



# SPECIAL ACCOMMODATIONS GUIDELINES



# SEEKING DISABILITY ACCOMMODATIONS

## **A. General Statement**

It is the policy of St. Thomas University School of Law to provide reasonable accommodations for our students. We will make every effort to provide reasonable and necessary accommodations for students with disabilities in conformity with state and federal law. We are, however, unable to provide accommodations that are unduly burdensome or which fundamentally alter the Law School's educational program.

## **B. Admissions**

### **1. LSAT Requirement**

In the admissions process, because extensive accommodations are provided for taking the LSAT, waiver of the LSAT is unlikely to be granted. An indication on the LSDAS report that an applicant took an accommodated test will not affect the admissions decision.

### **2. Disclosure of Disability**

Applicants are not asked to indicate on the application whether they have a disability but may do so for purposes of requesting an accommodation. Disclosure of a disability during the application stage is purely voluntary.

## **C. Accommodations for Students Who Do Not Self-Identify in the Application Process**

A student seeking an accommodation after being admitted must make such request as soon as possible. The Law School will need adequate time for evaluating documentation, working out the specific accommodation, arranging scheduling in barrier-free classrooms, making arrangements including funding for auxiliary services, and arranging accommodations for Law School Orientation. The Law School may not be able to satisfy last-minute requests for some accommodations. Requests for exam accommodations must be made no later than Friday of the 4<sup>th</sup> week of the term if a first-time request is being made. In some circumstances, accommodations may be granted on a provisional basis and the student will be required to timely submit additional documentation. If a student does not submit the additional documentation within the time frame established he/she will lose the provisional accommodation and will have to reapply for an accommodation when he/she has additional documentation.

Students who seek accommodations or alterations in standard academic procedures because of a physical, learning, or mental disability must contact the Office of Stu-

dent Affairs as soon as possible after enrollment at St. Thomas University School of Law. It is the responsibility of the student requesting such accommodation to do so in a timely fashion in accordance with the requirements as set forth below.

Students need not make their disabilities known unless they want to request an accommodation. If seeking an accommodation, the student has the affirmative duty to inform the School of the disability and request the accommodation. The information about a student's disability is treated as confidential under applicable federal and state laws and Law School policies. This information is only provided to individuals who are privileged to receive such information on a need-to-know basis. Faculty members who are informed of a student's disability are advised that this information is confidential.

Once a student's request has been granted, it is the responsibility of the student to request a modification of the accommodation should such modification be needed.

### **1. Class Condition Modifications**

Academic modifications may include reduced course-loads, extending the amount of time for graduation, and tape-recording lectures. However, only modifications that do not fundamentally alter the nature of the program and that are not unduly burdensome are required by law.

Requests for class condition modifications should be made to the Office of Student Affairs. The student requesting accommodation should submit an "Accommodation Request Form" as soon as possible. In appropriate cases, the accommodation will be made in consultation with faculty or other administrators.

### **2. Exam Condition Modifications**

Exam condition modifications may include additional time to take the exam, time allowed for rest breaks, being allowed to eat or drink during the exam, or taking the exam at a time other than the regularly scheduled time. Certain exam modifications may depend on the format of the exam. For example, if the student has difficulty writing, but does not have difficulty reading, the need for additional time would be affected by whether the exam was to be in a multiple choice format or an essay format. Generally, no additional time is granted in circumstances when the exam is in a "take home" format or for papers that are to be completed throughout the semester.

All exam modification requests are to be directed to the Office of Student Affairs. Students are to submit an "Accommodations Request Form." Because of the time needed to consider and arrange these requests, students must make their first request no later than Friday of the 4<sup>th</sup> week of the term. Provisional accommodations may be granted

temporarily to allow the student to submit additional documentation. Once a final determination is made to grant an accommodation for test taking, the accommodation is automatically renewed each semester.

#### **D. Documentation Policy**

The Law School requires appropriate documentation of disabilities whenever a student requests an accommodation. Such requests must be submitted to the Office of Student Affairs with a report from the evaluating professional. The report must describe the disability, the limitations that the disability poses for the student, the prognosis, results of any test performed, and the suggested accommodation or range of accommodations. In addition, the documentation must satisfy the below requirements.

##### **1. Verification of Physical or Psychological Disability**

A student with a physical or mental disability must provide professional verification by a licensed physician or other professional health care provider who is qualified in the diagnosis of the specific disability. The verification must reflect the student's present level of functioning and the major life activity affected by the disability. The student shall provide the verification documentation to the Office of Student Affairs. The cost of obtaining the professional verification shall be borne by the student.

If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the Law School shall have the discretion to require supplemental assessment of the disability. The cost of the supplemental assessment shall be borne by the student.

##### **2. Verification of Learning Disability**

A student with a learning disability must provide professional testing and evaluation results from a qualified professional which reflect the student's present level of processing information and present achievement level. The cost of obtaining the professional verification shall be borne by the student. If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the Law School shall have the discretion to require supplemental assessment of the disability. The cost of the supplemental assessment shall be borne by the student.

For students with learning disabilities, the following is considered reasonable for required documentation.

- a. It must be prepared by a professional qualified to diagnose a learning disability, including but not limited to, a licensed physician or psychologist;
- b. It must include the testing procedures followed, the instruments used to assess the disability, the results, and interpretation of the results;
- c. It must reflect the individual's present achievement level, be as comprehensive as possible, and be dated no more than three years prior to the student's request for accommodation;
- d. It must contain detailed recommendations for accommodations; and,
- e. It should discuss how medications, if prescribed for the student, affect the disability and/or the recommended accommodations.

#### **E. Accommodation Decision and Appeals**

The Office of Student Affairs may grant, deny in whole or part, or modify a student's request. The Office of Student Affairs will provide the student an Accommodation Agreement form for the student to sign. If the student disagrees with the accommodation offered by the Office of Student Affairs, the student may appeal the decision to the Associate Dean for Academic Affairs.

To appeal the decision of the Office of Student Affairs, a student must file a written appeal with the Associate Dean for Academic Affairs within one week of receipt of the decision of the Office of Student Affairs. The student may also submit to the Associate Dean for Academic Affairs any other documentation in support of his/her appeal. Upon receipt of the student's appeal, the Associate Dean for Academic Affairs shall request that the Office of Student Affairs forward all relevant documentation. The Associate Dean for Academic Affairs shall then make a determination regarding the student's appeal. The decision of the Associate Dean for Academic Affairs is a final determination by the law school administration and may not be appealed further.

#### **F. Exam Accommodations for Disabled Students**

Students will be provided notice of the time and place of their accommodated testing by the Registrar's office. This notice will be placed in the student's mailbox no later than three days before the beginning of the examination period. In the event a student does not receive such notice the student should seek this information from the Registrar. Generally, students with accommodations will have their examinations on the same day as the unaccommodated examinations but space limitation makes this infeasible at times.

Students who take any medication timed for efficacy during examination must be especially vigilant to make themselves aware of the time their examinations begin.

Students with accommodated testing that allows for additional time **must still start their examination at the designated time**. Failure to report to take the examination at the designated time may cause the student to be precluded from that examination or to a modification of the total time allowed.

#### **G. Bar Examination Accommodations**

Please be advised that the Law School's decision to grant an accommodation is not a determination that the same or similar accommodation will be granted for the bar examination. State bar examiners may apply more stringent criteria and require a significant amount of time to decide whether to grant an accommodation. Students should check with the bar examiners for the jurisdiction in which they will sit for the bar examination far in advance of the bar examination and make sure to provide current documentation.

## ACCOMMODATION REQUEST FORM

**Instructions:** Please type or print and submit to the Office of Student Affairs as early as possible.

**DEADLINE FOR FALL 2016 EXAMINATION REQUESTS IS 10/07/16**

Name: \_\_\_\_\_

Social Security #: \_\_\_\_\_ Month/ Year of Entry: \_\_\_\_\_

Phone # (Cell): \_\_\_\_\_ (Home): \_\_\_\_\_

Other Phone Contact \_\_\_\_\_

Disability: (describe)

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Current Method of Controlling/Treating Disability:

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Accommodation requested (be as specific as possible):

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Submit form and Documentation to:

John F. Hernandez, Assistant Dean for Student Affairs  
St. Thomas University School of Law  
16401 NW 37<sup>th</sup> Avenue  
Miami Gardens, Florida 33054



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Miami Gardens, FL 33054

(305) 623-2301

<http://www.stu.edu/lawschool>