



Indiana Auctioneer Commission
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Governor Michael R. Pence

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INDIANA AUCTIONEER COMMISSION EXAMINATION ADMINISTRATION POLICY

Posted on the public IAC webpage and copies available from main office

The following policy (the “Policy”) regarding examination administration in the Indiana Auctioneer Commission (“IAC” or “Commission”) state examination was approved as set forth herein at the public meeting of April, 23, 2013 by due consideration and 5-0 vote of the Commission.¹

I. PURPOSE

This policy is adopted, and shall be interpreted to:

- A. Provide a consistent policy in the individualized administration of the state auctioneer licensing examination, including best practices for evaluating individualized accommodations.
- B. Follow provisions of the Americans with Disabilities Act (ADA) and any other applicable law, and to be interpreted in a manner consistent with such laws.
- C. Establish what shall be accepted as official documentation of such referenced disabilities requiring individualized accommodations.
- D. Recognize that illiteracy or English as a second language are not documentable disabilities under this policy and should not be treated as such.
- E. Protect the integrity and security of the exam.

II. REFERENCES

- A. The ADA does not require that all requests for test accommodations be granted. Test accommodations must only be provided for those examinees who qualify as disabled under the ADA.

- B. The ADA does not require fulfillment of direct requests but only a solution that provides a substitute accommodation matching the examinees functional limitation.
- C. The ADA does not require accommodations that offer an unfair advantage to a disabled examinee, that result in any compromise in test security, or that impose an undue financial or administrative burden on the testing company.

III. TERMS²

- A. “*Americans with Disabilities Act (ADA)*: a comprehensive, federal civil rights law that prohibits discrimination on the basis of disabilities in employment, state and local government programs and activities, public accommodations, transportation, and telecommunications.”
- B. “*Disability*: with respect to an individual: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.”
- C. “*Impairment*: term used in the ADA definition of disability. Includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic, lymphatic, skin, and endocrine; or any mental or psychological disorder, such as an intellectual disability (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness, and specific learning disabilities.”
- D. “*Reasonable Accommodation*: under Title I, a modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodation is a key nondiscrimination requirement of the ADA.”

IV. POLICY

The Indiana Auctioneer Commission Examination Administration Policy provides that no individual should receive special accommodations to the state auctioneer exam unless documentation detailing a disability or impairment is presented. This documentation should meet defined guidelines and propose reasonable accommodations. Disabilities or impairments will not qualify as such unless they are recognized in the ADA. The Commission leaves the burden of analyzing these requests to the Indiana Professional Licensing Agency (IPLA) and its personnel.

² <http://askjan.org/links/adaglossary.htm>

V. PROCEDURE

- A. All special needs requests must be made at least one week prior to the exam date to allow for evaluation and reasonable accommodations to be established by IPLA personnel.
- B. Documentation must show data that supports the request for any academic adjustment. Documentation should follow the following guidelines:
 - a. Prepared by a professional qualified to diagnose a disability, including but not limited to a licensed physician, learning disability specialist, or psychologist.
 - b. Includes the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of the test results by a professional.
 - c. Reflects the individual's present level of functioning in the achievement areas of reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing grammar and spelling.
 - d. Reflects the individual's present level of functioning in the areas of intelligence and processing skills.
- C. Reasonable accommodations should be based on the interpretation of the assessment scores, history of accommodations, the testing format, the students input on what works best, and the personnel available to provide these accommodations.
- D. Once a request has been evaluated and accommodations determined the applicant will receive an examination approval letter with these accommodations explained.
- E. Applicants approved for special accommodations will be asked to notify the IPLA if they are unable to make their scheduled exam time and cannot be guaranteed the same accommodations at the next scheduled exam.



J. Yagle, Chair IAC
On Behalf of the Commission