

POLICIES AND PROCEDURES FOR STUDENT ACCOMMODATIONS

1. Overview

New England Law | Boston (the “Law School”) is committed to creating an inclusive and equitable educational environment for students with disabilities. In accordance with Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act of 2008 (ADAAA), the Law School is committed to providing accommodations such as academic adjustments, auxiliary aids, services, or reasonable modifications to a Law School policy or practice (collectively, “accommodations”) to qualified students¹ with documented disabilities, which are necessary to afford an individual with a disability an equal opportunity to participate in the Law School’s program or activities. The Law School is not required to provide accommodations that would (1) result in a fundamental alteration of an essential academic requirement that is necessary to the J.D. curriculum, including but not limited to, the Law School’s standards and requirements set forth in the Student Handbook, (2) result in a risk to the health or safety of the student or another individual, or (3) place undue financial or administrative burden on the Law School. In those cases, the request for accommodations may be denied.

Creating an accessible environment is a collaborative process that involves the Law School’s Office of Students Services, students, and where appropriate, faculty and staff. Through an interactive process, the Office of Student Services works individually with each student to provide equal access to the Law School’s courses, programs, and activities.

Given the specialized skills involved in the practice of law, accommodations that were available and adequate in high school, undergraduate study, and/or in standardized testing may not be appropriate adequate, or reasonable when applied to law study at the Law School.

If you have questions about accommodations or this policy, you may contact the Director of Student Services, who is the Law School’s designated Section 504 coordinator.

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The Law School reserves the right to amend this policy as circumstances require.

2. Procedures

¹ A “qualified student with a disability” is a student with a disability who meets the academic and technical standards requisite for admission or participation in the Law School’s educational program or activity.

A. Procedures for Students Requesting Accommodations for the First Time

1. Complete and submit the following to the Office of Student Services:
 - a. Acknowledgment of *Policies and Procedures for Student Accommodations*
 - b. *Application for Student Accommodations*
 - c. *Release of Information Form for Student Accommodations*
 - d. Copy of most recent diagnostic evaluation
 - e. Copy of the official letter received from the Law School Admission Council (LSAC) explaining testing accommodations, if applicable
 - f. An official letter from Accessibility Services explaining accommodations granted while enrolled at secondary school or undergraduate institution(s), if applicable
2. Schedule and meet with the Office of Student Services either in-person, via phone, or virtually.
3. The Office of Student Services will contact student applicant with any additional questions and requests for clarifying information.
4. The Office of Student Services will notify the applicant student of approved and/or denied accommodations with information concerning next steps.
5. Students who receive provisional accommodations must submit new requests each semester or academic year, depending on the terms of the approved provisional accommodations, to the Office of Student Services.

B. Procedures for Returning Students with Provisional or Approved Accommodations

1. Should you have additional requests, or modifications to fully approved, temporary, or provisional accommodations, please contact the Office of Student Services. You may be required to submit updated documentation in support of your request.
2. Students who receive temporary or provisional accommodations must submit new requests each semester or academic year, depending on the terms of the approved provisional accommodations, to the Office of Student Services.
3. If necessary, or if you have any questions, schedule a meeting with the Office of Student Services either in-person, via phone, or virtually.
4. The Office of Student Services will contact the student applicant with any additional questions and requests for clarifying information.
5. The Office of Student Services will notify the student applicant of approved or denied accommodations with information concerning next steps.

C. Important Notes about Accommodations

- A request for accommodations does not guarantee approval.
- Depending on the nature of the accommodation, approval of an accommodation may not mean immediate implementation.
- Accommodations are implemented from the point of approval forward; they may not be applied retroactively. In no circumstances will a student be given retroactive consideration for an exam retake, change in grade, readmission, or other such actions or events due to a qualified disability discovered or disclosed or documented to the Law School after the deadline for the action or event in question.
- The Law School does not provide accommodations that are unreasonable, place an undue administrative or financial burden on the Law School, lower academic or other performance standards, compromise the validity and reliability of an examination, or provide an unfair advantage to the student.
- The Law School is not obligated to provide accommodations or services to a student merely because the student has been diagnosed with a disability. The accommodations or services must be shown to be both necessary to the student and reasonable for the Law School to facilitate under the circumstances.
- Documentation must include current evidence of functional limitations in one or more major life activities related to learning in the law school setting.
- The cost of obtaining necessary exams, testing, and other documentation is borne by the student.

D. Timeline

Please note that the Office of Student Services may require up to *several weeks* to complete its review of requests for accommodations. Accordingly, *students seeking accommodations should start the process as soon as possible* (e.g., do not wait until an examination period to request accommodations for extended time on examinations). Please contact the Office of Student Services to discuss your individual needs. All requests for accommodations should generally be submitted by the stated deadlines below. While we have listed below suggested timeframes for submitting requests, we cannot predict the time it will take to process any particular request and recommend that requests and accompanying documentation be submitted at the earliest possible opportunity. All completed requests will be considered.

- Classroom Accommodations: At least *four weeks* before the start of the academic year or semester, if possible.
- Physical Access Accommodations: Students with accessibility concerns should contact the Office of Student Services as soon as they become aware of the need for physical access accommodations. Every effort is made to reduce barriers to classrooms and other Law School facilities.

- Examination Accommodations: Students who are aware of the need for possible examination accommodations should submit requests within *four weeks* after the start of the academic year or semester. Students who become aware of the need for possible examination accommodations later in the semester should submit requests four weeks before the examination period.
- Deadline extensions may be provided to students who were unable to meet the deadline due to extenuating circumstances. Depending on the circumstances, late requests for accommodations may not be implemented until the following semester in light of space or other administrative considerations.

E. Documentation

Documentation in support of a request for accommodation must be provided by a qualified professional who is licensed or certified and who possesses expertise in the area for which the accommodation is sought. Documentation must be from a treating professional, not from an individual with a personal relationship to the student (e.g., family member). Because the provision of all accommodations and services is based upon assessment of the current impact of the student's disabilities on the student's academic performance, it is in a student's best interest to provide recent and appropriate documentation. NOTE: Currency does not apply to physical or sensory disabilities of a permanent or unchanging nature. Prior use of specific accommodations in high school or at a prior institution does not guarantee the same accommodations will be granted at the Law School. A diagnosis, while an important part of the documentation review process, in and of itself may not qualify a student for accommodations.

For additional information regarding documentation requirements, please review all applicable disability verification guidelines below.

1. Learning Disability: Psychoeducational or neuropsychological evaluation
2. Attention Deficit/Hyperactivity Disorder (AD/HD): Psychoeducational or neuropsychological evaluation
3. Hearing Impairments: Audiogram
4. Visual Impairment: Acuity Report
5. Medical or Mobility Impairment: Letter from a treating health care provider
6. Psychological Impairments: Letter from a treating health care provider
7. Temporary Impairment: Letter from a treating health care provider

The Law School may request updated information to facilitate the accommodations process at any time. Documentation of a student's disability is not part of the student's academic record. All information related to a disability is treated as confidential and may be disclosed only with the student's written consent or to those with a "need to know," consistent with the Law School's policy and applicable federal and state laws.

3. Disability Grievance Process

A. Scope and Application

The Law School makes every effort to provide equal access to its programs and courses by providing accommodations in accordance with this policy and applicable law. If you are dissatisfied or disagree with a decision or implementation regarding an accommodation; or have concerns regarding the effectiveness and/or timeliness of a requested or an approved accommodation, you may submit a grievance to the Director of Student Services. Information concerning the Law School's Student Disability Grievance Process is provided below.

Any student currently enrolled at the Law School who believes that they have been grieved in connection with an accommodation request, decision, or implementation by a Law School employee (e.g., administrator, faculty, staff, adjunct faculty, or other agent of the Law School) or Law School student may use this process to file a grievance.

B. Formal Grievance Process

Students should proceed as follows in filing a formal grievance:

- i. A person who has concerns regarding disabilities and/or accommodations should discuss such concerns with the Law School's Director of Student Services who serves as the Law School's designated Section 504 coordinator. If the matter is not resolved through this discussion, the person may proceed to step ii below.
- ii. Students may file and submit a written formal grievance to the Director of Student Services, who will in turn, forward such grievance to an ad hoc committee consisting of three members appointed by the Dean (the "Grievance Committee"). If the Director of Student Services is the subject of the grievance, the student should file and submit the formal grievance to the Assistant Dean.
- iii. The formal grievance submitted by the student should include a statement regarding the specific reasons for the formal grievance with documentation in support thereof. The statement should be as specific as possible regarding the action-(s) or inaction(s) that precipitated the grievance: date, place, persons involved, efforts made to settle the matter informally, and the remedy sought.
- iv. The Grievance Committee considering the formal grievance will make its decision based on the student's letter stating the reasons for the formal grievance and supporting documentation, if any. The Grievance Committee will also review any documents or information submitted to the Law School that relate to the matter. The Grievance Committee may ask questions to, or request additional information and/or documentation from, the parties or witnesses involved. The Grievance Committee will not hear oral arguments.
- v. The Grievance Committee's decision shall be communicated to the grieving student and the Office of Student Services.

In cases where timeliness of an accommodation is important, every reasonable effort will be made to complete each stage of the process set forth above within ten business days, unless the circumstances require a more rapid response. In some situations, it may be appropriate to provide

the requested accommodation on a provisional basis, without obligation to continue the accommodation if it is found to be unreasonable or inappropriate.

These procedures shall constitute the grievance procedure mandated by regulations implementing Section 504.

C. Accommodations

The Law School will make arrangements to ensure that students with disabilities are provided appropriate accommodations as needed to participate in the Grievance Process. Requests for accommodations must be made to the Director of Student Services or, if the Director of Student Services is the subject of the grievance, to the Associate Dean.

4. Bar Exam and MPRE Accommodations

Graduating students who plan on requesting testing accommodations on the Bar Exam should first go to the website of the state where they are taking the exam and familiarize themselves with that state's application requirements and deadlines. Information about individual state Bar Exam requirements can be found on the American Bar website. Please keep in mind that the Law School's process of providing accommodations is not necessarily reflective of the process for receiving testing accommodations on the Bar Exam. Each state has its own requirements and accommodation request deadlines.

Please contact the Office of Student Services for additional assistance and information about requesting information on the Bar Exam. Information about requesting accommodations on the Multistate Professional Responsibility Exam (MPRE) can be found on the National Conference of Bar Examiners (NCBEX) website.

Please note: In order to allow for sufficient processing and notification of accommodation requests, it is highly recommended that accommodation requests be submitted to the respective state's Board of Bar Examiners or the NCBEX (for the MPRE) well in advance of the submission deadline.

5. Discrimination and Retaliation Prohibited

As stated in the Law School's Policy of Non-Discrimination, the Law School prohibits discrimination or retaliation against an individual based on disability. Such discrimination and/or retaliation violates federal and state laws and Law School policy and will not be tolerated.

6. Enforcement

Failure to follow the Law School's *Policies and Procedures for Student Accommodations* may subject the violator to disciplinary measures, up to and including suspension or dismissal from the Law School.