

POSITION PAPER REQUESTS FOR MODIFICATIONS FROM DISABLED CANDIDATES

Introduction

The purpose of this position statement is to delineate the Missouri State Board of Nursing's beliefs about appropriate modifications for NCLEX® examination candidates.

Underlying Principles

The Missouri State Board of Nursing has the statutory authority to approve applicants for a license by examination. Chapter 335.036 and 335.046, RSMo, 1993.

The Missouri State Board of Nursing approves appropriate NCLEX® examination modifications which are psychometrically sound and safeguard the fairness and security of the testing process for all candidates.

The Americans with Disabilities Act has encouraged nurses, educators, employers and regulators to identify the essential abilities needed by nurses to practice safely. The nurse must be aware of the abilities required for safe nursing practice and of any personal limitations with respect to these abilities. The nurse should either make or request the accommodations needed to practice nursing safely.

Description of Modifications Request Review & Approval Process

All requests for exam modifications from NCLEX® examination candidates must be accompanied by the following:

- A letter from the applicant requesting the modifications and detailing the specific modifications.
- A letter from the nursing education program indicating what modifications, if any, were granted by that program.
- An Application for a License by Examination.
- Application Fee.
- Appropriate documentation supporting the request for accommodation from a qualified professional with expertise in the areas of the diagnosed disability.

Documentation must include:

- a history of the disability and any past accommodation granted the candidate and a description of its impact on the individual's functioning;
- identification of the specific standardized and professionally recognized tests/assessments given (e.g. Woodcock-Johnson, Weschler Adult Intelligence Scale);
- clinical diagnosis of disability (where applicable, list DSM Code Number and Title);
- the scores resulting from testing, interpretation of the scores and evaluations; and

- recommendations for testing accommodations with a stated rationale as to why the requested accommodation is necessary and appropriate for the diagnosed disability.

After the application for a license and all documentation are received, the members of the Missouri State Board of Nursing will review the request. If approved by the members of the Missouri State Board of Nursing, the request will be forwarded to the National Council of State Boards of Nursing, Inc. for final approval. Upon notification of approval from the National Council of State Boards of Nursing, Inc., the Board will inform the applicant of approved modifications.

Statement

Only physical or mental impairments that substantially limit one or more major life activities are disabilities subject to the protection of the Americans with Disabilities Act (ADA). "Major life activities" include 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.

Almost everyone experiences some apprehension before taking an important examination. Careful diagnosis is required to address the issue of what point "normal" anxiety constitutes a disability protected under ADA.

"Test anxiety, anxiety or phobia" without precise diagnosis, may not constitute a disability within the meaning of ADA for the threshold reason that such terms are not recognized physiological or psychological impairments which substantially limits a major life activity.

English as a second language is not considered a disability under the Americans with Disabilities Act (ADA). Cultural factors (such as an individual's language), environmental and economic conditions cannot form the basis of a claim of disability.

Definitions

ADA - Americans with Disabilities Act (1990) 42 U.S.C., Section 12101, et.seq. NCLEX, NCLEX-RN, NCLEX-PN are registered trademarks of the National Council of State Boards of Nursing, Inc.

References

National Council of State Boards of Nursing. (1995). *Developing a Model for Nursing Competence: A Working Draft*

National Council of State Boards of Nursing, (1997). *Policy for Requesting Testing Modifications for NCLEX® Examination Candidates with Disabilities*

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