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# Policy & Instructions for Requesting Test Accommodations

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## SECTION 1 – POLICY ON TEST ACCOMODATIONS

The Minnesota Board of Law Examiners (MBLE) will make reasonable modifications to any policies, practices, and procedures in accordance with the Americans with Disabilities Act, as amended (ADA) that might otherwise prevent individuals with disabilities from taking the Minnesota 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 MBLE 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 Minnesota 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 about the diagnosed impairment(s), the applicant's current level of impairment, and the rationale for the accommodations requested. In addition, the applicant must submit verifying documentation of his or her history of accommodations, if any.

All documentation will be retained by the MBLE and the MBLE may submit the documentation to one or more qualified professionals for an impartial review. Accommodations granted elsewhere do not necessarily entitle an applicant to accommodations on the Minnesota bar examination, although the MBLE gives considerable weight to documentation relating to past accommodations received in similar testing situations or in response to an Individualized Education Plan (IEP) or Section 504 plan.

## DEFINITIONS

### **Disability:**

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.

### **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 (formerly termed "mental retardation"), organic brain syndrome, emotional or mental illness, or any specific learning disability.

### **Major Life Activities:**

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 MBLE; 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.



## SECTION 2 - APPEALS

An Applicant may be advised the documentation provided is insufficient to make a determination. In that situation, the Applicant may provide additional information and request reconsideration if the filing deadline has not yet passed.

An applicant who has timely submitted the necessary documentation and who is adversely affected by the Director's denial or modification of applicant's request for test accommodations may appeal to the President of the Board by submitting a written request for review within **five (5) business days** of receipt of the Director's notice of denial or modification. An expedited hearing before the President or designated member of the Board will be scheduled in response to applicant's request for appeal. The hearing will be conducted by telephone and will be scheduled within **ten (10) business days** of receipt of the request. The applicant will receive a notice of the date and time of the hearing.

At the hearing, the applicant may be represented by counsel, may call witnesses, and may provide testimony in affidavit form. The expedited hearing will be recorded and a copy of the recording will be provided to the applicant upon request.

Upon the conclusion of the expedited hearing, the President or designee will prepare brief written findings of fact and a determination and will mail a copy of the findings and determination to applicant by regular US mail and post a copy on the applicant portal within **five (5) business days** of the hearing.

The applicant may appeal the expedited hearing determination by submitting to the Board office a written request for appeal in accordance with the hearing procedures set forth in Board Rule 15.

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## SECTION 3 - INSTRUCTIONS

### A. Submission of Application and Filing Deadline

The MBLE will consider requests for accommodations after receipt of all required information. Refer to the [applicant checklist](#) for a listing of all required items. This information must be submitted along with the Minnesota online bar application. The complete application and all applicable items specified in the [applicant checklist](#) must be received by the MBLE on or before the filing deadline of the exam for which the applicant has applied.

#### Deadline for Test Accommodation Requests

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, applicants must ask the appropriate individuals to complete the forms well in advance of the deadline.

**Below are the filing deadlines:**

- **FEBRUARY** BAR EXAM REQUESTS MUST be **submitted** with their online application no later than **OCTOBER 15** if applicant pays the timely application fee. Applications submitted between October 16 and December 1 must include the late filing fee of \$200, plus the timely filing fee. See Rule 12.



- **JULY BAR EXAM REQUESTS MUST be submitted** with their online application no later than **MARCH 15** if applicant pays the timely application fee. Applications submitted between March 16 and May 1 must include the late filing fee of \$200, plus the timely filing fee. See Rule 12.

## **B. Repeat Applicants**

Applicants who retake the examination must submit **their request with their online application** each time they apply for the Minnesota bar examination, even if they previously requested and were granted accommodations by the MBLE.

1. If accommodations were granted for a previous Minnesota Bar Examination, you do not need to resubmit supporting documentation if:
  - a. The examination was taken within the last three years and you are requesting the same accommodation previously granted on the Minnesota Bar Examination;
  - b. There has been no material change in your condition since you sat for the examination; and
  - c. The medical documentation submitted with the previous examination is no more than three years old.

**NOTE:** The MBLE reserves the right to request updated documentation if it determines that the prior documentation is insufficient to establish the applicant's current level of impairment and need for accommodations.

2. **NEW supporting documentation is required** to assess the applicant's current functional limitations and ongoing need for accommodations if there are:
  - a. Changes in the accommodations requested, or
  - b. Changes in the applicant's disability or disabilities.

**NOTE:** If you do not submit new supporting documentation as required, the MBLE may not be able to make a determination or it may make its determination based on the current information in your application which may result in a different determination than the prior examination.

## **C. To Submit a Complete Request for Test Accommodations, You Must Complete the Following Steps**

**STEP 1: Complete the request for accommodations section of the online bar application and one or more of the 7 specific disabilities forms.**

**SUBMIT only those forms and documents that pertain to your disability.**

### **IMPORTANT NOTE:**

**Some of the forms that must be submitted with your request are to be completed by third parties and returned to you so that you may submit them to the MBLE.** It is your responsibility to ensure that the third parties complete and return the forms to you in a timely manner so that you are able to submit your request by the application deadline.



**STEP 2: Complete the top portion of the applicable disability verification form. Have a qualified professional complete the form/s listed below. They must return it to you so that you may submit it to the MBLE.**

There are separate forms for:

- Learning Disabilities: [Accommodation Form 2](#)
- ADHD: [Accommodation Form 3](#)
- Psychological Disabilities: [Accommodation Form 4](#)
- Visual Disabilities: [Accommodation Form 5](#)
- Physical Disabilities: [Accommodation Form 6](#)

Your doctor or qualified professional should attach to the completed disability verification form a **comprehensive evaluation report** and/or relevant records, as specified in the form.

**STEP 3: Gather verifying documentation of your history of accommodations requests, if any.**

Complete the top portion of [Form 7: Certification of Accommodations History](#) for each educational institution or testing agency (hereinafter “entity”) from which you requested accommodations, whether your request was granted or denied. Request that the entity complete the rest of the form and return it to you so that you may submit it to the MBLE.

Or, you may provide other proof of your accommodations history, such as a copy of the letter(s) you received from the entity notifying you that specific accommodations were granted or denied.

Documentation submitted as proof of prior accommodations should identify:

- The time frame (e.g. third year of law school) of the accommodation which was granted or denied.
- The nature of the disability (e.g. ADHD) for which you were granted or denied accommodations.

If available, provide copies of all IEPs or 504 Plans that document accommodations received in the past.

**STEP 4: If the nature of your disability is ADHD or a learning disability, request and submit the following:**

- Undergraduate transcripts,
- Law school transcripts,
- LSAC Score Report.
- Score reports for any other standardized tests taken previously.

*Photocopies or online versions of transcripts are acceptable for this purpose.*



MINNESOTA BOARD OF LAW EXAMINERS  
APPLICATION FOR ADMISSION

180 East 5<sup>th</sup> Street, Suite 950  
St. Paul, MN 55101

**How to Obtain LSAC Score Report**

To obtain your LSAC score report you can log on to your LSAC account at [www.lsac.org](http://www.lsac.org). Go to the LSAT status page to find and print the report. If you have trouble obtaining the report, contact an LSAC representative at (215) 968-1001.

**Note:** 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.

**STEP 5: Submit all forms, including all required attachments to MBLE with your online application.**