



Board of Behavioral Sciences

1625 North Market Blvd., Suite S200, Sacramento, CA 95834
 Telephone: (916) 574-7830 TTY: (800) 326-2297 Fax: (916) 574-8625

www.bbs.ca.gov



REQUEST FOR ACCOMMODATION

In compliance with the Americans with Disabilities Act (ADA), the Board of Behavioral Sciences (Board) will provide "reasonable accommodations" to applicants with disabilities as defined under the ADA. If you wish to request an accommodation for an examination administered by the Board, please read this entire packet thoroughly before completing this request. This must be submitted with the examination application or at least **90 days** prior to taking the examination. Upon receipt of the required information, the request will be considered and you will be notified in writing of the Board's decision. Accommodations will not be provided at the examination site unless prior approval by the Board has been granted.

(Please type or print clearly in ink)

Type of Application:	<input type="checkbox"/> MFT <input type="checkbox"/> LCSW <input type="checkbox"/> LEP <input type="checkbox"/> LPCC	Type of examination:	<input type="checkbox"/> Written <input type="checkbox"/> Clinical Vignette <input type="checkbox"/> Law & Ethics <input type="checkbox"/> Gap
BBS File Number:	Social Security Number:		
Legal Name:	Last	First	Middle
Address:	Number and Street	City	State Zip Code
Business Telephone:	Residence Telephone:		
Describe your type of disability (e.g., physical, mental, learning) <u>and</u> how this disability substantially limits one or more of your major life activities.			
What is the nature and extent of the disability (e.g., hearing impaired, diabetic, dyslexic, etc.)?			
When were you first diagnosed with this disability?			
Describe your treatment for this disability (e.g., medication management-provide dose and affect medication has on the disability, physical therapy, hearing aids, magnifying equipment, psychotherapy).			
Describe the accommodation requested, given the format of the examination(s).			
Describe <u>any</u> past accommodations you have received for this disability. For what purpose or examination were the accommodations given to you and who evaluated you for purposes of receiving the accommodation?			

Provide the Board written verification of your disability from a professional described in section III of the Policies and Procedures (optional form enclosed) supporting the accommodations you are requesting. The Board will not pay any costs you may incur in obtaining the required documentation. However, it will pay for any accommodations that are made for you. This information is considered to be **confidential** and will not be divulged. Applicants have the right to review their records subject to the provisions of the Information Practices Act.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

 Signature of Applicant

 Date



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POLICIES AND PROCEDURES FOR EXAMINATION CANDIDATES REQUESTING ACCOMMODATIONS

I. Statement of Policy

The California Board of Behavioral Sciences (Board) recognizes its responsibilities under Title II of the Americans with Disabilities Act to provide reasonable, appropriate and effective accommodations, including auxiliary aids to qualified examination candidates with disabilities. However, the Board will not provide an accommodation which fundamentally alters the measurement of the knowledge or skills the examination is intended to test, affords unfair advantage to the disabled candidate, compromises examination security, proposes the Board provide personal services and devices, or creates an undue financial and administrative burden.

All examination sites will be physically accessible to individuals with disabilities.

A disability is defined as a physical or mental impairment that substantially limits one or more of the major life activities of an individual or a record of such an impairment or having been regarded as having such an impairment. "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.

A candidate who seeks an accommodation has the responsibility to make the request and provide documentation substantiating the need for accommodation at the time of submission of the application and/or by the application deadline established for all applicants, if any. The information supplied to substantiate a candidate's request for an accommodation will be kept confidential to the extent provided by law. The Board will evaluate each request individually, in accordance with the guidelines set forth herein, in order to provide an appropriate and effective accommodation. Any request for accommodation (except for accommodations requiring a physically accessible exam site) must be submitted to the Board on the form prescribed by the Board. Candidates are not to request accommodations from the examination administrator. All requests must be sent to the Board. Candidates should not schedule their written examination until the accommodation has been approved.

All examination application packages will contain a statement that the Board will provide reasonable, appropriate, and effective accommodation to qualified examination candidates with disabilities. If you wish to submit a request for accommodation, please contact the Board and request a Request for Accommodation package, which will contain the following:

- (a) These policies and procedures;
- (b) Form to request the accommodation;
- (c) Optional form(s) and instructions for professionals evaluating and substantiating the candidate's disability and recommending an accommodation;
- (d) List of most commonly used standardized tests of ability and achievement;
- (e) Instructions for appealing a decision not to grant the requested accommodation.

II. Format of Examination

An applicant for licensure as a marriage and family therapist or clinical social worker is required to pass a standard written and a clinical vignette written examination. An applicant for licensure as an educational psychologist is required to pass a written examination. An applicant for licensure as a professional clinical counselor (LPCC) is required to pass a California Law and Ethics written examination. Currently licensed Marriage and Family Therapists and Clinical Social Workers applying during the "Grandparenting" period are required to pass the Gap written examination. LPCC applicants may also be required to take one or more national examinations. All LPCC applicants may request special accommodations directly from the Board. Please visit the Board's web site for more information on examination requirements.

All written examinations contain objective multiple-choice questions. The written examinations are given by computer, which does not require the candidate to possess knowledge regarding the operation of a computer or the ability to type. The number of questions varies for any given examination; however, the examinations have traditionally consisted of 100 to 200 questions with a maximum time limit of 2 to 4 hours in which to take the examination. All written examinations are designed to measure job related knowledge, skills, and abilities as defined in the results of an occupational analysis for the particular profession for which licensure is sought.

The Board's statutory mandate is to protect the public by licensing only those persons who can demonstrate minimum competency. In order to protect the integrity and fairness of the licensure testing process, the Board requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the candidate with an equal opportunity to exhibit his/her knowledge, skills and ability through the examination.

III. Documenting the Need for Accommodation

A. Conditions Applicable to All Candidates Requesting Accommodation

The Board requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the candidate with an equal opportunity to exhibit his/her knowledge, skills and ability through the examination. The Board will review and consider an applicant's history of accommodation.

Beginning with the initial submission, all candidates requesting a reasonable accommodation must complete, or have completed by the professional certifying to the disability, all the forms and information required. If a candidate has previously received the same or similar accommodations for one or more prior administrations of this examination, the candidate may submit a signed statement under penalty of perjury that the disabling condition has not changed in any way that would modify the accommodation that was previously provided. This prior documentation shall be deemed acceptable, except that for candidates who claim a learning disability, the prior documentation will be acceptable only if it meets the criteria set forth in subsection B below.

An evaluation and supporting documentation of a disability shall be valid for a period of three years from the date on which it was submitted to the board, except that no further documentation will be required in cases where the evaluation clearly states that the disability is not expected to change in any way that would reduce the need for the requested accommodations over time. Candidates that wish to request special accommodations under a second license type must submit a new request, regardless of the length of time since the last request was submitted to the Board. For example, if a candidate applied for special accommodations to take the MFT Written examination, then the candidate would have to submit a new special accommodation request for the LPCC Law and Ethics examination.

B. Candidates With Learning Disabilities

A learning disability is defined as individual evidence of significant learning difficulties which substantially affect or limit one or more major life activities and that are not primarily due to cultural, emotional, or motivational factors. The term does not include learning problems which are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance or of environmental, cultural, or economic disadvantage. [NOTE that while some of these factors may be involved in other types of disabilities, such factors are excluded from the determination of a learning disability.] The individual must demonstrate (a) at least average overall intellectual functioning as measured by tests of general cognitive ability and (b) show evidence of a significant impairment in one or more of the following areas of intellectual functioning and information processing:

- Attention and concentration
- Efficiency and speed of information processing

- Reception (perception and verbal comprehension)
- Memory (ability for new learning)
- Cognition (thinking)
- Expression

Significant impairment is generally determined by a discrepancy of 1.5 standard deviations or more between the individual's intellectual functioning and actual performance on reliable standardized measures of attention and concentration, efficiency and speed of information processing, memory, language reception and expression, cognition, as well as academic areas of reading, spelling, writing and mathematics.

Further, determination of the learning disability shall be based on reliable standardized tests of achievement and ability, and a complete clinical history including medical, family, developmental, educational and occupational information. Attached is a list of the most commonly used standardized tests to assess for learning disabilities. If a measurement instrument is used which is not on this list, it will be considered if it is published in the Buros Mental Measurement Yearbook and is being used for the purpose for which it was developed.

C. Required Information Necessary to Evaluate Disabilities

A candidate who requests an accommodation and/or auxiliary aid must provide the board with the necessary information to assist it in evaluating the request. The Board will, of course, evaluate each request on an individual basis. The following is intended to provide guidance as to the type of documentation that will be necessary.

1. Identification of the type of disability (e.g. physical, mental, learning disability).
2. Credential requirements of the evaluator. The board will accept evaluations from qualified evaluators. A qualified evaluator cannot be the spouse of the candidate nor related to the candidate by blood or marriage. The evaluator must have sufficient experience to be considered qualified to evaluate the existence of and proposed accommodations needed for specific learning disabilities. Guidelines for a qualified evaluator are listed below:

- (a) For purposes of physical or mental disabilities, not including learning disabilities, the evaluator is a licensed physician or psychologist with special expertise in the area of the disability.
- (b) In the case of learning disabilities, a qualified evaluator is one of the following:

A licensed psychologist or physician who possesses a minimum of three years of experience working with adults with learning disabilities and who has training in all of the areas described below **or**

another professional who possesses a master's or doctorate degree in special education or educational psychology from a regionally accredited institution and who has at least three years of equivalent training and experience in [all of] the areas described below:

Assessing intellectual ability level and interpreting tests of such ability.

Screening for cultural, emotional and motivational factors.

Assessing achievement level.

Administering tests to measure attention and concentration, memory, language reception and expression, cognition, reading, spelling, writing, and mathematics.

3. Professional verification of the disability, which must include:
 - (a) The nature and extent of the disability.
 - (b) The test(s) performed to diagnose the disability (if applicable).
 - (c) The effect of the disability on the candidate's ability to perform under standard conditions.
 - (d) The accommodation recommended and how the accommodation is related to the candidate's disability, given the format of the examination.

- (e) The professional's name, title, telephone number, professional license or certification number, educational credential, and original signature of the professional.
- (f) A description of the professional's education and experience which qualifies him/her to make the determination.

D. Evaluation of the Accommodation Request

The Board is responsible for evaluating requests for accommodation and will approve, deny or suggest alternative accommodations. The Board will evaluate each request on an individual basis. Primary consideration shall be given to the request of the candidate with disabilities. The Board will consider an applicant's history of accommodation in reaching its determination of reasonableness of the requested accommodation in relation to the currently identified impact of the disability.

The candidate is responsible for having the evaluator send to the board the documentation specified in Section IIIC which describes in detail the disability and how the disability affects the candidate's ability to demonstrate his or her aptitude and achievement in the format(s) in which the examination is given. The cost of providing this information is the candidate's responsibility. A member of the Board's staff (analyst) will review and evaluate the request at the time the candidate is notified that he/she is eligible to take the written examination. The analyst shall ensure that the request is completed correctly and that appropriate verification is provided.

If the analyst believes the accommodation requested is inappropriate, the analyst will consult with the candidate to reach a mutually agreeable resolution, if possible. The Board reserves the right to determine what it believes is a reasonable and effective accommodation in light of its consumer protection mandate. However, if the Board refuses to accept a qualified professional's timely judgment supporting a requested accommodation, where the required supporting documentation is complete, the Board will bear any cost associated with the gathering of further evidence to ascertain the reasonableness of the requested accommodation.

If the Board rejects or modifies a candidate's requested accommodation for any reason, the Board will notify the candidate in writing postmarked not later than five days after the candidate is notified that he/she is eligible to take the written examination or not later than 35 days after the final filing date for the examination for which the candidate has applied (if the examination has a final filing date), providing specific reasons for the rejection. The Board will inform the candidate of the right to appeal and the procedures for the appeal.

On appeal, the Board may require that the candidate submit to an examination by an expert designated by the board and otherwise fully cooperate in the Board's process. The Board shall pay any fees charged for acquiring such additional information.

The Board will give greater weight to a more recent diagnosis if the condition or accommodations available are subject to change over time. The Board may also weigh the expert qualifications of the professional supplying the information, and the methods used to make the diagnosis of the disability and determine the recommended accommodation. The Board may provide alternative accommodations, other than those requested, when they will result in an appropriate accommodation.

E. Appeal From Denial of Request

The Board will provide a candidate whose request for accommodation or auxiliary aids or services is denied in whole or in part with the reasons for that denial and the candidate may appeal the denial pursuant to these appeal procedures.

Where the denial is based on the rejection of the opinion of the professional supporting the request, the Board must support any rejection with evidence from an expert it has consulted in evaluating the candidate's request. The Board will provide to the candidate the general content of the opinion of the board's expert and the basis for that opinion.

A candidate's appeal of a decision denying in whole or in part a request for accommodation or auxiliary aids or services must be in the form of a signed or otherwise verified request setting forth the following:

- (a) Candidate's name;
- (b) Date of request;
- (c) The appeal itself; and
- (d) The facts relied upon in support of the appeal.

The appeal must be accompanied by any further documentation not previously provided which the candidate wishes the Board to consider in making a decision on the candidate's appeal. The appeal must be postmarked no later than seven days after the candidate receives notification of the denial.

In keeping with its consumer protection mandate, the Board reserves the right to request further evidence regarding the necessity of the requested accommodation and, based on its judgment, may request that the candidate submit to additional examination by a professional to determine the reasonableness of the requested accommodations. If the Board elects to pursue this procedure, the Board will be responsible for all costs and expenses related to acquiring such information.

The Board recognizes its responsibility to accommodate the identified needs of qualified individuals with disabilities by making reasonable modifications or providing auxiliary aids or services. Accommodations provided will be appropriate to the needs of the candidate. This does not necessarily mean that the Board will grant all requested accommodations or auxiliary aids or services or that the candidate will receive the particular accommodations or services sought. The Board is not required to grant the requested accommodations if granting the request would fundamentally alter the measurement of the knowledge or skills the examination is intended to test, provide unfair advantage to the disabled candidate, compromise examination security, require the board to provide personal services and devices, or create an undue financial and administrative burden.



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PROFESSIONAL EVALUATION AND DOCUMENTATION OF DISABILITY

Use of this form by an evaluator is optional. However, if this form is not used, all the information requested must be provided on original letterhead stationery of the evaluator or the request for accommodation will be incomplete and cannot be processed.

Please type or print clearly in ink)

Name of Applicant:			Last	First	Middle
Name of Evaluator:			Type of Professional License/Certification and Number		
Business Name:				Telephone number:	

- Describe the credentials and experience, which qualify you, the evaluator, in the specific disability area to make the determination of the disability and the recommended accommodation. (See Section III C of the Policies and Procedures for Examination.)

- Does the applicant have a physical or mental impairment that substantially limits that individual in one or more major life activities ['Major life activities' are activities that an average individual can perform with little or no difficulty (e.g., walking, talking, hearing, performing manual tasks)]?
 Yes No
- Describe the candidate's type of disability (e.g., physical, mental, learning). If applicable, DSM Code, date of assessment, the tests used to diagnose the disability, and a summary of the interpretation of the test results.

- Describe the nature and extent of the disability (e.g., hearing impaired, diabetic, dyslexia; severe, moderate, mild), how the disability substantially limits one or more of the candidate's major life activities, and if the disability will change in any way over time. In the case of a learning disability, include specifics as to the area of the disability (e.g., visual speed, processing, memory, comprehension, etc.).

- What is the current/ongoing treatment plan for this candidate and how does the treatment effect the candidate's disability (e.g., medication management, including name of medication, dose, reason for prescription(s), and effect; vision or hearing aids; physical therapy; psychotherapy)?

6. What is the effect of the disability on the candidate's ability to perform under normal testing conditions given the format of the examination? (See Section II.)

7. What is the recommended accommodation and how does the accommodation relate to the candidate's disability given the format of the examination? The request must be specific (e.g., if additional time is needed, indicate how much; if additional breaks, how many and with what frequency).

Signature of Evaluator

Date



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INSTRUCTIONS FOR EVALUATORS

I. POLICY OF THE BOARD

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A candidate who seeks an accommodation has the responsibility to make the request and provide reasonable documentation of the need for accommodation by the application deadline established for all applicants. The information supplied to substantiate a candidate's request for an accommodation will be kept confidential to the extent provided by law. The Board will evaluate each request individually, in accordance with the guidelines set forth herein, in order to provide an appropriate and effective accommodation. Any request for accommodation must be submitted to the Board on the form prescribed by the board.

II. FORMAT OF EXAMINATION

An applicant for licensure as a marriage and family therapist, or clinical social worker is required to pass a standard written and clinical vignette written examination. An applicant for licensure as an educational psychologist is required to pass a written examination. An applicant for licensure as a professional clinical counselor is required to pass a California Law and Ethics written examination. Currently licensed Marriage and Family Therapists and Clinical Social Workers applying during the "Grandparenting" period are required to pass the Gap written examination. LPCC applicants may also be required to take one or more national examinations. All LPCC applicants may request special accommodations directly from the Board. Please visit the Board's web site for more information on examination requirements.

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The Board's statutory mandate is to protect the public by licensing only those persons who can demonstrate minimum competency. In order to protect the integrity and fairness of the testing process, the Board requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the candidate with an equal opportunity to exhibit his/her knowledge, skills and ability through the examination

III. DOCUMENTING THE NEED FOR ACCOMMODATION

A. Conditions Applicable to All Candidates Requesting Accommodation

The Board requires documentation of the existence of a disability and how the accommodation sought is necessary to provide the candidate with an equal opportunity to exhibit his/her knowledge, skills and ability through the examination.

Beginning with the initial submission, all candidates requesting a reasonable accommodation must complete, or have completed by the professional certifying to the disability, all the forms and information required. If a candidate has previously received the same or similar accommodations for one or more prior administrations of this examination, the candidate may submit a signed statement under penalty of perjury that the disabling condition has not changed in any way that would modify the accommodation that was previously provided. This prior documentation shall be deemed acceptable, except that for candidates who claim a learning disability, the prior documentation will be acceptable only if it meets the criteria set forth in subsection B below.

An evaluation and supporting documentation of a disability shall be valid for a period of three years from the date on which it was submitted to the board, except that no further documentation will be required in cases where the evaluation clearly states that the disability will not change in any way over time. Candidates that wish to request special accommodations under a second license type must submit a new request, regardless of the length of time since the last request was submitted to the Board. For example, if a candidate applied for special accommodations to take the MFT Written examination, then the candidate would have to submit a new special accommodation request for the LPCC Law and Ethics examination.

B. Candidates With Learning Disabilities

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- Attention and concentration
- Memory (ability for new learning)
- Expression
- Cognition (thinking)
- Reception (perception and verbal comprehension)
- Efficiency and speed of information processing

Significant impairment is generally determined by a discrepancy of 1.5 standard deviations between the individual's expected level of achievement and actual performance on reliable standardized measures of attention and concentration, memory, language reception and experience, cognition, reading, spelling, writing and mathematics.

Further, determination of the learning disability shall be based on reliable standardized psychometric tests and a complete clinical history including medical, family, education and occupational information. Attached is a list of the most commonly used reliable standardized psychometric tests to assess for learning disabilities. If a measurement instrument is used which is not on this list, it will be considered if it is published in the Buros Mental Measurement Yearbook and is being used for the purpose for which it was developed.

C. Required Information Necessary to Evaluate Disabilities

A candidate who requests an accommodation and/or auxiliary aid must provide the Board with the necessary information to assist it in evaluating the request. The Board will, of course, evaluate each request on an individual basis. The following is intended to provide guidance as to the type of documentation that will be necessary.

1. Identification of the type of disability (e.g. physical, mental, learning disability).
2. Credential requirements of the evaluator. The Board will accept evaluations from qualified evaluators. A qualified evaluator cannot be the spouse of the candidate and cannot be related to the candidate by blood or marriage. A qualified evaluator is one of the following:
 - a. For purposes of physical or mental disabilities, not including learning disabilities, the evaluator must be a licensed physician or psychologist with special expertise in the area of the disability.
 - b. In the case of learning disabilities, a qualified evaluator must be one of the following:

A licensed psychologist or physician who possesses a minimum of three years of experience working with adults with learning disabilities and who has training in all of the areas described below **or** another professional who possesses a master's or doctorate degree in special education or educational psychology from a regionally accredited institution and who has at least three years of equivalent training and experience in all of the areas described below:

- Assessing intellectual ability level and interpreting tests of such ability.
- Screening for cultural, emotional and motivational factors.
- Assessing achievement level
- Administering tests to measure attention and concentration, memory, language reception and expression, cognition, reading, spelling, writing, and mathematics.

3. Professional verification of the disability, which must include:
 - a. The nature and extent of the disability.
 - b. The test(s) performed to diagnose the disability (if applicable).
 - c. The effect of the disability on the candidate's ability to perform under standard conditions.
 - d. The accommodation recommended and how the accommodation is related to the candidate's disability, given the format of the examination.
 - e. The professional's name, title, telephone number, professional license or certification number, educational credential, and original signature of the professional.
 - f. A description of the professional's experience, which qualifies them to make the determination.

LIST OF MOST COMMONLY USED STANDARDIZED TESTS

AREA OF FUNCTIONING	TESTS
Attention and Concentration	Wechsler Adult Intelligence Scale, aka WAIS-R (Digit Symbol) (Digit Span) (Arithmetic) Wechsler Memory Scale (Attention/Concentration Subset) Halstead-Reitan Seashore Rhythm Test of Variables of Attention Learning Efficiency Test (LET)
Memory/New Learning Ability	Wechsler Memory Scale - Revised Learning Efficiency Test (LET) Woodcock-Johnson Tests of Cognitive Ability Detroit Tests of Learning Aptitude (DTLA)
Reception (Perception and basic comprehension)	Wechsler Adult Intelligence Scale, aka WAIS-R (Verbal Subset: Comprehension) Reitan Aphasia Screening Test Peabody Picture Vocabulary Test - Revised
General Cognitive Ability (Recognizing, thinking, problem solving)	Stanford-Binet Intelligence Scale Wechsler Adult Intelligence Scale - Revised, aka WAIS-R Wechsler Intelligence Scale for Children - III, aka WISC-III Woodcock-Johnson Tests of Cognitive Ability Test of Nonverbal Intelligence, aka TONI Ravens Standard Progression Matrices Halstead-Reitan Category Test
Expressive Abilities Verbal Expression Writing Other	Wechsler Adult Intelligence Scale - Revised, aka WAIS-R Reitan Aphasia Screening Test Peabody Individual Achievement Test - Revised/Written Expression Test of Written Language - 2, aka TOWL-2 Development Test of Visual-Motor Integration Woodcock-Johnson Revised-Writing Samples
Processing Speed/Efficiency	Wechsler Adult Intelligence Scale-Revised, aka WAIS-R (Digit Symbol) Halstead-Reitan Trail Making Test Woodcock-Johnson Visual Cluster (Spatial Relations/Visual Matching)
Academic Achievement Reading Spelling Math	Woodcock-Johnson Tests of Achievement Wide Range Achievement Test - Revised, aka WRAT-R Peabody Individual Achievement Test - Revised (Reading Comprehension) (Reading Recognition) Gilmore Oral Reading Test Nelson-Denny Reading Test (Vocabulary) (Comprehension) Degrees of Reading Power (DRP) Woodcock-Johnson Tests of Achievement Wide Range Achievement Test - Revised, aka WRAT-R Peabody Individual Achievement Test - Revised (Spelling) Arlin Test of Formal Reasoning, aka ATFR Key Math Test Woodcock-Johnson Tests of Achievement Wide Range Achievement Test - Revised, aka WRAT-R Peabody Individual Achievement Test - Revised (Math)