



## Psychological Disability Documentation Guidelines

Please complete the South Texas College of Law Houston online *Application for Accommodations and/or Services for Students with Disabilities* and submit the required documentation:

- A. **PREVIOUS ACCOMMODATIONS:** An official notice of accommodations granted by high school, college, the SAT, ACT, LSAT, MPRE, etc.
- B. **A PERSONAL STATEMENT** completed by you, as directed below.
- C. **CURRENT and PREVIOUS EVALUATIONS**, as directed below.

**Directions:** The typed *Personal Statement* should be about two to three pages in length, although it may be longer. **This personal statement will form an integral part of our inquiry process and will factor into the decision-making process.** Respond fully to the topics below to show how your disability substantially limits one or more major life activities. Major life activities include learning, reading, concentrating, thinking, communicating, and working. Describe your current symptoms in detail. Recall that you should be describing functional limitations compared to **most people in the general population** and not compared to your peers in law school. Many students have trouble reading law books and must re-read material more than once. Many students have trouble concentrating for long periods and lose their train of thought. Most law students experience anxiety when taking exams or responding to questions in class. Provide as much concrete evidence as possible.

**Topic 1: When did you first experience symptoms related to your disability?** How old were you? What kind of help did you seek? Did you have any special services, attend special classes, receive tutoring? Were you formally evaluated? Did you have an IEP or 504 plan in elementary school, middle school, high school, or college? Did you receive accommodations in any educational settings? Did you receive accommodations on any standardized tests, including the SAT, ACT, LSAT?

If you have a documented history of a psychological disability, even without a formal diagnosis, this information can be very helpful in demonstrating that the onset of the condition is not limited exclusively to participating in law school. Parental information may be helpful to document information, including recollections of teacher reports. Any interventions that were provided are important. Include any counseling or extra help you received that most students did not need, particularly if it was ongoing or intensive. If you met with a school counselor, social worker, minister, pediatrician, or anyone in your community to help you deal with symptoms related to your current condition, include that here.

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**Topic 2: What current symptoms related to your disability substantially limit a major life activity in academic settings?** Include limitations related to studying, reading, memorizing, writing, organizing time and materials, taking notes in class, participating in class discussions, etc. Provide numerous and highly specific examples of the types of symptoms you experience.

**Topic 3: What current symptoms related to your disability substantially limit a major life activity on exams?** Again, provide numerous and highly personal details that do not apply to all students. Saying that you “blanked out because you got nervous,” is something almost every law student could say they experience on an exam. Explain what happens to you in very specific terms. Do you have physical symptoms? What are they? How often do they occur? How long do they last?

**Topic 4: What current symptoms related to your disability substantially limit a major life activity outside of school?** Remember, most people in the general population would experience difficulties in law school, so you should be able to describe a need for accommodations across settings.

What current symptoms related to your disability substantially limit a major life activity in work or in internships in the recent past? Have you ever requested or received formal or informal accommodations in the workplace? If so, please explain. Formal accommodations might include asking for permission to work variable hours, or requesting additional “Work from Home” hours, or putting in non-billable hours to finish work colleagues easily finished in the allotted time. Informal accommodations could include requesting permission to wear headphones, working in a conference room when available, using a blocking screen on your desk, etc.

What symptoms do you experience in social situations, recreational situations, family situations?

**Topic 5: What kind of treatment are you currently receiving? What kinds of strategies or skills have you learned that have helped you deal with your symptoms?** Do you take medication to alleviate symptoms? If so, in what way is it helpful? Are there any limitations? Are there side effects that create unintended consequences, such as fatigue, anxiety, sleep difficulties, or problems with concentration?

Have you learned any skills or strategies to cope with any of the symptoms you described? What are they? How do you employ them? Do you use them at other times?

**Topic 6: What accommodations do you require?** Write a very specific rationale for each accommodation. Tie the rationale to the symptoms and functional limitations you have described. Have you experienced a difference in your performance when you have had accommodations? What was the difference?

**Topic 7: If applicable; this question should be given a great deal of consideration: Have you decided not to apply for accommodations in other settings?** Were you successful without



accommodations? Explain. Stating that the “reading in law school is harder,” would not likely rise to the level of a disability as that would be true for most people in the population, including most students with a four-year college degree. Stating that you were able to avoid in-class, timed exams would be a legitimate explanation, particularly if your transcripts show much lower grades in classes that had timed, in-class exams.

If you have applied for accommodations in other setting and were denied in whole or part, provide the month and year the request was made, the condition or diagnosis for which accommodations were requested, the accommodations requested, the educational institution or testing agency and the reason given for the denial of partial denial.

**Topic 8: (Optional)** Add anything else you believe is relevant to formulate a solid argument to show why your disorder rises to the level of a protected disability meriting accommodations.

**A Note to the Student:** Everything you included in the personal statement should be incorporated in either a new or updated evaluation from a qualified practitioner. Why? All the questions included in this statement are also required in the applications for accommodations by the Board of Law Examiners, but only a single page is provided for a personal statement. Further, some questions can only be addressed by a qualified practitioner. The examiner can simply state: As part of the required application for STCLH, the patient completed a detailed personal history. I endorse the information copied here in its entirety.

**EVALUATION(S): Previous evaluations and an updated evaluation if applicable.**

**A.** A clinical report to be completed by your medical provider. An applicant’s psychological disability must be identified by a diagnostic/clinical evaluation that is well documented in the form of a comprehensive report. Most reports of this nature are about 3-6 pages in length and may be longer. This evaluation is usually prepared by a psychiatrist, psychologist, clinical social worker, or similarly trained medical professional. The professional should have appropriate licensure or certification, training, and expertise in diagnosis of psychological disorders. Since psychiatric disabilities can change, recent medical documentation is generally needed to evaluate the request for accommodations. An evaluation that was done more than 12 months ago may suffice, depending on the nature of the disability, severity of symptoms, and other similar considerations. It may be sufficient to provide only a brief status update from a mental health provider or a copy of a recent progress note *if a comprehensive evaluation is also submitted that is still deemed to be applicable by the trained medical professional. Note that copies of charts and/or hand-written notes are not acceptable substitutes for an evaluation, but can be provided to further document the nature of the disability.*



The report should address all of the areas below:

Relevant developmental, medical, historical, and familial data

A psychiatric or psychological history including date of onset, duration, and severity.

A discussion of past treatment and impact of treatment.

Results of a full mental status examination including a specific diagnosis based on the Diagnostic and Statistical Manual of Mental Disorders. Include a discussion of differential or “rule out” diagnoses and a prognosis.

A detailed description of current symptoms, including frequency, intensity, and duration to establish severity of symptoms. Symptoms that will support a need for accommodations must be severe and substantial compared to most people in the general population, and not only in comparison to the student’s potential or other law students. If symptoms are exacerbated by highly stressful situations or are episodic in nature, please explain.

Note that in addition to clinical observations, much of this information may already be included in the student’s *Personal Statement*, required as part of the law school’s application for accommodations. The examiner is strongly urged to add this *Personal Statement* to the report, in its entirety, to be certain it becomes a part of the record. It can be copied into the report or included as an Addendum. Why is this so critical? All of the information included in the *Personal Statement* covers questions required in the Bar application for accommodations that must be answered by a qualified professional.

Medication history, including current medication regimen, any side effects, and positive and negative response(s) to medication. If there are unintended consequences or side-effects from the medication, please discuss. For instance, if medication results in exacerbated anxiety or causes fatigue or reduced concentration, please explain.

Results of any tests or instruments used to supplement the clinical interview and support the presence of functional limitations, including any psychoeducational or neuropsychological testing, rating scales, or personality tests. If no tests are included, please explain why. It may be that clinical observations are sufficient to rule in a diagnosis.

A discussion of prior accommodations used and the extent to which those accommodations met the applicant’s needs

A rationale for each requested accommodation that is correlated with specific functional limitations established through the evaluation process.

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**Examples** of recommended accommodations and rationales follow. They were composed by our Independent Educational Consultant, Laura Naistadt Massa, M.S., M.Ed., who has granted permission for qualified examiners to use this wording and format, verbatim, when it applies.

*Extended time: 50%*

Rationale:

Extended time for reading enables Mr. Qualified to re-read everything twice. The second reading enables Mr. Qualified to avoid errors that occur when he has lapses in concentration. Mr. Qualified must also reread material to account for documented weaknesses in working memory as intrusive thoughts interfere with his recall of critical details.

Extended time for writing allows Mr. Qualified to re-read directions and lengthy prompts and gives him time to create more detailed outlines before writing. Without extended time to write more detailed outlines, Mr. Qualified's anxiety interferes with his ability to write in an organized fashion, as he must re-read what he has written when he loses his train of thought.

*Stop-the-clock breaks, up to an additional 50 percent for food, medicine, rest breaks.*

Rationale:

In order to alleviate more severe symptoms of anxiety, Mr. Qualified may need to step away from the exam for a movement break, rest break, medication, or food to enable him to alleviate acute symptoms related to his disability. During these breaks he may practice behavioral cognitive therapy strategies to enable him to regain his focus if his anxiety escalates while he is taking an exam.

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