

## CALIFORNIA STATE UNIVERSITY

### **Guidelines for the Assessment and Verification of Students with Learning Disabilities**

The California State University prohibits unlawful discrimination against students on the basis of disability in its programs, services, and activities, in accordance with the Americans with Disabilities Act of 1990 (ADA), as amended; Sections 504 of the Federal Rehabilitation Act of 1973, as amended; applicable state laws and regulations; and pursuant to the California State University “Policy for the Provision of Accommodations and Support Services to Students with Disabilities” (2002, hereafter referred to as CSU Policy). Guidelines for the assessment and verification of students with learning disabilities for the purpose of providing accommodations and support services are presented in this document, “California State University Guidelines for the Assessment and Verification of Students with Learning Disabilities” (hereafter referred to as CSU Guidelines).

The CSU Guidelines are designed to provide an equal educational opportunity to students with learning disabilities who are otherwise qualified for admission. The guidelines are based on a compilation of the Association on Higher Education and Disability (AHEAD) “Guidelines for Documentation of a Learning Disability in Adolescents and Adults” (1997), on the Educational Testing Services (ETS) “Policy Statement for Documentation of a Learning Disability in Adolescents and Adults” (1999), and in consultation with professionals in the CSU system. These CSU Guidelines supersede eligibility criteria issued by the Office of the Chancellor in 1987. If any of the laws and regulations upon which the CSU Guidelines are based as amended, the most current applicable laws and regulations shall apply.

#### **I. CSU Definition of a Learning Disability**

The CSU system adheres to the definition of learning disabilities as developed by the National Joint Committee on Learning Disabilities (2001):

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 abilities. 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 handicapping

conditions (for example, 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.

## **II. Qualifications of the Evaluator**

To be considered qualified to evaluate specific learning disabilities, the professional(s) shall have training and experience in the assessment and diagnosis of learning disabilities in adolescents and adults. Qualified professionals include clinical or educational psychologists, school psychologists, neuropsychologists, learning disabilities specialists, and other professionals. All documentation must be legible, on letterhead, dated, signed, and include the professional's title, professional credential, and/or license number (if appropriate). It is not considered appropriate for professionals to evaluate members of their families (AHEAD, 1997; ETS, 1999).

## **III. Assessment and Substantiation of a Learning Disability**

### **A. Background**

The guidelines for the assessment and verification of students with learning disabilities conform to national standards and are consistent with the AHEAD Guidelines (1997), ETS Policy (1999), and the CSU Policy (2002). Documentation should validate the need for accommodations and support services based on the student's current level of functioning in the educational setting. A school plan, such as an individualized education program (IEP) or a 504 plan, is insufficient documentation, but it may be included as part of a more comprehensive assessment battery.

Confidential records will be protected in accordance with the Family Education Rights and Privacy Act (FERPA, 2001) and its regulations as stated in the CSU Policy:

Each CSU campus shall maintain appropriate confidential records that identify students with disabilities. These records shall include the student's name, address, social security number, nature of disability, support services needed, and verifying statement of the director or designee of services to student with disabilities, and documentation provided by the student. All such records, including student medical records, shall be considered "education records" protected by the Family Educational Rights and Privacy Act of 1974 (FERPA) and its regulations. Although certain medical records are exempt from FERPA's definition of "education records," that exemption does not apply to student medical records maintained by a campus program for services to students with disabilities. Accordingly, confidential records will

be protected in accordance with FERPA regulations with the purpose of providing appropriate academic accommodations or adaptation of curricula. Information about the student may be released with the student's informed written consent in accordance with FERPA or other applicable legislation.

The provision of all reasonable accommodations and support services is based upon assessment of the impact of the student's disability or disabilities on his or her academic performance at a given time in the student's life. Therefore, it is in the student's best interest to have recent and appropriate documentation relevant to the student's learning environment (AHEAD, 1997).

## **B. Assessment Process**

The proper diagnosis of a learning disability involves an orderly, deductive process during which a wide range of information must be considered. Reliance on a single test instrument, no matter how comprehensive it appears, may be misleading. A comprehensive assessment and the resulting diagnostic report will include a diagnostic interview, evaluation of aptitude, academic achievement, information processing, clinical observations/processes and a diagnosis (AHEAD, 1997; ETS, 1999).

### **1. Diagnostic Interview**

The assessment of learning disabilities requires a comprehensive diagnostic interview. Relevant information from across a lifespan should include the following areas: presenting problem(s), academic history, developmental history, medical history, psychosocial history, family history, primary language of the home, student's current level of English fluency, any other existing diagnosis(es), and medications, past and present. During the interview, the professional will explore possible alternative explanations for the presenting problem(s) other than learning disabilities (AHEAD, 1997; ETS, 1999).

### **2. Testing Process**

The testing process should utilize current, technically adequate, standardized instruments and should be based on a thorough examination of the student in the following areas (AHEAD, 1997; ETS, 1999):

#### **a. Aptitude:**

A complete intellectual/cognitive assessment is required. Students with learning disabilities characteristically display significant intra-cognitive discrepancies as compared to students without learning disabilities.

b. Academic Achievement:

A comprehensive academic achievement battery is essential, including current levels of academic functioning in relevant areas such as reading (decoding and comprehension), mathematics, oral language, and written language. Students with learning disabilities characteristically display significant aptitude-achievement discrepancies as compared to students without learning disabilities.

c. Information Processing:

Specific areas of information processing (e.g., short-term memory, sequential memory, auditory and visual perception/processing, executive functioning, psychomotor ability) should be assessed.

d. Clinical Observations/Processes:

Other assessment instruments, such as non-standard measures and informal assessment procedures or observations, may be helpful in determining performance across a variety of domains. In addition to standardized tests, clinical observations are essential to the assessment process. It may also be useful to include information derived from “testing of the limits.”

**C. Test Scores**

All subtests, factor, index, and cluster scores should be reported and considered when making a diagnosis. Standard scores and percentiles should be provided for all normed measures when intrinsic to the instrument. Whenever possible, age-based scores are preferred for an adult population; grade equivalent scores alone are not useful (AHEAD, 1997).

**D. Interpretation**

Assessment instruments and the data they provide do not diagnose; rather, they provide important elements that must be integrated by the evaluator with background information, observations of the client during the testing situation, and the current context. It is essential, therefore, that professional judgment be utilized in all cases. An indication of how patterns in the student's cognitive ability, achievement, and information processing reflect the presence of a learning disability is critical. The particular profile of the student's strengths and weaknesses must be shown to relate to functional limitations that may necessitate accommodations and support services. Moreover, it is critical that the evaluator has ruled out alternative explanations for academic problems, such as those resulting from poor education, poor motivation and/or study skills, emotional problems, attentional problems, and cultural/language differences (AHEAD, 1997).

## **E. Diagnosis and Summary**

All of the aforementioned information should lead to a written diagnostic summary regarding the presence or absence of a learning disability(ies). This summary should include specific recommendations for accommodations and support services, as well as an explanation as to why such accommodations and support services are recommended. The evaluator should support recommendations with specific test results and/or clinical observations (AHEAD, 1997).

## **F. Prior Verification**

Flexibility in accepting documentation is important, especially in settings with significant numbers of non-traditional students. In some instances, documentation may be outdated or inadequate in scope or content. In other instances, it may not address the student's current level of functioning or need for accommodations and support services because observed changes may have occurred in the student's performance since the previous assessment was conducted. Consequently, it may be appropriate for a qualified professional to update the evaluation report. The purpose of this update is to determine the student's current need for accommodations and support services and should include a rationale for ongoing accommodations and support services (AHEAD, 1997; ETS, 1999).

In order to receive accommodations and support services, prior verification must meet the same guidelines as outlined previously. A diagnosis of a learning disability by a qualified professional (whether in private practice or in a previous school setting) does not automatically guarantee that identical accommodations and support services will be provided (AHEAD, 1997; ETS, 1999).

Prior verification of a learning disability must be comprehensive and meet these CSU Guidelines. In order to receive accommodations and support services the documentation should:

1. be submitted by a professional qualified to diagnose a learning disability (e.g., clinical or educational psychologists, school psychologists, neuropsychologists, learning disability specialists, other professionals) and,
2. include the testing/evaluation procedures, test scores, and results used to diagnosis a learning disability.

Documentation for students who have been determined eligible for accommodations and support services according to the criteria established by the California Community College system will be reviewed pursuant to the “CAPED Handbook for Transition of Students with Learning Disabilities” (1999). If accommodations and support services are not clearly identified and supported by test results, the CSU will seek clarification and more information if necessary. The final determination for providing appropriate and reasonable accommodations and support services rests with the CSU campus.

**G. Recommendations for Accommodations and Support Services**

It is important to recognize that needed accommodations and support services can change over time and are not always identified through an initial diagnostic process. Conversely, a prior history of accommodation(s) does not, in and of itself, warrant the provision of a similar accommodation(s). Accommodations and support services will be directly related to the diagnostic results. The final determination of appropriate and reasonable accommodations and support services rests with the CSU campus.

**IV. Appeal Process**

Pursuant to Section 504 and the ADA, students with disabilities who are denied a requested accommodation may appeal the decision through on-campus informal and formal accommodation dispute resolution processes.