

Board of Law Examiners
Appointed by the Supreme Court of Texas

APPLICATION FOR TESTING ACCOMMODATIONS
FOR THE TEXAS BAR EXAMINATION

GENERAL INSTRUCTIONS

The Texas Board of Law Examiners encourages persons with disabilities to apply for test accommodations. Reasonable test accommodations will be made on the Texas Bar Examination for qualified applicants with disabilities. The Texas Bar Examination is a 2½-day timed examination designed to test the knowledge and skills necessary for one who seeks admission to the Texas Bar.

It is the policy of the Texas Board of Law Examiners to administer the bar examination and all other services of this office in accordance with the Americans with Disabilities Act, as amended (ADA). A qualified applicant with a disability who is otherwise eligible to take the bar examination, but who cannot demonstrate under standard testing conditions that he or she possesses the knowledge and skills to be admitted to the Texas Bar, may request reasonable test accommodations. The burden of proof is on the applicant to establish the existence of a disability protected by the ADA, as well as to establish the need for testing accommodations and the reasonableness of the accommodations requested.

The Texas Board of Law Examiners will make reasonable modifications to any policies, practices, and procedures that might otherwise prevent individuals with disabilities from taking the bar examination in an accessible place or manner, provided such modifications do not result in a fundamental alteration to the examination or other admission requirements, impose an undue burden, or jeopardize examination security. In order to accommodate disabled persons, the Texas Board of Law Examiners will furnish additional testing time, auxiliary aids, and other accommodations when necessary to ameliorate the impact of the applicant's disability on the applicant's ability to take the bar examination. No additional charges will be assessed to individuals with disabilities to cover the costs of reasonable accommodations. However, you are responsible for all costs you incur in establishing that you are a qualified person with a disability.

Requests for test accommodations will be evaluated on a case-by-case basis. The applicant must submit documentation from one or more qualified professionals that provides information on the diagnosed impairment(s), the applicant's current level of impairment, and the rationale for the accommodations requested on the bar examination. In addition, the applicant must submit verifying documentation of his or her history of accommodations, if any. All documentation will be retained by the Texas Board of Law Examiners and may be submitted to one or more qualified professionals for an impartial review. Accommodations granted elsewhere do not necessarily entitle an applicant to accommodations on the bar examination, although the Texas Board of Law Examiners gives considerable weight to documentation relating to past accommodations received in similar testing situations or in response to an IEP or Section 504 plan.

DEFINITIONS

1. *Disability* is a physical or mental impairment that substantially limits one or more of the major life activities of the applicant. In the bar examination setting, the impairment must limit an applicant's ability to demonstrate, under standard testing conditions, that the applicant possesses the knowledge, skills, and abilities tested on the bar examination.
2. *Physical impairment* is a physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body's systems.
3. *Mental impairment* is any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, or any specific learning disability.
4. *Major life activities* include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.
5. *Reasonable accommodation* is an adjustment or modification of the standard testing conditions, or an appropriate auxiliary aid or service, that ameliorates the impact of the applicant's disability without doing any of the following:
 - a. fundamentally altering the nature of the bar examination, including but not limited to compromising the validity or reliability of the examination; or
 - b. imposing an undue burden on the Texas Board of Law Examiners; or
 - c. jeopardizing examination security.
6. *Qualified professional* is a licensed physician, psychiatrist, psychologist, or other health care provider who has appropriate training in the field related to the applicant's disability.

FILING DEADLINE

Applicants with disabilities are subject to the same application deadline as individuals without disabilities (See Rules IX and XII). The Application for Testing Accommodations and all required supporting documentation must be submitted simultaneously with the application to take a specific bar examination. Applications must be completed and submitted electronically to the Texas Board of Law Examiners on or before the filing deadline.

Applications for Testing Accommodations will not be accepted and filed unless all forms are fully and timely completed, signed, and all required documentation is attached. Incomplete Applications for Testing Accommodations will not be processed. A list of required information appears in the **Applicant Checklist**, located in Form A. Because some of the forms require input from third parties, those individuals should be asked to complete the forms well in advance of the deadline. Do not contact staff seeking an extension of time; such extensions are not authorized.

STEPS FOR SUBMITTING A COMPLETE REQUEST

All required forms are available at the Board's website and are PDF fillable forms once downloaded. **Download and complete each required form by typing in the required information, do not submit handwritten answers. You need only submit those forms and documents that pertain to your particular disability.** Do not modify the forms in any way, it is your responsibility to ensure that each form contains the same content and wording as the Board's version of these forms.

IMPORTANT NOTE: Some of the forms that must be submitted with your request must be completed by third parties and returned to you for submission to the Texas Board of Law Examiners. Make certain that you request completion of these forms by the third parties in a timely manner so that you are able to meet the filing deadline.

Carefully review the information below to ensure that you submit a complete request. All required forms and documentation must be submitted simultaneously in compliance with filing deadlines.

STEP 1: Have a qualified professional complete the applicable disability verification form and return it to you for submission to the Texas Board of Law Examiners. There are separate forms for learning disabilities, ADHD, psychological disabilities, visual disabilities, and physical disabilities. You will need to complete the top portion of the applicable disability verification form and request that your qualified professional complete the rest of the form and return it to you. Your qualified professional must attach a comprehensive evaluation report and/or relevant records, as specified in the form.

STEP 2: Gather verifying documentation of your history of accommodations requests, if any. Submit a Form G: Certification of Accommodations History completed by each educational institution or testing agency from which you requested accommodations, whether your request was granted or denied. Complete the top portion of the form and request that the entity complete the rest of the form and return it to you for submission to the Texas Board of Law Examiners. Alternatively, you may provide other proof of your accommodations history, such as a copy of the letter(s) you received from the entity notifying you of the specific accommodations granted or denied. The proof should also identify the time frame (e.g., third year of law school) and the nature of the disability (e.g., ADHD) for which any accommodations were granted or denied. If you received accommodations as a result of an Individualized Education Plan (IEP) or a 504 Plan, provide copies of all IEPs or 504 Plans.

STEP 3: If the nature of your disability is ADHD, a learning disorder, or any cognitive or processing disorder, provide transcripts. Attach copies of your undergraduate and law school transcripts and your LSAT score report. Exact photocopies of transcripts are acceptable for this purpose. You can obtain your LSAT score report by logging in to your LSAC account at www.lsac.org. If you have trouble obtaining the report, contact an LSAC representative at 215-968-1001.

Learning disabilities and ADHD are developmental disorders with childhood onset, even if not diagnosed until adulthood. Transcripts or report cards of your elementary, middle school, and high school education, while not required, are useful in providing evidence of symptoms and impairment present during childhood. The Texas Board of Law Examiners reserves the right to request such academic records in particular cases.

STEP 4: Complete and sign Form A: Applicant Request for Test Accommodations. Attach all relevant forms and documents, as indicated above, so that all required documentation is provided in one submission together with your application to take a specific bar examination.

STEP 5: Upload all required forms and supplemental documentation at the same time you file an application to take the Texas Bar Examination. Keep the original documents of your entire submission. You will be required to mail the documents to the Texas Board of Law Examiners upon request.

RETAKE APPLICANTS

Applicants who retake the examination must submit a newly completed **Form A** each time they apply to take the bar examination, even if they previously were granted accommodations. It is not necessary to resubmit supporting documentation that was submitted with a previous request, provided the applicant sat for the Texas Bar Examination within the preceding three years and (1) is requesting the same accommodations that were granted previously on the Texas Bar Examination and (2) has had no material alteration in the underlying impairment. New supporting documentation is required if there is any change in the accommodation being requested. An update to prior medical documentation is required if the nature of the applicant's disability or disabilities is changeable. In such cases the updated documentation must assess the current functional limitations and support an ongoing need for accommodation. The Texas Board of Law Examiners reserves the right to request an update of supporting documentation if the prior documentation is insufficient to establish the applicant's current level of impairment and need for accommodations.

APPEALS

If your Application for Testing Accommodations is denied in whole or in part, you may appeal the decision of the staff to the Accommodations Review Committee (ARC) of the Board. In order to appeal, you must send a letter addressed to the Executive Director of the Board, stating the specific basis of your appeal. **Your appeal letter must reach the Board's office no later than the date and time specified in the partial grant or denial letter.** The appeal will be considered by the ARC of the Board of Law Examiners in a meeting held in compliance with applicable state law. An appeal of testing accommodations is not a hearing at which new evidence is produced or oral arguments made. It is a review, by the members of the ARC, of the record in the Board's file relating to your application for testing accommodations, including your application and other materials required to be provided with your application, the medical and other records submitted in support of the application, and any follow-up information generated as a result of your Application for Testing Accommodations.

QUESTIONS

Any questions about the testing accommodations application process should be directed to your Licensure Analyst at the Board of Law Examiners. See the Board's website for a listing of licensure analysts at <https://ble.texas.gov/contact-us>.