

# GENERAL INSTRUCTIONS FOR REQUESTING TEST ACCOMMODATIONS

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

It is the policy of the Florida Board of Bar 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/she possesses the knowledge and skills to be admitted to The Florida Bar, may request reasonable test accommodations.

The Florida Board of Bar 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 Florida Board of Bar 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.

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 Florida Board of Bar 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 Florida Board of Bar 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 (formerly termed "mental retardation"), 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 Florida Board of Bar 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**

Requests for accommodations will be considered after receipt of all required information. The Applicant Checklist, located in Section V of Form 1: Applicant Request for Test Accommodations, must be completed in its entirety and submitted with the application via the portal. The applicable items specified in the Applicant Checklist must be completed and submitted via the portal or postmarked on or before the filing deadline of the examination the applicant wishes to take.

Applicants with disabilities are subject to the same application deadline as individuals without disabilities. Because some of the accommodation request forms require input from third parties, the appropriate individuals should be asked to complete the forms well in advance of the deadline.

A timely request for test accommodations for the February administration of the Florida Bar Examination must be postmarked not later than November 15.

A timely request for test accommodations for the July administration of the Florida Bar Examination must be postmarked not later than May 1.

Applicants seeking to file an untimely request for test accommodations will be permitted to do so upon payment of a late fee as specified under rule 4-43 of the Rules of the Supreme Court Relating to Admissions to the Bar. Due to the time required to process a

petition and accompanying documentation for review by the board, to reach a determination on the petition and to make necessary arrangements at the examination site, the board will not accept for processing any petition received after January 15 for the February examination and after June 15 for the July examination. Partial petitions filed by the deadline will not be considered by the board.

Requests for test accommodations and supporting documentation should be uploaded via the applicant portal. Ensure that you are logged into your applicant portal so that you may access the Test Accommodation Petition Upload function at the bottom of the "Instructions For Submitting a Test Accommodations Petition" page. Documentation may alternatively be submitted to the Florida Board of Bar Examiners by mail at 1891 Eider Court, Tallahassee, FL, 32399-1750 or by fax to (850) 414-6822. All materials received will be acknowledged through the applicant portal. Do not mail or fax duplicate documentation if you have already uploaded it through the portal.

### **STEPS FOR SUBMITTING A COMPLETE REQUEST**

**This application packet contains eight? separate forms, but you need only submit those forms and documents that pertain to your particular disability.** Please carefully review the information below to ensure that you submit a complete request. A checklist is provided in Section V of Form 1: Applicant Request for Test Accommodations, which you should complete and submit with your request. All required forms and documentation must be submitted together by the deadline.

**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 Florida Board of Bar Examiners.** Make certain that you request completion of these forms by the third parties in a timely manner so that you are able to submit your request by the deadline.

**STEP 1: Have a qualified professional complete the applicable disability verification form and return it to you for submission to the Florida Board of Bar Examiners.** There are separate forms for learning disabilities, AD/HD, psychological disabilities, neurological/cognitive 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 should attach to the completed disability verification form 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 8: Certification of Accommodations History completed by each educational institution or testing agency (hereinafter "entity") 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 Florida Board of Bar 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 identify the time frame (e.g., third year of law school) and the

nature of the disability (e.g., AD/HD) for which any accommodations were granted or denied.

Though you are not required to do so, if you received accommodations as a result of an Individualized Education Plan (IEP) or a 504 Plan, it is recommended that you provide copies of all IEPs or 504 Plans.

**STEP 3: If the nature of your disability is AD/HD or a learning disability, provide transcripts.** Attach copies of your undergraduate and law school transcripts and your LSAC Candidate Item Response Report. Photocopies of transcripts are acceptable for this purpose. You can obtain your LSAC Candidate Item Response Report by logging in to your LSAC account at [www.lsac.org](http://www.lsac.org). Click on Item Response Report (IRR) under the LSAT and LSAT Status tab and print the report. If you have trouble obtaining the report, contact an LSAC representative at 215-968-1001.

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

**STEP 4: Complete and sign Form 1: Applicant Request for Test Accommodations.** Attach all relevant forms and documents, as indicated above, so that all required documentation is provided in one submission.