

Consideration of New 22 Tex. Admin. Code §217.22, Pertaining to *Special Accommodations*

Summary of Request: Consider proposal of new 22 Tex. Admin. Code §217.22, pertaining to *Special Accommodations*.

Background: During the past legislative session, the Legislature passed Senate Bill (SB) 867, which requires state agencies to provide reasonable examination accommodations to individuals who have been diagnosed as having dyslexia. The bill further requires state agencies to adopt rules establishing the eligibility criteria that an individual must meet in order to receive examination accommodations. The bill requires the rules to be adopted by December 1, 2011.

The proposed new section, attached as Attachment "A", sets forth the Board's procedures and eligibility criteria for examination accommodations. The proposed new section applies to all disabilities that may interfere with an applicant's performance on the Board's licensing examinations, including dyslexia, and incorporates the Board's existing policies and procedures for examination accommodations into a formalized rule.

Board Action: Move to approve proposed new §217.22, pertaining to *Special Accommodations*, with authority for General Counsel to make editorial changes as necessary to clarify rule and Board intent and to comply with the formatting requirements of the *Texas Register*. If no negative comments and no request for a public hearing are received, move to adopt proposed new 22 Tex. Admin. Code §217.22, pertaining to *Special Accommodations*, as proposed.

Attachment “A”

§217.22 Special Accommodations.

(a) The Board will provide reasonable accommodations for its licensing examinations as set forth in this section.

(b) Individuals requesting special accommodations must submit the following information to the Board:

(1) A completed Special Accommodations Request Form;

(2) A Professional Documentation of Disability Form, completed within the three years immediately preceding the accommodation request by a diagnostician meeting the Board’s requirements;

(3) A completed Consent to Release Information Form; and

(4) A Nursing Program Verification Form completed by the dean or director of the nursing program attended.

(c) An individual requesting special accommodations must submit the information required by this section to the Board at least 30 calendar days prior to registering for the licensing examination. The Board will process the accommodation request once all of the required information and documentation is received.

(d) The Board’s requirements for diagnosticians and the forms referenced in subsection (b) of this section may be found on the Board’s website, located at <http://www.bon.texas.gov/olv/pdfs/SPECACC.pdf>.