Guidance document: 90-22 Revised: November 15, 2022 Effective: January 19, 2023

Virginia Board of Nursing

Requests for Accommodations for Nurse, Nurse Aide and Medication Aide Testing

Physical or mental impairments that substantially limit one or more major life activities are considered disabilities subject to protection under the Americans with Disabilities Act (ADA).

"Major life activities" include walking, standing, sitting, seeing, hearing, speaking, breathing, eating, sleeping, reaching, lifting, bending, learning, reading, concentrating, thinking, writing, communication, interacting with others, working, caring for oneself, and performing manual tasks.

An individual with a disability may request accommodations for testing. In order to request accommodations, the individual with a disability should submit the following to the Virginia Board of Nursing:

1. A letter of request from the candidate that specifies the testing accommodations being requested;

AND AT LEAST ONE OF THE FOLLOWING:

- 2. A written statement from the Program Director (or designee) of the nursing, nurse aide, or medication aide education program which describes any testing accommodations made while the student was enrolled in the program; *or*
- 3. Proof of previous testing accommodations under an Individualized Education Program or a Section 504 Plan; *or*
- 4. Proof of private school testing accommodations received under a formal policy; or
- 5. Proof of previous testing accommodations in similar test settings on a similar standardized exam or high-stakes test; *or*
- 6. A written report of an individualized assessment of the candidate from a qualified professional that states a diagnosis of the disability, describes the disability, and recommends specific accommodations.
 - This report from a qualified professional should include an individualized assessment of the candidate, a professionally recognized diagnosis of the disability, and, if the qualified professional deems it necessary, identification of the standardized and professionally recognized tests/assessments given;
 - If testing was completed more than two years prior to this request, the qualified professional should provide a summary stating why current testing is not needed (e.g. the disability does not change over time and new testing would not reveal new information); and
 - Specific recommendations for testing accommodations with a stated rationale as to why the requested accommodation is necessary and appropriate for the diagnosed disability.

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The Board delegates to board staff the authority to approve requests for accommodation.

If the request for accommodation is granted, the information will be forwarded to the testing company for their review and approval.

Candidates will be notified whether the accommodation is granted or denied.