Virginia Board of Bar Examiners

PETITION FOR NON-STANDARD TESTING ACCOMMODATIONS

COVER PAGE

Please review the checklist for instructions and required documentation.

Your Petition for Non-Standard Testing Accommodations MUST be <u>signed</u> and <u>notarized</u>, this includes all required forms.

Non-Standard Testing

Processor:

VIRGINIA BOARD OF BAR EXAMINERS

2201 West Broad Street Suite 101 Richmond, Virginia 23220-2022 804-367-0412

	NST – YES	
2		
TESTING	OFFICE USE ONLY Version 5.1 - Submitted Nov	Revised October 2018 rember 17, 2020 - 19994
	11	

NCBE - N12345678

PETITION FOR NON-STANDARD TESTING ACCOMMODATIONS

Following is the Virginia Board of Bar Examiners' (Board) policy for determining whether to grant test accommodations on the Virginia Bar Examination:

In deciding the merits of Petitions for Non-Standard Testing Accommodations, the Board relies upon the definition of disability contained in the Americans with Disabilities Act as amended by the ADA Amendments Act of 2008 (ADA/ADAAA), and as interpreted by controlling case law.

The Board recognizes that other non-ADA medical conditions may necessitate a request for testing accommodations. Petitions for Non-Standard Testing Accommodations will be reviewed by the Board's expert(s) and should comply with the Guidelines and Instructions below.

GUIDELINES AND INSTRUCTIONS:

- ONLY those applicants requesting non-standard testing accommodations should complete this Petition. Applicants who wish to request
 permission to bring an item into the exam that is not on the <u>Allowed Items</u> list, or request special seating due to a medical condition (i.e., seated
 near a restroom or exit), should submit a <u>Medical Accommodations Request Form</u>.
- Having an impairment does not make an individual disabled for purposes of the ADA/ADAAA and does not automatically qualify an applicant for an accommodation. An applicant must demonstrate that the impairment limits a major life activity. To qualify as being disabled under the ADA/ADAAA, an applicant must show that the limitation on the major life activity is "substantial." "Substantial" means "considerable" or "specified to a large degree."
- An applicant will be compared to the average person in the general population in determining whether a disability substantially limits one or more of their major life activities.
- The negative effects of corrective and mitigating measures, such as side effects of medication or burdens associated with following a particular
 treatment regimen, may be considered when determining whether an applicant is "substantially limited" in a major life activity and, therefore,
 disabled. Corrective and mitigating measures may be measures undertaken with artificial aids, like medications and devices, and measures
 undertaken, whether consciously or not, by the body's own systems.
- The determination of a disability by the Board is an individualized inquiry and will be made on a case-by-case basis.
- Objective testing/diagnostic evaluations submitted by your healthcare professional to substantiate your claimed disability must have been administered within five (5) calendar years of the filing deadline for any exam to which you apply.
- Applicants may be required to submit to independent diagnostic testing at his/her expense by a licensed healthcare professional.
- Applicants requesting non-standard testing accommodations have the responsibility to meet the same application filing deadline as all applicants
 applying to take the bar exam. Because some of the forms require input from third parties, it is suggested that you request the appropriate
 individuals to complete the forms well in advance of the filing deadline.
- Applicants must submit documentation from their physician(s) or licensed healthcare professional(s) that details the basis for the request. If
 additional time is being requested, the specific amount of additional time must be indicated.
- Forms must be typed and sworn to before a notary public.
- If the applicant's Petition is illegible, incomplete, or does not substantiate the claimed disability, the request for accommodations may be denied.
- All inquiries in regard to an applicant's Petition for Non-Standard Testing Accommodations must be in writing.
- After the Board has acted upon the applicant's Petition, a written notice of the disposition will be mailed to the applicant approximately one month prior to the exam.
- If a disability occurs after the filing deadline, the Board will review an applicant's late Petition if it is received in the Office of the Secretary by
 February 1 for the February exam or July 1 for the July exam. However, such applicants must recognize that there may not be enough time to
 process the Petition and accompanying documentation to permit the Board to reach a determination on the Petition and to make necessary
 arrangements at the examination site. If the Petition is complete and the claimed disability substantiated, the Board will accommodate the
 applicant on a space available basis, or the applicant may carry forward his/her application in accordance with Section VI of the Rules of the
 Board.

IACKNOWLEDGE: Requests for accommodations will be considered only after <u>all</u> information has been received. Filing deadlines apply to receipt of all information, including documentation requested from third parties. All documentation submitted will be retained by the Board and may be reviewed by the Board's expert(s) as necessary. All accommodations granted to you by the Board will be provided at no cost. Accommodations granted elsewhere do not necessarily entitle an applicant to accommodations on the Virginia Bar Examination, nor do accommodations previously granted on a past Virginia Bar Examination necessarily entitle applicants to accommodations on a future exam. ______(initial here)

PETITION CHECKLIST for NON-STANDARD TESTING ACCOMMODATIONS

Form A

To be completed by ALL applicants who seek non-standard testing accommodations.

YES Form A - APPLICANT DISABILITY INFORMATION (required):

Forms B, C, D & E

To be completed by you and your healthcare professional for each claimed disability of YES.

YES Form B - PHYSICAL DISABILITY VERIFICATION

For each claim of Physical Disability marked Yes, a fully completed Form B is required.

- NO Visually Impaired
- NO Blind
- **NO** Hearing Impaired
- NO Deaf
- YES Specific Orthopedic Disability Spondylosis
- **NO** Specific Neurological Disability
- NO Other physical disability/impairment not mentioned above

YES Form C - LEARNING DISABILITY VERIFICATION

For your claim of Learning Disability, a fully completed **Form C** is required.

Learning Disability (specify all) Dyslexia

YES Form D - ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) VERIFICATION

For your claim of Attention Deficit Hyperactivity Disorder (ADHD), a fully completed **Form D** is required.

YES Form E - PSYCHOLOGICAL DISABILITY VERIFICATION

For your claim of Psychological Disability, a fully completed **Form E** is required. Please Note: Test anxiety is not considered a disability.

Psychological Disability (specify all) Obsessive Compulsive Disorder

Forms F & G

To be completed by you and your law school representative and/or bar admission official for each response of YES.

YES Form F - STATEMENT OF LAW SCHOOL ACCOMMODATIONS

YES Form G - STATEMENT OF BAR EXAM ACCOMMODATIONS

Form A – Applicant Disability Information (To be completed by ALL Applicants)

The Virginia Board of Bar Examiners reserves the right to make final judgment concerning any and all testing accommodations and may have this documentation reviewed by a licensed healthcare professional.

1.	Exam date	Month	February	Year 2	021	
Full Legal Name Street	Jane Smith Doe PO Box 123					
City	Richmond			State	VA	ZIP 23226
Daytime phone	(804) 555-3928			County	Henrico	
Email address	janesdoe@gmail.co	m		Work phone	(804) 555-12 [,]	12

2. You must provide a detailed description of your specific disability for all accommodation requests made.

I have been diagnosed with Dyslexia, ADHD, Obsessive Compulsive Disorder (OCD), and Spondylosis. I have dealt with these issues all my life. Dyslexia is a learning disability that affects accurate and fluent word reading and spelling and causes me to have a slower comprehension rate and processing speed. ADHD causes me to need extra time because I get distracted very easily by any outside noise or external stimuli, and I constantly have to refocus on the task at hand. My OCD causes me significant stress and interferes with my ability to easily function, as I often feel the need to do things over and over again. In school, I read and re-read the same sentences over and over again, so reading for me is a much slower process. My spondylosis makes it difficult to sit for long periods of time, requiring me to move, stand and stretch regularly.

3. Accommodations Request Chart

Standard testing on the Virginia Bar Examination is two days. The first day is the Virginia Essay session administered in two 3-hour sessions. The second day is the Multistate Bar Examination (MBE), which is a standardized test, also administered in two 3-hour sessions. There is about a 1 to $1\frac{1}{2}$ hour lunch break between sessions on each day of the exam. The Additional Time Request Chart details each session. The typical physical testing environment consists of a large room in which 150 - 900 applicants are seated in assigned seats, two per 6' table or three per 8' table. Applicants may leave the room to use the restroom or get a drink of water; however, no food or beverages will be permitted in the testing room.

Answer Yes for all non-standard testing accommodations you are requesting and provide the specific rationale for each accommodation requested.

I request the following non-standard testing accommodations:

Requested	Accommodations	Specific rationale for accommodation
YES	Additional testing time	To receive additional time, you must provide the amount of time per session you are requesting and an explanation for such request on the Additional Time Request Chart .
NO	Large print testing materials	
NO	Braille version of exam	
NO	Use of magnifying glass or special visual aid/apparatus	
YES	Assistance in filling in MBE grid (applicant must be present during gridding)	My dyslexia makes it difficult to distinguish between the small circles. I would like to circle my answers in the book and have someone fill in the MBE scoresheet.
NO	Use of sign language interpreter	
NO	Use of a reader	
NO	Transcriptionist/Court Reporter	
NO	Audio CD version of exam	
NO	Electronic version of exam (Software details required)	
YES	Testing room with like- accommodated applicants	ADHD causes me to get distracted very easily by any outside noise or external stimuli (such as people fiddling in their chair or moving around a lot), and a smaller room with fewer people helps me not get as distracted. My spondylosis requires me to move around, and I need to be able to stand up and stretch.
NO	Private testing room	
NO	Wheelchair accessibility	
YES	Medication	ADHD Medication
NO	Other requests not listed above	

Additional Time Request Chart

Day 1 – Essay & Multiple Choice

Consists of 9 Essay questions and 10 Multiple Choice questions divided into Morning and Afternoon sessions. Standard sessions are 3 hours (180 minutes) each. Applicants can choose to either handwrite or type their answers. Applicants who choose to handwrite their answers are provided booklets containing sheets of lined paper. Applicants who choose to type their answers using their laptop must register, pay, and download the required software.

Morning Session – consisting of 5 Essay questions in various subject matters.

Additional Requested Time (Minutes)	90 minutes	
Standard Time (3 hrs = 180 minutes)	180 minutes	
Total Time Requested for Essay Morning Session:	270 minutes	= 4.5 hours

Afternoon Session – consisting of 4 Essay questions and 10 Multiple Choice questions in various subject matters.

Additional Requested Time (Minutes)	90 minutes	
Standard Time (3 hrs = 180 minutes)	180 minutes	
Total Time Requested for Essay Afternoon Session:	270 minutes = 4.5 hour	S

Provide an explanation as to how the specific aspect(s) of your claimed disability affects your ability to take the essay portion of the Virginia Bar Exam under standard testing times and conditions.

ADHD causes me to need extra time because I get distracted very easily by any outside noise or external stimuli (such as people fiddling in their chair or moving around a lot), and I constantly have to refocus on the task at hand.

My dyslexia and OCD also cause me to need extra time for reading. The dyslexia slows me down because I have to read very slowly to ensure I am reading the words correctly, and my OCD causes me to read and re-read the same sentences over and over again, so reading for me is a much slower process.

I cannot sit for long periods of time due to my spondylosis. I am required to stand and stretch about every 30 minutes.

Day 2 – Multistate Bar Exam

Consists of 200 multiple choice Multistate Bar Exam (MBE) questions, which must be answered by using a pencil and bubbling in circles on a computer-graded grid sheet.

Morning Session – consisting of 100 multiple choice questions.

Additional Requested Time (Minutes)	90 minutes
Standard Time (3 hrs = 180 minutes)	180 minutes
Total Time Requested for MBE Morning Session:	270 minutes = 4.5 hours

Afternoon Session – consisting of 100 multiple choice questions.

Additional Requested Time (Minutes)	90 minutes	
Standard Time (3 hrs = 180 minutes)	180 minutes	
Total Time Requested for MBE Afternoon Session:	270 minutes = 4.5 hours	

Provide an explanation as to how the specific aspect(s) of your claimed disability affects your ability to take the Multistate (MBE) portion of the Virginia Bar Exam under standard testing times and conditions.

ADHD causes me to need extra time because I get distracted very easily by any outside noise or external stimuli (such as people fiddling in their chair or moving around a lot), and I constantly have to refocus on the task at hand.

My dyslexia and OCD also cause me to need extra time for reading. The dyslexia slows me down because I have to read very slowly to ensure I am reading the words correctly, and my OCD causes me to read and re-read the same sentences over and over again, so reading for me is a much slower process.

I cannot sit for long periods of time due to my spondylosis. I am required to stand and stretch about every 30 minutes.

Jane Smith D)oe		Febr	uary 2021	Νο	on-Standard Testing
4.	Test	/Exam His	tory			
	(A)	History fo	r standardized tests/ex	ams (i.e., ACT, SAT, GM	/IAT, GRE, LSAT, M	PRE).
NO	(i)	Have you	ever taken the ACT?			
YES	(ii)	Have you	ever taken the SAT?			
		Test	Location	Month/Year	Accommodations requested?	Accommodations granted?
		SAT	Richmond, VA	Mar 2003	YES	YES
		Attac	h a copy of the notice of	of granted/denied accor	mmodations.	
		Attac	h a copy of the official	score report.		
		Test	Location	Month/Year	Accommodations requested?	Accommodations granted?
		SAT	Richmond, VA	Oct 2002	NO	N/A
		Explain w	hy you did not request	an accommodation:		
		l wa	s instructed by my te	achers to first attempt	the SAT without an	y testing
			ommodations.			
		Attac	h a copy of the official	score report.		
NO	(iii)	Have you	ever taken the GMAT	?		
NO	(iv)	Have you	ever taken the GRE?			
YES	(v)	Have you	ever taken the LSAT?		Accommodations	Accommodations
		Test	Location	Month/Year	requested?	granted?
		LSAT	Brooklyn, NY	Jan 2008	YES	YES
		Attac	h a copy of the notice of	of granted/denied accor	mmodations.	
		Attac	h a copy of the official	score report.		
YES	(vi)	Have vou	ever taken the MPRE	?		
	(/	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		~	Accommodations	Accommodations
		Exam	Location	Month/Year	requested?	granted?
		MPRE	Brooklyn, NY	Jan 2012	YES	NO
			hy the testing authority	• •		
				d documentation by th		
		• Attac	h a copy of the notice of	of granted/denied accor	mmodations.	
		Attac	h a copy of the official	score report.		
YES	(B)	Did you re	equest non-standard te	sting accommodations v	vhile in college?	
		College		Type of accommodation		Accommodations granted?
		-	University	Time and a half on a testing area with lik accommodated app	all exams and a	YES
		Attac	h a copy of the notice of	of granted/denied accor		

	Jane	Smith	Doe
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February 2021

Jane Smith Doe		Fe	Non-Standard Testing	
YES	(C)	Did you request non-standard	I testing accommodations while in law scho	ol?
		Law School	Type of accommodation	Accommodations granted?
		Brooklyn Law School	Time and a half on all exams and a testing area with like- accommodated applicants.	YES
		• Attach a copy of the notic	e of granted/denied accommodations.	
		• Form F must be comple accommodations.	ted by a law school representative respons	bible for authorizing test
YES	(D)		ergraduate, postgraduate and law school tr its must be provided before the Board can	
NO	(E)	Have you ever previously app	lied to take the Virginia bar exam?	
YES	(F)	Have you ever applied for an	other jurisdiction's bar exam?	
YES	(i)	Did you request non-standard		
		Jurisdiction	Type of accommodation	Accommodations granted?
		New York	Time and a half on all exams and a testing area with like- accommodated applicants.	a NO
		Explain why the testing autho	rity denied your request:	
		Did not submit all docu	umentation by the deadline.	
		• Attach a copy of the notic	e of granted/denied accommodations.	
		Form G must be complete	ted by a bar admission official.	
		lurisdiction	Type of accommodation	Accommodations

Jurisdiction	Type of accommodation	granted?
Maine	Time and a half on all exams and a testing area with like-	NO
	accommodated applicants.	

Explain why the testing authority denied your request:

Did not submit all documentation by the deadline.

• Attach a copy of the notice of granted/denied accommodations.

• Form G must be completed by a bar admission official.

YES 5. Do you expect to register for the Laptop Program to type the essay portion of the examination?

Jane Smith Doe	February 2021	Non-Standard Testing
6. YES	By filing this Petition and required forms, I hereby: Authorize the Board to provide, at the Board's discretion, a copy submit in connection with this Petition to such persons as the Board my Petition.	
YES	Release and forever discharge the Board and its employees, age information may be provided pursuant to the Authorization and R causes of action, liabilities, demands, lawsuits, or charges of any furnishing or receipt of such information made by or on behalf of	elease, from any and all claims, kind whatsoever, arising out of the
YES	Acknowledge that the Board reserves the right to make final judg accommodations.	ment concerning any and all testing
		Signature of Applicant
	===== SECTION BELOW MUST BE COMPLETED BY A NOTA	-
	/State/District of	
County/City of		
	lic of such County/City, certify that on this day personally appeared	I hofara ma
Jane Smith Do		i belore me
	made oath that all statements contained in this application are true	- e and complete
Given under my		
My commission		
		Notary Public
Registration Nu	mber (if applicable)	
NOTARY SEAL	(must be affixed)	

February 2021

APPLICANT DETAILS Physical Disability (Orthopedic): Spondylosis

Provide the date of initial diagnosis and all diagnosing healthcare professional contact information.

Initial diagnosis	April 1998	
Diagnosing healthcare professional	Dr. Jones	
Type of healthcare provider	Orthopedist	
Street	1045 Plank Road	
City	Richmond	Stat
Current phone number	(804) 555-2121	

te VA

ZIP 23220

YES Is your diagnosing healthcare professional listed above also your current treating healthcare professional who will complete the required forms regarding your disability?

My diagnosis was most recently confirmed or reassessed in March 2017 by Dr. Jones

My disability is Permanent

At my last consultation with my treating healthcare professional, my specific concern was:

Getting the dosage of my medication accurate.

What treatment plan is currently being prescribed?

Pain medication, yoga, and physical therapy.

Form B will print at the end of your Petition for Non-Standard Testing Accommodations. **Form B - HEALTHCARE PROFESSIONAL FORM** must be completed by your current healthcare professional and returned to you for submission with your Petition for Non-Standard Testing Accommodations.

I will send Form B to:

Dr. Jones

Applicant Details - Physical Disability (Orthopedic): Spondylosis

February 2021

APPLICANT DETAILS Learning Disability: Dyslexia

Provide the date of initial diagnosis and all diagnosing healthcare professional contact information.

Initial diagnosis	September 1995			
Diagnosing healthcare professional	Dr. Morris			
Type of healthcare provider	Psychologist			
Street	15 Locale Avenue			
City	Richmond	State	VA	ZIP 23226
Current phone number	(804) 555-8888			

YES Is your diagnosing healthcare professional listed above also your current treating healthcare professional who will complete the required forms regarding your disability?

My diagnosis was most recently confirmed or reassessed in March 2017 by Dr. Morris

My disability is **Permanent**

At my last consultation with my treating healthcare professional, my specific concern was:

I wanted to be re-evaluated to see if my condition had changed. It had not.

What treatment plan is currently being prescribed?

Practicing my reading and comprehension skills.

Form C will print at the end of your Petition for Non-Standard Testing Accommodations. **Form C - HEALTHCARE PROFESSIONAL FORM** must be completed by your current healthcare professional and returned to you for submission with your Petition for Non-Standard Testing Accommodations.

I will send Form C to:

Dr. Morris

Applicant Details - Learning Disability: Dyslexia

February 2021

23226

ZIP

APPLICANT DETAILS Attention Deficit Hyperactivity Disorder (ADHD)

Provide the date of initial diagnosis and all diagnosing healthcare professional contact information.

Initial diagnosis Diagnosing healthcare professional	December 2007 Jane Johnson, PhD				
Type of healthcare provider	Psychiatrist				
Street	100 Brooklyn Way				
City	Brooklyn	State	NY		ZIP 11209
Current phone number	(212) 456-1876				
	care professional listed above a d forms regarding your disability		treatir	ng health	ncare professional who
Current healthcare professional	Dr. Morris				
Type of healthcare provider	Psychologist				
Street	15 Locale Avenue				

State VA

My diagnosis was most recently confirmed or reassessed in March 2017 by Dr. Morris

Richmond

(840) 555-8888

City

Current phone number

My disability is **Permanent**

At my last consultation with my treating healthcare professional, my specific concern was:

Getting the dosage of my medication accurate.

What treatment plan is currently being prescribed?

ADHD medication and practicing organizational skills.

Form D will print at the end of your Petition for Non-Standard Testing Accommodations. **Form D - HEALTHCARE PROFESSIONAL FORM** must be completed by your current healthcare professional and returned to you for submission with your Petition for Non-Standard Testing Accommodations.

I will send Form D to:

Dr. Morris

February 2021

APPLICANT DETAILS

Psychological Disability: Obsessive Compulsive Disorder

Provide the date of initial diagnosis and all diagnosing healthcare professional contact information.

Diagnosir	Initial diagnosis ng healthcare professional	December 2007 Jane Johnson, PhD			
-	ype of healthcare provider	Psychiatrist			
	Street	100 Brooklyn Way			
	City	Brooklyn	State	NY	ZIP 11209
	Current phone number	(212) 456-1876			
IO Is	your diagnosing health	ncare professional listed above	e also your current	treating hea	Ithcare professional who

NO Is your diagnosing healthcare professional listed above also your current treating healthcare professional who will complete the required forms regarding your disability?

Dr. Morris					
Psychologist					
15 Locale Avenue					
Richmond		State	VA	ZIP 23	3226
(804) 555-8888					
	Dr. Morris Psychologist 15 Locale Avenue Richmond (804) 555-8888	Psychologist 15 Locale Avenue Richmond	Psychologist 15 Locale Avenue Richmond State	Psychologist 15 Locale Avenue Richmond State VA	Psychologist 15 Locale Avenue Richmond State VA ZIP 23

My diagnosis was most recently confirmed or reassessed in March 2017 by Dr. Morris

My disability is **Permanent**

At my last consultation with my treating healthcare professional, my specific concern was:

Getting the dosage of my medication accurate.

What treatment plan is currently being prescribed?

Medication and cognitive behavioral therapy.

Form E will print at the end of your Petition for Non-Standard Testing Accommodations. **Form E - HEALTHCARE PROFESSIONAL FORM** must be completed by your current healthcare professional and returned to you for submission with your Petition for Non-Standard Testing Accommodations.

I will send Form E to:

Dr. Morris

Applicant Details - Psychological Disability: Obsessive Compulsive Disorder

Form **B** – PHYSICAL DISABILITY VERIFICATION

- **APPLICANT AUTHORIZATION** (must be signed and notarized before submitting the entire Form B to your licensed healthcare professional for completion).
- **HEALTHCARE PROFESSIONAL FORM** (must be completed by the licensed healthcare professional who is/was most recently involved in the treatment of your disability).

APPLICANT AUTHORIZATION
Applicant's Name: Jane Smith Doe
Date of Birth: January 1, 1985 SSN: XXX-XX-9999
Form B: Physical Disability: Orthopedic Disability: Spondylosis
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.
Signature of Applicant
========= SECTION BELOW MUST BE COMPLETED BY A NOTARY PUBLIC =========
Commonwealth/State/District of
County/City of
I, a Notary Public of such County/City, certify that on this day personally appeared before me
Jane Smith Doe
who thereupon made oath that all statements contained in this application are true and complete.
Given under my hand this day of ,
My commission expires on
Notary Public
Registration Number (if applicable)
NOTARY SEAL (must be affixed)

Revised October 2018

Form **B** – PHYSICAL DISABILITY VERIFICATION

HEALTHCARE PROFESSIONAL FORM

I. Qualifications of the Licensed Healthcare Professional

Petition for Non-Standard Test	ing Accommodations for	Jane Smith Doe		(Applicant)
Licensed healthcare professional Street City Phone number	Dr. Jones 1045 Plank Road Richmond (804) 555-2121	State Fax number	VA	ZIP 23220
Occupation/Specialty License/Certification number Name of licensing entity				

NOTICE TO LICENSED HEALTHCARE PROFESSIONAL:

For your convenience, a fillable PDF version of this form (Form B - Physical Disability Verification) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Following is the Board's policy for determining whether to grant test accommodations on the Virginia Bar Examination:

In deciding the merits of Petitions for Non-Standard Testing Accommodations, the Board relies upon the definition of disability contained in the Americans with Disabilities Act as amended by the ADA Amendment Act of 2008 (ADA/ADAAA), and as interpreted by controlling case law.

A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. "Substantially" means "considerable" or "specified to a large degree." An applicant will be compared to the average person in the general population in determining whether a disability substantially limits a major life activity.

The negative effects of corrective and mitigating measures, such as side effects of medication or burdens associated with following a particular treatment regimen, may be considered when determining whether an applicant is "substantially limited" in a major life activity and, therefore, disabled. Corrective and mitigating measures may be measures undertaken with artificial aids, like medications and devices, and measures undertaken, whether consciously or not, by the body's own systems.

Merely having an impairment does not make an individual disabled for purposes of the ADAAA and does not automatically qualify an applicant for an accommodation. An applicant must also demonstrate that the impairment limits a major life activity. To qualify as being disabled under the ADAAA, an applicant must further show that the limitation on the major life activity is "substantial."

The determination of a disability by the Board is an individualized inquiry and will be made on a case-by-case basis.

Return the completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

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Is the Applicant's claimed disability within your field of expertise? _____ Yes _____ No

If yes, please describe the credentials which qualify you to diagnose and/or verify the Applicant's disability.

Please describe the training you have had in the area of making recommendations for specific time accommodations on licensing examinations such as the Virginia Bar Examination.

II. Information Concerning the Applicant's Disability

1. State the specific diagnosis of the disability affecting the Applicant.

2. When was the Applicant first diagnosed with this disability?

3. Did you make the initial diagnosis? ____ Yes ____ No If no, please state the name, address, and telephone number of the professional who made the initial diagnosis.

February 2021

Describe the specific diagnostic criteria and/or diagnostic tests used, including date(s) of evaluation, test 4. results, and a detailed interpretation of test results. Please Note: You must attach to this form or provide directly to the Board any and all tests, assessments, notes, or other records relating to the Applicant's disability. (If you need more space, continue on a separate page) 5. State each date you have seen the Applicant for a consultation. 6. When was your last complete evaluation of the Applicant? 7. What occasioned this evaluation (i.e. specific health complaints, need for updated evaluation for accommodation, etc.)? Briefly describe your treatment of this disability and state the effect of the treatment on the disability. 8. 9. State each medication the Applicant is taking for this disability and how it treats the disability.

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10. Summarize any negative effects the Applicant has experienced with this medication, emphasizing any which will affect his/her performance on the Virginia Bar Examination.

11. In its current state, is the Applicant's disability temporary or permanent? _____ Temporary _____ Permanent If you indicated the disability to be temporary, state below when and under what conditions the disability is likely to abate.

12. Describe in detail all major life activities that are substantially limited by the Applicant's diagnosed disability at the current time. If there are none, so state.

13. Is there any objective evidence that the recommended testing accommodations have facilitated the Applicant's test performance in the past? <u>Yes</u> No If yes, please explain.

14. If you based your recommendations regarding additional testing time on the Applicant's reduced handwriting/keyboarding speed or ability, please describe all tests conducted by you or relied on by you to determine the speed at which the Applicant writes/types as compared to that of a person without the Applicant's disability.

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15. Is there any medical or scientific study which provides data enabling you to determine, on an objective basis, the exact amount of additional testing time which will place the Applicant in a testing position akin to that enjoyed by a person who does not have this disability? ____ Yes ____ No If yes, please attach a copy of the study to this form. Describe how the study supports the accommodations you have recommended for the Applicant.



III. Complete Attachments

- 1. ACCOMMODATIONS REQUEST CHART; if applicable
- 2. ADDITIONAL TIME REQUEST CHART; if applicable

IV. Licensed Healthcare Professional's Certification

I have attached to this Form B copies of all records in my possession or control on which I have relied in answering the inquiries on this form. If there exists some ethical or professional reason that I cannot attach the required records to Form B for return to the Applicant, I hereby certify that I will mail the required records directly to the Virginia Board of Bar Examiners, 2201 West Broad Street, Suite 101, Richmond, VA 23220. I understand that the Applicant's request for non-standard testing accommodations will not be processed without these records, causing him/her to make a choice to take the Virginia Bar Exam under standard testing conditions or to delay taking the Virginia Bar Exam until the Petition is complete.

I understand that a representative or agent of the Virginia Board of Bar Examiners may contact me for clarification of my responses on this form.

I certify that all the information on this form is true and correct to the best of my knowledge and belief.

Signature of Licensed Healthcare Professional

Date Signed

The Virginia Board of Bar Examiners may have all documentation related to this matter reviewed by the Board's expert(s) and may require additional documentation and/or testing.

Revised October 2018

February 2021

Accommodations Request Chart

Standard testing on the Virginia Bar Examination is two days. The first day is the Virginia Essay session administered in two 3-hour sessions. The second day is the Multistate Bar Examination (MBE), which is a standardized test, also administered in two 3-hour sessions. There is about a 1 to $1\frac{1}{2}$ hour lunch break between sessions on each day of the exam. The Additional Time Request Chart details each session. The typical physical testing environment consists of a large room in which 150 - 900 applicants are seated in assigned seats, two per 6' table or three per 8' table. Applicants may leave the room to use the restroom or get a drink of water; however, no food or beverages will be permitted in the testing room.

Check Yes for all non-standard testing accommodations required for the applicant's disability and provide the specific rationale for each accommodation.

Check all that apply	Accommodations	Specific rationale for accommodation
YES	Additional testing time	To receive additional time, provide the amount of time per session on the Additional Time Request Chart .
YES	Large print testing materials 18pt24pt	
YES	Braille version of exam	
YES	Use of magnifying glass or special visual aid/apparatus	
YES	Assistance in filling in MBE grid	
YES	Use of sign language interpreter	
YES	Use of a reader	
YES	Transcriptionist/Court Reporter	
YES	Audio CD version of exam	
YES	Electronic version of exam (Software details required)	
YES	Testing room with like- accommodated applicants	
YES	Private testing room	
YES	Wheelchair accessibility	
YES	Medication	
YES	Other requests not listed above	

Additional Time Request Chart

Day 1 – Essay & Multiple Choice		
Consists of 9 Essay questions and 10 Multiple Choice question	ns divided into M	Iorning and Afternoon sessions
Standard sessions are 3 hours (180 minutes) each. Applicants		
answers. Applicants who choose to handwrite their answers a		
paper. Applicants who choose to type their answers using their		
required software.		giotol, puj, and donnodd the
Morning Session – consisting of 5 Essay questions in various sub	ject matters.	
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for Essay Morning Session:		minutes
Afternoon Session – consisting of 4 Essay questions and 10 Mult	tiple Choice que	stions in various subject matters.
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
	100	minutes
Total Time Requested for Essay Afternoon Session:		minutes
Provide an explanation as to how the specific aspect(s) of the a		
take the essay portion of the Virginia Bar Exam under standard	testing times a	nd conditions.
Day 2 – Multistate Bar Exam		
Consists of 200 multiple choice Multistate Bar Exam (MBE) que	estions, which n	nust be answered by using a pencil
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Form C – LEARNING DISABILITY VERIFICATION

- **APPLICANT AUTHORIZATION** (must be signed and notarized before submitting the entire Form C to your licensed healthcare professional for completion).
- **HEALTHCARE PROFESSIONAL FORM** (must be completed by the licensed healthcare professional who is/was most recently involved in the treatment of your disability).

APPLICANT AUTHORIZATION
Applicant's Name: Jane Smith Doe
Date of Birth: January 1, 1985 SSN: XXX-XX-99999
Form C: Learning Disability: Dyslexia
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.
Signature of Applicant
======= SECTION BELOW MUST BE COMPLETED BY A NOTARY PUBLIC ====================================
County/City of
I, a Notary Public of such County/City, certify that on this day personally appeared before me
Jane Smith Doe
who thereupon made oath that all statements contained in this application are true and complete.
Given under my hand this day of ,
My commission expires on,,
Projection Number (if applicable)
Registration Number (if applicable)
NOTARY SEAL (must be affixed)

Form C – LEARNING DISABILITY VERIFICATION

HEALTHCARE PROFESSIONAL FORM

I. Qualifications of the Licensed Healthcare Professional

Petition for Non-Standard Test	ing Accommodations for	Jane Smith Doe		(Applican	it)
Licensed healthcare professional Street	Dr. Morris 15 Locale Avenue				
City	Richmond	State	VA	ZIP 23226	
Phone number	(804) 555-8888	Fax number			r
Occupation/Specialty		I			
License/Certification number					
Name of licensing entity					

NOTICE TO LICENSED HEALTHCARE PROFESSIONAL:

For your convenience, a fillable PDF version of this form (Form C – Learning Disability Verification) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Following is the Board's policy for determining whether to grant test accommodations on the Virginia Bar Examination:

In deciding the merits of Petitions for Non-Standard Testing Accommodations, the Board relies upon the definition of disability contained in the Americans with Disabilities Act as amended by the ADA Amendment Act of 2008 (ADA/ADAAA), and as interpreted by controlling case law.

A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. "Substantially" means "considerable" or "specified to a large degree." An applicant will be compared to the average person in the general population in determining whether a disability substantially limits a major life activity.

The negative effects of corrective and mitigating measures, such as side effects of medication or burdens associated with following a particular treatment regimen, may be considered when determining whether an applicant is "substantially limited" in a major life activity and, therefore, disabled. Corrective and mitigating measures may be measures undertaken with artificial aids, like medications and devices, and measures undertaken, whether consciously or not, by the body's own systems.

Merely having an impairment does not make an individual disabled for purposes of the ADAAA and does not automatically qualify an applicant for an accommodation. An applicant must also demonstrate that the impairment limits a major life activity. To qualify as being disabled under the ADAAA, an applicant must further show that the limitation on the major life activity is "substantial."

The determination of a disability by the Board is an individualized inquiry and will be made on a case-by-case basis.

Return the completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

February 2021

Is the Applicant's claimed disability within your field of expertise? _____ Yes _____ No

If yes, please describe the credentials which qualify you to diagnose and/or verify the Applicant's disability.

Please describe the training you have had in the area of making recommendations for specific time accommodations on licensing examinations such as the Virginia Bar Examination.



II. Diagnostic Information Concerning the Applicant

In order to be entitled to accommodations based on a learning disability, the individual must provide documentation, at his/her expense, establishing that: 1) he/she has a learning disability that substantially limits a major life activity, and 2) the learning disability results in functional limitations that require accommodations in order to take the examination on an equal basis with other applicants for the examination. The evaluation must:

- Have been administered within the last five (5) years and after the Applicant's eighteenth (18th) birthday.
- Document an information processing deficit.
- Certify that the Applicant's aptitude is within the average or above-average range.
- Identify a significant discrepancy in aptitude-achievement, as well as in processing measures; such discrepancies cannot be obtained from a single subtest.
- Document that the Applicant is substantially limited in a major life activity.

Date of last evaluation/assessment of the Applicant.

Provide a concise description of your diagnosis (please include the specific DSM-V diagnosis).

(If you need more space, continue on a separate page)

III. Formal Testing

An Applicant with 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:

- An account of a thorough diagnostic interview that summarizes relevant components of the individual's developmental, medical, family, social and educational history.
- 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).
- Interpretation of the diagnostic profile that integrates assessment data, background history, 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
 individual's performance.
- A specific diagnostic statement. That statement should not include nonspecific terms such as "learning differences," "learning styles," or "academic problems."
- A rationale based on diagnostic information presented for each accommodation recommended (background history, test scores, documented observations, etc.).

A copy of the evaluation report, including all the above outlined information, must accompany this form. It should be kept in mind that when choosing a test battery, the technical aspects of each test must be considered. This includes the test's reliability, validity, and whether it is standardized with norms available for the general adult population. Again, the professional judgment of the evaluation is the key to a strongly documented diagnosis. The following lists of tests are provided as a guide to assessment instruments appropriate for the adult population. It is not intended to be all-inclusive and will vary with the needs of the individual being evaluated.

Aptitude/Cognitive Ability

- Wechsler Adult Intelligence Scale-Fourth Edition (WAIS-IV) (including IQ, Index, scaled scores and percentiles)
- ____ Woodcock-Johnson-Fourth Edition "Tests of Cognitive Abilities" (WJ-IV COG: subtests 1-7 minimum)

Achievement

- Woodcock-Johnson-Fourth Edition "Tests of Achievement" (WJ-IV Basic Battery subtests 1-11 minimum)
 - Wechsler Individual Achievement Test-Third Edition (WIAT-III)
 - ____ Test of Word Reading Efficiency-Second Edition (TOWRE-2) Test of oral reading efficiency only
 - _ The Wide Range Achievement Test-Third Edition (WRAT-3)

Please Note: The TOWRE-2 and WRAT-3 are not comprehensive measures of academic achievement and should not be used as the sole measures in this area.

Information Processing

- ____ Wechsler Memory Scale-Fourth Edition (WMS-IV)
- Comprehensive Test of Phonological Processing-Second Edition (CTOPP-2)
- ____ Test of Adolescent/Adult Wordfinding-Second Edition (TAWF-2)
- Information from subtest, index and/or cluster scores on the Wechsler Adult Intelligence Scale-Fourth Edition (WAIS-IV) (Working Memory; Perceptual Organization; Processing Speed) and/or the Woodcock-Johnson-Fourth Edition (WJ-IV) "Tests of Cognitive Abilities"; (processing clusters appropriate to document individual's areas of weakness) as well as other appropriate neuropsychological instruments that relate to areas of concern within the applicant's individual profile.

IV. Learning Disability

Do you believe the Applicant's motivation level, interview behavior, and/or test-taking behavior was adequate to yield reliable diagnostic information/test results? ____ Yes ____ No Describe how this determination was made.

2. Please include any informal measures, background history and clinical observations that aided you in determining that this individual has a learning disability.

3.

Is the Applicant substantially limited in a major life activity? ____ Yes ____ No If yes, identify the major life activity and describe the substantial limitation.

February 2021

	Please explain why or why not.
	Is there any objective evidence that the recommended testing accommodations have facilitated the Applica
	test performance in the past?YesNo
	If yes, please explain.
	Is there any medical or scientific study which provides data enabling you to determine, on an objective basis the exact amount of additional testing time which will place the Applicant in a testing position akin to that enjoyed by a person who does not have this disability? Yes No
	If yes, please attach a copy of the study to this form and describe how the study supports the accommodation you have recommended for the Applicant.
1	
1	
	nulate Attachments
ď	nplete Attachments
	ACCOMMODATIONS REQUEST CHART; if applicable

VI. Licensed Healthcare Professional's Certification

I have attached to this Form C copies of all records in my possession or control on which I have relied in answering the inquiries on this form. If there exists some ethical or professional reason that I cannot attach the required records to Form C for return to the Applicant, I hereby certify that I will mail the required records directly to the Virginia Board of Bar Examiners, 2201 West Broad Street, Suite 101, Richmond, VA 23220. I understand that the Applicant's request for non-standard testing accommodations will not be processed without these records, causing him/her to make a choice to take the Virginia Bar Exam under standard testing conditions or to delay taking the Virginia Bar Exam until the Petition is complete.

I understand that a representative or agent of the Virginia Board of Bar Examiners may contact me for clarification of my responses on this form.

I certify that all the information on this form is true and correct to the best of my knowledge and belief.

Signature of Licensed Healthcare Professional

Date Signed

The Virginia Board of Bar Examiners may have all documentation related to this matter reviewed by the Board's expert(s) and may require additional documentation and/or testing.

Accommodations Request Chart

Standard testing on the Virginia Bar Examination is two days. The first day is the Virginia Essay session administered in two 3-hour sessions. The second day is the Multistate Bar Examination (MBE), which is a standardized test, also administered in two 3-hour sessions. There is about a 1 to $1\frac{1}{2}$ hour lunch break between sessions on each day of the exam. The Additional Time Request Chart details each session. The typical physical testing environment consists of a large room in which 150 - 900 applicants are seated in assigned seats, two per 6' table or three per 8' table. Applicants may leave the room to use the restroom or get a drink of water; however, no food or beverages will be permitted in the testing room.

Check Yes for all non-standard testing accommodations required for the applicant's disability and provide the specific rationale for each accommodation.

Check all that apply	Accommodations	Specific rationale for accommodation
YES	Additional testing time	To receive additional time, provide the amount of time per session on the Additional Time Request Chart .
YES	Large print testing materials 18pt24pt	
YES	Braille version of exam	
YES	Use of magnifying glass or special visual aid/apparatus	
YES	Assistance in filling in MBE grid	
YES	Use of sign language interpreter	
YES	Use of a reader	
YES	Transcriptionist/Court Reporter	
YES	Audio CD version of exam	
YES	Electronic version of exam (Software details required)	
YES	Testing room with like- accommodated applicants	
YES	Private testing room	
YES	Wheelchair accessibility	
YES	Medication	
YES	Other requests not listed above	

Revised October 2020

Additional Time Request Chart

Day 1 – Essay & Multiple Choice					
Consists of 9 Essay questions and 10 Multiple Choice questions di Standard sessions are 3 hours (180 minutes) each. Applicants can answers. Applicants who choose to handwrite their answers are p paper. Applicants who choose to type their answers using their lap required software.	n choose to e rovided boo	either handwrite or type their klets containing sheets of lined			
Morning Session – consisting of 5 Essay questions in various subject	t matters.				
Additional Requested Time (Minutes)		minutes			
Standard Time (3 hrs = 180 minutes)	180	minutes			
Total Time Requested for Essay Morning Session:		minutes			
Afternoon Session – consisting of 4 Essay questions and 10 Multiple	Choice que	stions in various subject matters.			
Additional Requested Time (Minutes)		minutes			
Standard Time (3 hrs = 180 minutes)	180	minutes			
Total Time Requested for Essay Afternoon Session:		minutes			
Provide an explanation as to how the specific aspect(s) of the appl take the essay portion of the Virginia Bar Exam under standard tes					
Day 2 – Multistate Bar Exam Consists of 200 multiple choice Multistate Bar Exam (MBE) questions, which must be answered by using a pencil					
and bubbling in circles on a computer-graded grid sheet.					
Morning Session – consisting of 100 multiple choice questions.					
Additional Requested Time (Minutes)		minutes			
Standard Time (3 hrs = 180 minutes)	180	minutes			
Total Time Requested for MBE Morning Session:		minutes			
Afternoon Session – consisting of 100 multiple-choice questions.					
Additional Requested Time (Minutes)		minutes			
Standard Time (3 hrs = 180 minutes)	180	minutes			
Total Time Requested for MBE Afternoon Session:		minutes			
Provide an explanation as to how the specific aspect(s) of the appl take the Multistate (MBE) portion of the Virginia Bar Exam under s					

Form D – ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) VERIFICATION

- **APPLICANT AUTHORIZATION** (must be signed and notarized before submitting the entire Form D to your licensed healthcare professional for completion).
- **HEALTHCARE PROFESSIONAL FORM** (must be completed by the licensed healthcare professional who is/was most recently involved in the treatment of your disability).

APPLICANT AUTHORIZATION						
Applicant's Name: Jane Smith Doe						
Date of Birth: January 1, 1985 SSN: XXX-XX-99999						
Form D: Attention Deficit Hyperactivity Disorder (ADHD)						
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.						
Signature of Applicant						
======= SECTION BELOW MUST BE COMPLETED BY A NOTARY PUBLIC ====================================						
County/City of						
I, a Notary Public of such County/City, certify that on this day personally appeared before me						
Jane Smith Doe						
who thereupon made oath that all statements contained in this application are true and complete.						
Given under my hand this day of ,						
My commission expires on,,						
Notor Dublic						
Registration Number (if applicable)						
NOTARY SEAL (must be affixed)						

Form D – ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD) VERIFICATION

HEALTHCARE PROFESSIONAL FORM

I. Qualifications of the Licensed Healthcare Professional

Petition for Non-Standard Test	Jane Smith Doe	(Applicant)		
Licensed healthcare professional Street City	Dr. Morris 15 Locale Avenue Richmond	State	VA	ZIP 23226
Phone number	(840) 555-8888	Fax number		
Occupation/Specialty		1		
License/Certification number				
Name of licensing entity				

NOTICE TO LICENSED HEALTHCARE PROFESSIONAL:

For your convenience, a fillable PDF version of this form (Form D – Attention Deficit Hyperactivity Disorder (ADHD) Verification) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Following is the Board's policy for determining whether to grant test accommodations on the Virginia Bar Examination:

In deciding the merits of Petitions for Non-Standard Testing Accommodations, the Board relies upon the definition of disability contained in the Americans with Disabilities Act as amended by the ADA Amendment Act of 2008 (ADA/ADAAA), and as interpreted by controlling case law.

A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. "Substantially" means "considerable" or "specified to a large degree." An applicant will be compared to the average person in the general population in determining whether a disability substantially limits a major life activity.

The negative effects of corrective and mitigating measures, such as side effects of medication or burdens associated with following a particular treatment regimen, may be considered when determining whether an applicant is "substantially limited" in a major life activity and, therefore, disabled. Corrective and mitigating measures may be measures undertaken with artificial aids, like medications and devices, and measures undertaken, whether consciously or not, by the body's own systems.

Merely having an impairment does not make an individual disabled for purposes of the ADAAA and does not automatically qualify an applicant for an accommodation. An applicant must also demonstrate that the impairment limits a major life activity. To qualify as being disabled under the ADAAA, an applicant must further show that the limitation on the major life activity is "substantial."

The determination of a disability by the Board is an individualized inquiry and will be made on a case-by-case basis.

Return the completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

February 2021

Is the Applicant's claimed disability within your field of expertise? _____ Yes _____ No

If yes, please describe the credentials which qualify you to diagnose and/or verify the Applicant's disability.

Please describe the training you have had in the area of making recommendations for specific time accommodations on licensing examinations such as the Virginia Bar Examination.



II. Diagnostic Information Concerning the Applicant

The diagnostic criteria as specified in the Diagnostic and Statistical Manual of Mental Disorders-Fifth Edition (DSM-V) are used as the basic guidelines for determination of an Attention Deficit Hyperactivity Disorder (ADHD) diagnosis. An Applicant warranting an ADHD diagnosis must meet basic DSM-V criteria including:

- Sufficient number of symptoms (delineated in DSM-V) of inattention and/or hyperactivity-impulsivity that have been persistent and that have been "maladaptive." The exact symptoms should be described in detail.
- Objective evidence that symptoms of inattention and/or hyperactivity-impulsivity were present during childhood.
- Objective evidence that symptoms of inattention and/or hyperactivity-impulsivity are present in two or more settings. There must be clear evidence that the symptoms interfere with or reduce the quality of academic functioning. However, there must also be evidence that these problems are not confined to the academic setting.
- A determination that the symptoms of ADHD do not occur exclusively during the course of a schizophrenia or other psychotic disorder and are not better accounted for by another mental disorder.
- Indication of the specific ADHD diagnostic subtype: Combined Presentation, Predominantly Hyperactive-Impulsive Presentation, Predominantly Inattentive Presentation, Other Specified or Unspecified.

DSM-V criteria are used to provide a basic guideline for an ADHD diagnosis. This diagnosis depends on objective evidence of ADHD symptoms across the Applicant's development, which interfere with, or reduce the quality of, the Applicant's social, academic, or occupational functioning. The Applicant's self-report alone is generally deemed insufficient to establish evidence for ADHD.

ADHD evaluation is primarily based on in-depth history consistent with a chronic and pervasive history of ADHD 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. There should be a focus on how ADHD 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 a variety of other potential explanations for the Applicant's self-reported ADHD difficulties.

Provide a comprehensive evaluation that addresses all five points above and specify the severity level of the Applicant's ADHD as mild, moderate, or severe.

- 1. Provide the date the Applicant was first diagnosed with ADHD.
- 2. Provide the date of your last complete evaluation of the Applicant.
- 3. At the time of your initial evaluation/consultation, did the Applicant have a previously documented history of ADHD? _____Yes ____No

If yes, briefly describe. If no, what objective evidence has been presented for your review that supports a likely history of undiagnosed ADHD (school records, previous psychological test reports, parent interview, etc.)?

4. List the Applicant's self-reported symptoms of ADHD indicating sufficient qualification for DSM-V criteria.

Does the Applicant exhibit symptoms which interfere with or reduce the quality of his/her social, academic, or occupational functioning? _____Yes ____No If yes, briefly describe.

Are these self-reported symptoms of ADHD (Question 4), and the evidence of symptoms which interfere with or reduce the quality of his/her social, academic, or occupational functioning (Question 5), supported by information other than the Applicant's self-report (job evaluations, recent teacher evaluation, interviews with significant others)? ____ Yes ____ No If yes, briefly describe.

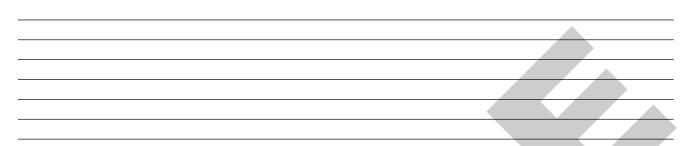
Jane	Smith Doe	February 2021	Non-Standard Testing
7.	Does the Applicant meet full DSM-V crite ADHD, Combined Presentation ADHD, Predominantly Hyperaction Impulsive Presentation	ADHD, Predominantly Inatten	
8.	Is the Applicant substantially limited in a If yes, please state what activity.	major life activity? Yes No	
9.	Is the Applicant significantly restricted as the activity as compared to the general p Please explain why or why not.	s to the condition, manner, or duration under w population?YesNo	hich he/she can perform
III. Fo	ormal Testing		
1.	symptoms, but cannot be used to the ex documenting past and current symptoms	ender-Utah, BAADS, etc.) are helpful to quanti clusion of interview and collateral information of s. D checklists completed? Yes N	lescribing and
2.	describe the Applicant's emotional status be a clear explanation why they were no reported ADHD symptoms. Please Note Accommodations, the Board may require Was psychological testing completed?	Yes No support an ADHD diagnosis. If no, explain why	not used, there should explanations for Standard Testing

February 2021

Cognitive test results cannot be used as the sole indication of an ADHD diagnosis independent of history and 3. interview. However, these test findings often augment the ADHD evaluation and should be reported. They are particularly necessary to rule out intellectual limitation as an alternative explanation for academic difficulty, to describe type and severity of learning problems, and to assess the severity of cognitive deficits associated with ADHD (inattention, working memory, etc.). In general, the Applicant who has completed law school, reporting academic distress secondary to ADHD symptoms, should demonstrate at least average to above average intelligence. Was cognitive testing performed? ____ Yes ____ No If yes, briefly describe how the findings support an ADHD diagnosis. If no, explain why cognitive testing was not deemed necessary to rule out low ability level and/or establish objective evidence of a processing problem. The evaluation should indicate a concern with reliability, particularly the reliability of self-reported information. There should be some indication that the information provided is reliable, is valid, and has not been unduly influenced by the Applicant's motivation to achieve a specified goal. Please Note: In evaluating the Applicant's Petition for Non-Standard Testing Accommodations, the Board may require such tests. Do you believe the Applicant's motivation level, interview behavior, and/or test-taking behavior is adequate to 4. yield reliable diagnostic information/test results? Yes No If yes, describe how this determination was made. 5. Is there any objective evidence that the recommended testing accommodations have facilitated the Applicant's test performance in the past? Yes No If yes, please explain. 6. Is there any medical or scientific study which provides you with data enabling you to determine, on an objective basis, the exact amount of additional testing time which will place the Applicant in a testing position akin to that enjoyed by a person who does not have this disability? ____ Yes ____ No If yes, please attach a copy of the study to this form and describe how the study supports the accommodations you have recommended for the Applicant.

IV. ADHD Treatment

Is the Applicant currently being treated for ADHD? ____ Yes ____ No
 If yes, describe the type of treatment. If not, explain the rationale for not receiving treatment for this disability.



V. Complete Attachments

- 1. ACCOMMODATIONS REQUEST CHART; if applicable
- 2. ADDITIONAL TIME REQUEST CHART; if applicable

VI. Licensed Healthcare Professional's Certification

I have attached to this Form D copies of all records in my possession or control on which I have relied in answering the inquiries on this form. If there exists some ethical or professional reason that I cannot attach the required records to Form D for return to the Applicant, I hereby certify that I will mail the required records directly to the Virginia Board of Bar Examiners, 2201 West Broad Street, Suite 101, Richmond, VA 23220. I understand that the Applicant's request for non-standard testing accommodations will not be processed without these records, causing him/her to make a choice to take the Virginia Bar Exam under standard testing conditions or to delay taking the Virginia Bar Exam until the Petition is complete.

I understand that a representative or agent of the Virginia Board of Bar Examiners may contact me for clarification of my responses on this form.

I certify that all the information on this form is true and correct to the best of my knowledge and belief.

Signature of Licensed Healthcare Professional

Date Signed

The Virginia Board of Bar Examiners may have all documentation related to this matter reviewed by the Board's expert(s) and may require additional documentation and/or testing.

Accommodations Request Chart

Standard testing on the Virginia Bar Examination is two days. The first day is the Virginia Essay session administered in two 3-hour sessions. The second day is the Multistate Bar Examination (MBE), which is a standardized test, also administered in two 3-hour sessions. There is about a 1 to $1\frac{1}{2}$ hour lunch break between sessions on each day of the exam. The Additional Time Request Chart details each session. The typical physical testing environment consists of a large room in which 150 - 900 applicants are seated in assigned seats, two per 6' table or three per 8' table. Applicants may leave the room to use the restroom or get a drink of water; however, no food or beverages will be permitted in the testing room.

Check Yes for all non-standard testing accommodations required for the applicant's disability and provide the specific rationale for each accommodation.

Check all that apply	Accommodations	Specific rationale for accommodation
YES	Additional testing time	To receive additional time, provide the amount of time per session on the Additional Time Request Chart .
YES	Large print testing materials 18pt24pt	
YES	Braille version of exam	
YES	Use of magnifying glass or special visual aid/apparatus	
YES	Assistance in filling in MBE grid	
YES	Use of sign language interpreter	
YES	Use of a reader	
YES	Transcriptionist/Court Reporter	
YES	Audio CD version of exam	
YES	Electronic version of exam (Software details required)	
YES	Testing room with like- accommodated applicants	
YES	Private testing room	
YES	Wheelchair accessibility	
YES	Medication	
YES	Other requests not listed above	

Revised October 2020

Additional Time Request Chart

Day 1 – Essay & Multiple Choice		
Consists of 9 Essay questions and 10 Multiple Choice questions di Standard sessions are 3 hours (180 minutes) each. Applicants can answers. Applicants who choose to handwrite their answers are p paper. Applicants who choose to type their answers using their lap required software.	n choose to e rovided boo	either handwrite or type their klets containing sheets of lined
Morning Session – consisting of 5 Essay questions in various subject	t matters.	
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for Essay Morning Session:		minutes
Afternoon Session – consisting of 4 Essay questions and 10 Multiple	Choice que	stions in various subject matters.
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for Essay Afternoon Session:		minutes
Provide an explanation as to how the specific aspect(s) of the appl take the essay portion of the Virginia Bar Exam under standard tes		
 Day 2 – Multistate Bar Exam Consists of 200 multiple choice Multistate Bar Exam (MBE) question 	ons, which m	nust be answered by using a pencil
and bubbling in circles on a computer-graded grid sheet.		
Morning Session – consisting of 100 multiple choice questions.		
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for MBE Morning Session:		minutes
Afternoon Session – consisting of 100 multiple-choice questions.		
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for MBE Afternoon Session:		minutes
Provide an explanation as to how the specific aspect(s) of the appl take the Multistate (MBE) portion of the Virginia Bar Exam under s		

Form E – PSYCHOLOGICAL DISABILITY VERIFICATION

- **APPLICANT AUTHORIZATION** (must be signed and notarized before submitting the entire Form E to your licensed healthcare professional for completion).
- **HEALTHCARE PROFESSIONAL FORM** (must be completed by the licensed healthcare professional who is/was most recently involved in the treatment of your disability).

APPLICANT AUTHORIZATION
Applicant's Name: Jane Smith Doe
Date of Birth: January 1, 1985 SSN: XXX-XX-99999
Form E: Psychological Disability: Obsessive Compulsive Disorder
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.
Signature of Applicant
EXAMPLE TED BY A NOTARY PUBLIC ====================================
I, a Notary Public of such County/City, certify that on this day personally appeared before me
Jane Smith Doe
who thereupon made oath that all statements contained in this application are true and complete.
Given under my hand this day of ,
My commission expires on,,
Notary Public
Registration Number (if applicable)
NOTARY SEAL (must be affixed)

Form E – PSYCHOLOGICAL DISABILITY VERIFICATION

HEALTHCARE PROFESSIONAL FORM

I. Qualifications of the Licensed Healthcare Professional

Petition for Non-Standard Test	Jane Smith Doe		(Applicant)		
Licensed healthcare professional Street	Dr. Morris 15 Locale Avenue				
City	Richmond	State	VA	ZIP 2	3226
Phone number	(804) 555-8888	Fax number			
Occupation/Specialty		I			
License/Certification number					
Name of licensing entity					

NOTICE TO LICENSED HEALTHCARE PROFESSIONAL:

For your convenience, a fillable PDF version of this form (Form E – Psychological Disability Verification) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Following is the Board's policy for determining whether to grant test accommodations on the Virginia Bar Examination:

In deciding the merits of Petitions for Non-Standard Testing Accommodations, the Board relies upon the definition of disability contained in the Americans with Disabilities Act as amended by the ADA Amendment Act of 2008 (ADA/ADAAA), and as interpreted by controlling case law.

A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual. "Substantially" means "considerable" or "specified to a large degree." An applicant will be compared to the average person in the general population in determining whether a disability substantially limits a major life activity.

The negative effects of corrective and mitigating measures, such as side effects of medication or burdens associated with following a particular treatment regimen, may be considered when determining whether an applicant is "substantially limited" in a major life activity and, therefore, disabled. Corrective and mitigating measures may be measures undertaken with artificial aids, like medications and devices, and measures undertaken, whether consciously or not, by the body's own systems.

Merely having an impairment does not make an individual disabled for purposes of the ADAAA and does not automatically qualify an applicant for an accommodation. An applicant must also demonstrate that the impairment limits a major life activity. To qualify as being disabled under the ADAAA, an applicant must further show that the limitation on the major life activity is "substantial."

The determination of a disability by the Board is an individualized inquiry and will be made on a case-by-case basis.

Return the completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Jane Si			
	mith Doe	February 2021	Non-Standard Testing
		ility within your field of expertise? Yes entials which qualify you to diagnose and/or verify	
ii yoo, j			
Please on licer	e describe the training you nsing examinations such	I have had in the area of making recommendatior as the Virginia Bar Examination.	ns for specific time accommodations
II. Psyc	chological Disability		
1. 8	State the specific diagnos	sis of the disability affecting the Applicant.	
2. \	When was the Applicant f	first diagnosed with this disability?	
З. [Did you make the initial d		sional who made the initial diagnosis.
З. [Did you make the initial d	iagnosis?YesNo	sional who made the initial diagnosis.
3. [Did you make the initial d	iagnosis?YesNo	sional who made the initial diagnosis.
З. [Did you make the initial d	iagnosis?YesNo	sional who made the initial diagnosis.
З. [Did you make the initial d	iagnosis?YesNo	sional who made the initial diagnosis.

	Are these symptoms secondary to any other disorders?YesNo
1	f yes, please explain.
١	What other diagnoses were considered?
`	
ŀ	How were other diagnoses ruled out?
	J. J
ł	How long has the Applicant had a documented history of mental or psychological disability?

TO BE COMPLETED BY LICENSED HEALTHCARE PROFESSIONAL

b.	If the treatment includes medication, state each medication the Applicant is taking for this disability and describe how the medication treats the disability.
C.	Summarize any negative effects the Applicant has experienced with this medication, emphasizing any which will affect his/her performance on the Virginia Bar Examination.
Wha	at remediation techniques have been attempted to alleviate the Applicant's impairment during tests? Have
	at remediation techniques have been attempted to alleviate the Applicant's impairment during tests? Hav y worked?
they 	

February 2021

TO BE COMPLETED BY LICENSED HEALTHCARE PROFESSIONAL

Jane Smith Doe

Non-Standard Testing

February 2021

Plea	se attach a psychological report that contains information necessary to document your diagnosis. The mation in the psychological report should include the following:
•	Full mental status
•	Psychosocial history (family, medical, educational, vocational, etc.)
•	Differential diagnoses
•	Diagnostic formulation Prognosis
•	Filightesis
lf psy	ychological/neuropsychological testing was conducted, please provide all test scores with interpretation
In its	s current state, is the Applicant's disability temporary or permanent? Temporary Perman
lf you abate	u indicated the disability to be temporary, state when and under what conditions the disability is likely to e.

- ACCOMMODATIONS REQUEST CHART; if applicable 1.
- ADDITIONAL TIME REQUEST CHART; if applicable 2.

IV. Licensed Healthcare Professional's Certification

I have attached to this Form E copies of all records in my possession or control on which I have relied in answering the inquiries on this form. If there exists some ethical or professional reason that I cannot attach the required records to Form E for return to the Applicant, I hereby certify that I will mail the required records directly to the Virginia Board of Bar Examiners, 2201 West Broad Street, Suite 101, Richmond, VA 23220. I understand that the Applicant's request for non-standard testing accommodations will not be processed without these records, causing him/her to make a choice to take the Virginia Bar Exam under standard testing conditions or to delay taking the Virginia Bar Exam until the Petition is complete.

I understand that a representative or agent of the Virginia Board of Bar Examiners may contact me for clarification of my responses on this form.

I certify that all the information on this form is true and correct to the best of my knowledge and belief.

Signature of Licensed Healthcare Professional

Date Signed

The Virginia Board of Bar Examiners may have all documentation related to this matter reviewed by the Board's expert(s) and may require additional documentation and/or testing.

Accommodations Request Chart

Standard testing on the Virginia Bar Examination is two days. The first day is the Virginia Essay session administered in two 3-hour sessions. The second day is the Multistate Bar Examination (MBE), which is a standardized test, also administered in two 3-hour sessions. There is about a 1 to $1\frac{1}{2}$ hour lunch break between sessions on each day of the exam. The Additional Time Request Chart details each session. The typical physical testing environment consists of a large room in which 150 - 900 applicants are seated in assigned seats, two per 6' table or three per 8' table. Applicants may leave the room to use the restroom or get a drink of water; however, no food or beverages will be permitted in the testing room.

Check Yes for all non-standard testing accommodations required for the applicant's disability and provide the specific rationale for each accommodation.

Check all that apply	Accommodations	Specific rationale for accommodation
YES	Additional testing time	To receive additional time, provide the amount of time per session on the Additional Time Request Chart .
YES	Large print testing materials 18pt24pt	
YES	Braille version of exam	
YES	Use of magnifying glass or special visual aid/apparatus	
YES	Assistance in filling in MBE grid	
YES	Use of sign language interpreter	
YES	Use of a reader	
YES	Transcriptionist/Court Reporter	
YES	Audio CD version of exam	
YES	Electronic version of exam (Software details required)	
YES	Testing room with like- accommodated applicants	
YES	Private testing room	
YES	Wheelchair accessibility	
YES	Medication	
YES	Other requests not listed above	

Revised October 2020

Additional Time Request Chart

Day 1 – Essay & Multiple Choice		
Consists of 9 Essay questions and 10 Multiple Choice questions Standard sessions are 3 hours (180 minutes) each. Applicants of answers. Applicants who choose to handwrite their answers are paper. Applicants who choose to type their answers using their	can choose to e e provided boo	either handwrite or type their klets containing sheets of lined
required software.		
Morning Session – consisting of 5 Essay questions in various subj	ject matters.	
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for Essay Morning Session:		minutes
Afternoon Session – consisting of 4 Essay questions and 10 Multi	ple Choice que	stions in various subject matters.
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for Essay Afternoon Session:		minutes
take the essay portion of the Virginia Bar Exam under standard	testing times a	nd conditions.
Dev 2 Mulfietete Dev Even		
Day 2 – Multistate Bar Exam Consists of 200 multiple choice Multistate Bar Exam (MBE) que and bubbling in circles on a computer-graded grid sheet.	estions, which n	nust be answered by using a pencil
Morning Session – consisting of 100 multiple choice questions.		
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
	100	
Total Time Requested for MBE Morning Session:		minutes
Afternoon Session – consisting of 100 multiple-choice questions.		
Additional Requested Time (Minutes)		minutes
Standard Time (3 hrs = 180 minutes)	180	minutes
Total Time Requested for MBE Afternoon Session:		minutes
Provide an explanation as to how the specific aspect(s) of the a take the Multistate (MBE) portion of the Virginia Bar Exam unde		

Form F – STATEMENT OF LAW SCHOOL ACCOMMODATIONS

- **APPLICANT AUTHORIZATION** (must be signed and notarized before submitting the entire Form F to your law school for completion).
- LAW SCHOOL REPRESENTATIVE FORM (must be completed by a law school representative responsible for authorizing test accommodations).

APPLICANT AUTHORIZATION
Applicant's Name: Jane Smith Doe
Date of Birth: January 1, 1985 SSN: XXX-XX-9999
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.
Signature of Applicant
======================================
Commonwealth/State/District of
County/City of
I, a Notary Public of such County/City, certify that on this day personally appeared before me
Jane Smith Doe
who thereupon made oath that all statements contained in this application are true and complete.
Given under my hand this day of ,
My commission expires on,,,
Notary Public
Registration Number (if applicable)
NOTARY SEAL (must be affixed)

Form F – STATEMENT OF LAW SCHOOL ACCOMMODATIONS

LAW SCHOOL REPRESENTATIVE FORM

NOTICE TO LAW SCHOOL REPRESENTATIVE:

For your convenience, a fillable PDF version of this form (Form F – Statement of Law School Accommodations) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Petition for Non-Standard Testing Accommodations for	Jane Smith Doe	(Applicant)
Ι,	, as	(Title)
affirm that my position at		(Name of Law School)
is such that it is my responsibility to authorize testing acco	ommodations requested by s	tudents.
Disability claimed by the Applicant:		
While in attendance at this law school, the Applicant was accommodations:	granted and/or	denied the following test
If the Applicant was granted any accommodation(s), state	below all accommodations g	granted and reasons therefor.
		·
If the Applicant was denied any accommodation(s), state	below all accommodations d	enied and reasons therefor.
Was the Applicant's request for accommodation(s) review	ed by an independent exper	t in the claimed disability?
YesNo If yes, attach a copy of t	he expert's report.	
If the Applicant was granted additional testing time, was the	ne extra time actually used?	
YesNoInformation not avail		

Official's Signature

Date

Form G – STATEMENT OF BAR EXAM ACCOMMODATIONS

- **APPLICANT AUTHORIZATION (**must be signed and notarized before submitting the entire Form G to your bar admission official for completion).
- BAR ADMISSION OFFICIAL FORM (must be completed by a bar admission official).

APPLICANT AUTHORIZATION				
Applicant's Name: Jane Smith Doe				
Date of Birth: January 1, 1985 SSN: XXX-XX-99999				
I hereby authorize the release of the information requested on this form, and I request that all such additional items supporting my disability be attached to this form and returned to me for submission to the Virginia Board of Bar Examiners.				
Signature of Applicant				
====== SECTION BELOW MUST BE COMPLETED BY A NOTARY PUBLIC ====================================				
County/City of				
I, a Notary Public of such County/City, certify that on this day personally appeared before me				
Jane Smith Doe				
who thereupon made oath that all statements contained in this application are true and complete.				
Given under my hand this day of ,				
My commission expires on,,				
Registration Number (if applicable)				
NOTARY SEAL (must be affixed)				

Form G – STATEMENT OF BAR EXAM ACCOMMODATIONS

BAR ADMISSION OFFICIAL FORM

NOTICE TO BAR ADMISSION OFFICIAL:

For your convenience, a fillable PDF version of this form (Form G – Statement of Bar Exam Accommodations) is also available on the Virginia Board of Bar Examiners' website (<u>barexam.virginia.gov/bar/barnstforms.html</u>). Legibly print or type your responses. Return this completed form to the Applicant for submission to the Board for consideration of the Applicant's request for test accommodations.

Petition for Non-Standard Testing Accommodations for	Jane Smith Doe		(Applicant)	
l, ,	as		(Title)	
affirm that my position at		(Name of Bar Exam Ju	urisdiction)	
is such that it is my responsibility to authorize testing accommodations requested by applicants.				
Disability claimed by the Applicant:				
The Applicant requested accommodations for the following	g bar examination(s)		<u>.</u>	
was granted and/or denied the following test			, and	
If the Applicant was granted any accommodation(s), state below all accommodations granted and reasons therefor.				
If the Applicant was denied any accommodation(s), state below all accommodations denied and reasons therefor.				
in the Applicant was defined any decommodation(3), state t				
Was the Applicant's request for accommodation(s) reviews	ed by an independent e	xpert in the claimed disa	ability?	
Yes No If yes, attach a copy of t	he expert's report.			
If the Applicant was granted additional testing time, was the	-	ed?		
Yes No Information not availa	able			

Official's Signature

Date