

REQUEST FOR ACCOMMODATIONS FOR APPLICANTS WITH DISABILITIES



Introduction

The Florida Department of Law Enforcement provides reasonable and appropriate examination accommodations in accordance with the Americans with Disabilities Act.

The Americans with Disabilities Act of 1990 (ADA) defines a person with a disability as someone with a physical or mental impairment that substantially limits one or more major life activities. The purpose of examination accommodations is to minimize the handicapping effects of such functional limitations on examination performance, so the applicant can demonstrate their capabilities.

The following information is provided for applicants, treating sources, evaluators, and others involved in the process of documenting a disability as the basis for appropriate accommodations. We strongly encourage applicants requesting examination accommodations to share these guidelines with their medical and educational professionals, so they can provide appropriate documentation in support of their request.

Accommodations must be directly linked to the amelioration of functional limitations caused by the disability.

While examination accommodations may enable an applicant to better demonstrate their mastery, accommodations do not guarantee improved performance, examination completion, or a passing score.

Examination Accommodations

Examination accommodations include:

- Extended examination time (time and a half)
- Private testing area (only if the test site can accommodate)

How to Request Examination Accommodations

Applicants must notify the Florida Department of Law Enforcement of their disability and request examination accommodations. Requests for accommodations must include:

1. A completed and signed **Application** for Individuals Requesting Special Accommodations, CJSTC Form #502, Parts I & II. An application can be obtained online at <http://www.fdle.state.fl.us/CJSTC/Documents/Rules-Forms/CJSTC-502-6-9-08.aspx> or by calling the Certification Examination Section at 850-410-8602.
2. Medical **documentation** from a professional who is qualified to evaluate the disability and licensed pursuant to Chapters 760 (Chiropractic), 490 (Psychological Services or School Psychologist), 458 (Medical Practice), 459 (Osteopathy), 461 (Podiatry), 463 (Optometry), or 468 , Part I (Speech Language Pathology & Audiology), of the Florida Statutes. Please see below for more information about this documentation.
3. A **personal statement** describing your disability and how it affects your daily life and educational functioning.

Send the application for accommodations, medical documentation and personal statement to:

Florida Department of Law Enforcement
Criminal Justice Professionalism Services
Research and Assessment Section
P.O. Box 1489
Tallahassee, Florida 32302-1489

Research and Assessment Section staff will notify the applicant of the approval or denial of accommodations within forty-five calendar days of receipt of form CJSTC 502. Since the applicant may be contacted for additional documentation before the determination can be made, early requests are encouraged and speed up the review process.

The person requesting accommodations must initiate the written request for examination accommodations. Requests by a third party, such as a training academy, will not be accepted. *To protect your confidentiality, always send examination accommodation information to the above address.*

Documenting a Need for Accommodations

The following guidelines are provided to assist applicants in documenting a need for accommodations based on an impairment that substantially limits one or more major life activities. Documentation submitted to the Department may be referred to disability experts for an impartial, independent review.

Medical and educational records submitted in support of a request for accommodations must:

- **Identify the professional credentials and license of the treating or evaluating source.**
- **Be current.** The provision of accommodations is based on assessment of the current impact of the applicant's disability on the examination activity. For chronic, developmental disorders, such as Learning Disorders, older evaluations completed at or near adulthood may be sufficient to affirm the diagnosis and assess current severity and functional limitations imposed by the disorder. However, when the course of a disability tends to vary across time and settings, as with Mood Disorders, evaluation or treatment records within the past three years are required.
- **Describe how the diagnosis was established, based on relevant history, test results, and clinical description.** Pertinent history, clinical observations and test scores should be described in enough detail that an independent reviewer can assess their significance. For mental impairments, the diagnostic standards of the American Psychiatric Association (DSM-V) are recommended.
- **Describe functional limitations that are attributable to the diagnosed disability.** Diagnosis alone is not sufficient to meet documentation requirements under ADA. The diagnosed condition must also be the basis for significant functional limitations in the applicant's daily life. It is helpful for the treating or evaluating source to recommend specific accommodations and explain why they are needed to minimize the effects of functional restrictions on test performance.

Information provided by non-licensed professionals may also be helpful in documenting an applicant's need for evaluation accommodations. While diagnosis by an acceptable medical source under ADA is required (see above), other sources of information may help to corroborate the diagnosis and clarify the severity of functional restrictions.

Documentation of prior accommodations under ADA is pertinent but not sufficient. In accordance with ADA and with Florida Statute, the Florida Department of Law Enforcement is obligated to make an independent determination of the appropriateness of examination accommodations based on the specific task demands of the professions they certify. Capabilities that are essential to meet the task demands of specific jobs may be exempted from some accommodations under ADA. Hence, accommodations provided in educational settings may not be appropriate for some professions, given their particular task demands.

Application Review Process

In reviewing each application for examination accommodations under ADA, the Department makes every effort to affirm the medical and functional basis for requested accommodations based on records provided by the applicant, granting generous margins for judgment by the medical sources. While reasonable flexibility is applied in the interest of sparing applicants from unnecessary pursuit of additional documentation, the Department may require additional documentation when the records provided in support of an application do not allow independent reviewers to affirm, with acceptable confidence, a need for the requested accommodations.

Reapplication

Applicants attempting a re-examination, or examination for a different certification within the Department, must submit again Part I of the application. Please indicate that accommodations were provided for a prior Department examination. Part II of the application will not be required, if it is on file and remains current. This will allow for an expedited response to these requests.

Change in Disability or in Requested Accommodations

Timely notification is required if there are significant changes in the severity of your disability or changes in the accommodations you are requesting. Dropping a requested accommodation may be done at the discretion of the examinee. Adding a requested accommodation will require additional review and may require additional documentation.

Documentation of Learning Disorders, ADHD and other Developmental Disorders

The following information is provided to clarify documentation requirements for applicants requesting accommodations on the basis of Learning Disorders (LD) or Attention Deficit Hyperactivity Disorder (ADHD). These guidelines may apply to other developmental disorders and to learning and attention problems with known causes, such as lead poisoning, hypoxia, head injury, etc.

- Because these disorders begin while growing up, **history** is especially important in evaluating adults with these conditions – particularly school and medical histories.
- When **school and pediatric records** are not available for review, other parts of the evaluation, such as history, clinical interview, and formal testing of specific mental abilities, become more important for affirming a diagnosis and assessing severity of functional restrictions.

- Diagnosis of these conditions requires that **non-pathological explanations** for an applicant's limitations be **considered and ruled out**. For example, low academic performance must not be due to simple lack of exposure to instruction, to a language barrier, to test anxiety, or to low achievement motivation. . Similarly, diagnosis of ADHD requires that lapses in attention and concentration are not attributable to simple procrastination, disinterest in a task, or low self-confidence. When alternative explanations of symptoms and functional restrictions complicate the diagnosis, then the history, clinical interview, and assessment of specific mental abilities that subserve skill acquisition are again more important for affirming a diagnosis
- Diagnosis must be based on a convergence of clinical findings, not only one or two tests. A low score on a reading test is not sufficient to document LD. High scores on a self-rating assessment scale are not sufficient to diagnose ADHD.
- Where diagnosis relies on interpretation of test scores, these scores must be provided, to allow an independent review of the basis for a diagnosis and assessment of its severity.
- If there is no history of prior diagnosis or accommodations, it is helpful for the evaluating professional to explain why these were recognized so late in a developmental disorder.