

Accommodation of Candidates with Disabilities

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International Education Paper

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PREFACE

The Education Committee is a standing committee of the Board of the International Federation of Accountants. It was formed to develop standards, guidelines and other pronouncements on prequalification education for members of the profession and on matters relating thereto, and on continuing professional education for members of the profession and on matters relating thereto, and to promote understanding and acceptance of such standards and guidelines

This International Education Paper is intended to increase the awareness among member bodies of issues that may arise in the education process concerning candidates with demonstrated disabilities.

The Paper concerns the disabilities that impair a person's ability to learn or demonstrate the competencies to be a professional accountant. The Paper sets out issues member bodies should consider and provides information on how member bodies might address these issues. Sample policies from several institutions are provided to assist member bodies.

Member bodies should strive to provide reasonable accommodation to persons with proven learning disabilities to minimize or eliminate the impact of the disability. Learning disabilities can take the form of physical or sensory disabilities, or disabilities caused by a known or assumed neurological dysfunction.

It is acknowledged that each jurisdiction has its own laws and policies regarding its citizens with disabilities. The contents of this Paper should in no way be construed as applicable to any jurisdictions other than those quoted.

The Committee is grateful to Steven J Glover, MBA, FCA, Executive Director, Institute of Chartered Accountants of Alberta, Edmonton, Alberta, Canada, for authoring this paper. The Committee acknowledges the cooperation of the many members and technical advisors of the Education Committee for their helpful comments and those organizations that contributed material presented in the appendices.

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PART A: OBJECTIVE OF THE PAPER

This paper aims to meet the following objectives:

- heighten the awareness of member bodies about disabilities and the likely impact on their organizations, the candidates having the disabilities, instructors, examiners and others involved;
- provide an outline of processes member bodies might follow to identify, assess and accommodate disabilities;
- provide sample policies and processes currently in use by professional bodies, not necessarily accounting; and
- provide sources for further information or advice.

PART B: ISSUES FOR ACCOUNTING BODIES

This advisory focuses on disabilities that impair a person's ability to learn or demonstrate the competencies to be a professional accountant. The two aspects of most concern to a member body are:

- the impact on instruction and
- the impact on evaluation, usually by way of examinations.

Member bodies should strive to provide reasonable accommodations to persons with proven disabilities to "minimize or eliminate the impact of the disability."¹

The following reasons support this goal:

- to meet any legal requirements in their jurisdictions;
- to attract as members all persons with the intellect and capacity to be professional accountants;
- to demonstrate openness, transparency and caring to their communities; and
- to do what is morally "right."

This paper serves as an advisory only. Member bodies are strongly advised to conduct their own research and seek legal advice as to local requirements.

PART C. WHAT IS A LEARNING DISABILITY?

In the broadest sense, learning disabilities cover any impairment to the learning of competencies or the demonstration of competencies. Some disabilities are physical or sensory. These are usually visible and easily recognized. They are also usually quite straightforward in terms of accommodation. Examples of accommodations include:

¹Association on Higher Education and Disability, USA, Testing Accommodations for Students with Disabilities (1999).

- allowing candidates with a writing impairment to tape lectures or hand in cassettes along with written assignments or tests;
- ensuring wheelchair access and appropriate writing surfaces for those in a wheel chair;
- allowing a separate writing area and reader/scribe for visually impaired candidates;
- allowing candidates with hearing and/or speaking disabilities to submit written presentations for classroom assignments that otherwise require an oral presentation or, alternatively, allow the use of a “speaker” to present the candidate’s report; or
- allowing a scribe for candidates with a physical writing or sight disability.

Much more complex issues arise with learning disabilities² caused by a known or assumed neurological dysfunction.

The University of Alberta describes the operational aspects of a learning disability (refer to Appendix D) as follows.

“The learning disabled adult:

- has difficulty achieving in areas requiring the ability to apply basic skills, i.e., reading, written language, spelling, and/or mathematics;
- manifests problems related to information processing, e.g., language, visual-spatial, memory and attention difficulties, on a battery of psycho-education tests;
- demonstrates average or above average intellectual ability on tests of general intellectual ability;
- demonstrates a significant discrepancy between intellectual potential and academic achievement, even though the person has received traditional instruction during the school years;
- does not demonstrate any other primary disability (e.g., mental retardation, emotional disturbance, hearing or visual impairment), which could account for the academic underachievement.”³

The disability will usually be evidenced by a failure to achieve and/or an inability to apply the basic skills of reading, writing, listening and/or mathematics.

PART D: HOW TO DEAL WITH CANDIDATES WITH A DISABILITY

²Learning disabilities” is a generic term that refers to a heterogeneous group of disorders due to identifiable or inferred system dysfunction. Such disorders may be manifested by delays in early development and/or difficulties in any of the following areas: attention, memory, reasoning, coordination, communication, reading, writing, spelling, calculation, social competence and emotional maturation.

Learning disabilities are intrinsic to the individual, and may affect learning and behavior in any individual including anyone with potentially average or above average intelligence. (Learning Disabilities Association of Canada, *Policy Manual G(E)*-7 September 1991).

³University of Alberta, Canada, Faculty Guide for Teaching Post Secondary Students with Learning Disabilities (Edmonton, 2000).

Most member bodies register candidates who already have some post-secondary education. Only rarely would a candidate with a learning disability not already have been professionally assessed in the post-secondary environment. Therefore, most candidates would easily be able to document and prove their condition to a member body.

Member bodies should address disabilities in four parts:

- Establish a written policy.
- Establish a process for identification and assessment of candidates with disabilities.
- Establish provisions and administrative arrangements for reasonable accommodation of those with proven disabilities.
- Establish a review cycle and evaluation approach to periodically reassess the policy and the processes.

Identification and assessment processes should include the following:

- Requiring candidates with a disability to inform the member body of that disability. This requirement can be spelled out in, for example, initial registration forms, by instructors in class, through announcement on web sites or by distribution of a special form.
- Requiring a recognized expert's professional assessment and opinion in writing, obtained at the candidate's own expense if not covered by publicly funded healthcare. This assessment may be carried forward from a prior situation but should be not date back more than three to five years.
- Requiring disabled candidates to provide written requests as to what accommodation is sought for instruction and/or for examinations.
- Compiling a referral list of agencies or professionals for diagnosis, counseling, learning aids, tutors, coaching or other assistance. The member body should not attempt to provide such services directly.

Accommodation processes should include the following:

- The most common accommodation is to provide additional writing time (e.g., one and one half time) for examinations, which would be administered in a separate writing center. The member body should maintain a list of appropriate facilities and proctors.
- Guidelines for use by administrators on documentation required and what accommodation to consider. If a candidate has a clearly documented case and precedents from post-secondary institutions, the adjudication should be straightforward.
- Arrangements to access independent advice and counsel from knowledgeable professionals for borderline or newly diagnosed cases. A request from a candidate who has had no prior history during post-secondary education may require referral to an independent professional. Such arrangements should spell-out who bears the cost (the candidate, the member body or shared cost).
- Documentation standards to ensure a transparent and formal process.

Many physical or sensory disabilities are visible and the appropriate accommodation is straightforward, e.g., wheelchair accessibility and special writing-tables for those in a wheelchair; reader or Braille exam for the blind; a scribe or keyboard access for those with hand or arm disabilities; separate writing facilities for those with serious smoke allergies.

Refer to the sample policies and processes in the appendices for guidance.

It should be emphasized that these processes need to be thorough and credible. The goal is to neutralize the impact of a proven disability, not to provide an advantage over all other candidates or to "guarantee" access to the profession. Admission standards must be maintained and the member body's obligation to serve the public interest kept in mind.

Disabilities may be so severe that they hinder a candidate's ability and capacity to be a competent professional. (Most professionals must be very proficient at reading, listening and writing just to stay current and be able to competently serve clients or employers.) In that case, the disabled candidate might be best served if advised to pursue a different career path. A member body should not lightly reach such a conclusion just because a candidate has a physical, sensory or learning disability, but only after a careful and open process of examining the competencies needed by the profession and a review of aids or assistance available to those with disabilities. As an example, voice-activated computers will soon be effective and at a reasonable cost and should overcome an arm or hand disability.

PART E: SUMMARY

Member bodies have legal, business and moral reasons to ensure candidates with disabilities have reasonable access to their profession. A credible, transparent process should be established to identify, assess and, if appropriate, accommodate those with documented disabilities. Fortunately, in most cases, the member body should be able to rely on assessments completed as part of the candidate's post-secondary education. Candidates who have not previously requested accommodation as part of their post-secondary education should be subject to careful assessment and rigorous documentation standards. Policies should clearly set out who bears the costs of such assessments.

Accommodation should be reasonable in the circumstances and seek to minimize the impact of the disability but should not provide an advantage over other candidates. Some disabilities may be so severe or so inconsistent with the competencies required to practice in the profession that candidates with those disabilities should be advised to seek an alternative career path.

All member bodies are encouraged to share experiences and those first encountering the issue should not hesitate to seek guidance and advice from those with

experience. Representatives of other member bodies may make excellent third-party adjudicators for complex or difficult cases.

APPENDIX A. CONSULTATIVE COMMITTEE OF ACCOUNTANCY BODIES (CCAB), UNITED KINGDOM, STUDENT DISABILITY STATEMENT, MARCH 2000

Introduction

1. This statement describes the CCAB policy of disabled students, to accord with the Disability Discrimination Act of 1995.
2. A person has a disability if he or she has a physical or mental impairment, and:
 - That impairment has an adverse effect on their ability to carry out normal day-to-day activities
 - The effect is substantial
 - The effect is long term
3. The Act requires that reasonable adjustments to working practices or premises be made to ensure that a disabled person is not at a disadvantage, compared to a person without a disability.
4. CCAB members are encouraged to look further than this document to familiarize themselves with the provisions of the DDA.

Scope

5. This statement covers the provision of services to students of CCAB members in the following areas:
 - Examinations
 - Education
 - Application for membership
 - Career Literature
6. It is recognized that each CCAB member has its own system for clarifying and assessing the extent of disability. It is stressed that the guidelines below are not meant to be prescriptive and exhaustive. CCAB members agree to judge individual circumstances on their merits.

Examinations

7. It is the CCAB's aim that disabled students have access to a learning and assessment experience comparable to their non-disabled peers, and that they are not discriminated against during the examination process. Thus, whilst all candidates must demonstrate competence to the required standard, appropriate aids, support and adjustments may be given to those candidates whose disability would otherwise disadvantage them during the examination process.
8. The range of support given may be broadly grouped as follows:
 - Equipment and furniture – e.g. a PC may be made available possibly with specialist software, desks may be sited to allow better wheelchair access, equipment may be provided to enlarge text, a tape recorder could be provided and/or separate examination room may be offered
 - Human support – e.g. a scribe may be provided

- Other arrangements – e.g. if may be appropriate to award extra time for those students with dyslexia

Education

9. Where the CCAB member is involved in study course provision, it aims to provide for all students regardless of disability. Examples of support may be broadly grouped as follows:
 - Furniture/equipment – lecture theatres and classrooms must be accessible to students who are wheelchair users, or equipment provided to aid a hearing impaired student with communication.
 - Human support – lecturers scope their teaching to show awareness of the needs of disabled students (for example speaking clearly and directly to a hearing impaired student who can lip read) or by taking care not to organize meetings or lectures without consideration for access issues
 - Study support material – it might be appropriate to provide copies of such publications to the RNIB who could convert the text to an appropriate format. If notes are provided, these might be produced on different colored paper to aid a dyslexic student.
10. Where the CCAB member recommends a third party tuition provider, the tuition provider should be aware of their obligations to disabled students under the Act.

Membership applications

11. It is the aim of all CCAB members to employ a system of application for membership that does not disadvantage disabled applicants. For example, it may be appropriate to provide application forms in Braille for some visually impaired candidate. Care should also be taken not to include unreasonable questions on any forms that might discriminate against an applicant with a disability.

Career literature

12. It is the aim of all CCAB members that any career literature produced does not contain discriminatory language leading to a reinforcement of misconceptions about the limitations of a disabled student. It would be appropriate therefore.
 - To ensure relevant training is given to those involved in the writing of career literature in order that they are aware of disability issues
 - To ensure discriminatory language, leading to reinforcement of misconceptions about the limitations of a disabled candidate, is not used.
13. Literature should make reference to general guidelines only, whilst making clear that provisions and adaptations are made according to individual circumstances.

Conclusion

14. **The Act makes it unlawful to discriminate against a person with a disability:**
 - In refusing to provide or deliberately not providing any service that is provided to other individuals
 - In the standard of service that is provided or the manner in which it is provided

- In the terms in which a service is provided.
15. This statement gives a commitment to the Act without prescribing the exact scope of support. Individual CCAB members are encouraged to produce a specialist pamphlet for disabled students and ensure that this literature is readily available.
16. The following contacts provide additional advice:

Disability statements: A Guide to Good Practice

www.niss.ac.uk/education/hefce/pub98/98

Code of Practice for the Assurance of Academic Quality and Standards in Higher Education: Students with Disabilities

The Quality Assurance Agency for the Higher Education: Tel: 01452 557000

Other sources of information:

SKILL National Bureau for Students with Disabilities:

Tel (general): 0207 7450 0620

Information Service 0800 328 5050

APPENDIX B. INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO (ICAO), CANADA, SPECIAL TESTING ACCOMMODATION FOR CANDIDATES WITH DISABILITIES, FEBRUARY 1998

The Canadian Chartered Accountancy profession's academic requirements form part of a process which establishes that an individual possesses the knowledge and skills appropriate for certification and a professional career within or outside public practice. The profession believes that its evaluative processes should focus on the prescribed knowledge and skills and that a disability should not be a factor in the evaluative process.

Accordingly:

- the profession will consider, through its provincial institutes and on an individual case basis, requests for reasonable evaluative process accommodations relating to the disability of a qualified candidate; and,
- reasonable accommodations will be such that candidates who are granted an accommodation will not be required to defer or delay their involvement in evaluative processes, as scheduled.

A candidate with a documented disability (physical or mental impairment) that substantially limits one or more major life activity (e.g., a visual, orthopedic, speech or hearing impairment, other health/physical impairment, a specific learning disability, a psychological or mental disorder or multiple disabilities), who needs modification to the usual testing conditions may request special testing accommodations (e.g., extra time or a reader) to take the examination on regularly scheduled test dates.

If for any or all of the last three years the candidate requested accommodations, submitted documentation and appropriate forms and was granted an accommodation for an examination and the disability and the accommodation request remain the same as that previously approved, the candidate need not resubmit documentation of the *Accommodations Eligibility Questionnaire* and the *Accommodations Request Verification Form*.

Candidates in the following categories who are requesting accommodations must follow the instructions below for submitting their special accommodations request:

- a) the candidate was last accommodated for an examination administered more than three years ago;
- b) the candidate is requesting accommodations different from that approved for an examination administered within the last three year period; or,
- c) the candidate is requesting special accommodations for the first time.

The candidate's application must be accompanied by the *Accommodations Eligibility Questionnaire* and the *Accommodations Request Verification Form* enclosed.

Records, reports, evaluations, assessments within the last five years (e.g., educational, medical, psychological) must also be submitted with these forms to document the candidate's disability and any history of testing accommodation. The documentation must

include a specific diagnosis. Any professional providing documentation must be licensed and/or have credentials appropriate to diagnose and treat the candidate's disability, and have diagnosed and/or evaluated the candidate or have provided testing accommodations for the candidate within the last five years. For example, documentation of a specific learning disability and recommendations for testing accommodations is best and appropriately provided by an educational specialist, psychologist, or counselor rather than a family physician.

If the candidate has been diagnosed as having a mental or psychological disorder/disability (e.g., mood-disorder, personality-disorder or a specific learning disability), the candidate's *Accommodations Request Verification Form* completed by the appropriate licensed or credentialed professional should include identification and classification of the disorder from an appropriate psychological or educational testing/evaluation.

In addition to the *Accommodations Request Verification Form*, the candidate must submit documentation which: (1) provides specific diagnostic data (i.e., test results) in support of the diagnosed disability, and (2) establishes that a particular accommodation is necessary. The documentation (e.g., psycho-educational evaluation) should include general observations, a history of the disability and a description of its impact on the individual's functioning, identification of the specific standardized and professionally recognized tests/assessments given, the scores resulting from testing, interpretation of the scores and evaluation, and recommendations for testing accommodations.

For persons with mental disorders/disabilities (e.g., specific learning disability, mental/psychological disorder), failure to provide documentation of appropriate clinical/diagnostic or psycho-educational assessment/evaluation will result in the candidate's request for accommodation not being considered. If there has been no history of testing accommodation, the professional verifying the disability should include an explanation as to why testing accommodations are currently needed.

On the *Accommodations Request Verification Form* the professional is required to provide an explanation as to the specific aspect of the disability which requires testing accommodation, the effect of the disability on the candidate's ability to perform under the customary testing conditions and the impact of the disability on major life activity (e.g., learning, seeing, hearing). The candidate and the professional recommending the testing accommodation(s) should consult and come to an agreement as to the appropriate testing accommodations. That is, the accommodations requested by the candidate on the *Accommodations Eligibility Questionnaire* should agree/match with those recommended by the professional on the *Accommodations Request Verification Form*. The candidate's request for accommodations will not be considered unless the candidate and the professional making the recommendation are in agreement. The candidate must sign the *Accommodations Eligibility Questionnaire* and the professional must sign the *Accommodations Request Verification Form*. Both forms must be completely filled out and the accompanying documentation must be included with the candidate's application and mailed to the Institute at least six weeks prior to the examination. Failure to provide

answers to all items on the forms will result in the candidate's accommodation request not being considered. The candidate is responsible for ensuring that the professional(s) completing the candidate's form(s) provide(s) all of the requested information.

If necessary, the candidate may be asked to obtain additional information about the candidate's disability from the professional making recommendations regarding the candidate's testing needs. Professionals submitting documentation in support of the candidate's request for accommodations may also be contacted directly by the Institute for clarification of any information provided, limited to the candidate's testing needs. The candidate's signature on the *Accommodations Eligibility Questionnaire* acknowledges this and authorizes the Institute to contact such persons for any additional information about the candidate's disability as it relates to the candidate's testing needs, if needed.

Persons with observable disabilities who are requesting wheelchair-accessible or elevator-accessible test sites need not complete the *Accommodations Eligibility Questionnaire* or the *Accommodations Request Verification Form*. The candidate may indicate the request for elevator or wheelchair accessibility on the examination application.

Persons with transitory conditions which are generally not "disabilities" (e.g., pregnancy, sprains, fractures, medical emergencies) are not eligible for some special testing accommodations (e.g., extra time). Persons with temporary conditions in need of accommodation such as wheelchair accessibility or special seating should contact the Institute for information about possible special testing arrangements.

Candidates are not permitted to provide their own readers, scribes (writers) or sign interpreters. Such assistance will be provided for the candidate by the Institute upon approval of the special accommodation.

The request for special testing accommodations will be reviewed by an advisory group. The advisory group will provide input to the Ontario Institute's decision to provide special accommodation to a candidate.

The Institute will notify the candidate of the status/disposition of the candidate's request as soon as possible prior to the examination. If the candidate has specific questions regarding the provision of a testing accommodation, please contact the Institute for details. A candidate wishing to appeal the decision of the panel regarding the requested accommodation(s) should contact the Institute, in writing, postmarked no later than seven days after having received the accommodations notice from the Institute. All accommodations are dealt with in advance of the examination date. Usually, special accommodations will require the candidate to write the examination at the Institute or a special writing center. No accommodation requests will be approved at the writing centers.

All examinations will be offered in a center and manner which is architecturally accessible to persons with disabilities or alternate arrangements for candidates with disabilities will be offered. There are no additional fees associated with the provision of special testing accommodations to persons with disabilities.

Information provided to the Institute about candidate disabilities and related testing needs is confidential. With respect to such matters, the Institute will only communicate with the candidate, professionals knowledgeable about the candidate's disability, and the candidate's authorized representative (verification required).

OVERVIEW OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO

Procedures for Review of Special Testing Accommodations Requests:

- All Candidates Requesting Accommodations Must Submit The Following:
 - a) *Accommodations Eligibility Questionnaire*;
 - b) *Accommodations Request Verification Form*; and,
 - c) Copies of Professional Evaluations and Assessments
(including test results which confirm the disability diagnosis).
- Details Regarding Each Candidate's Request Are Entered Into A Database Which Will Be Used To Track The Request Through Its Various Stages Of Review And To Generate Any Reports Or Notices To The Candidate.
- All Documentation And Forms Are Reviewed By One Or More Representatives From The Ontario Institute And An Advisory Group. The Advisory Group Is Comprised Of An Educational Psychologist/Counselor And One Or More Representatives From Another Provincial Institute Of Chartered Accountants (Pica).
 - A. An initial screen of forms and documentation submitted to the Ontario Institute is performed by the psychologist/counselor;
 - B. Additional documentation is requested if needed; and,
 - C. When the requested documentation is received and/or the candidate has been given sufficient opportunity to submit additional documentation, the request is forwarded to all members of the advisory group for review.
- The Advisory Group And The Ontario Institute Representative (S) Discuss The Request. The Advisory Group Considers All Information Presented As Well As Historical Experience Related To Similar Requests And Provides An Opinion To The Ontario Institute Representatives Regarding The Accommodations That Should Be Afforded. A Decision On The Matter Is Made By The Ontario Institute And A Notice Is Sent To The Candidate.
 - A. If the candidate's request is approved "in part" or "denied", the candidate is notified via "registered mail, return receipt requested" and the *Appeal Procedures* are enclosed with the notice.
 - B. Approved candidates are instructed as to where the examination will be written.
- Candidates Wishing To File An Appeal Of The Decision Made Regarding Their Accommodation Request Must File A Formal Appeal Notice In Writing To The Institute Within Seven Days Of Receipt Of The Accommodations Notice.

- If the candidate does not appeal, the decision regarding the accommodation is considered final.
- Upon The Institute's Receipt Of A Formal Appeal, The Candidate's File Containing All Forms And Supporting Documentation Is Forwarded To An Institute-Appointed Appeal Panel Which Consists Of Two Persons Whose Credentials And Professional Experience Are In The Area Of The Candidate's Disability.
 1. If the two panel members are not in agreement as to the disposition of the candidate's request a third professional reviews the accommodation request.
 2. The final disposition of the accommodation request is the result of two professionals who are in agreement.
 3. The decision of the appeal panel is final.

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO APPEAL

Procedures for Denial of Special Testing Accommodations Requests

If your request for special testing accommodations for an examination has been denied in part or whole you may appeal the decision to deny the accommodation(s) requested. Candidates are provided with an explanation of the reason for denial of a requested accommodation.

If you wish to appeal the decision regarding your requested accommodation please provide the following to the Institute in writing:

- (1) Your name;
- (2) Date of the examination for which the accommodation(s) is requested;
- (3) An indication that the correspondence is a formal appeal of the decision regarding your requested testing accommodation;
- (4) The nature of your appeal; and,
- (5) Pertinent facts which support your appeal.

You may include any additional documentation which you wish to be considered by the panel reviewing your appeal. Your written appeal and any additional supporting documentation must be postmarked no later than seven days after your receipt of the notice that your requested accommodation has been denied in part or in whole. Send your written notice of appeal to the Institute via traceable mail requiring a signature of receipt (e.g. "registered mail, return receipt requested"). Your return receipt is proof of delivery to the Institute.

**THE INSTITUTE OF CHARTERED ACCOUNTANTS OF ONTARIO
ACCOMMODATIONS ELIGIBILITY QUESTIONNAIRE FOR CANDIDATES
WITH DISABILITIES**

Candidates with disabilities who are requesting testing accommodations for an examination must complete this form and return it at least six weeks prior to the examination. A separate form is required for each examination. Current documentation (within the last five years) of your disability from a qualified professional who is licensed or whose credentials are appropriate to diagnose and treat your disability, and make recommendations regarding appropriate testing accommodations must be enclosed. (Please Print or Type)

I. Candidate Information

Name: _____
UNIVERSAL # _____
Address: _____
City: _____ Province: _____
Postal Code: _____ Country: _____
Daytime Tel. Number (include area code): _____
Examination Name and Date: _____
Repeater: Yes No
I was accommodated in a previous examination: Yes No
Year(s) _____ No _____

II. Disability Status: Check all that apply

Deaf	Orthopedic/physical disability
Hearing impaired	Psychological/psychiatric/behavioral disability
Blind/Visually impaired	Other health disability/impairment
Special learning/learning-related disability	
Specify _____	

III. Disability And Testing Accommodations History

1. When was your disability professionally diagnosed? _____
less than 1 year ago 3-4 years ago
1-2 years ago more than 5 years ago
2. In High School:
 - 2.1 Did you attend a special school or program (special education) or have an individualized education program? Yes No

- 2.2 Did you receive special accommodation for testing? Yes _____ No _____
3. Did you receive special testing accommodations during your university undergraduate studies?
 Yes _____ No _____
 If yes, please describe briefly _____
 If yes, identify examination(s) and test date(s) _____
4. In post-graduate education/professional education program:
 4.1 Did you use special services for students with disabilities? Yes _____ No _____
 4.2 Were you accommodated in any examinations? Yes _____ No _____
 If yes, please describe briefly _____

IF YOU RECEIVED TESTING ACCOMMODATIONS DURING UNIVERSITY, ENCLOSE EVIDENCE OF TESTING ACCOMMODATIONS REQUESTED AND RECEIVED.

IV. Accommodations Requested

(The candidate's request for accommodation(s) and the professional's recommendation for accommodation(s) must be in agreement. The professional is required to complete the *Accommodations Request Verification Form* in support of the candidate's requested accommodation(s).)

Architecturally accessible site: _____ Wheelchair accessibility _____ Elevator _____
 Formats: _____ Large type (specify pt.____)
 Other (specify) _____
 Assistance: Reader _____ Writer/recorder _____
 Sign-language interpreter _____ Separate room and proctor _____

Extended Time: Indicate a specific amount of extended time requested for this examination (per paper).

(The nature of the individual examination must be considered when requesting extended time. The Core-Knowledge Examination is a single-paper four-hour multiple-choice examination. The End-of-School Examination is a single-paper four-hour primarily essay exam. The UFE is a four-paper primarily essay exam, written over four days, with each paper being of four hours duration.)

15 extra minutes _____ 90extra minutes _____
 30 extra minutes _____ 2 extra hours _____
 1 extra hour _____
 Other (specify): _____

I, the candidate, certify that all of the information on this form is true and correct.

 (Signature) (Date)

ACCOMMODATIONS REQUEST VERIFICATION FORM FOR CANDIDATES WITH DISABILITIES

This form must be completed by a licensed or qualified professional whose credentials are appropriate to diagnose and evaluate the candidate's disability and make recommendations as to appropriate testing accommodations for individuals with the disability. The professional must have treated, diagnosed or had some other professional relationship with the candidate within the last five years. Attach additional sheets as needed. If the candidate has received accommodations during university or the professional education program the candidate should also provide evidence of testing accommodations requested and received. When completed, the candidate should return this form to the Institute.

(Please Print or Type)

I. Candidate Information

Name: _____

UNIVERSAL # _____

Address: _____

City: _____ Province: _____

Postal Code: _____ Country: _____

Daytime Tel. Number (include area code): _____

Examination Name and Date: _____

Repeater: Yes No

I was accommodated on for a previous examination: Yes No

Year(s) _____ No _____

II. Licensed/Qualified Professional Information

Professional's name: _____

Title: _____

Institution: _____

Address: _____

City: _____ Province _____

Postal Code _____ Country _____

Daytime Tel. Number (include area code): _____

III. Diagnosis And Treatment Information

1. Diagnosis: _____

2. Briefly describe this diagnosis: _____

3. Last date of your treatment or consultation with the candidate: _____

4. Explain the effect of the disability which requires testing accommodation and the effect of the disability on the candidate's ability to perform under normal testing conditions:

5. If the candidate has a specific learning disability or psychological disability identify the specific assessments (e.g., standardized psychological/educational tests) used to identify and confirm the diagnosed disability. Enclose copies of these test results/evaluations/educational or psychological reports with this form.
-

6. Based on your knowledge of this candidate's disability which of the following accommodations are recommended? (Check all that apply)

Architecturally accessible site: Wheelchair accessibility Elevator

Formats: Large type (specify pt. ___)

Other (specify) _____

Assistance: Reader

Writer/recorder

Sign-lang. interpreter

Separate room and proctor

Extended Time:

(Indicate a specific amount of extended time requested for this examination (per paper).

(The nature of the individual examination must be considered when requesting extended time. The Core-Knowledge Examination is a single-paper four-hour multiple-choice examination. The End-of-School Examination is a single-paper four-hour primarily essay exam. The UFE is a four-paper primarily essay exam, written over four days, with each paper being of four hours duration.)

15 extra minutes

90 extra minutes

30 extra minutes

2 extra hours

1 extra hour

Provide a rationale for the specific amount of extra time recommended _____

Other accommodation (specify): _____

7. How is the recommended accommodation(s) related to the candidate's disability given the nature of the exam specified above? _____

8. Please describe your qualifications/credentials and professional relationship with this candidate which entitles you to provide these recommendations for testing:

I certify that the information provided by me on this form is true and correct to the best of my knowledge.

(Signature) (Date)

SPECIAL TESTING ACCOMMODATIONS NOTICE TO CANDIDATES

Examination Date: _____

Status of Request: _____

* If not approved, partially approved or denied see reason below.

Candidate Information

Name: _____ UNIVERSAL # _____

Address: _____

City: _____ Province: _____ Postal Code: _____ Country: _____

Daytime Tel. Number (include area code): _____

Accommodations

Requested By Candidate	Approved
Wheelchair access	Wheelchair access
Separate room/proctor	Separate room/proctor
Scribe (assigned)	Scribe (assigned)
Reader (assigned)	Reader (assigned)
Sign-lang. interpreter (assigned)	Sign-lang. interpreter (assigned)
Extra Time	Extra Time
Time requested per paper	Time requested per paper
Other	Other

Other specify: _____	Other specify: _____
----------------------	----------------------

Reasons For Partial Approval _____

Reasons For Denial/Non-Approval _____

General Comments _____

If you have any questions or concerns about special accommodations or if you wish to appeal this decision, please contact the Institute. Appeals must be made in writing to the Institute via traceable mail within seven days of receipt of this notice. If your accommodation has been approved, you will be informed as to where the examination will be written.

Enclosures: _____

Authorization: Name (print): _____

Signature: _____

APPENDIX C. LAW SOCIETY OF UPPER CANADA, POLICY AND PROCEDURES FOR ACCOMMODATIONS FOR STUDENTS AT LAW IN THE BAR ADMISSION COURSE (BAC), DEPARTMENT OF EDUCATION, 2000

Rationale

As the governing body of a profession concerned with justice, the Law Society of Upper Canada (LSUC) has both a legal obligation under the Ontario Human Rights Code and a strong interest in ensuring that all of its operations reflect principles of equity. In a number of its publications, most recently in its Bicentennial Report and Recommendations on Equity Issues in the Legal Profession¹, the Law Society has undertaken measures to put its commitment to equity into everyday practice. The Bicentennial Convocation of May 1997 accepted a number of recommendations, including the following:

The Law Society should continue to ensure that Bar admission:

- a) includes material designed to increase the profession's understanding of diversity/equity issues;
- b) encourages the participation of equality-seeking groups in its design, development and presentation;
- c) uses material that is gender neutral;
- d) uses audio-visual material that includes the faces and voices of equality-seeking groups;
- e) is administered so that its demand does not impact disproportionately on the basis of personal characteristics noted in Rule 28.

In doing so, the LSUC has acknowledged that treating people identically is not synonymous with treating them equally. Substantive equality requires the accommodation of differences that arise from the personal characteristics cited in the Human Rights Code. If a rule, requirement or expectation of the BAC creates difficulty, for an individual because of factors related to the personal characteristics listed in the Code², the duty to accommodate arises.

There has been an increasing demand from students (clients) to accommodate requests **related, for the most part, to disabilities, pregnancy, language issues, and needs arising from their responsibilities as parents**. Past practices for accommodating students have been considered on an ad-hoc basis and on many occasions, have proven to be unreliable, inconsistent and inequitable. With increasing demands for special accommodations of varying degree and types, there is now a strong need to identify

1 May 1997 LSUC

2 In respect of the provision of a service such as the BAC, the relevant grounds are: race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap.

specific roles and responsibilities of students, faculty/instructors, and the Bar Admission Course (BAC) administration in the provision of such services.

Policy

It is the policy of the Department of Education that the Bar Admission Course must have a strong interest in ensuring that its requirements are directly and logically connected to competence to practice law, and that persons who wish to practice law in Ontario are not effectively barred from the opportunity to qualify because of race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, handicap or the receipt of public assistance.

Assessing whether accommodation is needed and what accommodation may be appropriate is an ongoing responsibility for the BAC. In carrying out its responsibility, the BAC must be prepared to respond to the need for both system-wide accommodation and individualized, short-term or experimental accommodation.

Purpose

The purpose of this policy and the procedures are **threefold**:

- 1) to identify the issues that arise in developing accommodation strategies;**
- 2) to set the principles and the practice guidelines in respect of accommodation;**
- 3) to set out in written form the procedures and strategies for accommodation for the BAC that have been developed over the past years.**

Scope

This policy and the procedures will be applicable to all the Bar Admission Course locations, which are presently located in London, Ottawa and Toronto. The nature of the specific accommodations may vary from site to site, and some forms of accommodation may be extendable to those involved in distance education.

Procedures

1.0 Identify Issues that Arise in Developing Accommodation Strategies

- 1.1 A need for system-wide accommodation, and the nature of accommodation that would be appropriate, is often obvious and foreseeable, allowing orderly planning, consultation and budgeting processes. An example of this type of accommodation is making structural changes, such as door-widening, ramps and elevators, to physical space to accommodate persons with mobility disabilities.
- 1.2 A need for individualized accommodation can come up at any time, is often foreseen by the BAC and may be unforeseeable even by the student requiring the accommodation, and may involve ad-hoc, temporary or experimental strategies. Arriving at an appropriate strategy requires a thorough grounding in the relevant legal obligations, the ability and willingness to collaborate with the affected student(s) and a readiness to act quickly (since the individual(s) ideally need to finish the BAC in a timely fashion).
- 1.3 Some types of accommodation have no resource implications. Others can be

expensive. Costs can be contained and unforeseen contingencies minimized as the BAC becomes more adept at the identification of barriers and knowledgeable concerning accommodation strategies. The BAC should take full advantage of any resources, from available literature to the views of individual students and members of the Law Society, in its planning. Budget planning should be conducted on an ongoing basis. The BAC should maintain detailed written records concerning both its annual short, medium and long-term planning sessions and its experiments in various accommodation strategies, their success or failure, and points to be earned therefrom.

- 1.4 Accommodation will not be provided if it imposes undue hardship on the program. This determination will be made on a case-by-case basis by the Registrar. If accommodation is refused, the refusal can be brought to the Director of Education (see Appeal Procedure – 4.0). Considerations that may influence this determination include substantial economic hardship on the LSUC, the unavailability of persons with appropriate expertise, a significant adverse impact on learning opportunities for other students, a significant alteration of the fundamental nature of the program or service or undue disruption of the institution's program operations.
- 1.5 The accommodation policy will be operated within the overall mandate of the Law Society to ensure that entrants to the profession are competent to practice law.

2.0 Establish Principles and Practice Guidelines in Respect to Accommodations

- 2.1 The BAC will undertake a review of its practices, on a regular basis, to identify barriers that might affect students identified by the personal characteristics listed in s.2 of the Human Rights Code.
- 2.2 The BAC will maintain a confidential accommodation-related information-collection process, through the Student Success Center.
- 2.3 The BAC will brief faculty/instructors concerning its policy and procedures, in recognition of their importance to the success of the BAC and to promote appropriately their response to students' needs.
- 2.4 The BAC will inform all students of its accommodation policy, of the information-collection and planning service, and of the nature of available accommodations prior to the commencement of the course. The BAC will encourage students to identify personal characteristics that might involve a need for accommodation, and to bring to the attention of the BAC, as soon as possible, barriers that might affect students because of the personal characteristics listed in the policy.
- 2.5 If a student asserts that a requirement or practice operative in the BAC constitutes such a barrier, the BAC will undertake the following procedure, with a view to assessing the need for and the nature of one or more suitable accommodation strategies:

- 2.5.1 Unless the link between the perceived barrier, which results from a BAC requirement or practice, and race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, handicap or the receipt of public assistance is clear to the Registrar (or designated BAC representative), the Registrar will meet with the student and undertake any research necessary to satisfy the BAC of the link. The student will be expected to provide suitable verifiable information concerning the personal characteristics at issue, (e.g.: appropriate documentation and assessment of a disability), if this information is necessary.
- 2.5.2 The requirement or practice will be examined to determine whether it is “reasonable and bona fide.” There must be objectively verifiable evidence linking the rule, requirement or expectation with the essential objectives of the BAC. If the requirement or practice is not imposed in good faith or is not necessary to the BAC, it will be altered or dispensed with.
- 2.5.3 If the requirement or practice is imposed in good faith and is strongly logically connected to an essential objective of the BAC, the next step is to consider whether the individual(s) who experience disadvantage because of the rule can be accommodated.
- 2.5.4 A number of accommodation strategies may be used to fulfill the BAC’s obligations. In the interest of both prompt attention to the needs of a particular student, and the need to explore the utility of various accommodation strategies, an interim or experimental strategy may be implemented. The BAC will consult with the requesting student(s), and consider any suggestion offered by the requesting student(s), in arriving at a timely individual-based strategy. The BAC may consult more widely in attempting to devise the most suitable strategy for any accommodation that may be offered more generally.
- 2.5.5 Accommodation will be offered to the point of undue hardship. If the BAC asserts that a requested accommodation imposes undue hardship, it will prepare a written report setting out the nature of the accommodation refused, and the factors that support its view that undue hardship would ensue³.

3.0 Current Assistance Initiatives and Procedures Developed for Accommodation to the Bar Admission Course

3 In Central Alberta Dairy Pool v Alberta (Human Rights Commission) Madama Justice Wilson provided a list of factors to be considered, that included financial cost, disruption of a collective agreement, size of employer’s operation, safety risks and who bears risk, and problems of morale of other employees. She stressed that the list was not a closed one. Accommodations in employment that have been considered reasonable by court and tribunals have included paid absence to fulfill religious obligations, flexibility in work schedules, and modifications of job requirements.

The onus of establishing that a particular accommodation causes undue hardship rests with the party alleging undue hardship.

3.1 Student Success Centers and the Services

- 3.1.1 Ensures “fair, equal, and non-discriminatory” access to all courses.
- 3.1.2 Coordinates and provides support that improve the learning environment of students, such as case management, assessment services (when required), access to technical aids and a support center built around students, faculty/instructors and staff.
- 3.1.3 Seeks to improve the awareness and support of the legal community through consultation and coordination of professional development activities for internal and external members.
- 3.1.4 Provides accommodation for students who are unable to comply with the conditions or requirements of the course, by adapting the conditions or requirements or by providing alternative ways for the individual to meet the conditions or requirements.

3.2 Exam Assistance Accommodation (Examples)*

- 3.2.1 Extended time to complete examinations.
- 3.2.2 Use of special equipment such as a personal computer.
- 3.2.3 Use of private rooms.
- 3.2.4 Examinations in alternative forms such as audiotape, Braille, text to speech.
- 3.2.5 Use of readers, scribes in the examination setting.
- 3.2.6 Alternative methods of examination and evaluation.
- 3.2.7 Provide appropriate invigilation through the Student Success Center.

3.3 Tutoring*

- 3.3.1 Upon request, provides course-based assistance to a student who has been unsuccessful with any examinations including supplementals. (Note: Such tutoring may be denied where students have not attended the lectures and/or seminars or where significant self-study has not been demonstrated).
- 3.3.2 There is no cost to the student for the first five hours of tutoring for any course and where financial difficulty exists further hours can be arranged at no cost to the student.

* denotes services offered by the Student Success Centers.

3.4 Mentoring*

- 3.4.1 Provided upon request during Phase Three by lawyers who were recent Calls to the Bar to any student-at-law requiring advice and assistance on study or examination strategies, information on course experiences and expectations, or simply someone to listen.
- 3.4.2 No charge to any student-at-law.

3.5 Preparatory Programming Prior to Phase Three*

- 3.5.1 Provides an orientation week of course seminar presentations, examination preparation and study strategies using previous exams, followed with the writing of an exam, then marking and reviewing answers with the instructor.

3.6 Self-directed Learning

- 3.6.1 Provides accommodations for students-at-law to take the courses in Phase Three away from the three central locations (Toronto, London, Ottawa) and complete the Bar Admission Course through self-directed study arrangements.

3.7 Student Accommodation and Assistance for the Call to the Bar

- 3.7.1 Provided at the call to the Bar as requested by students:
- accessible seating
 - mobility assistance
 - oral and visual interpreters
 - FM systems
- 3.7.2 Requests for special services must be made by the student at least one month prior to the Calls to the Bar.
- 3.7.3 Provides financial relief through bank loans, LSUC loans or the BAC bursary program to students at risk of delaying their call to the Bar due to outstanding BAC fees.

4.0 Procedures for Requesting an Accommodation or Appeal

- 4.1 Requests for accommodation in the majority of cases are worked out with the Student Success Center.
- 4.2 A description of the problem at issue, the accommodation being sought, and any appropriate documentation of past accommodation for this problem (where applicable) must accompany the request. Verification to support disability requests for accommodation may be required if not previously documented.

* denotes services offered by the Student Success Centers.

- 4.3 If the accommodation cannot be made or is unsatisfactory, the student may:
 - 4.3.1 Discuss the request with the Registrar.
 - 4.3.2 If unresolved, discuss the request with the Director of Education.
 - 4.3.3 If unresolved, file an appeal to the Admissions and Equity Committee (A&E).
 - 4.3.4 The decision on an appeal by the A&E Committee is final.

APPENDIX 1 TO POLICY AND PROCEDURES FOR ACCOMMODATIONS FOR STUDENTS-AT-LAW IN THE BAR ADMISSION COURSE (BAC)

Human Rights Code Revised Statutes of Ontario, 1990, Chapter H.19, as amended

- 1. Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap, R.S.O. 1990, c.H.19, s.1.
- ...
- 6. Every person has a right to equal treatment with respect to membership in any trade union, trade or occupational association or self-governing profession without discrimination because of race, ancestry, place of origin, color, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap. R.S.O. 1990, c.H.19, s.6.
- ...
- 10 (1)
- ...
- “family status” means the status of being in a parent and child relationship;
- ...
- “because of handicap” means for the reason that the person has or has had, or is believed to have or have had,
 - (i) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, including diabetes mellitus, epilepsy, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a dog guide or on a wheelchair or other remedial appliance or device,
 - ii) a condition of mental retardation or impairment,
 - iii) a learning disability, or a dysfunction in one ore more of the processes involved in understanding or using symbols or spoken languages,
 - iv) a mental disorder, or
 - v) an injury or disability for which benefits were claimed or received under the Workers’ Compensation Act.
- ...

“marital status” means the status of being married, single, widowed, divorced or separated and includes the status of living with a person of the opposite sex in a conjugal relationship outside marriage;

“record of offences” means a conviction for,

- a) an offence in respect of which a pardon has been granted under the Criminal Records Act (Canada) and has not been revoked, or
- b) an offence in respect of any provincial enactment;

...

- 2) The right to equal treatment without discrimination because of sex includes the right to equal treatment without discrimination because a woman is or may become pregnant.

R.S.O. 1990, c.H.19, s.10(2).

...

Constructive discrimination

11. (1) A right of a person under Part I is infringed where a requirement, qualification or factor exists that is not discrimination on a prohibited ground but that results in the exclusion, restriction or preference of a group of persons who are identified by a prohibited ground of discrimination and of whom the person is a member, except where,

- a) the requirement, qualification or factor is reasonable and bona fide in the circumstances; or
- b) it is declared in this Act, other than in section 17, that no discriminate because of such ground is not an infringement of a right. R.S.O. 1990, c.H.19, s.11(1).

Idem

- 2) The Commission, the board of inquiry or a court shall not find that a requirement, qualification or factor is reasonable and bona fide in the circumstances unless it is satisfied that the needs of the group of which the person is a member cannot be accommodated without undue hardship on the person responsible for accommodating those needs,

Considering the cost, outside sources of funding, if any, and health and safety requirements, if any, R.S.O. 1990, c.H.19, s.11(2); 1994, c.27, s.65(1).

Idem

- 3) The Commission, the board of inquiry or a court shall consider any standards prescribed by the regulations for assessing what is undue hardship. R.S.O. 1990, c.H.19, s.11(3); 1994, c 27, s.65(2).

Special programs

- 14.(1) A right under Part I is not infringed by the implementation of a special program designed to relieve hardship or economic disadvantage or to assist disadvantaged persons or groups to achieve or attempt to achieve equal opportunity or that is likely to contribute to the elimination of the infringement of rights under Part I.

...

Handicap

- 17.(1) A right of a person under this Act is not infringed for the reason only that the person is incapable of performing or fulfilling the essential duties or requirements attending the exercise of the right because of handicap, R.S.O. 1990, c.H.19, s.17(1).

Accommodation

- 2) The Commission, the board of inquiry or a court shall not find a person incapable unless it is satisfied that the needs of the person cannot be accommodated without undue hardship on the person responsible for accommodating those needs, considering the cost, outside sources of funding, if any, and health and safety requirements, if any. R.S.O.1990, c.H.19, s.17(2); 1994, c.27, s.65(2).

APPENDIX D. UNIVERSITY OF ALBERTA FACULTY GUIDE FOR TEACHING POSTSECONDARY STUDENTS WITH LEARNING DISABILITIES

OFFICE OF SERVICES FOR STUDENTS WITH DISABILITIES

Preface

This manual is one of a series of handbooks and manual prepared by the Director, Counselor, LD Consultant, and instructional Staff of the Program for Students with Learning Disabilities (PSLD) at the University of Alberta. The series consists of the following seven publications:

- Introduction to University of Alberta Program for Students with Learning Disabilities
- Identifying and Diagnosing Postsecondary Student with Learning Disabilities
- Instructing Postsecondary Students with Learning Disabilities
- Counseling and Academic Skills for Postsecondary Students with Learning Disabilities
- Faculty Guide for Teaching Postsecondary Students with Learning Disabilities
- Tutoring Postsecondary Students with Learning Disabilities
- Handbook for Students in the Program for Students with Learning Disabilities

The manuals and handbooks can be ordered from:

The Director
Office of Services for Students with Disabilities
300 Athabasca Hall
University of Alberta
Edmonton, AB Canada T6G 2E8
Telephone: (403) 492-3381

The manuals, handbooks and the PSLD itself have been graciously funded by Alberta Career Development and Employment and further supported by the Office of the Dean of Student Services and the Department of Educational Psychology, University of Alberta. This support and encouragement has been essential to the pioneering of this worthwhile project.

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Goals

Many students with learning disabilities will enter the University aware that they have a learning disability. As a general rule, these students identify themselves to the PSLD and/or to their instructors and professors. Some students, however, will not know that they have a learning disability. They will know only that learning is "hard for them" and that achievement often eludes them in spite of their best efforts to succeed.

One major goal of this handbook is to assist professors to identify students with learning disabilities and to refer these students for the specialized assistance they require. To accomplish this goal, professors should have some understanding of the nature of learning disabilities, and be able to recognize the learning characteristics of students with learning disabilities and the consequences of their disabilities.

Once learning-disabled (LD) students are identified, professors will continue to meet these students in their classes. An equally important goal of the handbook is to assist professors to meet the instructional needs of these students with learning disabilities. Suggestions professors may use to assist students in learning course content and to meet course and program requirements are provided.

The PSLD staff through the Office of Services for Students with Disabilities provide a number of in-depth support services and instruction for students with learning disabilities. These include:

1. Counseling and career guidance.
2. Instruction to assist students to develop basic academic skills and cognitive strategies for improving reading, writing, spelling, and mathematics achievement.
3. Instruction to assist students to develop learning skills, e.g., note-taking and exam-taking skills, memory strategies, communication skills.
4. Instruction in the use of computers and development of specific skill areas through computer assisted instruction programs.
5. Peer tutors to assist students in acquiring course content which makes heavy demands on skills affected by their learning disability.
6. Making special arrangements with instructors' approval.
7. Liaison with professors and faculty regarding special considerations required by students.

Ultimately, however, the major thrust of the PSLD is to enable students with learning disabilities to successfully complete course and degree requirements. This handbook is intended to assist professors in making accommodations for the LD students in their classes.

PART ONE

UNDERSTANDING LEARNING DISABILITY

1. What is a Learning Disability?

Learning disabilities is a generic term that refers to a heterogeneous group of disorders due to identifiable or inferred system dysfunction. Such disorders may be manifested by delays in early development and/or difficulties in any of the following areas: attention, memory, reasoning, coordination, communication, reading, writing, spelling, calculation, social competence, and emotional maturation.

Learning disabilities are intrinsic to the individual, and may affect learning and behavior in any individual including those with potentially average, average or above average intelligence. (Learning Disabilities Association of Canada, Policy Manual G(E)-7, September, 1991)

Operationally, the learning disabled adult can be described as follows. The learning disabled adult:

- has difficulty achieving in areas requiring the ability to apply basic skills, i.e., reading, written language, spelling, and/or mathematics;
- manifests problems related to information processing, e.g., language, visual-spatial, memory, and attention difficulties, on a battery of psycho-educational tests;
- demonstrates average or above average intellectual ability on tests of general intellectual ability;
- demonstrates a significant discrepancy between intellectual potential and academic achievement, even though he/she has received traditional instruction during the school years;
- does not demonstrate any other primary disability (e.g., mental retardation, emotional disturbance, hearing or visual impairment which could account for the academic underachievement.

The term learning disability includes a heterogeneous group of syndromes which stem from information processing problems caused by a known or assumed neurological dysfunction. The processing problems result in learning problems and failure to achieve in basic skill subjects (i.e., reading, written and/or spoken language, spelling, grammar, and mathematics). The ultimate result for the university student with a learning disability is that he/she may encounter problems with various aspects of their courses, e.g., acquiring information from lectures, and in completing assigned readings, labs, papers and exams. They may also have problems with time management, attention span, listening and taking notes simultaneously, and understanding verbal and/or nonverbal messages. Social and emotional difficulties may also result due to the failures encountered as a consequence of the learning disability.

A learning disability is a chronic condition which affects the individual throughout his/her entire life span. Although learning disabilities do not decrease with age, persons with learning disabilities can acquire strategies which enable them to cope with their learning

problems (that is, to improve their basic skills and the ability to apply the skills), and to become productive adults.

2. How do I Identify Students with Learning Disabilities?

It is generally a good policy to inform students with learning disabilities that you are willing to offer assistance, for example, in your introductory comments to your new classes you may say something like this:

"If there are any students in my class with physical or sensory or learning disabilities, you are welcome to drop by my office sometime this week. We can discuss any questions or concerns you may have".

This encourages students who know they have learning disabilities to identify themselves and to discuss their accommodation needs.

Students with learning disabilities who have not been identified prior to entering university may be identified by a professor. More than one-third of the students participating in the PSLD have been identified and referred by a professor in whose class the student is enrolled.

The first step in learning how to identify students with learning disabilities is to become familiar with the characteristics of learning disabilities. One characteristic of learning disability is failure to achieve and/or an inability to apply the basic skills of reading, writing, and/or mathematics. However, some persons with achievement difficulties may not be learning disabled. For example, a student who has not had an opportunity to receive an adequate education at the elementary and/or secondary level may be an underachiever.

There are several general indicators which may assist the instructor to identify learning disabled students:

1. You may identify a discrepancy between the student's output and your perception of his/her effort and ability.
2. There may be an obvious discrepancy between the student's oral and written language. (More than 80% of the students participating in the PSLD have difficulty with written language.)
3. He/she may have difficulty with reading assignments because reading rate is slow and/or there may be comprehension difficulties. (Approximately 60% of the PSLD participants manifest reading difficulties. The majority of this group have moderate to severe problems decoding words, cannot use skills such as scanning and skimming, and are slow readers; approximately one-third have difficulty comprehending what they read.)
4. Some LD students have difficulty with listening and receive very little information from oral lectures.
5. Inability to spell is frequently a problem. There may be a very high frequency of approximate spellings. (Approximately 90% of the PSLD participants have

- spelling difficulties; the most frequent error is confusion of short vowel sounds, followed by rule errors when adding affixes to root words.)
6. Mathematics may be very difficult for some learning disabled students. (Approximately 30% of the PSLD participants have moderate to severe difficulty with basic arithmetic operations.)
 7. Handwriting may appear cramped. Writing (letter formation) may be illegible often to the extent that words may appear to be misspelled. Capitals and lower case letters are often placed randomly throughout a word.
 8. Organizational problems are frequent; they range from failure to organize their writing assignments and class notes to failure to organize their time efficiently, difficulty following directions, and slowness in completing assignments.
 9. Students with learning disabilities may have problems with interpersonal relationships, often because they have difficulty reading non-verbal cues. The result may be socially unacceptable behavior and difficulty relating to instructors and/or other students. They may have difficulty performing the role of self-advocate.
 10. Students with learning disabilities may be characterized by feelings of ambivalence. On the one hand, they are eager to learn and to accept help; on the other hand, they may be quick to give up, feeling that they will not be successful. Terms like failure avoidance and learned helplessness are often used to describe students with learning disabilities. While these characteristics may be applicable to many students, they are more pronounced and chronic in the learning disabled.

If a professor suspects that a student in his/her class has a learning disability, a checklist of behaviors characteristic of learning disabled students is often helpful in verifying the suspicion. The checklist presented in Appendix A is adapted from an article by Whyte & Nicely-Vosahlo published in Folio, February 12, 1987. The checklist can be used to screen LD underachieving students from other underachieving students. If you consider the student to be a learning disabled student, refer him/her to the Office of Services for Students with Disabilities (OSSD), 300 Athabasca Hall.

3. What is the Process for Referring a Student with a Learning Disability?

At the University of Alberta, when professors, instructors, department heads, or faculty deans suspect that one of their students is learning disabled, the student may be referred to the PSLD. Some members of staff write a note to accompany the student, some call, others simply direct the student to the PSLD Counselor or the program's location. Whatever the method, the Office is aware the student may be quite confused about his/her reason for being referred. The concept of learning disability may be unfamiliar to the student. Thus, the referring staff person can help by preparing the student with some introduction to the concept. The OSSD follows the same practice and takes care the student is not "frightened by the label". The student may or may not be learning disabled, so the intake approach makes allowances for various possibilities. Whether an appointment is made immediately or for a later time depends on whether the student is comfortable with returning. Sometimes, sitting down and giving some

preliminary understanding of the identification process and the program is necessary to assure the student will return to a "disabled student" services office or a "counseling" office.

The University of Alberta PSLD intake procedure involves screening to determine if a student is a candidate for the formal four to six hour assessment process. Program admission depends upon these formal results.

Whatever the outcome, the referring person will be informed of the results. The feedback reinforces the decision to have referred the student in the first place.

PART TWO

ADDRESSING LEARNING DISABILITIES AT THE POSTSECONDARY LEVEL

What is the Scope of the Problem?

Although estimates vary, it is generally agreed that approximately 15% of the general population have a learning disability. From 6% to 8% manifest a mild disability, 5% to 7% manifest a moderate disability, and 2% to 3% have a severe disability (British Columbia Ministry of Education, 1984). No definite information is available concerning the number of students with learning disabilities who are enrolled in colleges and universities; however, estimates usually range from 2% to 5% of postsecondary students. What is known, is that the number of LD students attending college or university is increasing.

Colleges and universities are being requested to make accommodations for students with learning disabilities. In making accommodations, three factors should be considered for these "otherwise qualified" students with learning disabilities. The first factor involves technical standards. The second factor involves reasonable accommodations in matters of instruction and evaluation. The third factor involves student variables.

Consideration of Technical Standards

It is generally agreed that students with learning disabilities do not benefit from any lowering of standards. However, before determining what the technical standards for a program should be, Scott (1990) suggests that faculties and schools should consider the following factors. To determine the essential components of a program of studies, Scott proposes the following questions should be asked:

1. What is the purpose of the program or course?
2. What are the outcome variables that are absolutely required of all participants? Several additional questions should then be asked relevant to program, course, instruction, and assessment and performance (Scott, 1990). Once these questions have been answered, the college or University can determine the reasonable accommodations that can be made.

Program Variables

- What skills will be needed in the field after graduation?
- What are the requirements for licensing or professional accreditation?

Course Variables

1. What academic skills must be demonstrated?
2. What percentage of subject knowledge must be mastered?
3. What specific knowledge, principles, or concepts must be mastered?

Instruction

What methods of instruction are non-negotiable? Why?

Assessment and Performance

- What methods of assessing outcome variables are absolutely necessary? Why?
- What are acceptable levels of performance on these measures?

What are "Reasonable Accommodations"?

Once the faculty or school has agreed on answers to the questions on technical standards, decisions concerning reasonable accommodations can be reached. Accommodations should center around answers to the following questions (Scott, 1990):

1. What alternate methods of instruction could be used to present essential program or course components while involving different perceptual or cognitive abilities?
2. What auxiliary aids (e.g., tape recorders and calculators) might benefit the student?
3. In what ways is the instructor willing to facilitate the use of auxiliary aids? (For example, will the professor allow the students to tape lectures?)
4. What alternate methods of evaluation could be considered for assessing essential outcome variables?
5. How will these alternative measures be evaluated?
6. What are acceptable levels of performance on the alternative measures?
7. How will scores from alternative measures be equated with traditional standards?
8. Will the use of any of the above accommodations compromise the accomplishment of essential requirements? (Scott, 1990)

Consideration of Student Variables

Professors are asked to make accommodations for students with learning disabilities because the disabilities interfere with their ability to learn from traditional instruction. To determine the accommodations which will be made, questions relevant to student variables should be considered:

1. What pre-existing abilities or skills must all participating students possess?
2. Is there a minimal level of proficiency in these abilities?
3. Does the ability or skill necessarily need to be performed in a prescribed manner?

4. Does the student understand the essential purpose of the course, and any subsequent restrictions on accommodating methods of instruction or means of evaluation?
5. Can the student meet all essential requirements in spite of his or her learning disability, when given reasonable accommodation?
6. Will accommodating individual needs pose a risk of personal or public safety?
(Scott, 1990)

In the above guidelines, the essential program components are central to determining the qualified student. When essential components are clearly and objectively delineated, a nondiscriminatory standard is established for all students (Scott, 1990, p. 403).

PART THREE

ACCOMMODATING STUDENTS WITH LEARNING DISABILITIES:

What Types of Accommodations will Assist the Student with a Learning Disability?

Several types of accommodations can be made for students with learning disabilities. The accommodations center around methods of instruction and evaluation procedures for assignments and examinations.

This section will offer suggestions for accommodating the LD student in university classes. In addition to the experience gleaned from working with the PSLD, suggestions made by staff in professional development programs in several Canadian colleges and universities are incorporated, e.g., the University of Calgary, the University of Guelph, Canadore College, Ontario, and East Kootenay Community College, British Columbia. The section addressing mathematics instruction includes suggestions developed by Dr. Juliana Corn and her colleague Alexandra Klein at Queensborough Community College of the City University of New York.

INSTRUCTING LEARNING DISABLED STUDENTS:

Suggestions for Lecturers and Instructors

Anything you do to **instruct learning disabled students will help** all your students. The emphasis is on organization and clarity, with a few specific arrangements that require only your permission. (Canadore, College of Applied Arts and Technology, Information ... Identification ... Instruction!)

Instruction plays a key role in determining whether students with learning disabilities will successfully complete a diploma or degree program. Several **aspects of instruction are** addressed: course preparation and design, presentation of content, accommodating to individual needs, and making assignments.

Course Preparation and Design

1. When selecting texts, choose well- organized texts with reader aids (e.g., chapter summaries, glossaries, indexes).

2. Make course descriptions, book lists, and other materials available well in advance.
3. Prepare an advanced reading list, and if possible, an alternate, less demanding reading list written at a simpler level.

Presentation of Content

1. Help students organize by providing yourself as an organized role model. Present overall plans for the course/unit/lecture.
2. Emphasize the "Tell them what you are going to tell them - Tell them - Then tell them what you have told them" approach.
3. If using films or videos, indicate the main points to be noted before students view the material.
4. Clearly indicate the important points of your lecture. Use written and oral techniques to identify main ideas, i.e., make parallel visual and verbal presentations of key lecture points.
5. Use overhead projections, diagrams, and charts as much as possible.
6. Provide lecture outlines, teach definitions and terms, emphasize points, and clarify relationships.
7. Instead of presenting detailed masters for overhead projectors (they can be overwhelming), present a basic outline and add information as you lecture. Contrasting colors can help.

Suggestions for Mathematics Instructors

1. Give frequent cumulative tests and quizzes. (Frequent quizzes provide students with feedback on their understanding of specific topics, incentives to study and review, and opportunities to combine new skills with those previously learned.) Analyze errors. Look at process as well as product. Vary format of questions.
2. Structure each class session:
 - (a) Begin each session with a summary of the previous lesson and an overview of the new topic.
 - (b) Model the process of note taking by writing the steps for procedures on the board.
 - (c) Summarize the lesson at the end of the class.
3. Encourage students to put homework problems on the board.
4. Provide students with strategies for monitoring errors. Give instruction on how to avoid common pitfalls.
5. Clarify all relevant vocabulary. Be consistent in use of language to describe procedures. Avoid lengthy, complex sentence structure.
6. Provide visual cues. Use techniques such as color coding, underlining, and boxing to call attention to exponents, variables, operational symbols, etc.

7. Vary activities and method of presentation. Teach concepts and applications. Provide concrete examples.
8. Be flexible.

Accommodating to Individual Needs

1. When teaching, actively encourage students to learn from each other, to form study groups, and to use the services of the various resource centers on campus.
2. Allow recording of lectures and/or make outlines of lecture materials available.
3. Help students to find a volunteer note-taker for lectures and/or encourage students to pair up with good note-takers and form study groups.
4. Provide opportunities for oral participation, questions, discussion and clarification of lecture material.
5. Incorporate review sessions into lecture schedules, and where possible, provide study questions prior to tests and exams.

Making Assignments

1. Explain assignments clearly, both orally and in writing, with clear deadlines.
2. Provide alternative assignments to allow demonstration of competence, e.g., allow oral presentations, and allow taped/scribed papers to supplement or occasionally replace written ones.
3. Allow plenty of time for completion of assignments.
4. If class size permits, consider having some papers handed in twice, first in rush form for your input, then in final form.
5. If a student has difficulty with clarity because of significant writing problems, allow him/her to pass in a cassette recording along with their written assignment.
6. Encourage students to use computers, word processors, or other such technical aids that may be appropriate.
7. For students with the most severe written language disabilities, suggest the use of scribes or typists on computer in preparing their assignments.

Writing Tests and Examinations

Be aware that an exam is particularly stressful for learning disabled students. Where required, allow learning-disabled students to have special examination conditions. The provisions suggested here will greatly enhance the learning disabled student's potential for achievement during examinations.

Providing Alternate Arrangements

1. Ensuring minimum distraction is essential for some learning disabled students. This can be achieved by providing a separate "quiet" room free from visual and auditory distractions.
2. Some learning disabled students will require extended time. One-and-one-half times the length of the regular exam is an accepted standard. Discuss with the Learning

Disability Counselor the time extensions which will be reasonable for specific students.

3. Permit the use of computers, word processors, and other such technical aids as may be appropriate.

All of these arrangements can be made through the Office of Services for Students with Disabilities for students in the PSLD.

Preparing Examinations

1. Modify test questions to avoid double negatives, complex sentence structure, and questions embedded within questions.
2. Have examination questions recorded onto tape for students with severe reading disabilities.
3. Provide an alternative to computer-scored answer sheets (e.g., allow students to supplement multiple choice tests with short answers).
4. Provide alternate exam formats to accommodate to specific needs (e.g., students with visual processing difficulties may increase their performance by taking essay exams rather than multiple-choice exams, and students with severe written language disabilities may profit from the multiple-choice format).

Again, at the University of Alberta, the Office of Services for Students with Disabilities can help you make some of these arrangements, for example, by involving volunteer readers for #2.

Writing Exams

1. Allow students to have test questions clarified.
2. Allow students to use dictionaries and simple calculators.
3. Allow students to use a spelling checker.
4. Allow students to write with the type of support that most allows them to demonstrate their knowledge of what is being examined, e.g.,
 - write their essay, then dictate what they wrote to a scribe (hand in both their and the scribe's version)
 - dictate their essay to a scribe or typist have that scribe later ask them to spell random sampling of words for you to see - write their essay, then type what was written
 - write using a computer to enhance organization, legibility, and monitoring for errors.

SUMMARY

The support program for LD students at the University of Alberta is a four-pronged program involving counseling, instruction in basic skill areas (i.e., reading, written language, and mathematics), development of "learning-to-learn" skills, and peer tutoring. The content for the four components in the program is determined by a thorough assessment of the strengths and needs of each LD student.

The primary objective for each separate component and for the program as a whole is to teach students to apply the skills acquired, to help them to attain the goals of a University education. University instructors also play an essential part in offering students with learning disabilities the means to cope with or minimize their learning problems. The purpose of this handbook is to assist university faculty to understand the nature and consequences of learning disability, and to offer suggestions for assisting LD students enrolled in their classes.

The results attained in the PSLD are evaluated, both on an ongoing basis and a long-term basis. The preliminary results based on analysis of data are positive and encouraging. Similar conclusions are being reported by other universities providing support programs. Vogel & Adelman (1990), for example, report that their findings at Barat College indicate the effectiveness of such a comprehensive, highly coordinated four-pronged approach in the University setting.

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APPENDIX A TO THE FACULTY GUIDE FOR TEACHING POSTSECONDARY STUDENTS

Checklist Characteristics of Learning Disabled University Students

(While learning disabled adults do not fit a single profile, there is a body of characteristics, some combination of which can be used to describe the LD person.)

Directions: Place a check beside each behavior/characteristic you have observed.

Remember that no student will manifest all the characteristics.

A. Cognitive Characteristics

1. Reasoning - problems

- _____ with logical reasoning and abstract thinking
- _____ applying reasoning skills, e.g., asking questions, posing hypotheses, evaluating information
- _____ with non-verbal and spatial reasoning

2. Memory - deficits in

- _____ short term auditory and/or visual memory
- _____ ability to use rehearsal strategies to organize information for storage and retrieval

3. Problem Solving

- _____ few strategies to improve memory or solve problems
- _____ uses qualitatively different approaches to problem solving
- _____ undertakes tasks without well-planned goal-directed behavior

4. Language

- _____ problems with phonemic discrimination, particularly when words are lexically unfamiliar and multi-syllabic
- _____ problems with sound blending and phonemic segmentation
- _____ immature syntactical patterns
- _____ restricted and/or imprecise vocabulary
- _____ problems with oral language
- _____ problems with written language
- _____ lack of variety in sentence structure and overuse of simple sentences

5. General problems

- _____ poor fund of general information
- _____ short attention span
- _____ difficulty sequencing events and ideas
- _____ difficulty distinguishing important from unimportant information
- _____ difficulty organizing information and ideas
- _____ problems generalizing from one situation to another
- _____ difficulty switching from ineffective to effective strategies
- _____ difficulty spontaneously selecting and applying cognitive strategies

B. Social-Interpersonal Characteristics

- _____ has difficulty understanding social cues
- _____ has self-concept problems
- _____ has difficulty joining a group and/or making and keeping friends
- _____ withdraws from social contact because of lack of confidence
- _____ does not tolerate stress situations well
- _____ has few strategies for controlling anxiety and stress
- _____ is sensitive and easily hurt

C. Academic Characteristics

** Academic characteristics may be generalized and present in every area involving reading, math, and written language, or may be related specifically to one skill area (e.g., reading), or to one component of a skill area (e.g., spelling). Academic **deficits are the result of** cognitive disabilities.

1. Study Skills

- _____ ineffective study habits
- _____ lack of organization and time management skills
- _____ poor note-taking skills

2. Reading Skills

- _____ poor reading comprehension
- _____ slow reading rate
- _____ incompletely mastered phonics and other word attack skills
- _____ incompletely mastered comprehension skills, e.g., difficulty finding main idea(s), distinguishing between relevant and irrelevant information; cannot skim, scan, summarize paraphrase
- _____ reluctance to read

3. Writing Skills

- _____ problems with mechanics: punctuation, capitalization, spelling, and grammar
- _____ problems with handwriting problems with syntax and sentence structure
- _____ difficulty formulating and organizing ideas
- _____ length of papers is inappropriate for topic addressed
- _____ decreased ability to write under the pressure of time constraints

4. Oral Language

- _____ difficulty attending to spoken language, inconsistent concentration
- _____ difficulty expressing ideas
- _____ difficulty describing events/stories in sequential order
- _____ difficulty pronouncing multi-syllabic words
- _____ may transpose syllables in words
- _____ residual problems with grammar
- _____ has difficulty asking questions
- _____ does not speak often, answers questions as briefly as possible

5. Mathematics Skills

- _____ difficulty with calculations and/or problem solving
- _____ incomplete understanding of number concepts and laws
- _____ makes computation errors because columns are misaligned
- _____ does not understand concepts like place value
- _____ has difficulty visualizing spatial relationships
- _____ may understand algorithms, when they are appropriate to use in problem solving, but makes errors in computing
- _____ has difficulty in subject areas requiring math-related skills, e.g., chart/map reading skills, interpretation of graphs
- _____ has difficulty in subject areas requiring application of math related skills, e.g., statistics, economics

APPENDIX E- NATIONAL ASSOCIATION OF STATE BOARDS OF ACCOUNTANCY (NASBA)

Disability Documentation Guidelines

The guidelines provided below describe the necessary components of acceptable evidence of a disability. Qualified individuals with disabilities are required to request accommodations every time they apply to take the examination by the application deadline for the state to which they are applying. This requirement allows the respective Board to determine if the qualified individual is “disabled” under the Americans with Disabilities Act of 1990 and to arrange reasonable and appropriate accommodations and services prior to the administration of the examination. Consequently, it is in the candidates’ best interests to provide recent and appropriate documentation, which clearly defines the extent and impact of the impairment(s) upon current levels of academic and physical functioning.

- Request for accommodations and appropriate, supporting documentation, which is complete, must be submitted by the application deadline for the state to which you are applying as a candidate.
- Testing must be performed by a licensed and/or qualified (expert) specialist or physician. Information about their area of specialization and their professional credentials, including certification and licensure, should be clearly delineated.
- Documentation should be submitted on official letterhead from a licensed and/or qualified (expert) physician who has conducted a clinical examination of the individual and diagnosed a physical or mental impairment. Depending on the disability and written evaluation, documentation may include a letter from a physician or a lengthy assessment report.
- Documentation should provide evidence of a substantial limitation to physical or academic functioning. For invisible disabilities, the following areas must be assessed:

Ability The Weschler Adult Intelligence Scale (WAIS), with subtest scores, should be included as a standard measure of overall intelligence. The WAIS is only one component of a full documentation report. This test alone is not acceptable. *After January 1998, evaluations must use the WAIS—III.*

Achievement A comprehensive academic achievement battery, with subtest scores, is essential. Current levels of academic functioning in relevant areas, such as reading (decoding and comprehension), mathematics, and oral/written language are required. Tests must be reliable, standardized, and valid for use in an adolescent/adult population.

Processing Skills Other tests in processing areas may warrant evaluation as indicated by the tests above. These areas include information processing, visual and auditory processing, and processing speed.

These suggested tests are not meant to preclude assessment in other relevant areas, such as psychological status or vocational skills.

- Documentation should be recent (e.g., generally no more than three years old).
- Documentation for all disabilities should describe the extent of the disability, the criteria for the diagnosis, the diagnosis, the type and length of treatment and/or recommended accommodation. Terms such as learning “problems,” “deficiencies,” “weaknesses,” and “differences” are not the equivalent of a diagnosed learning disability.
- All accommodations must be approved by the State Board for which you are a candidate. Once accommodations have been granted, they may not be altered during the examination unless prior approval of the Board is obtained.
- Each determination of reasonable accommodations will be made on a case-by-case basis.