



MASSACHUSETTS BOARD OF BAR EXAMINERS

GENERAL INSTRUCTIONS FOR REQUESTING TEST ACCOMMODATIONS ON THE MASSACHUSETTS BAR EXAMINATION

The Massachusetts Board of Bar Examiners provides reasonable and appropriate accommodations on the Massachusetts Bar Examination for qualified applicants with documented disabilities who demonstrate a need for accommodation. The Massachusetts Bar Examination is a two-day timed examination designed to test the knowledge and skills necessary for one who seeks admission to the Massachusetts Bar.

The Board of Bar Examiners (Board) administers the bar examination and all other services of this office in accordance with the Americans with Disabilities Act (ADA) and Massachusetts law. 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 Massachusetts bar, may request reasonable test accommodations.

The 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.

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 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 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, 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 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 **only after receipt of all required information**. The Applicant Checklist, located at Form 1- Page 7 must be submitted with the application.

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.

Early Applications for Nonstandard Test Accommodations: A request for nonstandard test accommodations may be made as early as six months prior to the date of the examination. Applicants are encouraged to send in applications as soon as they know they will be requesting test accommodations.

A timely request for test accommodations for the February administration of the Massachusetts Bar Examination must be received at the Board's office on or before the filing date of the February bar examination application.

A timely request for test accommodations for the July administration of the Massachusetts Bar Examination must be received at the Board's office on or before the filing date of the July bar examination application.

Applications for nonstandard test accommodations and supporting documentation must be submitted to:

**Board of Bar Examiners
Edward W. Brooke Courthouse
24 New Chardon Street, First Floor
Boston, MA 02114**

APPLICANTS RETAKING THE MASSACHUSETTS BAR EXAMINATION

An applicant retaking the Massachusetts Bar Examination who continues to believe that an accommodation is needed, must submit a letter stating that he/she requests the same accommodations. The letter shall be submitted in lieu of the application and is due by the filing deadline. It is not necessary to resubmit supporting documentation submitted with a previous request, provided the applicant is requesting the same accommodations that were received previously on the Massachusetts Bar Examination (within the last three years); and has had no material changes in his/her condition.

If an applicant is requesting additional accommodations, Form 1: Application for Nonstandard Test Accommodations must be submitted along with the necessary supporting documentation.

STEPS FOR SUBMITTING A COMPLETE APPLICATION

This application packet contains seven 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: Application for Nonstandard Test Accommodations, which you should complete and submit with your application. 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 Board. 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 Board. There are separate forms for learning disabilities, AD/HD, 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 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 7: 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 Board. 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. If you received accommodations as a result of an Individualized Education Plan (IEP) or a 504 Plan, please 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 (if applicable). Exact 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. 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, middle school, and high school education, while not required, are useful in providing evidence of symptoms and impairment present during childhood. The Board of Bar Examiners reserves the right to request such academic records in particular cases.

STEP 4: Complete and sign Form 1: Application for Nonstandard Test Accommodations. Attach all relevant forms and documents, as indicated above, so that all required documentation is provided in one submission. **Submit the original and a copy of all relevant forms and documentation to:**

**Board of Bar Examiners
Edward W. Brooke Courthouse
24 New Chardon Street, First Floor
Boston, MA 02114**