

DRAFT ONLY
IAEM/CEM Executive Board
ADA Policy for CEM/AEM Examinations

The International Association of Emergency Managers and the CEM Executive Board encourages all CEM and AEM applicants with disabilities who are interested in obtaining an examination accommodation to timely submit the required information. All requests for accommodations will be taken seriously, and all reasonable efforts will be made to provide the applicant with a suitable reasonable accommodation. All information regarding requests for accommodation will be treated confidentially and in compliance with applicable state and federal law.

The Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) has a three-part definition of *disability*. Under the ADA, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; OR (2) has a record of such an impairment; OR (3) is regarded as having such an impairment.

A *physical impairment* is defined by ADA as "any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine." Neither ADA nor the regulations that implement it list all the diseases or conditions that are covered, because it would be impossible to provide a comprehensive list, given the variety of possible impairments.

In compliance with the protections set forth in both state and federal law, IAEM and the CEM Executive Board will provide reasonable and necessary test accommodations to applicants for the CEM and AEM examinations with documented, qualifying disabilities. The purpose of the examination accommodations is to provide equal access to the CEM and AEM examinations and certification.

General Procedures

All requests for accommodations of a disability must be timely made in advance in writing to the CEM Executive Board setting forth: the applicant's name, address, telephone number and e-mail address; the proposed examination date and site; the specific nature of the disability being asserted (hearing, visual, psychiatric, learning, physical, or other); the manner in which the disability impairs the applicant's ability to accurately exhibit his or her knowledge or skills on the examination; the specific accommodations being requested (accommodations must be appropriate to the disclosed disability); if additional break or testing time is required; whether the candidate will require wheelchair access to the examination facility; whether the candidate will require an adjustable table height (indicate the number of inches from the floor); that the applicant identify other prior classroom or examination accommodations the applicant has received; and that the applicant provide, where requested by the CEM Executive Board, a physician's (licensed physician, psychiatrist, psychologist, or other health care provider) written and certified verification of the need for the accommodation (see documentation guidelines).

Applicants must submit the written request and information specified above no later than the examination registration deadline. To avoid unnecessary delays, IAEM and the CEM Executive Board strongly encourage applicants to submit requests for accommodations and supporting information prior to the registration deadline. Please note that a prior history of accommodations, without demonstration of a current need, will not necessarily warrant approval of testing modifications. If the applicant has been provided with an accommodation by IAEM within the last year, they need not provide a new doctor verification note. Additionally, a medical provider's verification will be valid if it was issued within the previous year preceding the examination date.

Upon receipt of the required documentation, IAEM staff and the CEM Executive Board will assess the request to determine if the applicant has a disability that will interfere with his or her ability to test under standard certification examination procedures. Certification examination modifications which fundamentally alter the nature, content or security of the examination are not permitted.

Documentation Guidelines:

These guidelines describe the necessary components of acceptable evidence required to establish a qualifying disability and the applicant's current need for testing accommodations. It is the applicant's sole responsibility to obtain and submit the documentation complying with these guidelines.

- 1) Provide a personal written statement that described their disability and how it impacts their ability to take the CEM or AEM certification examination under regular testing conditions.
- 2) A clinical evaluation performed by a licensed and qualified professional health care provider (licensed physician, psychiatrist, psychologist, or other health care provider) who has training appropriate to diagnose the applicant's disability consistent with the provisions of the ADA.
- 3) All clinical evaluations must be on professional letterhead, typed, dated and signed by the author of the evaluation.
- 4) The granting of reasonable test accommodations is based on assessment of the *current* impact of the applicant's disability on the testing activity. Professional reports must be based on an evaluation that is no more than one (1) year old and which reflects the applicant's current condition.
- 5) Any report submitted in support of an applicant's request for accommodation in testing must describe the applicant's functional limitations due to the diagnosed disability and how such limitations will substantially limit the applicant's ability to take the CEM or AEM certification examination under regular testing conditions.
- 6) The applicant's supporting documentation must describe (1) the recommended test accommodation and/or assistive device(s), (2) why each accommodation or device is needed, and (3) how it will reduce the impact of the identified functional limitation(s). Accommodations may include, but are not limited to: additional testing time, assistive devices, audiotape examination materials, large print materials, a reader or scribe.

Reservations:

IAEM and the CEM Executive Board reserve the right to require applicants to provide additional information to verify the existence and the need for testing accommodations. Neither IAEM nor the CEM Executive Board will delay the examination pending submission of any missing documentation.

Furthermore, IAEM and the CEM Executive Board reserve the right to require a second opinion. If in the reasonable judgment of IAEM and/or the CEM Executive Board, it is not clear whether the candidate has a qualifying disability or whether the requested accommodation is necessary, IAEM and/or the CEM Executive Board may seek the opinion of an outside expert.

Decision to Grant or Deny Requested Accommodation:

Upon completing the review of the applicant's submitted documentation and, if applicable, receiving the opinion(s) of an outside expert, IAEM and/or the CEM Executive Board will notify the candidate in writing of its decision regarding the requested accommodation and the basis for the decision.

Appeals Process:

An applicant's appeal of a decision denying in whole or in part a request for accommodation must be in the form of a signed or otherwise verified request setting forth the following:

1. Applicant's name
2. Date of request
3. The nature of the appeal, and
4. The facts relied and documents relied upon in support of the appeal

The appeal may be accompanied by any further documentation not previously provided which the applicant wishes the IAEM and/or CEM Executive Board to consider in making their decision on the appeal. The appeal must be postmarked no later than seven (7) days after the applicant receives written notice of the denial.