

POLICIES AND PROCEDURES FOR EXAMINATION CANDIDATES REQUESTING ACCOMMODATION FOR DISABILITIES

I. Statement of Policy

The Dental Board of California (Board) recognizes its responsibilities under Title II of the Americans with Disabilities Act to provide reasonable, appropriate, and effective accommodations, including auxiliary aids to qualified examination candidates with disabilities. However, the Board will not provide accommodations that fundamentally alter the measurement of the skills or knowledge the examination is intended to test.

All examination sites will be physically accessible to individuals with disabilities.

A disability is defined as a physical or mental impairment that substantially limits one or more of the major life activities of an individual (such as seeing, hearing, learning, reading, concentrating, or thinking) or a major bodily function (such as the neurological, endocrine, or digestive system). Mental impairment includes any mental or psychological disorder, such as organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Candidates who seek an accommodation have the responsibility to submit the request to the Board and provide reasonable documentation of the need for accommodation at the time of submission of the examination application and/or by the application deadline established for all applicants, if any. The information supplied to substantiate a candidate's request for accommodation will be kept confidential to the extent provided by law. The Board will evaluate each request individually, in accordance with the guidelines set forth herein, to render a decision. Any request for examination accommodation (except for accommodation requiring a physically accessible examination site) must be submitted to the Board on the form prescribed by the Board.

All examination application packages will contain a statement that the Board will provide reasonable, appropriate, and effective accommodation(s) to examination candidates with disabilities unless the accommodation(s) fundamentally alters the measurement of the skills or knowledge the examination is intended to test. Candidates who seek accommodation should request an Accommodation for Disabilities package. Upon receiving such a request, the Board will send the candidate an Accommodation for Disabilities package containing the following:

- These policies and procedures;
- Application for Examination Accommodation for Disability (Attachment A);

- Optional form for professionals evaluating and substantiating the candidate's disability and recommending an accommodation (Attachment B); and
- List of most used, reliable, and standardized psychometric tests of ability and achievement (Attachment C).

II. Format of Examination

An applicant for Board licensure is required to pass an examination that includes written tests. For requirements specific to each type of Board license, please refer to the applicable examination, however for general purposes the examination format is the following.

All written examinations are composed of multiple-choice questions. The written examination questions are computer-based with the questions and a list of possible answers. All written examinations are designed to measure job-related knowledge, skills, and abilities as defined from an occupational analysis for the profession for which licensure is sought.

III. Required Documentation of the Need for Accommodation

The Board's statutory mandate is to protect the public by licensing only those persons who can demonstrate entry-level competence. To protect the integrity and fairness of the licensure testing process, the Board requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the candidate with an equal opportunity to exhibit their knowledge, skills, and ability through the examination. The Board will review and consider an applicant's history of accommodation.

A. Documentation Required for Candidates Requesting Accommodation

All candidates requesting an examination accommodation must complete or have completed by the professional certifying to the disability, all the forms and information required, which must be submitted to the Board for accommodation consideration. If a candidate has previously received the same or similar accommodations for one or more prior administrations of the examination, the candidate may submit a signed statement under penalty of perjury that the disabling condition has not changed in any way that would modify the accommodation that was previously provided. This prior documentation shall be deemed acceptable, except for candidates who claim a learning disability, the prior documentation will be acceptable only if it meets the criteria set forth in the following subsection B, below.

An evaluation and supporting documentation of a disability shall be valid for a period of three years from the date on which it was submitted to the Board, except that no further documentation will be required in cases where the evaluation clearly states that the candidate's disability is not expected to change over time in any way that would reduce the need for the requested accommodations.

B. Candidates with Learning Disabilities

A learning disability is defined as individual evidence of significant learning difficulties that substantially affect or limit one or more major life activities and that are not primarily due to cultural, emotional, or motivational factors. While an emotional factor may be involved in other types of disabilities, such a factor is excluded from the determination of a learning disability.

The individual must demonstrate: (a) at least average overall intellectual functioning as measured by tests of general cognitive ability (see Attachment C); and (b) show evidence of a significant impairment in one or more of the following areas of intellectual functioning:

- Attention and concentration,
- Reception (perception and verbal comprehension),
- Expression,
- Memory (ability for new learning),
- Cognition (thinking).

Significant impairment is generally determined by a discrepancy of 1.5 standard deviations between the individual's expected level of achievement and actual performance on reliable standardized measures of attention and concentration, memory, language reception and expression, cognition, reading, spelling, writing, and mathematics.

Further, determination of the learning disability shall be based on reliable standardized psychometric tests and a complete clinical history, including medical, family, educational, and occupational information. Attached is a list of the most used, reliable, and standardized psychometric tests to assess learning disabilities (see Attachment C). If a measurement instrument is used that is not on this list, it will be considered if it is published in the *Buros Mental Measurements Yearbook* and is being used for the purpose for which it was developed.

C. Documentation Required to Evaluate Disability

A candidate who requests an accommodation must provide the Board with the necessary information to assist it in evaluating the request. The Board will evaluate each request on an individual basis. The following is intended to provide guidance as to the type of documentation that will be necessary:

1. Identification of the type of disability (e.g., physical, mental, learning disability).
2. Credential requirements of the evaluator. The Board will accept evaluations from qualified evaluators. The candidate is responsible for having evaluations performed by qualified evaluators sent from the evaluators to the Board. The cost of providing this information is the candidate's responsibility.

A qualified evaluator cannot be the spouse of the candidate nor related to the candidate by blood, marriage, or domestic partnership. The evaluator must have sufficient experience to be considered qualified to evaluate the existence of and proposed accommodations needed for specific learning disabilities. A qualified evaluator is one of the following:

- a. For a physical disability or medical condition, the evaluator is a licensed health care practitioner who is qualified to make the diagnosis and has expertise pertaining to the disability or medical condition.
 - b. For a mental disability or diagnosis, the evaluator must be a licensed mental health care professional who is qualified to make the diagnosis and has expertise pertaining to the diagnosis.
 - c. For a learning disability, a qualified evaluator must satisfy the requirements of either (1) or (2) of the following:
 - (1) A licensed psychologist or physician who possesses a minimum of three years of experience working with adults with learning disabilities and who has training in the areas described in paragraph (3) below.
 - (2) A professional who possesses a master's or doctorate degree in special education or educational psychology from a regionally accredited institution and who has at least three years of equivalent training and experience in all the areas described in paragraph (3) below:
- (3) Required Training and Experience of Qualified Evaluator:

- Assessing intellectual ability level and interpreting tests of such ability;
 - Screening for cultural, emotional, and motivational factors;
 - Assessing achievement level; and
 - Administering tests to measure attention and concentration, memory, language reception and expression, cognition, reading, spelling, writing, and mathematics.
3. Professional verification of the disability, which must include:
- a. The nature and extent of the disability.
 - b. The test(s) performed to diagnose the disability (if applicable).
 - c. The effect of the disability on the candidate's ability to perform under standard testing conditions.
 - d. Whether the disability is a condition expected to change over time.
 - e. The specific accommodation recommended and how the accommodation is related to the candidate's disability, given the format of the examination. For example, if a candidate requires additional breaks, the length and frequency of each break should be provided (e.g., 10-minute break per hour).
 - f. The evaluating professional's name, title, phone number, professional license or certification number, educational credential, and original signature of the professional.
 - g. A description of the evaluating professional's experience that qualifies them to make the determination.

IV. Board Evaluation of the Accommodation Request

Board staff will review the application for examination accommodation for disability and documents submitted therewith to determine completion of the application and sufficiency of the documents submitted. If the accommodation application is approved, the test administrator, PSI Services LLC, will be notified of the approved accommodation(s). If the requested accommodation cannot be provided, Board staff will contact the candidate; in this event, alternate accommodations may be suggested and/or approved. The Board is not required to grant the requested accommodation(s) if

granting the request would fundamentally alter the measurement of the skills or knowledge the examination is intended to test or create an undue financial or administrative burden. The candidate may appeal the denial of the accommodation application as provided below.

V. Appeal From Denial of Request

If an examination accommodation application is denied in whole or in part, the Board will provide to the candidate the reasons for that denial. The candidate may appeal the denial in accordance with these appeal procedures. The appeal must be postmarked no later than seven days after the candidate receives notification of the denial.

A candidate's appeal of a decision denying in whole or in part an accommodation application must be in the form of a signed or otherwise verified document setting forth the following information:

1. Candidate's name;
2. Date of request;
3. The accommodation denial being appealed; and
4. The facts relied upon in support of the appeal.

The appeal must be accompanied by any additional documentation not previously provided that the candidate wishes the Board to consider in deciding on the candidate's appeal.

In keeping with its consumer protection mandate, the Board may request further evidence regarding the necessity of the requested accommodation and may request that the candidate submit to additional examination by a qualified evaluator to determine the reasonableness of the requested accommodation(s). If the Board elects to pursue this procedure, the Board will be responsible for all costs and expenses related to acquiring such information.



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ATTACHMENT A
APPLICATION FOR EXAMINATION ACCOMMODATION OF DISABILITY
TO BE COMPLETED BY THE CANDIDATE

If you have a disability for which you wish to request an accommodation for an examination administered by the Dental Board of California (Board), please provide the following information and return this form, as well as other required documentation, to the Board with your application. You may attach additional pages if necessary.

The information you provide will be evaluated to determine the reasonableness of the accommodation request. Failure to provide the required documentation will result in denial.

Accommodations will not be provided at the examination site unless this form and all other documentation is received at the time of submission of your license examination application. This form and all supporting documentation will become a part of your examination record but will be purged from your file when you have passed the examination.

Upon the Board's receipt of this Application and the required documentation, you will be notified in writing of the approval, modification, or denial of your requested accommodation(s). If you have questions, you may contact the Board at (916) 263-2300, or by email at DentalBoard@dca.ca.gov.

1. Legal Name: Last, First Middle
2. Mailing Address (Address of Record – Address may be a P.O. Box):
3. Telephone Number:
4. Email Address:
5. Describe your type of disability (e.g., physical, mental, learning) and how this disability substantially limits one or more of your major life activities.
6. That is the nature and extent of the disability (e.g., hearing impaired, diabetic, dyslexic, etc.)?
7. Describe the accommodation(s) requested, given the format of the examination(s).

<p>8. Describe any past accommodation(s) you have received for this disability. For what purpose or examination were the accommodation(s) given to you, and who evaluated you for purposes of receiving the accommodation(s)?</p>		
<p>9. Provide the Board with written verification from a qualified evaluator (optional form enclosed) supporting the accommodation(s) you are requesting for your disability. The Board will not pay any costs you may incur in obtaining the required documentation. However, it will pay for any examination accommodation(s) that are made for you. Information concerning your disability is confidential and will not be divulged.</p>		
<p>AFFIRMATION</p> <p>I AM THE APPLICANT REQUESTING ACCOMMODATION(S) FOR DISABILITY IN THIS APPLICATION. I HAVE CAREFULLY READ THE QUESTIONS IN THE FOREGOING APPLICATION AND HAVE ANSWERED THEM TRUTHFULLY, FULLY, AND COMPLETELY.</p> <p>I AFFIRM UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE INFORMATION I PROVIDED TO THE BOARD IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p>		
<table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 70%;">SIGNATURE OF APPLICANT</td> <td style="border: none; width: 30%;">DATE SIGNED</td> </tr> </table>	SIGNATURE OF APPLICANT	DATE SIGNED
SIGNATURE OF APPLICANT	DATE SIGNED	

Information on Collection of Personal Information and Access

The information provided on this form is voluntary and for the purpose of requesting examination accommodation for a disability. This form is maintained by the Dental Board of California, 2005 Evergreen Street, Suite 1550, Sacramento, CA 95815, Executive Officer, 916-263-2300. Individuals have the right to review the personal information maintained by the Board unless the records are exempt from disclosure by the Information Practices Act of 1977 (IPA), including Civil Code section 1798.40. The Board makes every effort to protect the personal information you provide us; however, it may be disclosed in response to a California Public Records Act request as allowed by the IPA, to another government agency as required by state or federal law or Civil Code section 1798.24; or in response to a court or administrative order, a subpoena, or a search warrant.

<p>Board Use Only Examination Accommodation History</p>
<p>Accommodations: _____</p> <p>Exam Date(s): _____</p> <p>_____</p>

ATTACHMENT B
PROFESSIONAL EVALUATION AND DOCUMENTATION OF THE DISABILITY

Use of this form by an evaluator is optional. However, the requested information described below must be provided or the request for examination accommodation will be incomplete and cannot be processed.

For information on filling out this form, please review Section III.B. and C. of the Board's *Policies and Procedures for Examination Candidates Requesting Accommodation for Disabilities*.

For learning disabilities, the determination of a learning disability shall be based on reliable standardized psychometric tests and a complete clinical history, including medical, family, educational, and occupational information. Attachment C to the Board's *Policies and Procedures for Examination Candidates Requesting Accommodation for Disabilities* provides a list of the most used, reliable, and standardized psychometric tests to assess learning disabilities. If a measurement instrument is used that is not on this list, it will be considered if it is published in the *Buros Mental Measurements Yearbook* and is being used for the purpose for which it was developed.

1. Describe the credentials and experience that qualify you, the evaluator, to make the determination of the disability and the recommended accommodation(s).
2. Describe the candidate's type of disability (e.g., physical, mental, learning) and, if applicable, the tests used to diagnose the disability.
3. Describe the nature and extent of the disability (e.g., hearing impaired, diabetic, dyslexia; severe, moderate, mild), how the disability substantially limits one or more of the candidate's major life activities, and if the disability will change in any way over time.

4. What is the effect of the disability on the candidate's ability to perform under normal testing conditions given the format of the examination?

5. What is the specific recommended accommodation(s) and how does the accommodation(s) relate to the candidate's disability given the format of the examination?

Evaluator's Name: _____
(Please Print)

Professional License or Certification Number _____

Business Telephone Number _____

Business Address: _____
Street Number

City

State

Zip Code

ATTACHMENT C
LIST OF MOST USED, RELIABLE, AND STANDARDIZED PSYCHOMETRIC TESTS

If a measurement instrument is used that is not on this list, it will be considered if it is published in the *Buras Mental Measurement Yearbook* and is being used for the purpose for which it was developed.

AREA OF FUNCTIONING	TESTS
Attention and Concentration	Wechsler Adult Intelligence Scale, aka WAIS-R (Digit Symbol) (Digit Span) (Arithmetic)
	Wechsler Memory Scale (Attention/Concentration Subset)
	Halstead-Reitan Seashore Rhythm
	Test of Variables of Attention
	Learning Efficiency Test (LET)
Memory/New Learning Ability	Wechsler Memory Scale - Revised
	Learning Efficiency Test (LET)
	Woodcock-Johnson Test of Cognitive Ability
	Detroit Tests of Learning Aptitude (DTLA)
Reception (Verbal (Perception and basic comprehension))	Wechsler Adult Intelligence Scale, aka WAIS-R Subset: Comprehension)
	Reitan Aphasia Screening Test
	Peabody Picture Vocabulary Test - Revised
	Stanford-Binet Intelligence Scale
General Cognitive Ability (recognizing thinking, problem solving)	Wechsler Adult Intelligence Scale - Revised, aka WAIS-R

Wechsler Intelligence Scale for Children - III,
aka WISC-III

Woodcock-Johnson Tests of Cognitive Ability

Test of Nonverbal Intelligence, aka TONI

Ravens Standard Progression Matrices

Halstead-Reitan Category Test

Expressive Abilities

Verbal Expression

Wechsler Adult Intelligence Scale - Revised,
aka WAIS-R

Reitan Aphasia Screening Test

Writing

Peabody Individual Achievement Test -
Revised/Written Expression

Test of Written Language - 2, aka TOWL-2

Other

Development Test of Visual-Motor Integration

Woodcock-Johnson Revised Writing Samples

Processing Speed/Efficiency

Wechsler Adult Intelligence Scale-Revised, aka
WAIS-R (Digit Symbol)

Halstead-Reitan Trail Making Test

Woodcock-Johnson Visual Cluster (Spatial
Relations Visual Matching)

Academic Achievement

Reading

Woodcock-Johnson Tests of Achievement

Wide Range Achievement Test - Revised, aka
WRAT-R

Peabody Individual Achievement Test -
Revised, (Reading Comprehension) (Reading
Recognition)

Gilmore Oral Reading Test

	Nelson-Denny Reading Test (Vocabulary) (Comprehension)
	Degrees of Reading Power (DRP)
Spelling	Woodcock-Johnson Tests of Achievement
	Wide Range Achievement Test - Revised, aka WRAT-R
	Peabody Individual Achievement Test - Revised (Spelling)
Math	Arlin Test of Formal Reasoning, aka ATFR
	Key Math Test
	Woodcock-Johnson Tests of Achievement
	Wide Range Achievement Test - Revised, aka WRAT-R
	Peabody Individual Achievement Test - Revised (Math)