

INTRODUCTION

Test accommodations are sometimes provided to examinees with disabilities in order to allow the disabled examinees to demonstrate their true abilities in the areas that the test measures. Oftentimes, these accommodations are mandated by the Americans with Disabilities Act (1990), commonly referred to as the ADA. The ADA has prohibitions against discriminations that apply to many areas, including all agencies that offer or require tests for employment, licensure, certification, or education. There are various types of accommodations that might be provided, depending upon the examinee's disability. An exam program should have clearly defined administrative practices in place to help ensure that ADA requirements are met. These practices include procedures for examinees to follow in order to request a test accommodation, as well as procedures for the review of these accommodation requests. There are specified limits on what the ADA requires; however in some cases an exam program may elect to offer a courtesy accommodation even when it is not required.

SPECIFIC ASPECTS OF TEST ACCOMMODATIONS

ADA Overview

The ADA prohibits discrimination based on disabilities in several areas, including employment, public services, and public accommodations. The ADA and its accompanying regulations define an individual with a disability as someone with a current physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, or learning, when compared to the general population. The term *functional limitation* refers to the behavioral manifestation of the disability that impedes the individual's ability to function. In other words, a functional limitation refers to what an individual cannot do on a regular and continuing basis as a result of the disability. For example, an examinee might have the functional limitation of partial deafness, making it difficult for the examinee to hear and understand any verbal instructions. The ADA applies to aspects of both test development and test administration; it applies to content on the exams, access to test facilities, and to methods of test administration. In a test-taking situation it is important to have a clear identification of the examinee's specific and substantial functional limitation as a result of his or her disability, and an explanation of how those limitations interfere with the test-taking activity.



Types of Test Accommodations

Individuals who are registering to take a test can request accommodations for difficulties such as visual disabilities, hearing disabilities, learning disabilities, physical disabilities, chronic health problems, and others. Typical accommodations provided by exam programs include extra time, frequent breaks, a separate testing room, a person to serve as a reader, a person to serve as a scribe, a large-print exam form, and a printed copy of the verbal instructions given. It is important for the accommodation to be an appropriate, logical match to the disability. For example, an examinee with a documented hearing disability might be provided with a copy of the verbal instructions read aloud by the proctor.

Administrative Practices Related to Accommodations

There are a number of administrative practices that exam programs should follow in order to satisfy the requirements of the ADA. One of these is to conduct a job analysis, and then to use the results of that job analysis to ensure that the test measures only the essential functions of the job, and that it does not include any marginal functions of the position. The exam program should also establish clear policies and procedures for individuals to follow in submitting requests for accommodations, including specific policies regarding what documentation must be submitted. Appropriate procedures should further be established for the review of these requests for accommodations. The review process should include a clear determination of whether or not the individual is otherwise qualified to take the exam, as well as whether or not the individual is eligible for accommodation under the ADA. As with other aspects of appropriate exam program maintenance, the exam program should have procedures in place for storing records, and for maintaining the security and confidentiality of the records stored.

Review of Test Accommodation Requests

An exam program should provide guidelines and procedures for examinees to follow in requesting accommodations, if they believe they satisfy the requirements of disability under the ADA. These procedures are likely to include requirements for specific forms to be filled out and specific documentation to be provided. Test accommodation request forms often require that a diagnosis be provided, along with a statement as to how the diagnosed condition currently affects the examinee's ability to function, particularly in a test-taking situation. It should be noted that simply having obtained a diagnosis in the past does not guarantee that an individual is eligible for accommodations under the ADA. Additional documentation, including test results, is usually required.



Once a request for accommodation has been submitted, the exam program should have an evaluator review these materials to determine whether the documentation validates that the individual is covered under the ADA. The process of reviewing the individual's materials may be time consuming and may require additional expert advice. At a minimum, the evaluator is likely to review the documentation in order to determine: whether the information is current; whether a specified diagnosis was included; how the diagnosed condition affects the examinee's ability to function, particularly in a test-taking situation; and, a recommendation and rationale for a given test accommodation. Accommodation requests should also be reviewed for: Will the requested accommodation fundamentally alter the exam? Is the requested accommodation appropriately matched to the identified need? Will the accommodation create an undue burden on the exam program? Is the request within the parameters of the ADA's requirements? If any of these conditions are not met, the ADA grants the exam program the right to modify or deny the request. The test accommodations that are provided should be both reasonable and appropriate.

Limitations on What the ADA Requires

The ADA does not require that all requests be granted. Rather, test accommodations must only be provided for those examinees who qualify as disabled under the ADA. For example, English as a second language, test anxiety, and temporary physical conditions are not regarded as disabilities under the ADA. There are additional limitations on what the ADA requires. For example, the ADA does not require that examinees be provided with the exact accommodation requested. In other words, a testing agency has the option of modifying the accommodation or providing a substitute accommodation, as long as the solution provided is an appropriate match to the examinee's functional limitation. The ADA furthermore does not require any accommodation that produces a fundamental alteration of the knowledge or skills being measured by the test; that is, the ADA does not require accommodations that would impact the test construct. For example, a test of reading comprehension should not be administered with an accommodation in which the test is read aloud to an examinee. Finally, the ADA does not require accommodations: that offer an unfair advantage to a disabled examinee, that result in any compromise in test security, or that impose an undue financial or administrative burden on the testing company.



Courtesy Accommodations

In certain cases an examinee has a physical difficulty that does not qualify as a disability under the ADA, but which nevertheless could be problematic for the examinee when taking the test. In these cases, an exam program may elect to offer a courtesy accommodation even though the ADA makes no such requirement. Courtesy accommodations are frequently provided for pregnant examinees and for examinees who have temporary accidental injuries. For example, an examinee with a broken leg may be allowed the use of a chair to support the broken leg during the test administration, or an examinee with a cold may be allowed access to cough drops and tissues. It is important that the exam program have clear policies and procedures in place for courtesy accommodations as well as for required accommodations, so that they are provided in a fair and consistent manner. For example, it would be inappropriate for the exam program to provide a courtesy accommodation to one examinee with a broken leg, and then fail to provide the same accommodation for another examinee with the same difficulty.

Summary

Exam programs offer test accommodations in order to help examinees demonstrate their actual knowledge and skills in the area being measured, without an irrelevant disability negatively impacting their test scores. However, in many circumstances test accommodations are also mandated by law, under the ADA. For exam programs to be in compliance with the ADA a number of administrative practices, including policies and procedures about accommodation requests, should be in place.

Exam programs have the dual responsibility of providing reasonable and appropriate accommodations, while also protecting the health, safety, and welfare of the public. The ADA does not require exam programs to offer all accommodations that are requested; for purposes of good measurement it is particularly important for exam programs to refrain from offering accommodations that might compromise test security, result in an unfair advantage to an examinee, or fundamentally alter the construct being measured.

This material has presented a brief overview of the ADA as it applies to testing, particularly for certification and licensure testing. For more information, interested readers can refer to the ADA itself, or to documents such as "The Americans with Disabilities Act: Information for Credentialing Examinations" (CLEAR, 2004).

