



## Accommodations for a Party with a Learning Disability

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 learning disability are exactly alike. Many people with a learning disability have average or above average intelligence. Pay attention, be patient, and wait for the party to complete a word or thought. Examples of learning disabilities include:

Dyslexia	Deficits in visual, auditory, or motor process, which interfere with reading and reading comprehension; there may be difficulties with learning to translate printed words into spoken words with ease
Dysgraphia	Deficits in writing, which may include lack of organization, clarity, unity, fragmentation of written concepts, mechanical errors, reversals, transpositions, and omissions of letters or words. Spelling may be poor, handwriting may be illegible, and written ideas may be disorganized and incomprehensible
Dyscalculia	Difficulty with numbers or remembering facts over a long period of time; may have spatial problems and difficulty aligning numbers into proper columns; may reverse numbers, and have difficulty in mathematical operations
Dyspraxia	Problems with messages from the brain being properly transmitted to the body; though the muscles are not paralyzed or weak, may have problems working well together; might cause speech problems as well as poor posture, poor sense of direction and/or difficulty with actions such as throwing and catching
Visual Perceptual Deficit	Difficulties receiving and/or processing accurate information from their sense of sight; might have a problem picking out an object from a background of other objects or seeing things in correct order

Accommodations and supports that may help individuals with a learning disability may include:

- explaining the hearing process step-by-step in greater detail during the prehearing conference;
- offering to read aloud all notices and orders and to repeat the process as needed;
- 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 to repeat what was said, if you do not understand; telling the party what you heard and seeing if that is close to what the party said;
- being prepared for a party to use a device or technique that enhances or augments speech, or who communicates with an alphabet board or a computer with synthesized speech;
- liberally allowing amendment of materials written by the party;
- liberally construing materials written by the party;
- if a party needs to do any math or reply to the computations or calculations of the other party, such as in a wage claim case or a child support case: (a) exercise patience and allow time for a party to do the math; (b) allow time for a party who wants to get and use a calculator; (c) at an in-person hearing, provide a calculator for the party to use;
- create a calendar or graphic to help convey the schedule of events for the hearing process or a day planning for the day of hearing. Modify the process when a witness with a learning disability is directed to an exhibit and asked to read a portion; for example, the ALJ may note for the record the witness is being directed to Exhibit 6, page 2, third paragraph, second sentence, and then read the statement verbatim and repeat as needed before the question is asked and answered.

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](mailto:OAH_ADACoordinator@oah.wa.gov)