disability related need does not warrant accommodation. It is important that the documentation submitted contains a rationale for each requested accommodation. A diagnostic link between the functional limitations to major life activities due to disability and the related reasonable accommodations in the residential college environment must be established. HWS encourages evaluators to be very specific in establishing the disability/accommodation link. In order for services to be provided, a student must request each specific service or accommodation.

Evaluator Qualifications

The professionals conducting assessments, rendering diagnosis of Learning Disabilities, and recommending reasonable and appropriate accommodations should be qualified to do so. Comprehensive training with regard to the specific disability being addressed and/or direct experience with adolescent and/or adult populations are essential. The evaluators should not be related by blood or marriage, nor should an evaluator be a personal friend of the student being evaluated. Diagnostic reports must include the names, titles, and professional credentials of the evaluators as well as the dates of testing.

Typically, an initial diagnosis of Learning Disability is made by a certified psychologist or by an interdisciplinary team in a school setting. This process involves psycho-educational testing that can be essential in diagnosing a Learning Disability and identifying academic strengths and weaknesses. Such testing can be instrumental in establishing the disability/accommodation link.

Timeliness of the Evaluation

The evaluation should be current. One purpose for updated evaluations is to determine a student's current level of functioning and need for accommodation. Some students with Learning Disabilities have diagnoses that are long standing. Even in such cases, the characteristics and manifestations of a disability can change over time or due to factors such as variability of symptoms, living situation, course load, etc. Since reasonable accommodations at HWS are based on current levels of functioning in the residential college environment, there is a substantial need for current, relevant documentation that addresses such issues and informs the documentation and accommodation processes.

Generally, the principle documentation should be no more than three years old. Moreover, to insure that such documentation addresses the specific environment of the HWS community, an updated letter, no more than six months old from the original evaluator or an appropriate, qualified professional is generally required. Such documentation should include the current level of functioning including any relevant updated diagnostic information and a related rationale for each requested accommodation.

Confidentiality

Hobart and William Smith Colleges will not release any information regarding an individual's diagnosis or medical information without his or her informed written consent. Information will be released only on a "need to know" basis, except where otherwise required by law. Furthermore, to safeguard the confidentiality of individuals with disabilities, evaluators may withhold any portion of the documentation that is not directly relevant to the Colleges criteria for establishing disability and rationale for requested accommodations.

Additional Information

For additional information, please consult the HWS Catalog for sections addressing disability policy and disabled student services. If you need further clarification, or have questions in regard to these guidelines, please contact:

Hobart and William Smith Colleges
The Coordinator of Disability Services
The Center for Teaching and Learning
Geneva, NY 14456

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