

**BOARD OF BAR EXAMINERS
OF THE DELAWARE SUPREME COURT**

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**APPLICATION FOR TESTING ACCOMMODATIONS
NOTICE TO APPLICANT AND GENERAL INSTRUCTIONS**

The Board of Bar Examiners of the Delaware Supreme Court (the “Board”) encourages persons with disabilities to apply for testing accommodations, and it is the policy of the Board to make reasonable test accommodations on the Delaware Bar Examination for qualified applicants with disabilities in accordance with the Americans with Disabilities Act, as amended.

The bar examination in Delaware is a 2-day, timed examination designed to test the knowledge and skills necessary for admission to the Delaware Bar. Any person who has a physical or mental impairment that substantially limits a major life activity or a major bodily function is eligible to receive necessary and reasonable test accommodations. A reasonable accommodation is an adjustment or modification of the standard testing conditions, or an appropriate auxiliary aid or service, that ameliorates the impact of the applicant’s disability without: (i) fundamentally altering the nature of the bar examination, including but not limited to compromising the validity or reliability of the examination; (ii) imposing an undue burden on the Board; or (iii) jeopardizing examination security.

A complete *Form 1: Applicant Request for Test Accommodations (“Form 1 Application”)* must be received by the Board within the time period set by the Board and published on the Board’s website. **The *Form 1 Application* must contain all information, verifications, and supporting documentation (as available) upon which the applicant is relying in support of the requested accommodation(s). This may include information that must be provided by or verified by third parties, so the Board STRONGLY encourages applicants to begin the process of obtaining such information as early as possible.** Required information will necessarily vary based on the nature of the identified disability and specific accommodations requested. Applicants should focus on providing sufficient information for the Board to determine the nature of the identified disability(ies) and the applicant’s need for the requested testing accommodation. The Board reviews all requests on a holistic, case-by-case basis. Applicants should carefully review the instructions listed below to ensure that they provide all necessary information.

Pursuant to Board Rule 15(b), requests received after the filing deadline will only be considered if (i) the disability for which the applicant is seeking accommodations is based on an injury or impairment acquired after the final filing deadline or within fifteen (15) days prior to the final filing deadline; or (ii) if the disability is based on an injury or impairment acquired more than fifteen (15) days prior to the final filing deadline, upon application to the Board and good cause shown.

DO NOT FILE A FORM 1 APPLICATION if you are **ONLY** requesting permission to bring with you into the examination room a medical assistive item or device that is not explicitly permitted by the Board’s testing security policies (such as, for example, diabetic supplies, lumbar support, a lactation pump, or prescription medication), and/or if you are requesting special seating because of a medical condition. For such requests, applicants only need to file a *Request for Administrative Accommodations*. That request form is available on the Board’s website.

GENERAL INSTRUCTIONS

The *Form 1 Application* includes up to six separate documents (the *Form 1 Application*, plus Forms A–E). You must fill out the *Form 1 Application* and only those separate form(s) (i.e., Forms A–E) that relate to your specific disability and/or request for accommodations. A checklist is provided for you in the *Form 1 Application*, and specific instructions for individuals who have recently received accommodations on the Delaware Bar Examination, another state bar examination, or the MPRE, are provided in the next section.

SEVERAL OF THE FORMS ARE REQUIRED TO BE FILLED OUT AND EXECUTED BY THIRD PARTIES, so the Board STRONGLY recommends starting this process as early as possible. There are separate forms for various types of disabilities. For Forms A–C, you will need to complete the top portion of the applicable disability verification form, and request that your qualified professional complete the rest of the form and return it to you. The Board strongly recommends that the qualified professional attach a comprehensive evaluation report and/or relevant record to the form, as requested in the form.

You will also need to submit a *Form D: Verification of Accommodations History* by each educational institution or testing agency (each, an “entity”) from which you have previously requested accommodations, irrespective of whether that request was granted, denied, or granted in part and denied in part. You will need to complete the top portion of the *FORM D* and request that the entity complete the rest of the *FORM D* and return it to you for submission to the Board. In the alternative, you can 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, so long as that proof identifies the time frame and nature of the disability for which any accommodations were requested.

If the nature of your disability is AD/HD or a Learning Disability, the Board strongly recommends that you attach copies of transcripts and score reports.

Once all information is collected and your application is complete, submit the request in one submission as instructed on the Board’s website.

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REPEAT ACCOMMODATIONS FOR RETAKE APPLICANTS

If, within the last three (3) years, you (i) have been granted accommodations for a previous Delaware Bar Examination, another state bar examination, or the MPRE, (ii) there is no material change in your condition or your disability, and (iii) you are requesting the *exact same accommodations previously granted*, to reapply for accommodations for the current examination you need to take the following steps:

1. Fill out the APPLICANT REQUEST FOR TEST ACCOMMODATIONS;
2. If the prior accommodation on which you are relying was for another state bar examination or the MPRE, complete *FORM E* and attach evidence of the previously-granted accommodations, and then move to step 4;
3. If the prior accommodation on which you are relying was for the Delaware Bar Examination, either: (i) attach the letter granting accommodations that you received from the Board granting those accommodations; or (ii) if you no longer have the letter granting accommodations, complete *FORM E* and attach any evidence of the previously-granted accommodations; and then move to step 4; and
4. Submit the request as provided for on the Board's website.

If you have been granted accommodations for a previous Delaware Bar Examination, another state bar examination, or the MPRE, but the nature of your disability is changeable, in addition to completing *FORM E*, you may also be asked to provide medical documentation regarding your current functional limitations and ongoing need for accommodations. You should include this information by filling out the relevant sections of the *Form 1 Application* and providing the information you would like the Board to consider along therewith. The Board may require additional documentation for any request for repeat accommodations for the purpose of assessing an applicant's current level of impairment and need for accommodations.