



Implementing Best Practices & Educating Lawyers: Teaching Skills and Professionalism Across the Curriculum

Workshop
7A

Understanding Learning Disabilities and
Implementing Effective Teaching Methods to Assist
Law School Students
Affected by Learning Disabilities

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**UNDERSTANDING LEARNING DISABILITIES AND IMPLEMENTING EFFECTIVE TEACHING
METHODS TO ASSIST LAW SCHOOL STUDENTS AFFECTED BY LEARNING DISABILITIES**

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UNDERSTANDING LEARNING DISABILITIES

What Learning Disabilities Are

- A disorder in the brain's ability to process language (spoken or written).
- Affects the manner in which individuals
 - take in information,
 - organize it,
 - retain it, and/or
 - express the knowledge and understanding that they possess
- Hinders ability to listen, think, speak, read, write, spell, or do math.
- Are life-long disorders

What Learning Disabilities Are Not

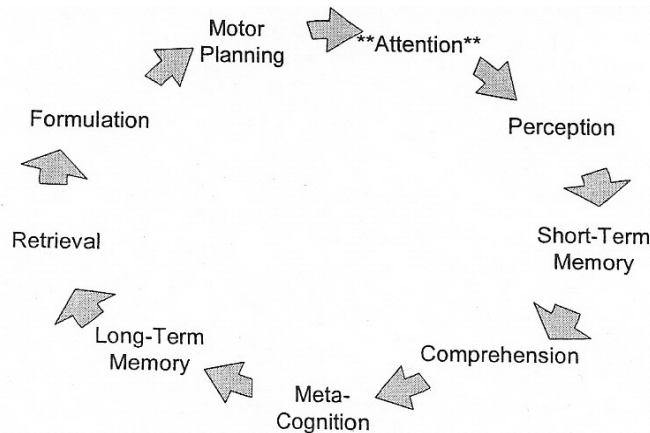
- LD does not = physically disabled
 - LD does not include learning problems that are primarily the result of
 - visual, hearing, or motor disabilities,
 - mental retardation,
 - emotional disturbance, or
 - environmental, cultural, or economic disadvantages.
- LD does not = "slow" or "mentally retarded"
 - Students with LD have average to superior intelligence, but experience a significant learning difficulty in one or more academic areas.
 - Have the intelligence to understand and learn, but have something blocking them from receiving, organizing, expressing info.
- LD is a *severe discrepancy between achievement and intellectual ability* in one or more of the following areas:
 - Oral expression
 - Listening comprehension
 - Written expression
 - Basic reading skill
 - Reading comprehension
 - Mathematics calculation & reasoning

Point

- Learning Disability = a processing problem, not an intelligence problem!
- LD students have the intelligence to understand, learn, and succeed, but have something blocking them from receiving, organizing, or expressing info.
- As teachers, we should do what we can to help intelligent students learn, achieve, succeed. We can help students overcome, get around, or minimize roadblocks caused by LD's, and thus better learn the substance of our classes.

HOW LD's AFFECT LEARNING

How We Learn Learning Processes:



- **Attention:** To learn, we must focus attention on the information we want to take in and filter out distracting information.
- **Perception:** To learn, we must sort and clarify incoming information by fitting it into patterns and distinguishing between information that sounds or looks or feels alike.
- **Short-term Memory:** To learn, we must temporarily store information until it can be related to other information or stored in more permanent memory.
- **Comprehension:** Humans usually communicate information by way of symbols: pictures, gestures, words, sign-language. To learn, we must interpret or attach meaning to the symbols.
- **Meta-cognition:** To learn, we must be able to observe and reflect on our own learning and devise strategies to learn more effectively and efficiently.
- **Long-term Memory:** To learn, we must be able to store patterns of information that are related and connected to other information much like a cross-indexed filing system.
- **Retrieval:** To demonstrate what we've learned, we must be able to find the information we have already stored. We must quickly find the idea, word, gesture, spelling pattern, multiplication fact, etc., that we want to use.
- **Formulation:** To demonstrate what we've learned, we must take an idea and translate it into the appropriate symbols so it can be easily and clearly communicated.
- **Motor Planning:** To demonstrate what we've learned, we must use some part of our body to communicate the information. The brain programs the muscles into a series of smooth movements and tells them how to move to speak, draw, write, etc.

Affect of LD's

- People w/ LD typically have difficulty w/ one or more of these processes of learning. The process works slowly or intermittently, making it difficult to learn easily or quickly. Learning is possible but often exhausting and frustrating.
- **Attention:** Concentrating for more than 10 to 15 minutes is very difficult. Trying hard to concentrate is exhausting. The mind is easily distracted by internal thoughts and ideas or by external interruptions.
- **Perception:** When you listen to people talk, it's easy to confuse similar sounding words like pacific and specific. Some people easily confuse number sentences such as 12458 and 12548.
- **Short-term Memory:** People with short-term memory problems quickly forget what they just heard or saw. We all have difficulty sometimes with names and phone numbers, but for people with LD, lots of information simply "vanishes." Trying to read or listen to lots of information is frustrating.
- **Comprehension:** Interpreting or attaching meaning to the symbols is difficult. The meaning of a picture, gesture, graph, or chart may not be readily apparent. Learning new vocabulary may be difficult. When information comes in quickly, it may be hard to process it rapidly enough to really understand. Trying to listen to or read lots of information quickly is exhausting.
- **Meta-cognition.** Using strategies to learn more effectively and efficiently doesn't come naturally and people with LD often don't have a lot of insight into how they learn. Planning and organizing for learning are difficult. Some people with LD don't have an intuitive sense of how long it takes to complete various tasks. Managing several classes with several assignments/exams is exhausting.
- **Long-term Memory:** People with LD often seem to store information as isolated bits instead of in patterns that are easily cross-indexed. Frequently, it's as if things that they have seen, heard, or read a day or a few weeks ago have simply "vanished" from memory. Even studying long and hard doesn't seem to make information "stick."
- **Retrieval:** The ability to retrieve ideas or information is difficult or unstable. Often people with LD can't think of the word they want to say, the math fact they need, or the chapter they read last night. We all have this difficulty from time to time, but for people with LD it occurs frequently and unpredictably.
- **Formulation:** People with LD often have good ideas, but have difficulty using one or more symbol systems (words, gestures, pictures, drawings, charts) quickly, easily and smoothly to express that idea clearly. Sometimes they can compensate by using a different symbol system.
- **Motor Planning:** Effortless movement is often difficult. Fine motor activities may be difficult to learn, particularly handwriting.

Characteristics of Students with LD (Related to Law School):

- Long term difficulty in reading, writing, spelling in contrast to average or superior skills in other areas.
- Slowed reading speed. Takes two or three times longer to read than other people.
- Severe difficulty spelling common words.
- Difficulty expressing and organizing thoughts on paper.
- Verbal skills far exceed reading, spelling and/or writing skills.
- Difficulty taking notes and listening to a lecture at the same time.
- Slowed processing of information: needs "think time" to respond to questions, to retrieve information or to solve problems.
- Confusion of visually similar letters, numerals or words.
- Difficulty recalling and integrating information presented orally.
- Trouble focusing and sustaining attention.

Problems Caused by LD:

- Comprehending and using spoken language.
- Retrieval of words and phrases to express oneself.
- Long explanations or lectures.
- Seems as if people are speaking too quickly.
- Keeping up with conversation in a group.
- Mastering technical vocabulary on an unfamiliar topic.
- Understanding sarcasm, irony, and language-based humor.
- Comprehending long sentences when grammar is complex or convoluted.
- Perceiving, remembering, and pronouncing multi-syllable or foreign words.
- Taking notes during class.

Particular LD Most Common Among Law Students

- Dysgraphia
- Dyslexia
- Dyspraxia
- Non-verbal Learning Disorder
- Auditory Processing Disorder

What is it Like to Have a Processing Weakness?

- Five exercises to simulate experience of learning with learning disability (capacity vs. ability)
 - Ex. 1: Say the color, not the word.
 - Ex. 2: What do you see?
 - Ex. 3: Alice in Wonderland
 - Ex. 4: Story #2 Quiz
 - Ex. 5: Essay
- Now think about problems LD law students have.

UNDERSTANDING AD/HD

Common Types and Problems of Living with AD/HD:

- Poor attention; excessive distractibility
- Physical restlessness or hyperactivity
- Excessive impulsivity; saying or doing things without thinking
- Excessive and chronic procrastination
- Difficulty getting started on tasks
- Difficulty completing tasks
- Frequently losing things
- Poor organization, planning, and time management skills
- Excessive forgetfulness

ACCOMMODATIONS FOR LD LAW STUDENTS

Law

- Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.
 - Both require law schools to make “reasonable accommodations” to allow students with LD to have access to, and take a meaningful part in, law school courses.
- Must make reasonable accommodations, but only if:
 - Student has disclosed and documented their disability,
 - No undue financial burden, and
 - Does not substantially alter major program or degree requirements.
- Student must:
 - Actually have a documented disability,
 - Meet the course requirements, and
 - Be able to perform the essential task (with reasonable accommodations).
- NOT required to make accommodations that would lower academic standards or compromise integrity of programs or schools. But, must be able to justify how an alteration would lower the academic standards.

What are Accommodations?

- Removing a barrier or providing assistance that allows an individual to meet expectations by standard or alternative means.

Is it Fair to Other Students for You to Provide Accommodations to LD Students?

Why Bother, When Attorneys May Not Receive Accommodations in “Real World”?

- Is law school or a legal career just not the right fit for LD students?

Examples of Common, Reasonable Accommodations

Standard Accommodations

- Allowing course substitutions (to fulfill degree requirements)
- Decelerated program
- Offering additional time to complete assignments
- Offering adaptive devices & techniques (audio-taping laptops, spell checkers)
- Books on tape
- Note-taking service
- Preferential registration
- More time on exams, oral exams, separate location, etc.

Other Accommodations

During class:

- Consider alternative ways LD student can participate in class
- Roadmap (with written outline if possible).
- Build in breaks.
- Assign assignments in both oral and written form.
- Allow student to borrow notes (or use note-taker service).
- Tape record lectures.
- Present information in multiple formats. Orally, visually, on chalkboard, overheads, powerpoints, handouts, etc.
- Set aside time for questions and clarifications
- Provide lecture material (such as Powerpoint slides and summary of lecture outline) to students on TWEN, own website, or as handout
- Put new terms on chalkboard or on handout

For Exams:

- Provide exams that use larger font, double or triple spacing
- Let LD student circle answers in test booklet instead of using scantron cards.
- Taped exams
- Provide study guide and/or study questions that demonstrate the format and content of the exam.

Outside of Class:

- Conferencing
- Encourage peer tutoring
- Provide detailed syllabus w/ all assignments and due dates (so students who take longer can plan)
- Post syllabus (or book list) as early as possible. May take 6 weeks to receive audio versions of books/articles/readings.
- Include a statement in syllabus regarding learning disabilities.
- Invite students to self-identify.
- Encourage dialogue between you and LD student about possible accommodations
- Encourage students to use school's support services (like PluS).

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