

# Let's Talk Learning Disabilities

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## EPISODE 08

Welcome to Let's Talk Learning Disabilities with Laurie Peterson and Abbey Weinstein. Laurie & Abbey spend their days talking about dyslexia, dysgraphia, dyscalculia, and ADHD. They talk to parents of struggling students and adults who have had a lifetime of academic challenges. They want to share those stories, along with their own insights with you. So, *let's talk learning disabilities*.

Laurie: Hey, everybody. Welcome to Episode 08 of Let's Talk Learning Disabilities. I'm very excited today because Abbey's back. I feel like it's been forever since we got to talk together.

Abbey: Hey everybody, I'm so excited to be here! It has been awhile.

Laurie: So, we are recording this at the end of what everyone's. Comment referring to as Snowmageddon. So here in Dallas, we have had one crazy week of snow and cold weather and frozen busted pipes and people without water. And it's been bonkers. It's been really fun to see people go kind of come together and support each other. Texas is a good place.

Abbey: Yeah. The community has really rallied around each other and supported people here.

Laurie: Good people. So, today we thought we would talk a little bit about section 504. Um, those numbers we have people say, is it section 503 or 501 or whatever, but it's section 504. We're going to share a little bit about, um, what it is and, and what you get with it, how to access it. And then for our next episode, we're going to talk a little bit about special education. And how 504 and special education are the same and how they're different. So today's focus is just going to be all about 504. So Abby, I am going to let you tell us what the heck is 504. How do you define it?

Abbey: Well, 504 is a, it's a step below special education services. It is available to any and all individuals that have any type of substantial life impairment that interferes with. Um, uh, life functions such as learning or work or communication or hearing or seeing. So 504 actually comes from the Americans with disabilities act. And it's a section that affords everybody an opportunity to equal access to their

environment, to school, to work, to learning, etc. And it really is. The major part of it is that you have to have an impairment that interferes with a major life function. And we think of learning as a major life function. So if you have an impairment such as dyslexia, ADHD, um, asthma that's severe enough that makes you have to miss school and miss class and lose some educational opportunities. Um, Tourette syndrome, any type of medical condition, a down syndrome. If you have medical conditions, if you have any severe impairment that you, your needs can be met through accommodations, you could be eligible for 504.

Laurie: So does it, but learning is one of the many life activities, right. We're talking about things like walking and eating and talking and concentrating, communicating, working, breathing, all those things that like our major life functions. Right. So something like, um, like you said, asthma. That can impact your learning, but it can also impact your ability to participate in PE, right. Or it might also require you to need more frequent breaks or trips to the nurse. So, yeah, I think it's not just, I think the cool thing about 504 is that, obviously learning is the big one. But it can really impact any major life function.

Abbey: Right. So even work related, we've seen adults come in with learning disabilities where their learning disabilities actually interfere with their ability to perform at work. And to be successful at work. And so they're entitled to receive accommodations under section 504. So one of the great things about 504 is that it lasts through your lifetime. So it starts when you're young, you know, age three or four, and it can go into adulthood into the work environment. Whereas when we talk about special education, we'll talk about the limiting. Age factors and the constraints to those services and those don't last into adulthood and take you into the work setting, whereas 504 plans can take you into the work setting and allow you to get accommodations.

Laurie: So it does also show or the, the law also States that in order, you know, by law, they have to provide these accommodations if they're receiving funding from the government. So obviously public schools, most colleges and universities, non-private. Um, and then any government, the industry, right. But what we have found is that because of these laws, many of the places that don't necessarily receive government funding, like private schools and private colleges and private industries, they're still going to provide these supports A) because it's the right thing to do. And B), because it. If they don't, it sets them up for potential lawsuits, but it also limits the pool of, of, of people. Yeah. People that can be there, whether it's a private school or, or a college, you know, you have some really talented people that might just need a little bit of, a little bit of support. It's easy to do. So we're finding

more and more, and we obviously can speak more to the schools and colleges, but I think we're finding more and more private schools and private colleges. That are offering these words.

Abbey: Absolutely. They want to make it equal access, equal opportunity access to, to all of their education. Yeah. So they're following these plans as well. And yeah.

Laurie: Now there is no law in there that States it has to be a quality program or it has to be really well run. So you will find as you go through even school districts and colleges that some have amazing plans and programs and will jump through hoops to help their, their students or their faculty, whereas others, they do the bare minimum.

Abbey: Right. But in order to get 504 accommodations and to have access to a 504 plan, what type of proof do you need to show?

Laurie: Right! That's a big one. You do have to have proof, right? You just can't walk in and be like, Hey, I've got dyslexia. So hook me up with some accommodations. You have to show that. So, um, 504, you just need proof. Whether that's a letter from your doctor, a letter from your neurologist, a letter from, um, um, your school, a letter from somebody who's done testing and sees that you have a learning disability. It just has to be from somebody who can validate your condition. I hate to say disability because some of those are just, they're just medical conditions. Um, so it just has to be validated, but I think the really big piece of this, that a lot of people overlook is that just having that disability or condition alone doesn't guarantee you get support, right? Why?

Abbey: Well, you have to also show need. It has to that part of the law that explains that it has to substantially impact your life or a life function. So substantially impacting you. Well, if you're a student that's very successful at school and you're making straight A's and you're not having any social or behavioral difficulties and you're doing fine in all areas, then it's hard to prove that you. Um, that your disability or your impairment is substantially impacting you, right? So there's that educational need piece where you have to not only show you have an impairment, you have to be able to show that that impairment is negatively impacting you in that setting that you're in.

Laurie: And I think that's probably the hardest thing to understand, because we have so many families that because their child is making C's or making B's and having to work 150 times harder than everybody else. They just assume then that means that they

would qualify. But the school looks at that as what they're passing. It's not about, it's about leveling the playing field to meet the bare minimum requirements, not to make everybody a straight A student.

Abbey: That's right. So they're requiring all students to make at least a passing grade of a C. So that's all they're requiring of all students. So we may have a student that's working their tail off. For hours and hours in the evening to maintain those C's and B's. But if they are then the school can easily say, well, they're doing just fine and they're maintaining and they're passing and they're meeting the standards that we expect from all students.

Laurie: And I think the hard part about that is that between public schools and colleges. The other place that we see a lot of this is on, um, when we're, when we have people applying to get accommodations on things like the Mcat, they all sat the GRE, the, you know, licensing different licensings, the bar exam. Um, there's not really a way to judge the impact on a substantial, you know, a substantial impact on a life function. So where you might be getting it in one place, you may go somewhere else and they might not feel like it's very subjective I guess. they may not feel like that's a big impact. Right? And I feel like you and I have to spend a lot of time justifying that for certain tests or certain, you know, accommodations for certain exams or certain even certain colleges, whereas others. They really will just accept it if you have it. So I think that's really interesting that there's not like a, um, there isn't a standard really.

Abbey: I mean, sometimes we have to document there's a disability and we just list recommended accommodations. And those many schools are state exam boards will easily accept our evaluation and take those. Accommodation recommendations into consideration, whereas others want justification of why that individual needs each of those accommodations based on their individual testing profile and how it's, how it's limiting, how it's limiting those life activities. Right.

Laurie: I even think it's interesting. We see even just between schools, even just here, right. Forget across the country, but just even hear how one school will push back and say, but you're passing and another school will be like, yep. Okay. You've got it. Right. And it's very frustrating. And it's very hard to explain to parents and, and adults who are trying to get these supports. Why one place makes it so hard and another place makes it so easy. I remember it was like last year sometime we had an adult with ADHD who was trying to get some accommodations in law school and, um, he got it on the Lsat just fine. But then the law school was pushing back because they didn't feel like it was a substantial enough impact on his life function. And it

was just like really, you know, this poor guy. And it's just super frustrating for someone like that to have to keep fighting for a support that really. I mean, it's probably not going to make that big of a difference. Right. We're not talking about, he's going to be like valedictorian of his class. It's just going to help him get through it.

Abbey: Yeah. We're not saying modified the curriculum for them and make it an easier, we're just saying, give them a few accommodations such as extra time or a quiet place to take, take exams and things such as that. Okay. What are like, I mean, what would you say are top five accommodation? Um, recommendations are for 504 people.

Abbey: I would say oral administration of tests. Extra time for tests and exams, um, including those standardized assessments testing in a quiet testing center or individual administration of tests. Definitely. Um, I said extra time. What else? The most common copies of lecture notes, copies of lecture notes prior to the start a class, actually the ability to audio record lectures and accommodation as well. And, um, A quiet preferential seating with minimal distractions, for those with, you know, attention, problems and difficulties with focus. So those are the most common ones.

Laurie: Really quick though. I want to interject about sat and act. I think those are the two that we see the most guidelines for, because like who wouldn't benefit from extra time on one of those tests. And then I probably wouldn't have, because I would've lost my mind from boredom. The majority of the population would probably do well. So the testing and the documentation of a disability and our ability to explain how it limits this life function for sat and act is still not even enough. You have to show that you've been getting it in school on a regular basis. I think right now they're saying for at least four months. So you just can't like, get this testing done and be like, boom, I'm in, I'm taking the sat next week. I'll turn this in. I'll get my extra time. Nope. You've got to show them that you've been using it. Routinely and effectively, but you don't need to do that when you go to college and you don't even have to do that on the Mcat or the Lsat. I just hope it's again, fascinating to me the differences, but anyway, yeah.

Abbey: And even starting in elementary school, if all of a sudden you go in and you contact the counselor, the 504 coordinator and you find out your child has recently been diagnosed with ADHD and you want them to get 504 accommodations. All you have to do is prove. That there is that impairment, that ADHD condition, and they all of a sudden write up an individual accommodation plan for your child. And there doesn't need to be any proof that they've needed those accommodations very rarely, very rarely are they requiring that.

Laurie: Right? We have not had too many elementary schools back.

Abbey: No. And as far as the evaluations, in fact, most, most 504 committees are not evaluating your students. They are not. If it is dyslexia, the schools are required to evaluate if it's suspected or if it's requested or initiated by a parent or a teacher. So that in itself requires a thorough evaluation that looks at dyslexia, but all those other conditions, there is no evaluation needed and there is no reevaluation. So once you get five Oh four accommodations in school, you can continue to receive them until you graduate. Laurie: Without ever being reevaluated, but you do meet annually to discuss the plan.

Abbey: That's right.

Laurie: And so you'll meet every year and say, okay, here's what, you know, Joey has been getting, um, everyone and the teachers are there and we're talking about, are these things working? Um, and then if after a year or two of showing up at the meeting and they're all like, well, he's not really using any of them, they will dismiss you. Like you don't just get to stay if you're not using it. Right. Um, but no, they never, ever second guess your diagnosis, which I think is really interesting because special education is very different, right?

Abbey: That is one big difference between 504 and special education. Um, and really, and truly 504, there is no stigma attached to 504. It is so common and there are students in every classroom and in all, Classrooms and elementary, middle school, high school, college classrooms. And you wouldn't even be able to point them out. If you walked by that room and looked in the window, you would not be able to point out and who's getting them getting them. And so that's, what's cool about 504. There is no stigma associated, there's not a negative associated where a lot of people find that the term special education has this negative connotation associated with it, or, you know, my child, I don't want them to be labeled.

Laurie: Well, but the difference with five Oh four too, is that it doesn't get. It's not put anywhere. Like it's not on your transcript. If you do get extra time on the sat or the Lsat or the Mcat, nobody knows there's not a little asterisk by your score saying, Hey, this kid got you. This person got extra time. There's no knowing that. Whereas in special education, depending on what you're getting there might be something noted on your transcript. Um, so I think that's really important for people to understand, because. Sometimes people think, Oh, well, if I'm getting this extra, you know, quote, unquote help, well then, then it's not going to count. And that's not true at all. Nobody knows that you're getting the support. No, it never gets

noted anywhere. If you transfer schools, your cumulative file gets transferred with you. And that information's in that cumulative file. I mean that doesn't go to college with you. Um, so yeah, so where people feel like it can sometimes be negative and I've had students that will say, you know, I don't want to be singled out that I get up and go take my test in another room or that I'm getting extra help. And I think that's just more of a, um, I think that's more of a maturity and a self-awareness like, you know what? This is important for my success in school. I'm okay with it. And sometimes it just takes some time for those kids to really wrap their head around what's going on and why they need that support.

Abby: And that maturity level come with also with self advocating for your own needs. Being able to say, you know, um, Mrs. So-and-so, I'm supposed to get oral administration of my tests. Can I go to the testing center or can you read this to me? And so I think as they mature and they become more aware of their own needs and have that. Intrinsic motivation to want to do well and want to succeed for themselves, then they do start advocating for their own needs more often. And they actually start participating in their annual 504 meetings, you know, as they get older. And they have more of a say, so in their education and they can say, yes, I like that accommodation. Or no, that accommodation is not effective for me, I don't want it. I think those are important pieces of including students in their 504 meetings. So they can. Indicate what they want and don't want and what they like.

Laurie: You know, the other thing too, is that once they start to see the success that they can get from accepting that help. Right. So I don't want it, I don't want it, but while I just made an A on my test when I took it, so now I might be a little bit more motivated to ask for it the next time too. And I think they don't know what they don't know until they experience it. So, um, so the things that. That 504 can't do, is it can't change the curriculum. It can't change what is being taught that student's still responsible for all the same, um, objectives and, and information. It's just presenting it maybe in a different way or giving them a little leveling the playing field in the way of like giving them copies of the notes or, um, um, more time for the test, but it's not changing.

Abbey: What they need to know. It's more, it's actually seems like it's more modifying the environment for them rather than modifying the curriculum. So it's, you know, giving them accommodations that, like you said, help level the playing field and help get rid of some of those challenges related to their impairment or their disability.

Laurie: Can, can the school put somebody in 504 without consent from mom and dad?

Abbey: No. Parents must always provide consent for 504 services and they can also revoke that consent at any time. So at any time they feel like I don't want my student receiving these accommodations anymore or this extra help, or I just don't want them getting anything. They can revoke that consent and just say, no, no, I no longer want 504 accommodations. But they have to provide consent, um, written consent. There's a whole host of rights that they're entitled to under their procedural safeguards. They get given a document that lists all of their rights as parents. And one of their rights is that they can't change your child's education plan and put them in 504 without you signing consent to that. Program. So that is an important part is that the parents do provide the consent. They can revoke the consent and the student, if he turns 18, say during his senior year of school, he also gets the rights transfer over to him at age 18, him or her.

Laurie: And then interestingly, when they go to college, The college disability support people won't speak to mom and dad anymore, because now this is student's issue, right? This is their 18, it's their thing. So it's fascinating how that changes. Parents have struggled with that sometimes because they're used to kind of driving that boat and now it's not theirs to drive. But it also is again, why it's so important to teach that self-advocacy because when you go off to college, no one's going to be chasing you down saying, Hey, don't forget. You can take your test in the testing center. You're going to be like, if you are not the one, always having to remind your professor. So if you don't have that ability to advocate for yourself, then you're probably just not going to get the support, right? No one cares except for you.

Abbey: Even though the professors do get a copy of your accommodation plan. They have so many students that they oversee and that they instruct. So it is hard for them to keep up. I could imagine in a college setting and even in a public school setting, you know, K to 12, um, that's one thing that is great about the 504 plan is that once you. Signed consent and your child starts getting five Oh four accommodations. They together as a committee of the key stakeholders in your child's education, including you as the parent are a key stakeholder in your child's education. Usually an administrator, usually at least one of your child's teachers, you'll all gather together and together you'll write an individual accommodation plan. Sometimes you hear it called an IAP. Which stands for again, individual accommodation plan for your student. And then that plan is actually distributed to all teachers that your student sees so that those teachers all know what accommodations Joey is going to get, and that needed to be implemented and they should be implementing it with fidelity all of

the time, the way it's written, but should, is a big factor in that. I mean, again, teachers, we know. They have a million students. They're overworked. They have a ton of paperwork and they are human just like us and sometimes forget as well. So again, another reason to teach your child to advocate for their own needs and remind them, Hey, these are the accommodations you're entitled to, and you might have to remind your teacher that you need to get them. But that plan does get distributed to all professors, all teachers that the student sees.

Laurie: But again, teaching that. Advocacy, because we do have a lot of parents that will say. Well, they have a plan, but no one's following it. So yes, as a parent that you have certain, you know, duties up to a certain age that you need to make sure the school, the teachers are aware. You don't want to just leave it up to the school to handle it. You want to make sure at the beginning of the year, you're emailing all the teachers letting them know there's a 504, but then their needs as, as you hit that middle school time. And moving into high school. That's when you start to push your child to say, well, you need to let your teacher know, remind your teacher. It's so important. And I think if you explain to them, The benefits and, and help them see how the accommodations are benefiting them. They're again, going to be more likely to, um, push so really quick. Um, so workplace accommodations fall under ADA as well, the Americans with disabilities act. And so when we talk, I feel like lately we've had a lot of workplace accommodation conversations and, and clients that have needed those. Um, so those are harder to come up with. I mean, there, it's very hard to accommodate. A workplace or work environment. And really right now everyone's working from home or, but thinking back to pre COVID and what it's like, and hopefully what it will be like again soon. Um, what would be some workplace environments that you would, um, or workplace environment accommodations that you would recommend.

Abbey: Um, you know, one of the first ones that comes to mind is being able to use the text to, or speech to text software. So if you struggle with reading and writing and you do your job requires a lot of writing, there are these different accommodations. There are software apps, softwares. Extensions for Google applications that you can speak into your computer and it'll type it for you and vice versa. You can also have it read to you. And so struggling getting through emails. If you're. You are having to decipher a lot of different emails throughout your day at work, if that's part of your job, typing up reports, typing up written communication. So those are some different accommodations that will be beneficial. Those texts to speech software, dragon dictation, also getting extra time. If you do process information a little bit more slowly and you struggle to read and you have to take more time to read and reread and reread. Over and over again, in order to comprehend what you're reading, you're going to also benefit from getting extra time on your,

whatever your assigned tasks are at work. So that's a very important accommodation for employers to consider. Um, also something for people with physical disabilities, being able to have full access to the building with wheelchair ramps and. Wide hallways and accessible bathrooms.

Laurie: And I think it's interesting. Most people would easily come up with those kinds of things. Right. Because we see them all the time and we know we have, but you don't think about. Voice to text and, you know, or being able to audio record a meeting. Right. Or getting a preview of what's coming. Like if there's a big project coming, they, you get maybe a little bit advanced notice of what it is that you have a little bit more time to process it not being called on in meetings, because you need a few minutes to, you know, you don't think on your feet like that, for whatever reason, noise canceling headphones. You know, to keep out the distractions, but we all know about, you know, Ramps and, and handicapped bathroom stalls and rails. And all of that is, it has become thankfully so commonplace that we forget about these other things, because the accommodations that we need for the stuff that's going on inside, that's not the physical outside are equally as important. So yeah, I do feel like we've had a lot more, um, of those recently. And again, anytime there's a shift like with people working more from home and needing to accommodate, set up things a little bit differently, or if they've just graduated college and now they're working in an environment where they're in a cubicle and there's lots of distractions, or it's always a good time to start thinking about, you know, I, again, I don't think they realize that they can actually get those kinds of supports.

Abbey: Even frequent breaks. You know, people that have long extended work hours that have a hard time sustaining their focus and attention for extended periods of time. They're going to benefit from being able to get frequent breaks and be able to get up and move around and walk away from assignments and not be looked at like, what are you doing? Are you slacking off by, you know, walking away from your desk or. Taking a lap around the building and things like that. So that's another good accommodation for the workplace is the frequent breaks. So you're right. That there are some things that are not as easily spotable to the eye that we don't think about. And that there are plenty of adults out there that need those accommodations in the workforce. And many of them don't know they're even entitled to those well.

Laurie: And a lot of them are so hesitant to want to share that they do have any kind of disability, especially when it is something. Cognitive related like an attention deficit or a dyslexia, because they feel like that's going to hinder how they're viewed or change how they're viewed or, or the expectations or limit their ability to, to grow in the company. So they need to understand that that would then be

discrimination and that they couldn't do that. And that it's okay to ask for these things. And again, it just like with everything else, if you ask for it and you show that it's benefiting you. And no one's gonna have a problem with it, right. As long as it's helping you to do a better job.

Abbey: At the end of the day, they just want to see you performing your job to the best of your ability.

Laurie: Absolutely so, well, I think this has been really helpful. I think we've given a lot of good information in our, um, so our next episode is going to be all about special education and I feel like that's going to be really, um, good information to have because so many people just struggled to understand the difference between 504 and special education. If you have specific questions about 504, um, or really any of the topics we've discussed or anything learning disability related, please do not hesitate to email us. [Letstalklearningdisabilities@gmail.com](mailto:Letstalklearningdisabilities@gmail.com). Um, and you can always visit our website.

Um, everything's gonna be all the information to be in the show notes, um, but do not hesitate to reach out. Abbey. Thanks. I'm glad we're back. And, uh, hope you guys can join us next time when we can talk a little bit more about learning disabilities. Have a great day.

Abbey: Yeah. Take care. Stay warm.

Thank you so much for joining us today. In our show notes you can find information about today's talk, as well as links to the resources and other episodes. If you have questions about today's talk, have ideas for future episodes or just want to stay connected, you can contact us through Diagnostic Learning Services on Facebook, Twitter, LinkedIn and Instagram. So, Let's Keep Talking Learning Disabilities. This podcast is sponsored by E Diagnostic Learning. You can find more information at [www.ediagnosticlearning.com](http://www.ediagnosticlearning.com).

Length of episode 28:37