

**Subject:** LAW SCHOOL ADMISSION COUNCIL AGREES TO SYSTEMIC REFORMS AND \$7.73 MILLION PAYMENT TO SETTLE JUSTICE DEPARTMENT'S NATIONWIDE DISABILITY DISCRIMINATION LAWSUIT



## Department of Justice

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### **LAW SCHOOL ADMISSION COUNCIL AGREES TO SYSTEMIC REFORMS AND \$7.73 MILLION PAYMENT TO SETTLE JUSTICE DEPARTMENT'S NATIONWIDE DISABILITY DISCRIMINATION LAWSUIT**

WASHINGTON – The Justice Department filed a joint motion today for entry of a landmark consent decree to resolve allegations that the Law School Admission Council (LSAC) engaged in widespread and systemic discrimination in violation of the Americans with Disabilities Act (ADA). Under the proposed consent decree, LSAC will pay \$7.73 million in penalties and damages to compensate over 6,000 individuals nationwide who applied for testing accommodations on the Law School Admission Test (LSAT) over the past five years. The decree also requires comprehensive reforms to LSAC's policies and ends its practice of "flagging," or annotating, LSAT score reports for test takers with disabilities who receive extended time as an accommodation. These reforms will impact tens of thousands of test takers with disabilities for years to come.

The United States intervened in *DFEH v. LSAC Inc.*, which was originally brought on behalf of California test takers in the U.S. District Court for the Northern District of California. The United States' intervention expanded the case to ensure comprehensive and nationwide relief under Title III of the ADA for individuals with disabilities who request testing accommodations for the LSAT – a required examination for anyone seeking admission to an American Bar Association approved law school in the United States. The allegations in the complaint detail LSAC's routine denial of testing accommodation requests, even in cases where applicants have a permanent physical disability or submitted thorough supporting documentation from qualified professionals and demonstrated a history of testing accommodations since childhood. Without the necessary accommodations, test takers with disabilities are denied an equal opportunity to demonstrate their aptitude and achievement level. The lawsuit further alleged that LSAC engages in discrimination prohibited by the ADA through its practice of flagging the LSAT score reports of individuals who received extended time as a testing accommodation, thereby identifying to law schools that the test taker is a person with a disability.

"This landmark agreement compels systemic reforms to LSAC's treatment of test takers with disabilities and brings an end to LSAC's stigmatizing practice of flagging the score reports of individuals with disabilities who require certain testing accommodations," said Acting Assistant Attorney General Jocelyn Samuels for the Civil Rights Division. "If entered by the

court, this decree will impact tens of thousands of Americans with disabilities, opening doors to higher education that have been unjustly closed to them for far too long. We congratulate LSAC for signing this agreement, which will compensate victims of past discrimination and provide a model for the provision of testing accommodations to test takers with disabilities on standardized examinations.”

“The participation of the U.S. Attorney’s Office in this important litigation sends a strong message that no discrimination of any kind will be tolerated in this district,” said U.S. Attorney Melinda Haag for the Northern District of California. “We are fully committed to ensuring equal access to all opportunities society has to offer, including education.”

Under the consent decree, LSAC has agreed to:

- put a permanent end to the practice of flagging the LSAT score reports of individuals with disabilities who take the LSAT with the common testing accommodation of extended time;
- pay \$7.73 million to be allocated for a civil penalty, compensation to individuals named in the United States’ and other plaintiffs’ complaints, and a nationwide victims’ compensation fund;
- streamline its evaluation of requests for testing accommodations by automatically granting most testing accommodations that a candidate can show s/he has previously received for a standardized exam related to post-secondary admissions (such as the SAT, ACT or GED, among others); and
- implement additional best practices for reviewing and evaluating testing accommodation requests as recommended by a panel of experts (to be created by the parties).

Individuals who applied for testing accommodations from LSAC between Jan. 1, 2009, and the court’s entry of the consent decree may be eligible to receive a monetary award from a nationwide victims’ compensation fund. The claims administrator for the fund has not yet been determined; this information will be posted on LSAC’s website following entry of the consent decree by the court. Questions about the victims’ compensation fund should be directed to the claims administrator.

For more information or for a copy of the consent decree, please visit the [ADA website](#). Those interested in finding out more about the ADA may also call the Justice Department’s toll-free ADA Information Line at 800-514-0301 or 800-514-0383 (TDD).

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