

## Service To Learners With Special Needs, Learning Disabilities, and Developmental Disabilities

“Special needs” is a broad term that incorporates the need for some type of accommodation. For example, students with special needs may have a physical disability (e.g., sight or hearing), a learning disability (e.g., dyslexia, dyscalculia, processing or memory problems), or a developmental disability (e.g., mental retardation, autism, Down Syndrome, or cerebral palsy).

“Learning disabilities” is a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities. These disorders are intrinsic to the individual, presumed to be due to central nervous system dysfunction, and may occur across the life span. Problems in self-regulatory behaviors, social perception, and social interaction may exist with learning disabilities but do not by themselves constitute a learning disability. Although learning disabilities may occur concomitantly with other handicapping conditions (for example, sensory impairment, mental retardation, serious emotional disturbance) or with extrinsic influences (such as cultural differences, insufficient or inappropriate instruction), they are not the result of those conditions or influences. —*National Joint Committee on Learning Disabilities, 1994. Definition also adopted by National Adult Literacy and Learning Disabilities Center.*

“Developmental disability” is a severe, chronic disability in an individual five years of age or older that:

1. Is attributable to a mental or physical impairment or a combination of mental and physical impairments
2. Is manifested before the person attains age 22
3. Is likely to continue indefinitely
4. Results in substantial functional limitations in three or more of the following areas of major life activity:  
self-care, receptive and expressive language, learning, mobility, self-direction,  
capacity for independent living, economic self-sufficiency  
and
5. Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated. —*Federal Definition, per <http://acdd.org/definition.htm>.*

Service to adults with special needs is addressed in several parts of the Nevada State Plan, which states that AEFLA-funded programs:

- Serve “those adults who are most in need and who have been least likely to participate.”
- Collaborate with community resource agencies in areas such as “human services, client advocacy, and related services to increase their ability to provide ABE services to the target population of the community.”
- “Strengthen and develop strong linkages between partners who serve individuals with disabilities and adult education programs through the one-stop system.”

#### Additional Resources:

- American Council on Education's site for [GED Accommodations for Disabilities](#)
- CASAS site for [CASAS Testing Accommodations](#) (look under “Special Needs” panel along the left)
- [Nevada Administrator's Manual, Section 3: Accountability](#) (Nevada policy regarding CASAS testing)

The following table lists Nevada’s recommendations for handling specific situations involving students with developmental disabilities.\*

# GUIDANCE FOR SERVING LEARNERS WITH DEVELOPMENTAL DISABILITIES

**Nevada Policy: AEFLA-funded programs will provide reasonable accommodations to those adults with developmental disabilities who have the ability to benefit from services.**

Action/Issue/Concern	Adult Ed. Office Recommendation	Reason/Background/Consideration/Next Step
Prohibiting Service to students prior to or at enrollment	Not recommended	Violates Non-Discrimination Laws: Civil Rights Act, ADA, and others including EEOC judgments  Not congruent with State Plan: “target service to hardest-to-serve”
Refusal to serve because no staff are available	Not Recommended	Programs need to make a good faith effort to recruit more staff with special education or other appropriate background. Programs could arrange with a local advocate organization for staff and tutor training to meet the special needs of learners.
Refusal to continue service because of no progress	Recommended	ADA requires that programs are able to document that they instituted interventions, accommodations, research-proven teaching techniques such as strategy instruction, etc. to make a good faith effort to produce progress. Progress needs to be carefully defined, since progress is often in the eye of the beholder.  It is recommended that adult education programs adopt the following policy statement: If a student has not benefited from instruction (i.e., no education level gain or measurable progress toward a stated goal over the last 100 hours of instruction, and a good faith effort as described above has been made by the program, the program may refuse to continue service because of no progress.
Eliminating students because of concerns about their poor performance negatively affecting performance-based funding.	Not recommended	Nevada Adult Education has prioritized services to the hardest-to-serve. Programs will not be punished for making good faith efforts to serve the hardest-to-serve students, if they are conscientiously instituting research-proven strategies to be successful with the hardest-to-serve such as self-awareness, barrier removal, interventions, accommodations, goal-setting, multisensorial instruction, etc. regardless of student outcomes.  Nevada Adult Education office is strongly opposed to “creaming”, to improving performance by denying services to the hardest-to-serve students. Performance improvement should result from improving program services.

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Using competencies or curricula to deny service to learners: i.e. our curriculum is not appropriate for developmentally disabled learners.	Not Recommended	Basic skills competencies, and context-based curricula are virtually impossible to separate from the life skills needs of learners.
Denying service based on lack of experience serving developmentally disabled learners.	Not Recommended  (However, this could be a very compelling starting-point statement to make to advocates as a way to start negotiating joint services with a service provider, since they will be seeking quality services for their clients.)	Regular basic skills strategies are appropriate for use with developmentally disabled learners, but should include a consistent review schedule to allow learners to maintain or increase skills levels.  Nevada Adult Education recommends you seek out special education experts for training.
"It's somebody else's job to serve students with special needs."	Not recommended	Identify the appropriate agencies in the community and meet with them, offer to train their staff in literacy, or ask for funding to provide developmentally disabled specific training services for the staff in your program.
Staff are afraid of students with special needs, are frustrated by them, and won't work with them.	Not recommended	This is a training issue. Staff need to be ready to accept and work with any and all students. They need to have realistic expectations about progress.

\* Table adapted from state of WA/Ability to Benefit July, 2002