

REQUEST FOR NON-STANDARD TESTING ACCOMMODATIONS

GENERAL INSTRUCTIONS

The Colorado Supreme Court Office of Attorney Admissions (OAA) encourages persons who have a disability that significantly impacts life functioning to apply for non-standard test accommodations. These instructions are intended to assist you in defining a disability, identifying your eligibility, how to submit your request, and the determination process.

Accommodations are granted to those individuals who have been diagnosed with a qualifying disability and who have provided objective medical documentation demonstrating an impairment in test taking abilities.

DEFINITIONS AND ELIGIBILITY

- *Disability*
 - A physical or mental impairment that substantially limits one or more of the major life activities. 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.
- *Physical impairment*
 - A physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body's systems.
- *Mental impairment*
 - Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, ADHD, or any specific learning disability.
- *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.
- *Reasonable accommodation*
 - 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:
 - fundamentally altering the nature of the bar examination, including but not limited to compromising the validity or reliability of the examination; or
 - imposing an undue burden on the Colorado Office of Attorney Admissions; or
 - Jeopardizing examination security.
- *Qualified professional*
 - A licensed physician, psychiatrist, psychologist, or other health care provider who has appropriate training in the field related to the applicant's disability.

Reasonable test accommodations will be made on the Colorado Bar Examination for qualified applicants. The Colorado Bar Examination is a two-day timed examination designed to test the knowledge and skills necessary for one who seeks admission to practice law in Colorado.

It is the policy of OAA to administer the bar examination and all other services of this office in accordance with the Americans with Disabilities Act, as amended (ADAAA). 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 practice law in Colorado, may request reasonable test accommodations.

OAA 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, OAA may furnish additional testing time, auxiliary aids, and other reasonable 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 objective medical evidence to support the diagnosis and qualified professionals' statements. Also required is verifying documentation of any history of accommodations. All documentation will be retained by the OAA 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.

FILING DEADLINES

Applicants with disabilities are subject to the same application deadlines as individuals without disabilities.

- February Bar Exam
 - November 1st for timely submission and unsuccessful applicants from most recent July exam
 - December 1st for late application submissions
- July Bar Exam
 - April 1st for timely submission
 - May 1st for late application submissions
 - May 31st ONLY for unsuccessful applicants from the most recent February exam

It is the applicant's responsibility to inform OAA of the need for test accommodations at the time an admissions application is filed. OAA may refuse or defer accommodations to the next test date if the applicant fails to provide notice of the need for accommodations at the time an application is submitted.

Requests for accommodations must be complete when submitted. Requests for Non-Standard Test Accommodations received after the filing deadline will not be accepted. Additional documentation supporting a request that is not included with an original request and which has not been approved for later or separate submission will not be considered.

The Applicant Checklist, located in Section 6 of Form 1 – Request for Non-Standard Testing Accommodations must be completed for submission of the request. The applicable forms and substantiating documentation specified in the Applicant Checklist must be completed and received on or before the filing deadline. 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.

SUBMITTING A REQUEST FOR NON-STANDARD TEST ACCOMMODATIONS

There are seven separate forms that are applicable to Non-Standard Test Accommodation Requests. In most cases not all forms are required for submission, as some may not be applicable to your disability. Review the forms thoroughly and submit those forms that apply to the condition/diagnosis that is the basis of your request. All forms and documentation must be submitted together by the deadline.

Form 1 is mandatory for all non-standard requests. A checklist is provided in Section 6 of Form 1 – Request for Non-Standard Test Accommodations. The checklist must be completed, and all documentation identified in the checklist must be provided.

Completion of the relevant form by a Qualified Professional and objective medical evidence is required. Make certain that you arrange for timely completion of these forms by the appropriate third parties to allow sufficient time for you to submit your request by the deadline.

STEP 1:

- There are separate forms for learning disabilities, ADHD, psychological disabilities, visual disabilities, and physical disabilities.
- Have a qualified professional complete the applicable disability verification form and return it to you for submission to the OAA.
- Complete the top portion of the form and request that your qualified professional complete the rest of the form and return it to you.
- A qualified professional should attach to the completed disability verification form a comprehensive evaluation report and/or relevant records, as specified in the form.

Please complete the following forms on the basis of your disability for which you are requesting accommodations:

- Learning Disability
 - Form 1 – Applicant Request for Non-Standard Test Accommodations
 - Form 2 – Learning Disability Verification
 - Form 7 – Accommodations History Certificate (if previously requested)
- ADHD
 - Form 1 – Applicant Request for Non-Standard Test Accommodations
 - Form 3 – Attention Deficit Hyperactivity Disorder Verification
 - Form 7 – Accommodations History Certificate (if previously requested)
- Psychological Disability
 - Form 1 – Applicant Request for Non-Standard Test Accommodations
 - Form 4 – Psychological Disability Verification
 - Form 7 – Accommodations History Certificate (if previously requested)

- Visual Disability
 - Form 1 – Applicant Request for Non-Standard Test Accommodations
 - Form 5 – Visual Disability Verification
 - Form 7 – Accommodations History Certificate (if previously requested)
- Physical Disability
 - Form 1 – Applicant Request for Non-Standard Test Accommodations
 - Form 6 – Physical Disability Verification
 - Form 7 – Accommodations History Certificate (if previously requested)

STEP 2:

- Provide transcripts and score reports of all standardized tests taken, even if you did not receive accommodations. Exact photocopies of transcripts are acceptable for this purpose.
- Attach copies of your undergraduate and law school transcripts and your LSAC Candidate Item Response Report.
- Your LSAC Candidate Item Response Report may be obtained 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.
- Attach copies of score reports for any standardized tests taken even if accommodations were not received.
- The OAA reserves the right to request such academic records in particular cases.

*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 of impairment present during childhood.

Step 3:

- OAA will only accept documentation in digital format using Citrix ShareFile®. Upon submitting documents to OAA in digital format, an applicant is representing that each digitized document is a complete and accurate representation of the original document. OAA reserves the right to request production of the original of any uploaded document. DO NOT upload accommodation request paperwork to your online admissions application account.
- To obtain access to ShareFile, once your application has been submitted, please timely contact our Office using the Messaging Center in your online admissions application account and request a ShareFile link to upload your accommodations request. Supplemental information must be submitted digitally.

PROCESSING

Once your Request for Non-Standard Testing Accommodations is received by OAA, the forms and supporting documentation will be reviewed by staff for sufficiency. OAA will check to make sure the forms are completed in their entirety, signed and dated, and the attached supporting documentation matches the checklist you provided.

Your Request will then be forwarded to an expert in the designated disability field. After a thorough evaluation of the forms and supporting documentation, our expert will prepare findings and recommendations relative to your request. Recommendations may include full approval, partial approval or denial of your request. The Office of Attorney Admissions relies on the opinions of our experts and defers to their recommendations.

Once a decision is reached a letter will be uploaded to your online application account under the *Administrative Docs* section and a communication from OAA will notify you when that letter is available for viewing. Determination letters are provided approximately 6 weeks prior to the exam. If approved, your Individual Examination Schedule (IES) will be available approximately 4 weeks prior to the exam. Please keep in mind these are estimated timelines and not guaranteed.

APPEALS

Requests for Accommodations on the Colorado bar exam must be complete when submitted. Accommodation requests and supporting materials will be referred to an expert in the field of the applicant's disability for evaluation and recommendations. Once a decision is made to deny a request for accommodations that decision is final for the current exam. However, there is no prohibition to submitting a new request for accommodations on a future examination if new information or documentation becomes available. A new request for accommodations must be submitted with a subsequent bar exam application and new Form 1 – Request for Non-Standard Testing Accommodations.

REPEAT ACCOMMODATION REQUESTS

Applicants who find it necessary to withdraw from or retake the examination will be provided the same accommodations on a future exam provided the disability is permanent and the Re-Application Request for Non-Standard Test Accommodations is submitted by the applicable accommodations request deadline. It is not necessary to submit another full request unless a change in your accommodations is requested. Any applicant who wishes to receive accommodations on a subsequent exam, must complete the Re-Application Request for Non-Standard Test Accommodations Form by the accommodations request deadlines. Upon request supporting documentation previously received by OAA, within the last three years, will be included with the new request when forwarded to our expert.

If a change is requested to previously granted accommodations or there has been a change in a condition/diagnosis, a new and complete Form 1 – Request for Non-Standard Test Accommodations must be submitted to OAA by the applicable filing deadline. Updated supporting documentation is required assessing the applicant's current functional limitations and ongoing need for accommodations if the nature of the disability or disabilities is changeable.

The OAA reserves the right to request an update to prior documentation if it determines that the prior documentation is insufficient to establish the applicant's current level of impairment and need for accommodations.