



## Policy on Americans with Disabilities Act

### POLICY

In accordance with the Americans with Disabilities Act (ADA), it is the policy of the American Board of Emergency Medicine (ABEM) to make reasonable accommodations in its examination procedures upon the request of candidates with documented disabilities.

### PROCEDURES

#### Initiation of Process

Candidates with disabilities may request consideration for alterations in examination format or presentation to accommodate a documented disability that would impede performance on an examination. Accommodations can be made only if they will not alter the measurement of the knowledge or skills the examination is intended to test.

ABEM candidates may initiate examination accommodation procedures by submitting a signed, written request prior to a specific examination. The information to be included in the signed, written request is described below in the section, "Documentation and Request for Consideration."

Candidates from other sponsor boards who wish to initiate an examination accommodation under the Americans with Disabilities Act should make the request to their sponsor board.

ABEM candidates applying for certification may request accommodations for the qualifying examination by returning the request form that is included in the certification application materials. The completed form will serve as a signed, written request. Candidates for the qualifying examination are encouraged to submit the request form when they submit their certification application. Appropriate supporting documentation is required and should be sent to ABEM either with the form or soon afterward.

To ensure sufficient time to process the request and arrange for accommodations, candidates should submit their requests as early as possible. Candidates for all other examinations are strongly encouraged to submit ADA requests with their examination registration materials. Requests for accommodations should be received by ABEM **eight weeks** prior to the first day of the administration of the examination. Requests received within eight weeks of the examination may still be granted; ABEM however cannot guarantee approval of eligible requests that are received within eight weeks.

An examination for a candidate who requests an accommodation cannot be administered until ABEM has evaluated the request, which may require additional information or documentation, and arranged for any special accommodations that are approved. This may delay examination participation for some candidates.

Requests for accommodations will be maintained separately from the application and registration materials and used only for internal tracking purposes.

#### Documentation and Request for Consideration

Candidates requesting accommodations must provide the following materials to ABEM:

1. A signed, written request for accommodations, describing in detail the specific accommodations requested. The request should include contact information such as phone number, address, and e-mail address, as well as birth date, which will be used for identification purposes only.
2. Signed, current documentation of the disability by a qualified professional. The documentation must be based on professional testing which was performed by a qualified professional. What constitutes current documentation will vary with the specific disability, but will generally have been completed less than five years previous to the request to ABEM. Documentation must include all of the following:
  - A. The name of the specific disability diagnosed;
  - B. The specific limitations that the disability imposes on test taking;
  - C. The specific examination accommodations that are requested to compensate for those limitations;
  - D. Contact information including address, telephone number, and/or e-mail address of each professional providing documentation.
3. A detailed description of the cognitive functioning tests that were conducted and the results of those tests if the disability is due to cognitive impairment.
4. A detailed description of the psychological, educational, and/or cognitive functioning tests that were conducted and the results of those tests; and a history of the impact of the disability on academic functioning if the disability is due to a learning disability or attention deficit/ hyperactivity disorder (ADD or ADHD).
5. Evidence of previous test accommodations, if any, in the form of an official statement from the organization granting the accommodations. If previous accommodations have not been granted, an explanation should be given as to why accommodations were not provided in the past but are needed now.

#### Definition of a Qualified Professional

A qualified professional is someone with the credentials, training, and expertise to diagnose the disability the individual is claiming. For example, an ophthalmologist would be an appropriate professional to diagnose a vision disability, while a licensed psychologist specializing in adult learning disabilities would be an appropriate professional to diagnose and document dyslexia. The primary relationship of the attesting professional to the individual must be that of a doctor to a patient; there must be no familial, intimate, or other close relationship between the qualified professional and the individual requesting accommodations.

#### Repeat Requests

If ABEM has previously approved accommodations for a certification, recertification, or maintenance of certification examination for a candidate who is now requesting the same accommodations for the same disability, for an examination that is delivered in the same way, the candidate may submit just a signed, written request describing the accommodations requested and indicating that these accommodations have been granted by ABEM on one or more previous examinations. If additional documentation is required, ABEM will contact the candidate.

If ABEM has previously approved accommodations for the in-training examination only, additional documentation may be required to support a request for accommodations on a certification or maintenance of certification examination.

Non-ADA Courtesy Modifications

If alterations in examination format or administration are requested due to conditions that do not qualify as disabilities under the ADA, e.g., diabetes, pregnancy, the following materials must be provided:

1. A written request for courtesy modifications, describing the specific modifications requested and the reason for the request.
2. Depending on the nature of the request, signed documentation by a qualified professional may be required. This documentation should include all of the following:
  - A. The condition or situation prompting the request for modifications;
  - B. The specific limitations that the condition imposes on test taking;
  - C. The specific modifications requested as they relate to those limitations;
  - D. Contact information, including address, telephone number, and/or e-mail address of each professional providing documentation.
  - E. The date of the examination for which the accommodation is requested.

Requests to bring medical items or comfort aids into the testing area are usually considered courtesy modifications.

Documentation at ABEM's Request

ABEM reserves the right to require that a qualified professional selected by ABEM and at its own expense examine the candidate.

Where to Submit a Request for Accommodations or Courtesy Modifications

Requests for accommodations or courtesy modifications along with supporting documentation should be sent to Exam Accommodations, American Board of Emergency Medicine, 3000 Coolidge Road, East Lansing, MI 48823.

**Review of Requests and Notification of Decision**

The ABEM ADA Advisory Subcommittee will consider requests for special accommodations following the receipt of all necessary materials. The Subcommittee will make every effort to process requests promptly. Candidates submitting requests by the eight-week deadline will be notified by certified mail of the Subcommittee's decision no later than three weeks prior to the administration of the exam. If a request is not approved, notification will include the reason it was denied. Candidates who submit requests after the eight-week deadline will be notified of the subcommittee's decision in as timely a fashion as possible.

The chair of the Test Administration Committee will consider requests for courtesy modifications following the receipt of all necessary materials.

**APPEAL PROCESS**

In response to the ADA Advisory Subcommittee's decision to deny a request for accommodations, an ABEM candidate may submit a written statement of appeal to the ABEM Test Administration Committee. The statement of appeal must be postmarked within 45 days of the postmark on the Subcommittee's decision letter. Candidates from other sponsor boards who wish to appeal a decision resulting from the application of their sponsor board's policy on the Americans with Disabilities Act should request the appropriate appeal process from their sponsor board.

Upon receipt of an appeal from an ABEM candidate, the Test Administration Committee will review the appeal at its next regularly scheduled meeting. Any Committee member(s) directly involved in the initial decision will be excluded from a decision-making role in the Committee's final determination.

The candidate will be notified by certified mail of the Committee's decision and the reasons for it within 45 days following the meeting at which the appeal is considered. The decision of the Test Administration Committee shall be final and binding on both the candidate and ABEM.

The appeal procedure applies only to requests for accommodations due to disabilities as defined under the ADA. If a request for courtesy modifications is denied, the decision of the chair of the Test Administration Committee is final and cannot be appealed.

## **EXCEPTION**

None

## **PROCEDURES FOR INTERNAL USE ONLY**

The Board approved the following method of accommodation at its winter 2006 meeting. Paper-and-pencil versions of computer-delivered examinations will be provided only to candidates whose ADA accommodation cannot be accommodated in other ways. All paper-and-pencil versions of examinations that are normally computer-delivered will be administered at the ABEM office and all personal travel and related expenses are the candidate's responsibility.

Courtesy requests are typically evaluated and notification sent at the same time as requests for disability accommodations.