

University of Maryland School of Law

DISABILITY POLICY

It is the policy of the University of Maryland School of Law not to discriminate on the basis of disability in any of its educational services, programs or activities. A disability is a physical or mental impairment that substantially limits one or more of the major life activities of an individual, a record of having such impairment, or being regarded as having such an impairment. The law school will make reasonable modifications in policies, practices or procedures when modifications are necessary to avoid discrimination on the basis of disability unless making the modification would fundamentally alter the nature of the service, program or activity, or would result in undue financial and administrative burdens. Although the law school's legal obligations to provide modifications are limited to long-term disabilities, it is the practice of the law school to also attempt to accommodate those with temporary disabilities.

Any student who has a disability affecting the learning process, in the taking of examinations or any other program, or in service or in an activity of the law school shall bring this matter to the attention of the Assistant Dean for Student Affairs. As to minor forms of modifications within the power of individual faculty members, library staff or other law school personnel, the student is encouraged, although not required, to first contact the law school faculty member or staff member to informally seek modification. Should no mutually satisfactory modification be reached, the student should bring the matter to the attention of the Assistant Dean.

A student with a disability must provide the law school with professional documentation of the disability in accordance with the law school's Policy on Documentation of Physical, Mental or Learning Disabilities. Documentation that is more than three (3) years old will not be considered. In the event that the law school concludes, upon investigation, that the student is a qualified student with a disability, the Assistant Dean for Student Affairs, together with such other appropriate law school faculty or staff as the Assistant Dean may designate, shall promptly confer with the student and attempt to negotiate a mutually satisfactory modification to accommodate the person's disability. In the event that more than one form of modification is possible, the law school reserves the right to select the form least burdensome to the law school.

It is the policy of the law school to keep confidential all information pertaining to a student's or applicant's disability and to disclose such information only to the extent necessary for affected faculty members and staff.

If the school concludes that a student is not a qualified individual with a disability, or if a qualified individual with a disability believes that the law school has failed to offer her or him reasonable modification for her or his disabilities, not requiring fundamental alteration of the law school's program or services, and available without imposing undue burden on the law school, the student shall be entitled to appeal the decision of the Assistant Dean by filing a formal complaint with the Dean of the Law School. The method for filing a complaint is set forth in the School of Law's Procedure for Making a Claim of Discrimination Based on Race, Sex, Sexual Orientation, Religion, Age, National Origin, or Disability which is reprinted in the Student Handbook.

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PROCEDURE FOR REQUESTING ACCOMMODATIONS

In carrying out the School of Law's Disability Policy, we recognize that disabilities include mobility, sensory, health, psychological, and learning disabilities, and we will make efforts to provide reasonable accommodations of these disabilities to the extent that the accommodations are not unduly burdensome or do not fundamentally alter the nature of the program.

1. Identifying the Need for Accommodations

Students with disabilities who require accommodations must make those needs known to Dawna Cobb, Assistant Dean for Student Affairs, as soon as possible. She is located in Room 280 and can be reached by phone (410) 706-8385 and e-mail dcobb1@law.umaryland.edu. It is the responsibility of the student to make these needs known in a timely fashion and to provide appropriate documentation and evaluations in appropriate cases. See School of Law's Policy on Documentation of Physical, Mental or Learning Disabilities. Do not assume that because your application to law school indicates the presence of a disability that this information is already known to the Assistant Dean.

Students who do not require accommodations need not make their disabilities known. The information on the student's disability and accommodations is treated as confidential information under applicable federal and state law and/or University policies and is only provided to individuals who are privileged to receive such information. Faculty members who are apprised of a disability are advised that this information is confidential.

2. Accommodations

The School of Law will make reasonable accommodations to students with documented disabilities. These accommodations may include, among others, course load modifications, exam accommodations, additional time to complete an exam, and/or separate exam rooms. Such accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome either financially or administratively. The Assistant Dean for Student Affairs will meet individually with each student to develop an appropriate accommodation plan. The Assistant Dean may consult with appropriate experts and professionals on a confidential basis. Accommodation requests should be made using the Accommodation Request Form.

3. Auxiliary Aids and Services

Auxiliary services may include interpreters, notetakers, readers, assistance with photocopying and library retrieval, and other support services in conjunction with the academic programming. Students requiring auxiliary services should initially direct most requests to the Assistant Dean. For certain auxiliary services such as interpreters and readers, the Assistant Dean may request that the student seek eligibility for such services from a vocational rehabilitation agency or other no cost service providers. Because obtaining these services can be a time consuming and complicated process, often involving the University's Student Services Office, students are urged to seek assistance as early as possible after being accepted for admission.

Assistance in the Law Library may be arranged by talking with Barbara Gontrum, Assistant Dean for Library Services and/or David Grahek (410) 706-2025 and/or dgrahek@law.umaryland.edu. Routine matters can often be handled simply by making a request of the desk staff.

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POLICY ON DOCUMENTATION OF PHYSICAL, MENTAL or LEARNING DISABILITIES

1. Verification of Disabilities

A student with a disability who requests a modification must, upon request, provide to the Assistant Dean for Student Affairs professional verification of the necessary modification. Verification may be provided by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning in the major life activity or activities affected by the disability. Documentation that is more than three (3) years old will not be considered. 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 a disability. The cost of the supplemental assessment shall be borne by the student. If the Law School requires a medical opinion beyond the supplemental assessment provided by the student, then the Law School shall bear any cost not covered by any third-party payor.

2. Verification of Learning Disability

A student seeking a modification for her or his learning disability must provide professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. The cost of obtaining the professional verification shall be borne by the student or applicant for admission.

The four criteria necessary to establish a student's eligibility for learning disability adjustments or modifications are: (1) average or above average intelligence as measured by a standardized intelligence test which includes assessment of verbal and non-verbal abilities; (2) the presence of a cognitive-achievement discrepancy or an intra-cognitive discrepancy indicated by a score on a standardized test of achievement which is 1.5 standard deviations or more below the level corresponding to a student's sub-scale or full-scale IQ; (3) the presence of disorders in cognitive or sensory processing such as those related to memory, language, or attention; and (4) an absence of other primary causal factors leading to achievement below expectations such as visual or auditory disabilities, emotional or behavioral disorders, a lack of opportunity to learn due to cultural or socio-economic circumstances, or deficiencies in cognitive ability.

Documentation verifying the learning disability must:

(A) be prepared by a professional qualified to diagnose a learning disability, including but not limited to a licensed physician, learning-disability specialist, or psychologist;

(B) include the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of the test results by the professional;

(C) reflect the individual's present level of functioning in the achievement areas of: reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, and spelling; and

(D) reflect the individual's present level of functioning in the areas of cognitive and processing skills.

The assessment must provide data that support the requests for any academic adjustment. In the event that a student or applicant for admission requests an academic adjustment or modification that is not supported by the data in the assessment, or if the initial verification is incomplete or inadequate to determine the extent of the disability, then it is incumbent on the student to obtain supplemental testing or assessment at the student's or applicant's expense.

If the Law School requires an additional assessment beyond the supplemental assessment provided by the student, then the Law School shall bear any cost not covered by any third-party payor.

3. Verification of Temporary Disability, Illness or Injury

Students seeking modifications on the basis of a temporary disability must provide, upon request, documentation verifying the nature of the condition, stating the expected duration of the condition, and describing the accommodations deemed necessary. Such verification must be provided by a professional health care provider who is qualified in the diagnosis of such condition(s). The assessment or verification of disability must reflect the student's current level of disability, and shall be no older than 60 days. The cost of obtaining the professional verification shall be borne by the student.

If the initial verification is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the Law School shall have the discretion to require supplemental assessment of a temporary disability. The cost of the supplemental assessment shall be borne by the student. If the Law School requires an additional assessment beyond the supplemental assessment provided by the student, then the law school shall bear any cost not covered by any third-party payor.

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GENERAL ACCOMMODATION REQUEST FORM

Name _____ Date _____

Email _____

Social Security Number _____ Year of Entry _____

Telephone Number (Day) _____ (Evening) _____

Disability _____

Temporary _____ Permanent _____

Documentation: Attached _____ Provided in application _____
Will be forwarded directly from physician, disability professional or
health care provider to Dean Cobb _____

Accommodation(s) requested (be as specific as possible)

**THIS FORM SHOULD BE TURNED IN TO DEAN COBB,
IN ROOM 280.**

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EXAM ACCOMMODATION REQUEST FORM

Name _____ Date _____

Semester: _____

Email _____

Social Security Number _____ Year of Entry _____

Telephone Number (Day) _____ (Evening) _____

Disability _____

Temporary _____ Permanent _____

Documentation: Already provided to Dean Cobb _____ Attached _____
 Provided in law school application _____
 Will be forwarded directly from physician, disability professional or
 health care provider to Dean Cobb _____

Please provide below a list of 1) your courses, 2) the names of your instructors, and 3) the date and time of each exam:

**Exam Accommodations Request Form
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Accommodation(s) requested (be as specific as possible)

**THIS FORM SHOULD BE TURNED IN TO DEAN COBB,
IN ROOM 280.**

University of Maryland School of Law

SAMPLE EXAM ACCOMMODATIONS MEMO

MEMORANDUM

Date: December 1,
From: Dawna M. Cobb, Assistant Dean for Student Affairs
To:
Subject: Approved Exam Accommodations for December, 200X

PERSONAL AND CONFIDENTIAL

I have reviewed the medical documentation on file and the Exam Accommodations Request form you provided me on November 19th. As a result, the School of Law has agreed to the following accommodations for your Fall exams in Estates and Trusts and Copyrights:

Time and a half for your exams

A separate room for taking the exam

If you have any questions, concerns, or additional considerations, please contact me immediately. I can be reached at the office by calling (410) 706-8385 and/or dcobb@law.umaryland.edu. My home number is (410)XXXX. Should an emergency arise during the exam period, you should contact Dean Forsyth's office at (410) 706-2045.

You should pick up your exam from the staff in Dean Forsyth's office [Suite 280] approximately 20 minutes before you are scheduled to take the exam. They will give you the exam and tell you what room you will be taking it in.

At the conclusion of the exam period, I will ask you to complete and return to me a comment sheet concerning the accommodations.

Best of luck.

c: Dean Forsyth