

POLICY NUMBER: 5.06d

SUBJECT: Certification Committee: Special Examination
Accommodations (Compliance with ADA)

POLICY:

- A. In compliance with the Americans with Disabilities Act (ADA), ATCB makes reasonable special testing arrangements for candidates with professionally diagnosed “disabilities”. Under the ADA, a “disability” is defined as “a physical or mental impairment that substantially limits one or more major life activities” (e.g., caring for one’s self, performing manual tasks, walking, seeing, breathing, learning and working).
- B. An applicant must have a documented “disability” as defined by the ADA in order to be eligible for special testing accommodations. “English as a Second Language”, “pregnancy” and “test anxiety” are not covered disabilities under the ADA. An applicant with a documented disability (physical or mental impairment that limits one or more major life activities), may request special testing accommodations (for example, additional time, frequent breaks, the use of medication during the exam, the use of medical or assistive devices, or a paper and pencil examination).
- C. Persons with “transitory” or “temporary” conditions (for example, sprains, fractures, and medical emergencies) who desire accommodations should contact ATCB as soon as possible before an exam for information about possible special testing arrangements. While ATCB is not required by the ADA to accommodate “transitory” or “temporary” conditions, accommodations for candidates with such conditions will be considered on a case by case basis.

PROCEDURE:

- A. An applicant requesting a special accommodation must make the request in writing to the ATCB National Office. The request must include a letter from the applicant’s health care provider documenting the disability and the requested testing accommodations. Such documentation must be professionally prepared and appear on the professional's stationery. The health care professional must be a licensed or otherwise qualified professional whose credentials are appropriate to diagnose and evaluate the applicant’s disability. Regardless of when the original diagnosis of a disability was made, a health care professional must have current knowledge (within the last three (3) years) of the candidate’s disability and its impact on major life activities, and must have diagnosed,

- evaluated/treated or consulted with the candidate within the last three (3) years.
- B. For a learning disability or mental disorder, the professional's report must include the DSM-IV (Diagnostic and Statistical Manual of Mental Disorders – Fourth Edition) Classification of the diagnosis. The diagnosis of a disorder with a DSM-IV Classification does not necessarily mean that the applicant has a disability as defined in the ADA and which must be accommodated by ATCB.
 - C. For candidates with physical or health-related disabilities (e.g., blindness, deafness, diabetes), copies of medical records are not necessary; however, please provide sufficient documentation/detail from a physician that confirms the diagnosis of a physical or health-related "disability that substantially limits a major life activity." To demonstrate this, the individual must show that he or she experiences substantial impairment in such activity as caring for one's self, hearing, seeing, learning, or walking, in more than one setting (e.g., work, school, socially). Pregnancy is not a "disability"; however, if a candidate is pregnant and has a resulting medical complication that results in her being "disabled", she may be eligible for special testing accommodations.
 - D. Testing recommendations made should be reasonable and appropriate for the candidate's documented disability and should not fundamentally alter the measurement of the knowledge and skills that the examination is intended to assess.
 - E. Recommendations for accommodation and any history of accommodations are considered. These are not binding. A history of accommodations does not guarantee accommodations on the examination or the same accommodations the candidate has received in the past.
 - F. Once an accommodation request has been received, it will be reviewed by the Management Director, in consultation with the Board of Directors and/or legal counsel as appropriate. If additional information is required in order to consider a special accommodation request, the applicant will be notified.
 - G. If an applicant's accommodation request is approved, the applicant and the testing center will be notified of the special accommodation.
 - H. If an applicant's accommodation request is denied, the applicant will be given the opportunity to appeal the denial to the Board of Directors. Any such appeal must be in writing and must be postmarked no later than

seven (7) days after receiving the denial notice. The decision on appeal is considered final..