



## ***RE: REQUEST FOR REASONABLE ACCOMMODATIONS UNDER THE ADA***

Applicants wishing to request reasonable accommodations under the Americans with Disabilities Act must read the enclosed material.

To request an accommodation, you must complete Attachments A and B **and** file them **with** your examination application.

You will be notified at a later date if the accommodation request will be granted.

***The Dental Hygiene Committee of California***

## **POLICIES AND PROCEDURES FOR EXAMINATION CANDIDATES REQUESTING ACCOMMODATION FOR DISABILITIES**

### **I. Statement of Policy**

The Dental Hygiene Committee of California recognizes its responsibilities under Title II of the Americans with Disabilities Act (ADA) to provide reasonable, appropriate and effective accommodations, including auxiliary aids, to qualified examination candidates with disabilities. However, the Committee will not provide an accommodation which fundamentally alters 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 or a record of such an impairment or having been regarded as having such an impairment. "Major life activities" including walking, seeing, hearing, speaking, breathing, learning, working, caring for one's self and performing manual tasks. Mental impairment includes any mental or psychological disorder such as organic brain syndrome, emotional or mental illness and specific learning disabilities.

A candidate who seeks an accommodation has the responsibility to make the request and provide reasonable documentation of the need for accommodation at the time of submission of the application and/or by the application deadline established for all applicants, if any. The information supplied to substantiate a candidate's request for an accommodation will be kept confidential to the extent provided by law. The Committee will evaluate each request individually, in accordance with the guidelines set forth herein, in order to provide an appropriate and effective accommodation. Any request for accommodation (except for accommodations requiring a physically accessible exam site) must be submitted to the Committee on the enclosed form.

All examination application packages contain a statement that the Committee will provide reasonable, appropriate, and effective accommodation to qualified examination candidates with disabilities and that candidates who seek accommodation should request an Accommodation for Disabilities package. Upon receiving such a request, the Committee will send the applicant an Accommodation for Disabilities package containing the following:

- (a) These policies and procedures;
- (b) Form to request the accommodation (Attachment A);

- (c) Optional form(s) and instructions for professionals evaluating and substantiating the applicant's disability and recommending an accommodation (Attachment B);
- (d) List of most commonly used standardized tests of ability and achievement (Attachment C);
- (e) Instructions for appealing a decision not to grant the requested accommodation (Attachment D).

## **II. Format of Examination**

An applicant for California registered dental hygienist license is required to pass an examination which may include written tests and clinical exercises in order to pass the examination. For specific licensure requirements, please refer to the applicable examination, however for general purposes the examination format is the following:

All written examinations are currently multiple choice questions. The written examination is computer-based, and questions are randomly selected by each computer from a databank provided by the Dental Hygiene Committee of California. All written examinations are designed to measure job-related knowledge, skills, and abilities as defined from an occupational analysis for the particular dental hygiene profession for each license category.

The clinical demonstrations are conducted in a dental clinical setting on patients. The examination is designed to measure an applicant's mechanical skills and knowledge of treatment of diseases of the oral tissues, teeth and associated structures.

## **III. Documenting the Need for Accommodation**

The Committee's statutory mandate is to protect the public by licensing only those persons who can demonstrate entry level competence. In order to protect the integrity and fairness of the licensure examination process, the Committee requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the applicant with an equal opportunity to exhibit his or her knowledge, skills and ability through the examination.

### **A. Conditions Applicable to All Candidates Requesting Accommodation**

The Committee 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 his or her knowledge, skills and ability through the examination. The Committee will review and consider an applicant's history of accommodation.

Beginning with the initial submission, all candidates requesting a reasonable accommodation must complete, or have completed by the professional certifying to the disability, all the forms and information required. 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 that for applicants who claim a learning disability, the prior documentation will be acceptable only if it meets the criteria set forth by the following subsection B.

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

#### B. Required Information Necessary to Evaluate Disabilities

An applicant who requests an accommodation or an auxiliary aid must provide the Committee with the necessary information to assist it in evaluating the request. The Committee will, of course, evaluate each request on an individual basis. The following is intended to provide guidance as to the type of documentation necessary:

1. Identification of the type of disability (e.g., physical, mental, learning).
2. Credential requirements of the evaluator. The Committee accepts evaluations from qualified evaluators. A qualified evaluator cannot be related to the applicant by blood or marriage. The evaluator must have sufficient experience to be considered qualified to evaluate the existence of and proposed accommodations needed for specific learning disabilities. Following are guidelines for a qualified evaluator:

- a. For purposes of physical or mental disabilities, not including learning disabilities, the evaluator is a licensed physician or psychologist with special expertise in the area of the disability.
- b. In the case of learning disabilities, a qualified evaluator is one of the following:

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 all of the areas described below:

or

Another 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 of the areas described below:

- Assessing intellectual ability level and interpreting tests of such ability.
- Screening for cultural, emotional and motivational factors.
- Assessing achievement level.
- 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 conditions.
  - d. The accommodation recommended and how the accommodation is related to the candidate's disability, given the format of the examination.

- e. The professional's name, title, telephone number, professional license or certification number, educational credential, and original signature of the professional.
- f. A description of the professional's education and experience which qualifies him or her to make the determination.

### C. Candidates with Learning Disabilities

A learning disability is defined as individual evidence of significant learning difficulties which substantially affect or limit one or more major life activities and that are not primarily due to cultural, emotional or motivational factors. The term does not include learning problems which are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage. [Note that while some of these factors may be involved in other types of disabilities, such factors are excluded from the determination of a learning disability.] The individual must demonstrate at least 1) average overall intellectual functioning as measured by tests of general cognitive ability (see Attachment C), and 2) show evidence of a significant impairment in one or more of the following areas of intellectual functioning and information processing:

- Attention and concentration
- Efficiency and speed of information processing
- Reception (perception and verbal comprehension)
- Memory (ability for new learning)
- Cognition (thinking)
- Expression

Significant impairment is generally determined by a discrepancy of 1.5 standard deviations or more between the individual's intellectual functioning and actual performance on reliable standardized measures of attention and concentration, efficiency and speed of information processing, memory, language reception and expression, cognition, as well as academic areas of reading, spelling, writing and mathematics.

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

#### D. Evaluation of the Accommodation Request

The Committee is responsible for evaluating requests for accommodation and will approve or deny accommodations or suggest alternatives. The Committee reserves the right to determine what it believes is a reasonable and effective accommodation in light of its consumer protection mandate. The Committee will give greater weight to a more recent diagnosis if the condition or accommodations available are subject to change over time. The Committee may also weigh the expert qualifications of the professional supplying the information, and the methods used to make the diagnosis of the disability and determine the recommended accommodation. The Committee may provide alternative accommodations, other than those requested, when they will result in an appropriate accommodation.

The applicant is responsible for having the evaluator send to the Committee the documentation specified in Section III B which describes in detail the disability and how the disability affects the candidate's ability to demonstrate his or her aptitude and achieve in the format(s) in which the examination is given. The cost of providing this information is the applicant's responsibility. A member of the Committee's staff will review and evaluate the request at the time the applicant is notified that her or she is eligible to take the examination or within 30 days after the final filing date for the examination for which the applicant applied, if the examination has a final filing date. The Committee staff will ensure that the request is completed correctly and that appropriate verification is provided. If the Committee staff believes the accommodation requested is inappropriate, the staff will consult with the applicant to reach a mutually agreeable resolution, if possible. If a mutually agreeable resolution is not reached, then the request for accommodation shall be referred to the Committee President and Examination Chairperson, or their respective designees, for consideration.

#### E. Appeal from Denial of Request

The Committee will provide a candidate whose request for accommodation or auxiliary aids or services is denied in whole or in part with the reasons for that denial and the candidate may appeal the denial pursuant to these appeal procedures. Where the denial is based on the rejection of the opinion of the professional supporting the request, the Committee must support any rejection with evidence from an expert it has consulted in evaluating the applicant's request. The Committee will provide the applicant with the general content of the opinion of the Committee's expert and the basis for that opinion.

An applicant's appeal of a decision denying in whole or in part a request for accommodation or auxiliary aids or services must be in the form of a signed or otherwise verified request containing all of the following:

- Applicant's name;
- Applicant's Applicant Tracking System (ATS) File Identification Number;
- Date of request;
- The appeal itself;
- The facts relied upon in support of the appeal.

The appeal must be accompanied by any further documentation not previously provided which the applicant wishes the Committee to consider in making a decision on the applicant's appeal. The appeal must be postmarked no later than seven days after the applicant receives notification of the denial.

In keeping with its consumer protection mandate, the Committee reserves the right to request further evidence regarding the necessity of the requested accommodation and, based on its judgment, may request that the applicant submit to additional examination by a professional to determine the reasonableness of the requested accommodation(s). If the Committee elects to pursue this procedure, the Committee will be responsible for all costs and expenses related to the additional examination and transmission of results.

The Committee recognizes its responsibility to accommodate the identified needs of qualified individuals with disabilities by making reasonable modifications or providing auxiliary aids or services. This does not necessarily mean that the Committee will grant all requested accommodations or auxiliary aids or services, or that the applicant will receive the particular accommodations or services sought. The Committee is not required to grant the requested accommodations 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.

## REQUEST FOR ACCOMMODATION OF DISABILITIES TO BE COMPLETED BY THE APPLICANT

If you have a disability for which you wish to request an accommodation for an examination administered by the Dental Hygiene Committee of California, please provide the following information and return this form with other required documentation to the Committee with your application. You may attach additional pages if necessary. 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 application. This form and all supporting documentation will become a part of your examination record, however it will be purged from your file and destroyed when you have passed the examination. **This form must be submitted with the e.'Cam application by the final filing date, if any.** You will be notified in writing of the results of your request.

1. Name: \_\_\_\_\_

Last	First	Middle
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Address: \_\_\_\_\_

Number and Street	City	Zip Code
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Phone Number: (\_\_\_\_) \_\_\_\_\_      Email: \_\_\_\_\_

2. Describe your type of disability (e.g., physical, mental, learning) and how this disability substantially limits one or more of your major life activities.

\_\_\_\_\_

\_\_\_\_\_

3. Describe the nature and extent of the disability (e.g., hearing impaired, diabetic, dyslexic).

\_\_\_\_\_

\_\_\_\_\_

4. Describe the accommodation requested, given the format of the examination(s).

\_\_\_\_\_

\_\_\_\_\_

5. Describe any past accommodations you have received for this disability. For what purpose or examination were the accommodations and who evaluated you for purposes of the accommodation?

\_\_\_\_\_

\_\_\_\_\_

6. Provide the Committee written verification of disability from a licensed professional (optional form enclosed) supporting the accommodations you are requesting for your disability. The Committee will not pay any costs you may incur in obtaining the required documentation. However, the Committee will pay for any examination accommodations that are made for you. Information concerning your disability is considered confidential and will not be divulged.

If you have any questions, you may call (916) 263-5001 and speak with the Accommodations Coordinator.

**BOARD USE ONLY**  
**Examination Accommodation History**

ACCOMMODATIONS: \_\_\_\_\_  
\_\_\_\_\_

EXAM DATES: \_\_\_\_\_  
\_\_\_\_\_

**NOTE:** 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 of the request. Applicants have the right to review their records subject to the provisions of the Information Practices Act.

ATTACHMENT A

# PROFESSIONAL EVALUATION AND DOCUMENTATION OF THE DISABILITY

USE OF THIS FORM BY AN EVALUATOR IS OPTIONAL, HOWEVER THE INFORMATION REQUESTED MUST BE PROVIDED OR THE REQUEST FOR ACCOMMODATION WILL BE INCOMPLETE AND CANNOT BE PROCESSED.

1. Describe the credentials and experience which qualify you, the evaluator, to make the determination of the disability and the recommended accommodation.

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2. Describe the applicant's type of disability (e.g., physical, mental, learning) and, if applicable, the tests used to diagnose the disability.

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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.

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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?

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

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Evaluator's Name \_\_\_\_\_  
(Please print)

Professional License or Certification Number \_\_\_\_\_

Business Name \_\_\_\_\_

(\_\_\_\_\_) \_\_\_\_\_  
Business Telephone Number

Business Address \_\_\_\_\_

\_\_\_\_\_  
City State Zip

## INSTRUCTIONS FOR EVALUATORS

### I. POLICY OF THE COMMITTEE

The Dental Board of California 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 an accommodation which fundamentally alters the measurement of the skills or knowledge the examination is intended to test.

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An applicant who seeks an accommodation has the responsibility to make the request and provide reasonable documentation of the need for accommodation at the time of submission of the application and by the application deadline established for all applicants, if any. The information supplied to substantiate an applicant's request for accommodation will be kept confidential to the extent provided by law. The Committee will evaluate each request individually, in accordance with the guidelines set forth herein, in order to provide an appropriate and effective accommodation. Any request for accommodation (except for accommodations requiring a physically accessible exam site) must be submitted to the Committee on the form enclosed.

### II. FORMAT OF EXAMINATION

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The clinical demonstrations are conducted in a dental clinical setting on patients. The examination is designed to measure an applicant's mechanical skills and knowledge of treatment of diseases of the oral tissues, teeth and associated structures. The examinations for dental hygienists are designed to measure an applicant's mechanical skills and knowledge of treatment of diseases of the oral tissues, teeth and associated structures. The time period allowed to complete each procedure varies from one hour and forty-five minutes to four hours.

### III. DOCUMENTING THE NEED FOR ACCOMMODATION

The Committee's statutory mandate is to protect the public by licensing only those persons who can demonstrate entry-level competence. In order to protect the integrity and fairness of the licensure testing process, the Committee requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the applicant with an equal opportunity to exhibit his or her knowledge, skills and ability through the examination.

#### A. Conditions Applicable to All Applicants Requesting Accommodation

The Committee 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 his/her knowledge, skills and ability through the examination. The Committee will review and consider an applicant's history of accommodation.

Beginning with the initial submission, all applicants requesting a reasonable accommodation must complete, or have completed by the professional certifying to the disability, all the documents and information required. If an applicant has previously received the same or similar accommodations for one or more prior administrations of this examination, the applicant 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 will be acceptable only if it meets the criteria set forth in 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 Committee, except that no further documentation will be required in cases where the evaluation clearly states that the disability is not expected to change in any way that would reduce the need for the requested accommodations over time.

#### B. Required Information Necessary to Evaluate Disabilities

An applicant who requests an accommodation and/or auxiliary aid must provide the Committee with the necessary information to assist it in evaluating the request. The Committee will, of course, evaluate each request on an individual basis. The following is intended to provide guidance as to the type of documentation that will be necessary.

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- a. For purposes of physical or mental disabilities, not including learning disabilities, the evaluator is a licensed physician or psychologist with special expertise in the area of disability.
- b. In the case of learning disabilities, a qualified evaluator is one of the following:

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 all of the areas described below:

**or**

Another 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 of the areas described below:

- Assessing intellectual ability level and interpreting tests of such ability.
  - Screening for cultural, emotional and motivational factors.
  - Assessing achievement level.
  - 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 conditions.
    - d. The accommodation recommended and how the accommodation is related to the candidate's disability, given the format of the examination.
    - e. The professional's name, title, telephone number, professional license or certification number, educational credential, and original signature of the professional.
    - f. A description of the professional's education and experience which qualifies him or her to make the determination.

### C. Candidates With Learning Disabilities

A learning disability is defined as individual evidence of significant learning difficulties which substantially affect or limit one or more major life activities and that are not primarily due to cultural, emotional or motivational factors. The term does not include learning problems which are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage. [Note that while some of these factors may be involved in other types of disabilities, such factors are excluded from the determination of a learning disability.] The individual must demonstrate at least 1) average overall intellectual functioning as measured by tests of general cognitive ability (see Attachment C), and 2) show evidence of a significant impairment in one or more of the following areas of intellectual functioning and information processing:

- Attention and concentration
- Efficiency and speed of information processing
- Reception (perception and verbal comprehension)
- Memory (ability for new learning)
- Cognition (thinking)
- Expression

Significant impairment is generally determined by a discrepancy of 1.5 standard deviations or more between the individual's intellectual functioning and actual performance on reliable standardized measures of attention and concentration, efficiency and speed of information processing, memory, language reception and expression, cognition, as well as academic areas of reading, spelling, writing and mathematics.

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

**LIST OF MOST COMMONLY USED STANDARDIZED TESTS**

If a measurement instrument is used which is not on this list, it will be considered if it is published in the Buros 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)

Woodstock-Johnson Tests of Cognitive Ability

Detroit Tests of Learning Aptitude (DTLA)

Reception  
(Verbal/Perception and basic comprehension)

Wechsler Adult Intelligence Scale (WAIS-R  
Subset: Comprehension)

Reitan Aphasia Screening Test

Peabody Picture Vocabulary Test – Revised

General Cognitive Ability

Stanford-Binet Intelligence Scale

Wechsler Adult Intelligence Scale (WAIS-R)

Wechsler Intelligence Scale for Children – III  
aka WISC-III

Woodcock-Johnson Tests of Cognitive Ability

Test of Nonverbal Intelligence

Ravens Standard Progression Matrices

	Halstead-Reitan Category Test
Verbal Expression	Wechsler Adult Intelligence Scale (WAIS-R)
	Reitan Aphasia Screening Test
Writing	Peabody Individual Achievement Test – Revised Written Expression
	Test of Written Language – 2 (TOWL-2)
Other	Development Test of Visual-Motor Integration
	Woodcock-Johnson Revised- Writing Samples
<u>Processing Speed/Efficiency</u>	Wechsler Adult Intelligence Scale – Revised aka WAIS-R (Digit Symbol)
	Halstead-Reitan Trail Marking Test
	Woodcock-Johnson Visual Cluster (Spatial Relations/Visual Matching)
<u>Academic Achievement</u>	
Reading	Woodcock-Johnson Tests of Achievement
	Wide-Range Achievement Test (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 (WRAT-R)
	Peabody Individual Achievement Test – Revised (Spelling)

Math

Arlin Test of Formal Reasoning (ATFR)

Key Math Test

Woodcock-Johnson Tests of Achievement

Wide Range Achievement Test (WRAT-R)

Peabody Individual Achievement Test – Revised  
(Math)

## **APPEAL PROCEDURE FOR DENIAL OF REQUESTED ACCOMMODATION**

If your request for accommodation or auxiliary aids or services is denied in whole or in part, the Committee will provide you with the reason for that denial and you may appeal the denial pursuant to these procedures.

Where the denial is based on the rejection of the opinion of the professional supporting the request, the Committee must support any rejection with evidence from a qualified professional whom it has consulted in evaluating your request. The Committee will provide you with the general content of the opinion of the qualified professional and the basis for that opinion.

If you wish to appeal the Board's decision denying in whole or in part your request for accommodation or auxiliary aids or services, your appeal must be in the form of a signed or otherwise verified request setting forth the following:

- Your name;
- Your Applicant Tracking System (ATS) File Identification Number;
- Date of request;
- The appeal itself;
- The facts relied upon in support of the appeal.
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Your appeal must be accompanied by any further documentation not previously provided which you wish the Committee to consider in making a decision on your appeal. Your appeal must be postmarked no later than seven days after you receive notification of the denial.

In keeping with its consumer protection mandate, the Committee reserves the right to request further evidence regarding the necessity of the requested accommodation and, based on its judgment, may request that you submit to additional examination by a professional to determine the reasonableness of the requested accommodations. If the Committee elects to pursue this procedure, the Committee will be responsible for all costs and expenses related to acquiring such information.