ADA-Eligible and Non-ADA-Type Disability
Test Accommodations

Part III Clinical Skills Examination (CSE)
Test Accommodations INSTRUCTIONS

Sections:

1. General Information for All Candidates with Disabilities (ADA-Eligible, Non-ADA-Type)
2. Information Specific for Candidates with ADA-Eligible Disabilities
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4. Comparison and Examples of ADA-Eligible and Non-ADA-Type Disability Processes

Section 1: General Information for ALL Candidates with Disabilities

A. In accordance with the following guidelines and consistent with the Americans with Disabilities Act Amendments Act (ADAAA), the National Board will provide reasonable accommodations for all qualified candidates for any NBEO examinations. A diagnosis of ADA-eligible or non-ADA-type impairment by itself is not sufficient to warrant testing accommodations. There must also be compelling evidence that there is a substantial limitation in a major life activity when compared with the average person in the general population. The need for test accommodations must be adequately justified in all cases. The goal is to provide reasonable test accommodations to all disabled candidates who qualify for them while at the same time avoiding the dispensation of accommodations to unqualified candidates. The NBEO strives to provide a fair testing environment for all examination candidates. ADA-eligible and non-ADA-type disabilities are distinguished in Section 2 (on Page 3) and Section 4 (on Page 4).

B. Candidates must apply for Part III CSE ADA-eligible test accommodation and receive notice of their request resolutions BEFORE registering for the clinical exam. If ADA-eligible accommodation is approved, the candidate must contact the test center to schedule an exam with the provided accommodation. If a candidate’s request is denied (following any appeals, if initiated), standard registration procedures apply.

- The Part III ADA-eligible test accommodation application interval begins in mid-October of the candidates’ third year in optometry school/college. This is 4 months prior to the opening of Part III registration, which is mid-February of the third academic year. This allows candidates with disabilities the opportunity to receive an accommodation decision in time to schedule a Part III exam appointment as soon as registration opens.

- There is no ADA-eligible deadline date since the accommodation decision must have been determined prior to Part III registration. As soon as a candidate becomes aware of the accommodation decision, the CSE test appointment may be scheduled, either by phone (if approved) or online (if denied), assuming Part III registration has opened.

C. Because of the temporary, recent-onset nature of non-ADA-type accommodations, these may be requested following Part III registration. This type of request and documentation should be filed within 28 days of the individual Part III exam date, as soon as possible within that 28-day time period, to allow sufficient time for the NBEO to process the request (see red box below). Application timing is of the essence as the test date approaches as it takes time to arrange accommodations after assignment is justified by appropriate documentation.

PART III CSE TEST ACCOMMODATION APPLICATION AND DEADLINE DATES

The Part III ADA-eligible disability test accommodation application interval opens in mid-October of the third year of optometry school/college, followed by the opening of Part III registration in mid-February of the third year. Since the ADA-eligible CSE application and decision must be completed prior to registering for and scheduling a Part III exam slot, there is no application deadline for ADA-eligible disability test accommodation for the clinical exam. Part III registration follows the accommodation decision.

Conversely, Part III registration precedes the non-ADA-type of accommodation request. The CSE application interval for this category of test accommodation is from 4 weeks prior to the exam date up until the exam date, within the limits of feasibility. The sooner the process is initiated and concluded within the 28-day interval, the better, to provide the candidate the best opportunity to obtain the requested test accommodation for non-ADA-type disabilities.

ADA-eligible and non-ADA-type disabilities and accommodation processes are defined in Section 2 (on Page 3) and Section 4 (on Page 4).
Section 1: General Information for ALL Candidates with Disabilities (continued)

D. Examples of both ADA-eligible and non-ADA-type disability request parameters are shown in the red box on Page 4.

E. Candidates request both ADA-eligible and non-ADA-type disability test accommodation by completing the Request for Test Accommodation Form and submitting it to the NBEO by email, fax, or U.S. mail (see red box below). This request form may be sent to the NBEO by the candidate.

F. All ADA-eligible and non-ADA-type disability accommodation request forms must be complemented by the delivery to the NBEO of current, written, qualified disability documentation supporting the accommodation requested. All documentation from healthcare professionals and disability evaluators must be emailed, faxed, or mailed to the NBEO (see red box below) directly from the assessment provider. Evaluations and reports sent in by candidates will NOT be accepted. Only Requests for Test Accommodation Forms are submitted by candidates.

All disability documentation must be submitted to the NBEO directly from the assessment provider. This information may be sent to the attention of the ADA Coordinator via:

- Email - nbeo@optometry.org
- Fax - 704.332.9568
- U.S. mail - National Board of Examiners in Optometry
  200 South College Street, Suite 2010
  Charlotte, North Carolina 28202

G. The National Board reserves the right to obtain, and typically does obtain, an external, expert psychoeducational professional’s review of candidates’ disability information, at NBEO expense. The NBEO reserves the right to request additional disability records prior to making an accommodation decision. The source of any disability documentation may be verified by the NBEO.

H. Any non-standard item that a candidate wishes to bring into the exam room on test day is considered a test accommodation and will not be permitted in the exam room without prior approval through the test accommodation process. This would include crutches, infusion pumps, pillows, and the like. Any such belongings brought to the test site will be inspected by the exam proctor when the candidate checks in to take the exam.

I. Test Accommodation Request Outcomes

1) Request Approval: When the National Board determines that an ADA-eligible or non-ADA-type accommodation is justified and appropriate, the candidate receives a Test Accommodation Agreement signed by the NBEO ADA Coordinator. The specific accommodation to be granted is described in this Agreement.

2) Request Denial: When the National Board denies a request for accommodation, the candidate will be notified in writing, by the ADA Coordinator, with an explanation of the reason(s) for denial.

   a. Appeals: The candidate may APPEAL the denial decision in ADA-eligible cases and in non-ADA-type cases. All ADA-eligible and non-ADA-type test accommodation appeals may be initiated by use of the Appeal Form, which candidates will find on the National Board website at: http://www.optometry.org/appeals.cfm.

      i. **ADA-ELIGIBLE DISABILITY APPEAL:** An Appeal Form must be completed and submitted to initiate a staff-level appeal. The form must be accompanied by additional supportive ADA-eligible disability documentation sent to NBEO from the information provider. Only in the event of a staff-level appeal denial, the candidate may choose to initiate a judicial-level appeal by completing a second Appeal Form and providing additional evidence of disability. The Appeal Form(s) and all new disability records must be submitted by the date shown in the test accommodation denial letter (1 month following the date the letter was mailed). Though rarely employed, the possibility exists for an original denial, a staff-level denial, and a judicial-level denial, each with its own letter of justification for the denial.

      ii. **NON-ADA-TYPE DISABILITY APPEAL:** Assuming there is adequate time prior to the test date following this type of accommodation request denial, the same appeal process that is described above applies to this disability category. Unfortunately, LAST-MINUTE non-ADA-type disability requests and/or appeals are often denied due to the considerable time involved in processing test accommodations from initial request to final implementation.
Section 2: Information Specific to ADA-Eligible Disabilities

A. Only completed accommodation cases received in accordance with NBEO ADA-eligible instructions will be reviewed for ADA-eligible disabilities. Examples of ADA-eligible conditions include, but are not limited to, a wide variety of long-term learning disabilities, visual limitations, hearing loss, diabetes, and certain effects of stroke.

B. Supportive documentation must address specific components which are listed in the Documentation Guidelines/Requirements and must be prepared by appropriate, well-credentialed professionals. Evaluations performed by trainees are accepted only if accompanied by a cover letter prepared, signed, and dated by the trainee’s professional psychoeducational supervisor. This letter must:

1) certify that the document provides a valid assessment of disability;
2) attest that all aspects of the evaluation have been reviewed and repeated where necessary;
3) itemize the supervisor’s test accommodation recommendations; and
4) state that all components of the assessment have been approved by the supervisor composing the letter.

C. The application interval (see red box on Page 1) is designed to allow time for candidates to utilize the entire accommodation process, if needed (see the Introduction to Part III Clinical Skills Examination (CSE) Test Accommodations), before Part III registration opens. All ADA-eligible appeals must be initiated prior to Part III registration. Each appeal level must be accompanied by additional supportive evidence of disability submitted directly to the NBEO from the disability evaluator. Appeal decisions are produced as quickly as is feasible.

D. Regarding ADA-eligible test accommodation re-application rules for subsequent Part III exams, separate accommodation requests must be completed prior to each successive Part III CSE. Previously submitted, current, acceptable evidence of ADA-eligible disability often does not have to be re-sent to the NBEO from the information sources, though the National Board may request additional evidence of disability to support the requested accommodation.

E. In the case of the rescheduling of an impending CSE test date, ADA-eligible decisions that grant accommodations specific to Part III CSE MAY remain valid for up to 90 days from the date of the accommodation decision depending on the condition generating the disability. The National Board reserves the right to determine continued validity of the decision. After 90 days, candidates must submit another Request for Test Accommodation Form to initiate NBEO reconsideration of and potential preparation for ADA-eligible test accommodations.

Section 3: Information Specific to Non-ADA-Type Disabilities

A. Candidates with physical conditions not covered under the Americans with Disabilities Act Amendments Act (ADAAA) but which limit functionality, may request test accommodations for NBEO Part III CSE testing. Examples of a non-ADA-type condition include, but are not limited to, a broken bone that would require the use of crutches in an exam room, or a temporary, diagnosed and treated bladder problem that would necessitate extra restroom breaks, or use of a pharmaceutical infusion pump to assist with fleeting medical circumstances (e.g., pregnancy). Newly acquired, temporary conditions of this nature must be of recent onset relative to the test date.

B. Because these non-ADA-type conditions are of recent onset and are temporary, a different time frame is observed for submission of accommodation requests, documentation, appeals, and supplemental assessment materials. For a non-ADA-type of limitation, candidates must complete and then email, fax, or mail to the NBEO the Request for Test Accommodation Form, no sooner than 28 days before the test date and up until the test date (see red box on Page 1). Application timing is of the essence as the exam date approaches since it can take considerable time to arrange accommodations, when assigned.

C. Detailed assessment documentation from an appropriate healthcare provider must be submitted directly from the provider to the NBEO via email, fax, or mail (see red box on Page 2). Essentially, this report of non-ADA-type disability must include, but is not limited to, a clear description of the condition and the functional limitation imposed by this condition; its date of onset; how the disability limits the performance of tasks as compared to average individuals within the general population; and an explanation of the specific accommodation that is recommended by the healthcare professional. The healthcare provider’s reference to the Documentation Guidelines/Requirements is necessary to ensure that a comprehensive disability report is prepared by this professional disability evaluator.

D. Though these conditions may have presented somewhat in advance of the 28-day application period, non-ADA-type disability evaluations by a healthcare professional must be conducted no more than 28 days prior to the exam date to document that the disability remains a limiting factor as the Part III test date approaches.
Section 3: Information Specific to Non-ADA-Type Disabilities (continued)

E. There is no deadline for this category of disability. However, to allow the NBEO adequate time to process the non-ADA-type accommodation request, the Request for Test Accommodation Form and ALL documentation, including extended information required in the event of one or both appeals of a request denial, should be submitted as soon as possible 28 days or less prior to the exam date. Failure to present all application material in timely fashion likely will result in the NBEO’s inability to provide accommodation for the functional limitation.

F. Regarding non-ADA-type test accommodation re-application rules for subsequent Part III exams, because of the temporary or recent-onset nature of non-ADA-type disabling conditions that qualify for NBEO consideration, any Part III test accommodation decision applies only to the original test date identified on the Request for Test Accommodation Form. Because this class of disability is temporary in nature, each separate non-ADA-type request for test accommodations must be accompanied by updated documentation of limitation (evaluation performed less than 28 days before the test date) in order to initiate NBEO reconsideration of and potential preparation for any non-ADA-type test accommodation that may be granted.

G. In the case of a rescheduled CSE test date, separate non-ADA-type test accommodation requests must be submitted prior to every rescheduled exam date UNLESS the rescheduled CSE test date is SOONER than the original date, OR if the rescheduled exam appointment is 28 days or less after the original date.

Section 4: Comparison and Examples of ADA-Eligible and Non-ADA-Type Disability Processes

EXAMPLES OF ADA-ELIGIBLE AND NON-ADA-TYPE DISABILITY CONDITIONS

<table>
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<tr>
<th>Disability Type</th>
<th>Parameters</th>
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| ADA-eligible:           | Application: apply for test accommodation up to 4 months before Part III registration opens; application may be made in mid-October of the third academic year; Part III registration opens in mid-February of the third year; register and obtain exam appointment after test accommodation application and resolution  
  Example of Disability: multiple sclerosis (CHRONIC condition of LONG-TERM DURATION)  
  Accommodation Example: extra 5 minutes of test time per station  
  Documentation: physical evaluation related to ADA-eligible condition(s) must have been conducted within the past three months before the deadline; psychoeducational evaluations related to ADA-eligible conditions must have been conducted no more than 3 years before the deadline since manifestations of disability may change over time |
| Non-ADA-type:           | Application: register and obtain exam appointment before accommodation process; apply for test accommodation within 28 days of the test date, but as soon as possible within that time interval  
  Example of Disability: broken ankle bone (TEMPORARY condition of RECENT ONSET)  
  Accommodation Example: use crutches while standing/moving during exam; bring wooden stool to place next to exam chair for potential leg elevation during seated portions of the CSE to mitigate ankle swelling and pain  
  Documentation: all medical/physical conditions causing non-ADA-type limitation require documentation of the treating physician’s examination and test accommodation recommendations; disability assessment must be conducted within 28 days of test date to assist in demonstrating that condition is likely to remain a limiting factor on the Part III CSE exam date |