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MULTIMILLION-DOLLAR SETTLEMENT LEVELS THE PLAYING FIELD FOR PEOPLE WITH DISABILITIES IN LAW SCHOOL ADMISSIONS

ELK GROVE - The California Department of Fair Employment and Housing (DFEH) announced today a multimillion-dollar settlement that prohibits the Law School Admission Council (LSAC) from discriminating against people with disabilities who take the Law School Admission Test (LSAT). ([HTML](#) | [PDF](#)) Requiring reasonable accommodations for test takers with disabilities, the more than \$8 million agreement was a successful collaboration between state and federal civil rights agencies and the private bar.

“This settlement ensures fairness and levels the playing field for persons with disabilities to enter the legal profession,” said Anna Caballero, Secretary of the Business Consumer Services and Housing Agency. “The Department of Fair Employment and Housing continues to take steps to ensure that the underrepresented are helped.”

The settlement, filed Tuesday in federal court for entry of an order by U.S. District Judge Edward M. Chen, includes an \$8.73 million payment, of which \$6.73 million will be equally distributed to an estimated 6,300 individuals nationwide who applied for testing accommodations on the LSAT from January 1, 2009 through May 20, 2014. This total includes attorney’s fees and costs to DFEH.

“DFEH took down a longstanding barrier to entering the legal profession for people with disabilities,” said Phyllis Cheng, DFEH Director. “California once more leads the way in opening doors for all who strive to become future attorneys regardless of disability.”

The complaint arose from DFEH’s two-year investigation which began after the Department received complaints of discrimination from individuals who had requested testing accommodations on the LSAT, the examination required for admission to most law schools.

In July 2010, Cheng issued a Director’s complaint alleging that LSAC denied reasonable accommodations to prospective test takers with disabilities, and that whenever a test-taker received testing accommodations, LSAC sent a letter which informed law schools that 1) the applicant was an individual with a disability; 2) the applicant’s LSAT scores “did not have the same meaning” as other applicant’s test scores; and 3) that the applicant’s test scores had to be viewed “with great sensitivity and flexibility.” ([HTML](#) | [PDF](#)) The U.S. Department of Justice joined in the federal court case, expanding it to encompass nationwide claims. ([HTML](#) | [PDF](#))

“This nationwide settlement illustrates the important role that government enforcement agencies can play in helping to secure relief for students with disabilities,” said Jocelyn Larkin, Executive

Director of The Impact Fund a nationally recognized expert in civil rights and systemic litigation. "Given the difficulties that private plaintiffs can sometimes face in obtaining class certification in disability rights cases, DFEH's ability to pursue systemic litigation can help protect our significant civil rights principles for all Californians."

The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence. For more information, visit the Department's Web site at www.dfeh.ca.gov.

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