

Supplemental Information for the Oregon State Bar Exam "Bar exam"

Time Modifications must be presented as percentages of time rather than actual time:

A standard UBE exam consists of four three-hour sessions spread across two days. In order for an accommodation to be applicable to both a standard UBE exam applicants must present their additional time requests as a percentage of the standard time, rather than the actual time requested. For example, if an applicant would normally receive standard time plus 50%, they would request "Standard time, Plus 50%" rather than 4 hours and 30 minutes for each standard three-hour session. Requests for breaks must be expressed in minutes, but the timing of those breaks must be expressed in percentages. For example, a request for a five minute break every 45-minutes under standard in-person conditions should be changed to "a five-minute break after completion of 25% of each exam session."

Breaks are automatically included in accommodations for additional time:

Please keep in mind that all additional time accommodation awards include taking restroom and stretch breaks as needed. No additional "off-the-clock" time is added to the exam session, but there is no need to request that you be allowed to take restroom or stretching breaks.

Medicine and Necessary Medical Equipment do not normally require accommodations:

No accommodations are necessary to bring medicines into the exam environment. Medical equipment only requires accommodations if the equipment is noisy or excessively bulky because these attributes may disturb fellow exam takers. Medical equipment that will affect seat assignments (example: wheelchair) can be addressed as an administrative accommodation.

How to Submit your Accommodation Request:

This completed request packet must be scanned or saved as a separate document from the bar exam application and the electronic document must be named using the following naming nomenclature: [Last Name], [First Name] - Testing Accommodation Request. Your testing accommodation request form must then be uploaded into your applicant portal. **IMPORTANT NOTICE:** For an accommodation request to be considered, it must be submitted concurrently with, or subsequent to the submission of, a completed exam application, together with full payment of the correct application fee.

Filing Deadline

Requests for accommodations will be considered after receipt of all information. Doc1: Applicant Request for Test Accommodations must be submitted with this 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.

A timely request for test accommodations must be received no later than the late filing deadline found

online here: www.osbar.org/admissions.

Incomplete or untimely requests will be rejected except where: (a) disability occurs after the application filing deadline; or (b) the accommodation request does not cause an undue hardship on the Board or the Oregon State Bar.

Retake Applicants

Applicants who retake the examination must submit Doc 1: Applicant Request for Test Accommodations each time they apply for the bar examination, even if they previously requested and were granted the same accommodations in Oregon. It is not necessary to resubmit supporting documentation that was submitted with a previous request, provided the applicant sat for the Oregon Bar Examination within the preceding three years and (1) is requesting the same accommodations that were received previously on the Oregon Bar Examination; (2) has had no material changes in condition; (3) the certification submitted in support of past accommodation request is still “current” (typically from within the last three years). New supporting documentation (Doc 4) is required if there is any change in the accommodations requested. An update to prior medical documentation is required assessing the applicant’s current functional limitations and ongoing need for accommodations if the nature of the applicant’s disability or disabilities is changeable. The Board of Bar Examiners 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.

How to Submit your Accommodation Request:

Please carefully review the information below to ensure that you submit a complete request. 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 of Bar Examiners.** 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: Gather verifying documentation of your history of accommodations requests, if any. Submit the Law School Verification Form 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 [BAA]. 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.

STEP 2: Obtain a certification from a qualified professional. If you have not previously received accommodations or you are requesting an additional or increased accommodation than what you previously received, you will need to use Doc 4 for that purpose. If you are submitting proof of having previously received the same accommodation the certification may be in the form of a letter from the qualified professional attached to Doc 1. (More information is included in section IV of Doc 1.

STEP 3: Complete and sign Doc 1: Applicant Request for Test Accommodations. Attach all relevant forms and documents, as indicated above, so that all required documentation is provided in one submission. You must submit 'Doc-1 Request for Testing Accommodations' with your application.

Requests for test accommodations and supporting documentation may be submitted to the Board of Bar Examiners at 16037 SW Upper Boones Ferry Rd., PO Box 231935, Tigard, OR 97281-1935.

I. TEST ACCOMMODATIONS INFORMATION SHEET

GUIDELINES:

The Oregon Board of Bar Examiners encourages persons with disabilities to apply for test accommodations. Reasonable test accommodations will be made on the Oregon Bar Examination for qualified applicants with disabilities. The Oregon Bar Examination is a two-day timed examination designed to test the knowledge and skills necessary for one who seeks admission to the Oregon State Bar.

It is the policy of the Board of Bar Examiners to administer the bar examination and all other services of this office in accordance with the Americans with Disabilities Act Amendment Act (ADAAA). A qualified applicant with a disability who is otherwise eligible to take the bar examination, but whose impairment limits his/her ability to demonstrate under standard testing conditions that he/she possesses the knowledge and skills to be admitted to the Oregon State Bar, may request reasonable test accommodations.

The Board of Bar Examiners will make reasonable modifications to any policies, practices, and procedures that might otherwise deny equal access to individuals with disabilities, provided such modifications do not result in a fundamental alteration in the examination or other admission requirements, undue burden on the Board of Bar Examiners, or compromise of the validity or reliability of the examination. In order to accommodate disabled persons, The Board of Bar Examiners will furnish additional 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 bar examination. The determination of testing accommodations is an individualized inquiry and will be made on a case-by-case basis. 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 certifying the disability and the need for the requested accommodation. In addition, the applicant must submit verifying documentation of his or her history of accommodations, if any. If the applicant is requesting accommodations not previously received, they must also submit Doc4, which provides additional information from the qualified professional. 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 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" means a disability as the term is defined under the Americans with Disabilities Act of 1990 (42 USC § 12101 et seq.) (ADA), amendments to the act, applicable regulations and case law. "Disability" may apply even if only one major life activity is impaired and even if that impairment is episodic or in remission but otherwise meets the statutory definition when it is active. "Disability" shall be construed in favor of broad coverage of individuals.*
2. *"Qualified professional" means a health professional who is licensed or otherwise properly*

credentialed and possesses expertise in the disability for which modifications or accommodations are sought. Professionals who may possess the appropriate credentials and expertise include, but are not limited to, doctors (including psychiatrists), psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, school counselors, and licensed mental health professionals.

DESCRIPTION OF THE EXAMINATION

The Oregon Bar Examination is administered over two-days in a quiet environment, and the applicants are allowed to use small foam earplugs provided by the Board of Bar Examiners. Applicants are also allowed to have unwrapped food and a clear container of water. No items other than those included in the Board of Bar Examiner’s test instructions may be brought into the testing room unless approved as test accommodations. The chart below provides a description of the standard testing schedule.

Standard Testing Schedule

Tuesday Schedule

Essay Questions 1 – 6..... Three Hours

Lunch Break – 1 Hour and 30 Minutes

MPT 1 and MPT 2 Three Hours

Wednesday Schedule

AM Session of the MBE... ..Three Hours

Lunch Break - 1 Hour and 30 Minutes

PM Session of the MBE..... Three Hours