



**THE STATE BAR OF CALIFORNIA
COMMITTEE OF BAR EXAMINERS/OFFICE OF ADMISSIONS**

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**GENERAL INSTRUCTIONS FOR REQUESTING
TEST ACCOMMODATIONS**

Testing accommodations are available to individuals with mental or physical disabilities as defined in Title 4, Division 1, Chapter 7, Rule 4.82 of the *Rules of the State Bar of California (Admissions Rules)*. Depending on the nature of the disability, accommodations may include such things as assistants (i.e., readers or personal healthcare assistants), wheelchair access, permission to dictate to a typist or digital recorder, customized timing, separate testing room, customized examination materials (i.e., Braille, large print, etc.), extended testing days and permission to bring and use specific items or medical aids. When completing the required forms, the applicant and his/her physician or specialist should request what they think is necessary to allow the applicant to compete on an equal basis with all other applicants and must provide adequate documentation and rationale to support the requested accommodations and their nexus to the effects of the applicant's disability.

The Committee of Bar Examiners' (Committee) information and forms related to filing a petition for testing accommodations are available online through the State Bar of California's website at <http://admissions.calbar.ca.gov> or upon request. **Completed petitions for testing accommodations must be sent to the Office of Admissions in San Francisco at the address listed above.**

As specified in Chapter 7 of the *Admissions Rules*:

Rule 4.81 Testing accommodations in general

- (A) Petitions for testing accommodations are processed on a case-by-case basis.
- (B) The Committee makes its best effort to process petitions for testing accommodations expeditiously but does not process petitions that are incomplete.
- (C) Time limits in testing accommodations rules are solely to expedite the processing of petitions and are not jurisdictional. The Committee may extend them for good cause.
- (D) An examination application fee is not refunded if a request for testing accommodations is denied.

Rule 4.82 Definitions

These definitions apply to the rules on and petitions for testing accommodations.

- (A) A “disability” is a physical or mental impairment that limits one or more of an applicant’s major life activities, and limits an applicant’s ability to demonstrate under standard testing conditions that the applicant possesses the knowledge, skills, and abilities tested on an examination.
- (B) A “physical impairment” is a physiological disorder or condition or an anatomical loss affecting one or more of the body’s systems.
- (C) A “mental impairment” is a mental or psychological disorder such as organic brain syndrome, emotional or mental illness, attention deficit/hyperactivity disorder, or a specific learning disability.
- (D) A “reasonable testing accommodation” is an adjustment to or modification of standard testing conditions that addresses the functional limitations related to an applicant’s disability by modifications to rules, policies, or practices; removal of architectural, communication, or transportation barriers; or provision of auxiliary aids and services, provided that they do not
 - (1) compromise the security or validity of an examination or the integrity of the examination process;
 - (2) impose an undue burden on the Committee; or
 - (3) fundamentally alter the nature of an examination or the Committee’s ability to assess through the examination whether the applicant
 - (a) possesses the knowledge, skills, and abilities tested on an examination; and
 - (b) meets the essential eligibility requirements for admission.

FILING DEADLINES

In order to ensure that processing is completed timely in advance of the examination, law student applicants with disabilities are encouraged to file their petitions for testing accommodations well in advance of an examination they intend to take, such as the beginning of their last year of law school, and should file a petition no later than three months prior to the examination they intend to take. Attorney applicants should file their petitions for testing accommodations six months in advance of the examination they intend to take. Initial processing of a petition generally takes a minimum of 60 days and processing of petitions requiring review by outside consultants retained by the Committee or those requiring applicants to submit additional information will most likely take longer.

Applicants who wait to file their requests near the final filing deadline for the examination they intend to take generally are not able to exhaust all administrative remedies before administration of the examination, such as appealing a denial of some or all of an applicant’s request for testing accommodations. **Early filing is strongly encouraged.**

All first-time petitions, requests for expanded accommodations and petitions filed by applicants with temporary disabilities must: 1) be filed separately from the examination application; 2) be on the Committee's forms; and 3) include all necessary documentation and attachments. Petitions for testing accommodations during an examination administered by the Committee based on disabilities existing prior to the final application filing deadline must be received by the State Bar's Office of Admissions in San Francisco no later than the final testing accommodations petition filing deadline. Petitions without the required forms and documentation will not be considered complete and will not be processed until brought to a complete status. **The deadline will not be extended for any reason.**

Petitions for acceptance of a testing accommodations petition on an emergency basis, which must be based on an injury or disability **that was acquired after** the final application filing deadline, must: 1) include a cover letter seeking acceptance as an emergency petition with an explanation of why the petition could not have been filed by the final filing deadline; 2) be on the Committee's forms; 3) include all necessary documentation and attachments and 4) be received in the San Francisco Office of Admissions no later than the deadline posted with all other examination deadlines on the State Bar's website. The fact that an applicant was unable to get an appointment with his/her specialist before the final filing deadline is not grounds for consideration as an emergency petition.

Petitions for testing accommodations may be filed prior to filing an application for the examination; however, the applicant must be registered with the Committee or the petition will not be processed.

APPLICANTS WITH DISABILITIES REQUESTING THE SAME ACCOMMODATIONS THAT WERE GRANTED FOR A PRIOR EXAMINATION

Applicants who are unsuccessful on an examination and wish to have the same accommodations extended to another administration of the examination, must indicate during the application process that they want the same testing accommodations as previously granted and choose a testing accommodations test center. It is not necessary to resubmit supporting documentation that was submitted with a previous request, provided the applicant took an examination within the preceding three years and (1) he/she is requesting the same accommodations that were granted previously and (2) there have not been any material changes in his/her condition. A new petition and forms with supporting documentation are required if there is any change in the accommodations requested. An update to prior medical documentation assessing the applicant's *current* functional limitations and ongoing need for accommodations may be required if the nature of the applicant's disability or disabilities is changeable. The Committee reserves the right to request an update to prior documentation in all cases if it determines that the prior documentation is insufficient to establish the applicant's current level of impairment and need for accommodations.

APPEALS

An appeal of a denial (in whole or in part) of an accommodation in connection with a particular administration of an examination must be received in the San Francisco Office of Admissions no later than the first day of the month in which that examination is scheduled to be administered. **The deadline will not be extended.**

STEPS FOR SUBMITTING A COMPLETE REQUEST

There are eight separate forms, but you need only submit those petition for testing accommodation forms and documents that are relevant to your particular disability. Only original completed forms are accepted; photocopied, PDF, and faxed documents are not acceptable.

IMPORTANT NOTE: Some of the forms that must be submitted with your petition must be completed by third parties and returned to you before your petition for testing accommodations is submitted. You should request completion of these forms by the third parties in a timely manner so you are able to submit your petition by the deadline. A petition will not be considered complete until all necessary forms have been received. Deadlines will not be extended because a particular form has not been received by the Office of Admissions.

STEP 1: Have a qualified professional complete the applicable disability verification form(s) and return it to you. There are separate forms for specific learning disorders/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. In addition to completing the form, your qualified professional must attach a comprehensive evaluation report and/or relevant records if the disability verification form requires such documentation.

STEP 2: Assemble verifying documentation of your history of accommodations requests, if any. As indicated in Form A, you should provide verification 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 verification should 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, it would be helpful, but not required, to provide copies of all IEPs or 504 Plans.

STEP 3: If the nature of your disability is ADHD or a specific learning disorder/disability, copies of your transcripts, while not required, would be helpful. If available, applicants should include copies of undergraduate and law school transcripts. An LSAC Academic Summary Report is acceptable in lieu of the transcripts. Photocopies of transcripts or the report are acceptable for this purpose. Specific learning disorders/disabilities and ADHD are developmental disorders with an onset in childhood or adolescence, 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 or adolescence. The Committee reserves the right to request such academic records in particular cases.

STEP 4: Complete and Sign Form A: Petition for Testing Accommodations. Submit it with all required forms and documentation, as discussed above, so that everything needed to begin the processing of your petition for testing accommodations is received together. If adequate time remains in an examination cycle, an acknowledgement that your petition has been received will be sent to you within two to three weeks of receipt.