

ADA Guidelines for Documentation of a Neurodiverse Disability - Learning Disability

A specific learning disability that substantially limits one or more major life activities to support eligibility under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Students are encouraged to provide their clinicians with a copy of these guidelines.

To initiate the accommodation review and determination process, appropriate documentation must include the following:

- A comprehensive psycho-educational evaluation must address all of the following:

Aptitude/Cognitive Ability: A complete intellectual assessment with all subtests and standard scores reported is essential. (See Appendix A)

Academic Achievement: A comprehensive academic achievement battery is essential, with all subtests and standard scores reported for those subtests administered. The battery must include current levels of academic functioning in relevant areas such as reading (decoding and comprehension), mathematics, and oral and written language. (See Appendix A).

Information Processing: Specific areas of information processing (e.g. short and long term memory; sequential memory; auditory and visual perception/processing; processing speed) must be assessed and should be addressed in the written interpretative summary of the documentation. (See Appendix A).

- Testing should be current, conducted within three years, and assess the current impact of the student's disability on academic performance.
- Clear and specific evidence of a learning disability must be presented. Terms such as "learning differences", "learning styles", or "weaknesses" are not the equivalent of a learning disability.
- Actual test scores must be provided along with an interpretation of test results. Test protocol sheets or scores alone are not sufficient.
- A professional qualified to conduct assessments and render a diagnosis of learning disability must perform testing. Names and credentials, including licensing, certification and their areas of specialization must be clearly indicated on the report. All reports must be typed and dated.
- Testing must include information about the functional limitations of the student. Tests must indicate how the student's disability will affect his/her current participation in courses, programs, services, or any other activities of the University.
- Recommendations for accommodations must be based on objective evidence of a substantial limitation to learning and be supported by test results and clinical observations.
- The University has the right to request additional documentation if the original documentation is

incomplete or insufficient in determining a qualifying disability or reasonable accommodation(s).

- The University has the right to deny accommodations in the event that the request is deemed unreasonable, or presents an undue hardship.
- The University has the right to deny accommodations in the event that the documentation provided does not support the specific accommodation request in accordance with the ADA.
- Documentation must demonstrate a direct correlation between the diagnosed disability, the barrier to access caused by the disability, and the requested accommodation.
- Reasonable accommodations cannot fundamentally alter any program or course requirements.
- Any cost incurred in obtaining additional information must be borne by the student.

*Individual Education Programs (IEPs) or 504 Plan applies to K-12 special education laws and does not transfer to higher education. The documentation required is the psycho-educational evaluations that created an IEP/504 Plan in high school.

Appendix A

When selecting a battery of tests, it is critical to consider the technical adequacy of instruments, including their reliability, validity, and standardization on an appropriate norm group. The professional judgment of an evaluator in choosing tests is important. The following list is provided as a helpful resource.

Aptitude/Cognitive Ability

- Wechsler Adult Intelligence Scale – III (WAIS-III)
- Woodcock-Johnson – III Tests of Cognitive Ability
- Kaufman Adolescent and Adult Intelligence Test
- Stanford-Binet IV

The Slosson Intelligence Test – Revised and the Kaufman Brief Intelligence Test are primarily screening devices which are not comprehensive enough to provide the kinds of information necessary to make accommodation(s) decisions.

Academic Achievement

- Scholastic Abilities Test for Adults (SATA)
- Stanford Test of Academic Skills (TASK) • Woodcock-Johnson-III – Tests of Achievement
- Wechsler Individual Achievement Test (WIAT) Or specific achievement tests such as
- Nelson-Denny Reading Test
- Stanford Diagnostic Mathematics Test
- Test of Written Language – 3 (TOWL-3)
- Woodcock Reading Mastery Tests – Revised



Student Access Office
University Center, Room 314
1 South Ave
Garden City, NY 11530

Specific achievement tests are useful instruments when administered under standardized conditions and when the results are interpreted within the context of other diagnostic information. The Wide Range Achievement Test – 3 (WRAT-3) is not a comprehensive measure of achievement and therefore should not be used as the sole measure of achievement.

Information Processing

Acceptable instruments include, but are not limited to, Detroit Tests of Learning Aptitude – 3 (DTLA-#) or Detroit Tests of Learning Aptitude – Adult (DTLA-A). Information from subtests on WAIS-R or Woodcock-Johnson-III – Tests of Cognitive Ability, as well as other relevant instruments, may be useful when interpreted within the context of other diagnostic information.