University of Massachusetts School of Law · Dartmouth
Procedures for Non-Standard Testing Accommodations

**Philosophy and Mission Statement**

The University of Massachusetts School of Law · Dartmouth complies fully with the mandates of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 as amended and other relevant state and federal legislation.

The ADA Coordinator works with faculty, staff, and students at the law school’s campus to encourage students’ self-awareness, self-advocacy, and independence in an academically accessible environment. Reasonable and appropriate academic adjustments will be made that allow all documented students equal access to a quality legal education.

This guide is designed to apprise students of the procedures for self-disclosure of a disability and the methods and time frames to request physical or academic accommodations.

**Eligibility for Services**

By definition, one has a disability if a physical or mental impairment substantially limits one or more of the major life activities of such individual; one has a record of such a limitation; or one is regarded as having such an impairment. 28 C.F.R. § 36.104. A student is entitled to the protections of the Americans with Disabilities Act or Section 504 of the Rehabilitation Act only when the student can demonstrate that he or she falls under this particularized definition of disability.

A student with a disability is not required to self-disclose the presence of a disability. However, if a student seeks accommodations or adjustments to an aspect of his/her learning environment, (s)he must register with the ADA Coordinator, disclose the disability, provide documentation, and discuss his/her needs in an interactive discussion with the ADA Coordinator. Because law school exams are graded anonymously by exam I.D. number, to preserve the integrity of examination grading, a student should arrange accommodations with the ADA Coordinator and not with a professor.

The documentation of a disability must be current (within three-four years), must provide a clear diagnosis by an appropriate medical professional, and must specify the functional limitations related to the disability. When the documentation is received, the student and the ADA Coordinator will discuss what reasonable and appropriate accommodations can be provided to assist the student. These determinations are made on a case-by-case basis. If a mutual determination on reasonable accommodations cannot be reached, a law student has the right to appeal to the Associate Dean for resolution.

Once a student is eligible to receive services, the student is responsible for following the established policies of the ADA Coordinator. Final examination schedules in December and May are predetermined and a student who has previously submitted documentation need not request final exam accommodations. They will automatically be put into place. However, because the mid-term examination schedules vary among professors, it is imperative that students apprise the ADA Coordinator and appropriate LEC personnel of any off-schedule midterm, quiz, or test in order that accommodations may properly and effectively be arranged.
**Accommodations for exams cannot be made retroactively.** A student seeking accommodations must register with the ADA Coordinator *three weeks before* the scheduled exam in order that documentation can be received in a timely manner and, if eligible for accommodations, that proper room reservations, proctors, and/or assistive technology can be arranged. All accommodated students take their exams in a reduced-distraction room apart from the classroom. An exam schedule noting the date, time, and room number for exams is sent to each accommodated student prior to the exams.

Law school exams are graded anonymously. In order to maintain confidentiality, the accommodations process is handled by the ADA Coordinator. No professor is made aware of a student’s specific disability or of the nature of his/her accommodations. If a student receives extra time on an exam, (s)he will take that exam in the proctored, reduced-distraction room. The completed exam will then be returned to the professor by the ADA Coordinator or by an employee of the Law Enrollment Center.

**Possible Accommodations**

Accommodation is a broad term that includes such considerations as adequate light or sound amplification or alternative material formats and presentation. There is a wide range of other physical or psychological barriers that can impede learning. While each student’s situation is unique, accommodations to the learning environment may include the following:

- **Exam Accommodations**
  - Extended testing time on midterms and finals
  - Proctored, reduced-distraction room
  - Use of a scribe
  - Typing rather than writing the exam
  - Enlarged exam text

- **Classroom Accommodations**
  - Front row/preferred seating
  - Permission to tape record lectures
  - Note-taker
  - Sign language interpreter

While UMass Law will provide reasonable accommodations for documented students during law school, please note there is no guarantee that these same accommodations will be granted on the MPRE or on a state’s bar exam. Students are encouraged to contact their state’s bar examiners for more detailed information on non-standard testing on the bar exam.

**Student Responsibilities**

A law student with a disability requesting accommodations is responsible for the following:

- Disclosing his/her disability and providing documentation of such from an appropriate medical provider to the ADA Coordinator and completing the Voluntary Disclosure form.
- Communicating with the ADA Coordinator about his/her needs for physical/academic accommodations
- Requesting all services in a timely manner
Treating all U Mass Law personnel with respect
Meeting appropriate academic standards of UMass Law

**Student Rights**

A student with a disability has the right to the following:

- Privacy rights as governed by FERPA to all disability-related information
- Equal access to courses, classes, programs, services, jobs, activities, and facilities available through UMass Law
- Reasonable accommodations according to his/her disability, which may include adjustment and/or auxiliary aids determined on an individual basis and with requisite documentation
- To be treated with dignity and respect
- To file a complaint with the University’s Office of Equal Opportunity, Diversity & Outreach and/or with appropriate state and federal regulatory agencies if the student believes his/her rights under the Americans with Disabilities Act as amended, Section 504 of the Rehabilitation Act of 1973, or other relevant state and federal legislation have been violated

It is the policy of the University of Massachusetts School of Law · Dartmouth not to discriminate against any student, employee, or applicant on the basis of a disability, race, color, religion, national origin, age, veteran status, gender, or sexual orientation. The Assistant Chancellor for Equal Opportunity, Diversity & Outreach has been designated to handle inquiries regarding the nondiscrimination policies. She can be reached in the Foster Administration Building at the University’s main campus on 285 Old Westport Road, North Dartmouth, MA 02747-2300. Telephone 508.999.8008 TTY 508.999.9250. The Massachusetts Commission Against Discrimination also handles inquiries regarding nondiscrimination policies and practices. www.mass.gov/mcad.