

## **DOCUMENTATION FOR ACCOMMODATIONS REQUEST**

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The Washington State Bar Association provides reasonable and appropriate accommodations for applicants with documented disabilities. Disability means a physical or mental impairment that substantially limits one or more major life activities of an applicant and that also substantially limits the ability of such applicant, if required to take the bar examination under standard testing conditions, to demonstrate the essential knowledge, skills, and abilities that the Washington State Supreme Court has determined are appropriate requirements for admission to the practice of law in Washington.

Qualified applicant with a disability means an applicant with a disability who, with or without reasonable modification of rules, policies, or practices; the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services; meets the essential eligibility requirements for admission to the practice of law in Washington.

Test accommodations are adjustments to the testing activity for an individual with a disability in order to ease the effect of the disability on the testing process. Reasonable accommodations vary according to the type and degree of disability. Accommodations will be made on an individual basis and depend on the nature and extent of the disability, documentation provided, and the requirements of the examination. The Washington State Bar Association will provide qualified applicants who have documented disabilities with appropriate accommodations that do not fundamentally alter the measurement of the skills or knowledge the examination is intended to test.

The reasonable accommodations that are granted are based on our experience of those applicants with a similar or same condition who have applied in past examinations. The reasonable accommodations that will be provided will not compromise the integrity or the security of the Washington State Bar examination or affect the standards set for the examination.

Applicants requesting reasonable accommodations because of disabilities must provide appropriate documentation of the disability and specify the extent to which the standard testing procedures need to be modified. The burden of proof is on the applicant to show the need for any reasonable accommodations. The Washington State Bar reserves the right to make final judgment concerning testing accommodations and may have documentation reviewed by a medical specialist, psychologist or learning disability specialist.

**The following documentation must be submitted to support a request for accommodations:**

1. A completed Reasonable Accommodations Request via your online application dashboard. This feature will appear after you certify and submit your application registration fee.
2. A detailed evaluation or diagnostic report from a qualified professional appropriate for evaluating the disability describing the applicant's condition and its severity. Given that the manifestations of a disability may vary over time, the evaluation should be no more than three years old. The report should include.
  - a) a specific diagnosis;



- b) specific finding in support of the diagnosis (relevant history, test administered, test results and interpretations of those test results);
  - c) a description of the individual's functional limitations due to the stated disabilities;
  - d) specific recommendations for test accommodations including a detailed explanation of why the accommodations are needed;
  - e) name, address, telephone number and qualifications of each professional expert who provides documentation.
- 3. If no prior accommodations have been provided, the qualified professional expert should include a detailed explanation as to why no accommodations were given in the past and why accommodations are needed now.
  - 4. If the applicant has received prior test accommodations from a law school, a letter from that law school must be received by the Washington State admissions department.
  - 5. If the applicant has received test accommodations while sitting for the LSAT, documentation of those accommodations must be received by the Washington State admissions department.
  - 6. If the applicant has received test accommodations while attending college documentation of those accommodations must be received by the Washington State admissions department.

**For those applicants claiming a learning disability**, documentation should be provided by a diagnostician with formal training in written and oral language and should consist of :

- \*\* Relevant psycho-educational testing
- \*\* An educational history
- \*\* A demonstrated impact on academic functioning

An applicant's specific learning disabilities must have been identified by an appropriate psychoeducational assessment process that is well documented in the form of a comprehensive diagnostic report. This report must include:

- 1. an account of a thorough diagnostic interview that summarizes relevant components of the individual's developmental, medical, family, social, and educational history.
- 2. clear, objective evidence of a substantial limitation to learning or performance provided through assessment in the areas of cognitive aptitude, achievement, and information processing abilities (results must be obtained on standardized test(s) appropriate to the general adult population and be reported in standard scores and percentiles);
- 3. interpretation of the diagnostic profile that integrates assessment data, background history, and observations made during the evaluation process, as well as the inclusion or ruling out of possible



coexisting conditions (such as previously diagnosed psychological issues or English as a second language) affecting the applicant's performance;

4. a specific diagnostic statements, which should not include nonspecific terms such as "learning differences," "learning styles," or "academic problems"; and

5. a rationale for each recommended accommodations based on diagnostic information presented (background History, test scores, documented observations, etc.).

A copy of the evaluation report, including all of the above outlined information, must accompany the request form. When choosing a test battery, remember to consider the technical aspects of each test. These include the test's reliability, its validity, and whether it is standardized with norms available for the adult population. The professional judgment of the evaluator is the key to a strongly documented diagnosis. The following lists of tests is provided as a guide to assessment instruments appropriate for the adult population. The lists are not intended to be all-inclusive and will vary with the needs of the individual being evaluated.

### 1. Aptitude/Cognitive Ability

- Wechsler Adult Intelligence Scale IV (WAIS IV) (or most current version) (including IQ, index, and scaled scores)
- Woodcock-Johnson III (WJ III): Tests of Cognitive Ability
- Stanford\_Binet Intelligence Scale (4<sup>th</sup> ed.)
- Kaufman Adolescent and Adult Intelligence Test

Please note: The Slossen Intelligence Test and the Kaufman Brief Intelligence Test are primarily screening instruments and should not be considered comprehensive ensures of aptitude/cognitive ability.

### 2. Achievement

- Woodcock-Johnson III (WJIII): Tests of Achievement
- Wechsler Individual Achievement Test (WIAT)
- Scholastic Abilities Test for Adults (SATA)
- Nelson-Denny Reading Test (timed and untimed), given in conjunction with one of the above tests to further document reading abilities and reading rate

Please note: The Wide Range Achievement Test: Third Edition (WRAT-3) and the Peabody Individual Achievement Test (PIAT< PIAT-R) are not comprehensive measures of academic achievement and should not be used as sole measures in this area.

### 3. Information Processing

- Wechsler Memory Scale-III
- Swanson Cognitive Process Test (S-CPT)
- Test of Adolescent/Adult word finding (TAWF)
- Information from subtest, index, and/or cluster scores on the WAIS-III (Working Memory, Perceptual Organization, Processing Speed) and/or the Woodcock Johnson III (WJ III): Tests of Cognitive Ability (Visual Processing, Short Term Memory, Long Term Memory, Processing Speed)



and/or the Detroit Tests of Learning Aptitude-Adult (DTLA-A) as well as other neuropsychological instruments that measure rapid automatized naming and/or phonological processing.

#### DIAGNOSTIC INFORMATION CONCERNING APPLICANT

The diagnostic criteria as specified in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV-TR) or most current version) are used as the basic guidelines for determination of an Attention Deficit/Hyperactivity Disorder (AD/HD) diagnosis.

**An applicant warranting AD/HD diagnosis** must meet basic DSM-IV-TR criteria, including the following.

1. Sufficient numbers of symptoms (delineated in DSM-IV-TR) of inattention and/or hyperactivity-impulsivity that have been persistent and that have been “maladaptive.” The exact symptoms should be described in detail.
2. Objective evidence indicating that current impairment from the symptoms preset in two or more settings. There must be clear evidence of clinically significant impairment within the academic setting. However, there must also be evidence that these problems are not confined to the academic setting.
3. Objective evidence indicating that symptoms of inattention and/or hyperactivity-impulsivity were preset during childhood.
4. A determination that the symptoms of AD/HD are not a function of some other mental disorder (such as mood, anxiety, or personality disorder, psychosis; substance abuse; low cognitive ability; etc.)
5. Indication of the specific AD/HD diagnostic subtype: predominantly inattentive type, hyperactive-impulsive type, combined type, or not otherwise specified.

DSM-IV-TR criteria are used to provide a basic guideline for AD/HD diagnosis. This diagnosis depends on objective evidence of AD/HD symptoms that occur across the applicant’s development and that cause the applicant clinically significant impairment within multiple environments. Applicant self-report alone is deemed insufficient to establish evidence for AD/HD.

AD/HD is primarily based on a chronic and pervasive history of AD/HD symptoms beginning during childhood and persisting to the present day. The evaluation should provide a broad, comprehensive understanding of the applicant’s relevant background, including family, academic, social, vocational, medical, and psychiatric history. The evaluation should show how AD/HD symptoms have been manifested across various settings over time, how the applicant has coped with the problems, and what success the applicant has had in coping efforts. There should be a clear attempt to rule out other potential explanations for the AD/HD symptoms.

Because learning disabilities are most commonly manifested during childhood, historical information of learning difficulties in post-secondary education is usually available, as well as record of previous classroom and/or test accommodations. Therefore, as much historical information as possible, including any previous psycho-educational testing, should be included in the request for accommodations.

