

United States Senate

March 20, 2018

Dean Kellye Y. Testy
President & CEO
Law School Admission Council, Inc.
662 Penn Street
Newtown, PA 18940

Dear Dean Testy:

I write today with great concern regarding the recent reports¹ of the Law School Admission Council (LSAC) likely being in contempt of a consent decree on how individuals with disabilities are accommodated during admissions tests, particularly individuals with dyslexia.

Dyslexia is defined² as an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader. It is most commonly caused by a difficulty in phonological processing (the appreciation of the individual sounds of spoken language) that affects the ability of an individual to speak, read and spell, and often, the ability to learn a second language. Individuals with dyslexia often experience difficulty in recognizing words quickly and need more time to complete a reading task, especially on a timed standardized exam.

According to the consent decree, LSAC is required to make reasonable accommodations for test takers and to limit requests for documentation proving the disability. However, the court found that LSAC often uses a "no decision" designation to get around the consent decree's requirements and utilizes a "50 percent" letter giving individuals two choices: agree to lesser accommodations or take the test under standard restrictions until additional documentation can be provided.

In addition, the Americans with Disabilities Act (ADA) requires individuals with disabilities be granted testing accommodations, such as extra time to allow such individuals to complete the test and provide accurate assessment of their knowledge on a given subject³. Also, the ADA states that requesting these accommodations must not be burdensome on individuals and should be granted in a timely manner.

¹ Cara Bayles, "LSAT Administrator Likely In Contempt As Feds Sit Idly By," Law360, February 23, 2018

² S Res 284, A resolution Calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed, and designating October 2017 as "National Dyslexia Awareness Month"

³ 28 C.F.R. 36.309

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Given the court's findings, I respectfully request that LSAC consider changing its procedures by hiring additional staff to process applications in a timelier manner, or changing your registration deadlines in order to appropriately extend full accommodations to all qualifying individuals.

Countless individuals, especially students with dyslexia, have great successful careers. However, it is difficult for these individuals to be successful if they are not provided the appropriate accommodations they deserve and are rightly awarded under federal law.

Thank you for your consideration of this request. I look forward to receiving your response.

Sincerely,

A handwritten signature in blue ink that reads "Bill Cassidy, M.D." The signature is written in a cursive style with a large, prominent "B" and "C".

Bill Cassidy, MD
United States Senator