



Accommodations for a Party with Autism

A party may ask for specific accommodations. However, a party may not know enough about the hearing process to know what they need. No two parties with a disability are exactly alike. Some autistic people were diagnosed as children, some later in life. Autism Spectrum Disorder (ASD) varies widely between people and accommodations can vary from full-time care and support to high functioning people that may not need any accommodations. People with autism may be hesitant to inform an employer or teacher that they are on the spectrum. They may or may not know what accommodations will work well for them in an administrative hearing.

Autism is one of the disabilities that the People first language may not apply. It would be a good suggestion to ask the person if they prefer ‘autistic person’ or ‘a person with autism’.

Autism is a complex neurodevelopmental disorder occurring in 1 out of 150 individuals with more frequent occurrence in boys than girls (Centers for Disease Control and Prevention [CDC] 2007). Classified as one of the five Pervasive Developmental Disorders (Diagnostic and Statistical Manual of Mental Disorders, IV, TR, 2000), autism is a neurological disorder that impacts brain development in social interaction, communication and repetitive behaviors. “Autism Spectrum Disorder” (ASD) includes the disorders commonly diagnosed as Autism, Asperger Disorder, and Pervasive Developmental Disorder - Not Otherwise Specified (PDD-NOS). Autism is one of the disabilities specifically defined in the federal Individuals with Disabilities Education Act (IDEA, 2004) and the [Washington Administrative Code \(WAC\) 392-172A-01035](#) (2007).

Accommodations and supports that may help individuals with Autism may include:

- explaining the hearing process step-by-step in greater detail during the prehearing conference; including letting the party know that only one person will be speaking at a time (this helps reduce anxiety);
- allow extra time to answer when testifying or responding to questioning. Ask if the party is finished before moving on;
- offering to send the party a blank declaration so that they can write out their testimony on their own timeline. The declaration can be submitted to the case or used by the party as notes during the hearing;
- offering to read aloud all notices and orders and to repeat the process if needed;
- if the hearing is in-person, offer to adjust the lighting. The party may prefer lighting that is not bright;
- explain that the party will need to be in a room free of distractions and noise. If it is an in-person hearing, ensuring the hearing room is free of distractions and outside noises;



- the ALJ may suggest that the party listen to the audio recording uploaded to the Portal if the party is a Portal user or offering to send an audio recording of the prehearing conference with the written prehearing order, to provide both verbal and written instructions about the hearing process;
- ask if closed captioning, or use of the Chat feature in TEAMS video hearings would be helpful for the party;
- providing sample witness lists and exhibits lists like those attached to the prehearing order on the specials case load;
- adding recommendations for how to prepare for hearing to the prehearing order like those included for *pro se* Parents in the OSPI caseload;
- assigning a Support Staff person or ADA team member to assist in filling out witness lists, exhibit lists, and numbering and organizing exhibits;
- upload documents to PRISM and notify the other parties as an accommodation for parties, this can be done by ADA team members;
- asking the party if they are understanding your instructions or if there are portions that need to be repeated;

Additional resources: [The ASERT Collaborative Justice Project *Judge's Guide to Autism*](#).

If it is unclear what type of accommodation would be necessary and appropriate for the party, contact the ADA team at: OAH_ADACoordinator@oah.wa.gov