



South Texas  
COLLEGE OF LAW  
— HOUSTON —  
PRIVATE AND INDEPENDENT  
SINCE 1923.

## Learning Disability Documentation Guidelines

Please complete the South Texas College of Law Houston online *Application for Accommodations and/or Services for Students with Disabilities* and submit the required documentation:

1. A copy of **PREVIOUS ACCOMMODATIONS**: An official notice of accommodations granted by high school, college, the SAT, ACT, LSAT, MPRE, etc.
2. A **PERSONAL STATEMENT** as directed, below.
3. All required **DOCUMENTATION, including previous evaluations**, as directed below.

**Directions for a PERSONAL STATEMENT** to be completed by you. This statement should be about two to three pages in length, although it may be longer. This personal statement will form an integral part of our inquiry process and **will factor strongly into the decision-making process**.

Respond to the topics below to show how your disability substantially limits one or more major life activities. Major life activities include learning, reading, concentrating, thinking, communicating, and working. Describe your current symptoms in detail. Recall that you should be describing functional limitations compared to **most people in the general population and not compared to your peers in law school**. Many students have trouble reading law books and must re-read material more than once. Provide as much concrete evidence as possible. Some topics may require several paragraphs to provide sufficient detail, particularly for students who have never received accommodations prior to receiving them on the LSAT exam.

**Topic 1: When did you first experience symptoms related to your disability?** How old were you? What kind of help did you seek? Did you have any special services, attend special classes, tutoring? Were you formally evaluated? Did you have an IEP or 504 plan in elementary school, middle school, high school, or college? Did you receive accommodations in any educational settings? Did you receive accommodations on any standardized tests, including the SAT, ACT, LSAT?

If you were not formally diagnosed prior to age 18, this section should be very detailed to show that you exhibited symptoms throughout your educational career. Learning Disabilities are developmental in nature and onset occurs in childhood, although it may not be detected or formally diagnosed, particularly in bright individuals who work hard to compensate or seek a good deal of informal support. Parental information may be helpful to document teacher reports. Any interventions that were provided are important. Include any tutoring or extra help you

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received that most students did not need, particularly if it was ongoing or intensive. If you had any history of receiving special help in school, include that here. If you had standardized test scores that were markedly below anticipated outcomes, include that here.

**Topic 2: What current symptoms related to your disability substantially limit a major life activity in academic settings?** Include limitations related to studying, reading, memorizing, writing, organizing time and materials, taking notes in class, participating in class discussions, etc.

**Topic 3: What current symptoms related to your disability substantially limit a major life activity on exams?**

**Topic 4: What current symptoms related to your disability substantially limit a major life activity outside of school?** Remember, most people in the general population would experience difficulties in law school, so you should be able to describe a need for accommodations across settings. What current symptoms related to your disability substantially limit a major life activity in work or in internships in the recent past? Have you ever requested or received formal or informal accommodations in the workplace? If so, please explain. Formal accommodations might include putting in non-billable hours to finish work colleagues easily finished in the allotted time. Informal accommodations could include requesting permission to wear headphones, asking for permission to use spellcheck enabled laptops, re-reading information at home on your own time because you have to read everything twice to avoid missing details.

**Topic 5: What kinds of strategies or skills have you learned that have helped you deal with your symptoms?**

**Topic 6: What accommodations do you require?** Write a very specific rationale for each accommodation. Tie the rationale to the symptoms and functional limitations you have described. Have you experienced a difference in your performance when you have had accommodations? What was the difference?

**Topic 7: If applicable; this question should be given a great deal of consideration: Have you decided not to apply for accommodations in other settings?** Were you successful without accommodations? Explain. Stating that the “reading in law school is harder,” would not likely rise to the level of a disability as that would be true for most people in the population, including most students with a four-year college degree. Stating that you were able to avoid in-class, timed exams is a legitimate explanation. If you took tests with and without accommodations and there was a marked difference, compare your performance.

Likewise, compare your performance from transcripts when classes required timed and untimed tests.



If you have applied for accommodations in other settings and were denied in whole or part, provide the month and year the request was made, the condition or diagnosis for which accommodations were requested, the accommodations requested, the educational institution or testing agency and the reason given for the denial of partial denial.

**Topic 8: (Optional)** Add anything else you believe is relevant to formulate a solid argument to show why your disorder rises to the level of a protected disability meriting accommodations.

**A Note to the Student:** Everything you included in the personal statement should be incorporated in either a new or updated evaluation from a qualified practitioner. Why? All questions included in this statement are also required in the applications for accommodations by the BLE, but only a single page is provided for a personal statement. Further, some questions can only be addressed by a qualified practitioner. The examiner can simply state: As part of the required application for STCLH, the client completed a detailed personal history. I endorse the information copied here in its entirety.

**EVALUATION(S):** Provide all previous evaluations, or the dates they were administered, where they were administered, and the name of the evaluator or school district if not available.

You should share this document with your evaluator as standards for STCLH, the NCBE, and BLE have changed significantly in the past four years.

An evaluation that is more than five years old will be considered, particularly in the case of adults with a long-standing and well-documented history of learning disabilities or dyslexia. If testing was conducted prior to age 16, an abbreviated re-evaluation may be required. Clinical observations and an addendum including the student's *Personal Statement* showing the impact of the disability on the student might be sufficient.

If the student has never been fully evaluated and has no formal, standardized testing, a complete evaluation is **mandatory**.

Learning Disabilities are developmental in nature and can be traced back to childhood, even if the student was not formally diagnosed. It is essential to provide a thorough report explaining that learning disabilities did not materialize in adulthood, manifested only in the law school environment.

**A comprehensive evaluation** is typically about 8-10 pages in length. This evaluation typically includes interviews, clinical observations, a review of past records, and a 4–6-hour battery of standardized tests.



## **Evaluations should include the following:**

### **Background information:**

Developmental history, medical history, primary language dominance, past and current academic functioning, previous evaluations, a history of functional limitations dating back to childhood and related to the disability, and a history of services for disabilities, including accommodations and results of accommodations. services for disabilities. This information can be gathered from previous evaluations, self-reports, report cards, and transcripts.

First-time adult evaluations of learning disabilities must provide detailed clinical evidence of functional limitations dating back to childhood, an explanation of past success without accommodations, and why accommodation is needed at this time. Include a history of presenting **childhood** learning difficulties that interfered with functioning over time and evidence of prior to age 12. If there was not a formal diagnosis, this section of the report should include detailed anecdotal evidence, including information gleaned from academic transcripts, teacher comments, tutoring evaluations, and report cards to describe, in detail, functional limitations dating back to childhood and related to the disability.

### **Current Functioning:**

Describe symptoms in detail. A bulleted list from the DSM manual will not suffice. Explain how long symptoms have been present and their impact in academic pursuits, exams, social settings, and employment settings. The documentation should also specify the current severity of symptoms (mild, moderate, or severe). Symptoms that will support a need for accommodations must be substantial compared to **most people in the general population, and not only in comparison to other law students**. The student should be able to provide examples of accommodations needed in the workplace, even if they are informal, such as wearing headphones, working extra hours without pay to complete work others complete more quickly, asking for permission to use a spell-check enabled laptop for meetings, etc.

### **Test Observations:**

Discuss whether the applicant's motivation level, interview behavior, and/or test-taking behavior were adequate to yield reliable diagnostic information/test results. Describe how this determination was made.

Was testing performed to assess the possibility that a lack of motivation or effort affected the test result? If so, describe the findings, including the results of symptom validity tests. If such tests were not administered, please state why they were not, and how test reliability was ascertained. This is particularly important if test scores do not align with known achievement levels.

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## **Standardized Testing and Clinical Assessments**

**All standardized test scores and subtest scores, including percentiles must be included.**

Standard age norms should be used for all testing, when available. A thorough explanation and interpretation of findings is required and are given a very high degree of consideration. Include the following:

1. A measure of adult intellectual functioning. The Wechsler Adult Intelligence Test is the preferred instrument. Other acceptable measures of Aptitude include the Woodcock Johnson Psycho-Educational Battery- Tests of Cognitive Ability, and the Stanford Binet Intelligence Scale. Screening instruments or partial batteries are unacceptable. Include subtest scores and index scores with percentiles for both. Discuss findings and interpretation of test results.
2. Assessment devices for information processing may include measures of working memory, short-term memory, long-term memory, processing speed, academic fluency, and other tests deemed relevant by the examiner. Provide percentiles for all tests when available. Discuss findings and interpretation of test results.
3. Standardized, individualized, achievement tests for adults in Reading Comprehension, Reading Decoding, Written Expression for Content and Mechanics, Tests measuring receptive and expressive language will also be considered and other relevant measures. Screening devices such as the Wide Range Achievement Test are unacceptable. Specific batteries used to assess dyslexia are also helpful when applicable. Standardized test scores, subtest scores, and percentiles must be included, along with a narrative interpretation of test results.
4. Documentation can also include information gleaned from interviews and the student's *Personal Statement*, written as part of the application process for South Texas College of Law Houston. Many examiners include this *Personal Statement* as an appendix of the report to be certain it becomes a part of the official record.

## **Summary and Findings:**

If found, provide a clear and specific diagnosis using the diagnostic criteria from the most recent Diagnostic and Statistical Manual of Mental Disorders with an indication of the specific diagnosis. Non-specific diagnoses, such as “learning styles,” “learning differences,” “test anxiety,” and “processing delays,” do not constitute a learning disability.

Given the high rate of dual disabilities, the documentation should address the possibility of relevant disorders or disabilities and rule out that the diagnosis is not a function of some other

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mental disorder (such as a mood, anxiety, personality disorder, psychosis, substance abuse, low cognitive ability, etc.).

Include a statement of how the disability significantly limits learning, documented by the information in the evaluation and current functioning in more than one setting.

### **Recommendations:**

For each recommended accommodation, include a rationale correlated with specific functional limitations established through the evaluation process.

Examples of recommended accommodations and rationales follow. They were composed by our Independent Educational Consultant, Laura Naistadt Massa, M.S., M.Ed., who has granted permission for qualified examiners to use this wording and format, verbatim, when it applies.

#### *50% Extended time*

Rationale: Extended time for reading enables Mr. Qualified to re-read everything twice. In the first reading, he attends primarily to the act of decoding the words, paying attention to small words and details, such as “not,” or “but.” He uses extra time to avoid misreading visually similar words such as “prosecute” and “persecute.” In the second reading, he is able to devote his concentration to the content of the prompt and formulate responses.

Extended time for writing allows Mr. Qualified to create more detailed outlines before writing, as he has trouble writing and spelling automatically, even when using spell-check enabled features. As with his reading, he has to work deliberately to avoid omitting key words such as “not,” or “but,” in providing responses. He also requires extended time to closely edit his own work, which is also time-consuming.