Policy on Testing Accommodations for Applicants Under Title III of the ADA

1. Purpose

The United States Equestrian Federation, Inc. (the "Federation") is committed to providing examinations in a place and manner accessible to individuals with disabilities. The Federation, in coordination with its Recognized Affiliate Associations ("Affiliates"), will provide reasonable modifications, accommodations, auxiliary aids and services, or alternative accessible arrangements so that examination results accurately reflect the Applicant's aptitude, achievement level, knowledge, or other factor the examination is intended to measure, rather than the effects of a disability—except when an impaired skill is itself the factor the examination is designed to measure.

This Policy establishes a fair, accessible, confidential, individualized, and timely process for **Applicant**s requesting testing accommodations.

2. Legal Authority

This Policy is intended to implement Title III of the Americans with Disabilities Act ("ADA"), including 42 U.S.C. § 12189, and the implementing regulation governing examinations, 28 C.F.R. § 36.309.

3. Scope

This Policy applies to:

- examinations offered or administered by the Federation or an Affiliate that relate to licensing, certification, or credentialing for licensed officials;
- all stages of the examination process, including registration, scheduling, administration, and retesting; and
- examinations delivered in person, remotely, electronically, orally, or through another format; and

This Policy does not reduce rights available under any other applicable federal, state, or local law.

4. Policy of Nondiscrimination and Equal Access

The Federation will not discriminate against an Applicant on the basis of disability. An Applicant will not be denied the opportunity to take an examination because the Applicant requires an accommodation.

The Federation and/or its Affiliates will:

- administer examinations in accessible facilities or provide alternative accessible arrangements;
- offer accommodated examinations at locations that are reasonably comparable to those available to other Applicants;
- provide comparable testing conditions to the extent required by law;
- respond to requests in a timely manner so that Applicants with disabilities have an equal opportunity to take the examination;
- evaluate each request individually and in good faith; and
- not impose unnecessary eligibility criteria, administrative obstacles, surcharges, or documentation demands.

5. Definitions

5.1 Applicant

An "Applicant" is an individual who applies or registers to take an examination covered by this Policy, including a candidate seeking licensing, certification, credentialing, or another examination-related determination.

5.2 Disability

"Disability" has the meaning assigned under the ADA and its implementing regulations. The term includes a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment, as applicable under law.

The determination of disability will be made consistently with the ADA's requirement that the term be construed broadly. The Federation will not require extensive analysis where the existence of a disability and the need for the requested accommodation are apparent or adequately supported.

5.3 Testing Accommodation

A "Testing Accommodation" means a reasonable modification, accommodation, auxiliary aid or service, or alternative accessible arrangement that provides an Applicant with a disability meaningful access to an examination.

Depending on the Applicant's disability, functional limitations, and the examination's design, accommodations may include:

- additional testing time;

- additional or extended breaks;
- a reduced-distraction or private testing room;
- accessible testing facilities, workstations, furniture, or equipment;
- large print or other accessible examination materials;
- assistive technology;
- a qualified auxiliary aid or service;
- permission to use necessary medical devices, medication, food, beverages, mobility aids, or disability-related supplies;
- modification of check-in, scheduling, or examination-administration procedures;
- an alternative response format; or
- another effective accommodation suited to the Applicant's disability-related needs.

This list is illustrative and not exhaustive.

6. Notice and Accessibility of the Request Process

The Federation and its Affiliates will provide clear information about testing accommodations in applicable licensing materials. The notice will identify:

- how to request an accommodation;
- the information needed to evaluate a request;
- where and how to submit the request;
- applicable submission dates;
- a contact for questions and accessibility assistance;
- the availability of the request process in accessible formats; and
- the procedure for seeking reconsideration or expedited review.

7. Requesting an Accommodation

7.1 Submission

An Applicant may request a testing accommodation by submitting the Federation's accommodation-request form or by otherwise communicating that the Applicant requires a change because of a disability. The Federation will not reject a request solely because the Applicant did not use a particular form or terminology.

Requests should be submitted to:

USEF Legal Department
legal@usef.org
4001 Wing Commander Way
Lexington, KY 40511

7.2 Timing

Applicants should submit requests no later than ninety (90) calendar days before the examination.

A submission date is an administrative deadline, not an automatic bar. The Federation will consider a late request when:

- the disability or need for accommodation arose or materially changed after the stated date;
- the Applicant could not reasonably have submitted the request earlier;
- a previously approved accommodation became unavailable or ineffective; or
- The Federation can reasonably implement the accommodation without compromising examination security or imposing a legally recognized undue burden or fundamental alteration.

The Federation will address urgent and late-arising requests as promptly as reasonably possible.

7.3 Information Requested

The Federation may request information reasonably necessary to establish:

1. the existence of a disability, when not apparent or already adequately documented;
2. the manner in which the disability affects the Applicant in the testing setting; and
3. the connection between the disability-related limitation and the requested accommodation.

The Applicant may also identify prior accommodations, preferred accommodations, and any implementation details relevant to effective access.

8. Documentation Standards

8.1 General Standard

Any request for documentation will be **reasonable and limited to the need for the modification, accommodation, auxiliary aid or service requested**. The Federation will not demand irrelevant information, burdensome testing, or documentation exceeding what is reasonably necessary to evaluate the request.

Documentation may include, as appropriate:

- records of prior testing accommodations;
- an Individualized Education Program ("IEP");
- a Section 504 plan;
- records of accommodations provided by a school, employer, testing entity, licensing body, or governmental agency;
- a relevant evaluation or report from a qualified professional;
- a letter or completed form from a qualified professional describing the disability, functional limitation, and need for accommodation;
- proof of receipt of disability-related benefits or services, where relevant; or

- other reliable information showing the Applicant's disability-related need.

No single type of documentation is required in every case.

8.2 Considerable Weight to Past Accommodations

The Federation will give **considerable weight** to documentation showing that the Applicant received the same or similar accommodations in comparable testing situations. Considerable weight will also be given to accommodations and related aids or services provided under an IEP or Section 504 plan.

The Federation will not deny a request merely because:

- the Applicant did not receive accommodations in the past;
- the Applicant was diagnosed recently or after completing formal education;
- the Applicant achieved academic, professional, or personal success;
- records are unavailable because of age, cost, record-retention practices, or other reasonable circumstances;
- documentation does not use particular wording; or
- a qualified professional recommends an accommodation different from one previously provided.

8.3 Currency and Recency

Documentation need not be recent if older documentation, together with the Applicant's current description or other available information, reasonably establishes the continuing disability-related need. The Federation will not require repeated evaluations or updated diagnostic testing solely because documentation has reached an arbitrary age.

If current information is reasonably necessary because the condition, limitation, requested accommodation, or examination context has materially changed, the Federation will explain the specific information needed and why it is necessary.

8.4 Qualifications of Professionals

When professional documentation is reasonably required, it may be provided by a professional qualified by education, training, licensure, certification, or relevant experience to evaluate or treat the condition at issue. The Federation will not require evaluation by a particular professional or impose unnecessary specialty requirements.

8.5 Requests for Additional Information

Before denying a request for insufficient support, the Federation ordinarily will:

1. identify the specific information that is missing;
2. explain why that information is reasonably necessary;
3. provide a reasonable opportunity to supplement the request; and
4. consider whether an interim, partial, or alternative accommodation can be provided.

The Federation may communicate with an Applicant's professional only with the Applicant's written authorization and only about information reasonably necessary to evaluate or implement the request.

9. Individualized Review and Decision-Making

9.1 Review Process

The Legal Department, in consultation with an Affiliate Representative if applicable, will conduct an individualized review of each request. The review will consider:

- the Applicant's description of the disability and functional limitations;
- the accommodation requested and the Applicant's stated preference;
- prior accommodations in similar testing settings;
- IEP or Section 504 accommodations;
- the examination format and the skills or knowledge it is intended to measure;
- relevant documentation and reliable supporting information;
- whether the requested accommodation will be effective; and
- whether a different accommodation would be equally effective and less burdensome to implement.

9.2 Applicant's Preferred Accommodation

The Federation will give primary consideration to the **A**pplicant's requested accommodation and will consult with the Applicant when the appropriate accommodation is not apparent. The Federation may approve a different accommodation only when it is effective in meeting the Applicant's disability-related needs and complies with applicable law.

9.3 Decision Notice

The Federation will provide the decision in writing and in an accessible format upon request. The notice will identify:

- each accommodation approved;
- any conditions or implementation instructions;
- the duration or examinations covered by the approval;
- any request denied or modified;
- a specific, individualized explanation for any denial or modification; and
- instructions and deadlines for reconsideration or appeal.

10. Timeliness

The Federation will decide requests promptly enough to ensure equal opportunity. Unless unusual circumstances require additional time, the Federation will:

- acknowledge receipt within five (5) business days;
- notify the Applicant promptly if specific additional information is reasonably necessary;

- issue an initial decision within thirty (30) business days after receiving a complete request; and
- decide an expedited request or appeal as soon as reasonably practicable before the examination date.

These are internal service standards and will not be used to delay a decision that can reasonably be made sooner. If review will take longer, the Federation will notify the Applicant, explain the reason, provide an expected decision date, and consider an interim accommodation.

11. Approval and Implementation

The Federation will provide testing staff only the information needed to implement the approved accommodation.

Before the examination, the Federation will give the Applicant written confirmation of:

- the approved accommodations;
- the examination date, time, and accessible location or remote-access method;
- permitted assistive technology, medical items, or support persons;
- applicable arrival and check-in instructions; and
- a contact for correcting implementation problems.

The Federation will not disclose an Applicant's disability or accommodation status except when necessary for lawful administration or as required by law. Credentials will not be annotated to indicate that an accommodation was provided.

13. Fundamental Alteration and Undue Burden

The Federation may deny a particular accommodation only when it can demonstrate, after an individualized assessment, that the accommodation would:

- fundamentally alter the measurement of the skills or knowledge the examination is intended to test; or
- result in an undue burden as recognized under applicable law.

Any such determination must:

1. be based on the nature of the specific examination and accommodation, not speculation or general policy;
2. be supported by relevant facts and documented in writing;
3. be made or approved by the Legal Department after consultation with the Affiliate Representative if applicable; and
4. consider whether another effective accommodation or alternative accessible arrangement can be provided.

If a requested accommodation cannot lawfully be provided, the Federation will work with the Applicant to identify and offer an effective alternative to the maximum extent required by law.

14. Reconsideration and Appeal

An Applicant may request reconsideration of a denial, partial approval, or implementation decision by submitting a request to the Federation within ten (10) business days after receiving the decision, or as soon as practicable if the examination date is sooner.

The Applicant may submit additional information but is not required to duplicate information already provided. The appeal will:

- be reviewed promptly by a person who did not make the initial decision, when practicable;
- receive an individualized assessment;
- consider all previously submitted and supplemental information;
- where possible, be decided early enough to preserve the Applicant's opportunity to take the examination with approved accommodations; and
- result in a written decision explaining the outcome.

The appeal process does not limit any rights or remedies available under law.

15. Fees and Costs

The Federation will not impose a surcharge on an Applicant for the cost of an accommodation, auxiliary aid or service, accessible format, or alternative accessible arrangement required by law.

16. Confidentiality and Recordkeeping

Disability-related information and accommodation records will be treated as confidential and maintained separately from licensing records to the extent practicable. Access is limited to persons with a legitimate need to evaluate, implement, audit, or legally review the accommodation process.

The Federation will retain records in accordance with its records-retention schedule and applicable law. Records should include:

- the request and supporting information;
- communications with the Applicant;
- the review and individualized analysis;
- the decision and its rationale; and
- appeal materials and decisions.

Nothing in this section prevents disclosure required by law or reasonably necessary to defend or enforce legal rights.

17. No Retaliation or Interference

The Federation prohibits retaliation, coercion, intimidation, threats, or interference against any person for requesting an accommodation, supporting another person's request, making an accessibility complaint, participating in an investigation, or exercising rights under the ADA.

18. Training and Vendor Oversight

The Federation will provide periodic training to employees whose duties affect Applicants with disabilities. Training will address:

- the requirements of this Policy;
- respectful and accessible communication;
- individualized review and appropriate documentation standards;
- confidentiality;
- implementation of common accommodations;
- accessible technology and testing environments;
- testing-day procedures; and
- escalation of unusual or urgent requests.

19. Questions and Complaints

Questions, requests for accessible formats, or complaints concerning this Policy may be directed to:

Legal Department
legal@usef.org

An Applicant may raise a concern without affecting the Applicant's eligibility, score, credential, or access to future examinations.

20. Administration and Review

The General Counsel's office is responsible for administering this Policy. The Federation will review the Policy at least annually and revise it as necessary to reflect changes in law, examination practices, technology, and accessibility standards.

References

- 42 U.S.C. § 12189, Examinations and Courses
- 28 C.F.R. § 36.309, Examinations and Courses
- 28 C.F.R. Part 36, Appendix A, Guidance on Revisions to the ADA Regulation

Effective October 1, 2026