

**HANDBOOK for APPLICANTS
and
STUDENTS with DISABILITIES**

**UNIVERSITY OF LOUISVILLE
LOUIS D. BRANDEIS SCHOOL OF LAW**

[During law school at Harvard] Brandeis's eyes began to fail. He read constantly and suffered the eyestrain common to law students who read by gaslight. His eyes gave out completely, however, during the summer after his first year at Harvard, while he was "reading law" in Louisville with his brother-in-law. [An oculist] counseled him to think more and read less. Brandeis decided that he could do so if his friends read to him, and it was in this fashion that he completed law school.

Louis D. Brandeis, *Justice for the People*, by Philippa Strum
Harvard University Press, 1984

It is the policy and practice of the Louis D. Brandeis School of Law to comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs and activities of the Louis D. Brandeis School of Law and the University of Louisville campus programming.

The University of Louisville provides equal treatment and opportunity to all persons without regard to race, color, religion, national origin, sex, age, disability, veteran status or sexual orientation except where such distinction is required by law. This statement reflects compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendment of 1972 and all other federal and state regulations. The university reserves the right to make changes without notice in any publication as necessitated by university or legislative action.

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This policy was adapted from LSAC policies and procedures and from those at the University of Houston Law Center and Hastings Law School. Assistance in adapting this policy was provided by Cathy Patus, Director of the University Disability Resource Center.

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GENERAL STATEMENT

In carrying out the law school's policy regarding students and applicants with disabilities, we recognize that disabilities include mobility, sensory, health, psychological, and learning disabilities, and we will provide reasonable accommodations to these disabilities to the extent it is readily achievable to do so. We are unable to make accommodations that are unduly burdensome or that fundamentally alter the nature of the program. While our legal obligation relates to disabilities of a substantial and long-term nature, it is our practice to also provide accommodations when possible to temporary disabilities such as a broken leg and for pregnancy.

ADMISSIONS

The LSAT

In the admissions process, because extensive accommodations are provided for taking the LSAT, waiver of the LSAT is unlikely to be granted except in extremely unusual circumstances. Applications are never automatically rejected based on the LSAT or GPA. An indication on the LSDAS report that an applicant took an accommodated test will not be the basis for discrimination.

Documentation of the Disability

Applicants who wish to have their disabilities considered as factors in the admissions process must identify the nature of disability and provide an explanation of why a disability is a factor at the time of application. If the applicant wishes the disability to be considered as a factor, it may be necessary for the applicant to provide appropriate documentation of the disability.

Reconsideration

It is not Brandeis practice to reconsider applications that have already been rejected unless there is new information that was not available at the time of the application through no fault of the applicant. For that reason, applicants are advised to make the disability known at the time of application if they wish to have the disability taken into account in the application process. It will be necessary for the applicant to provide documentation supporting the disability and its impact on academic performance for the reconsideration process.

Information on the Disability Retained in Applicant's File

Applicants wishing to have documentation relating to the disability remain in their student records should request this in writing as soon as they are accepted. There is no guarantee that such letters will be retained, but every effort will be made to do so. These letters may be useful in evaluating whether to provide future accommodations to the student who has been admitted. The documentation may also be useful in certification to the bar examiners when the student applies for accommodations on the bar exam. Because each setting has unique characteristics, there is no guarantee that accommodations on the LSAT will be provided in law school. Nor is there any guarantee that accommodations provided on the LSAT or in law school will be granted on the bar exam. Documentation for each setting, including documentation of the impairment and documentation of the relationship of the disability to the requested accommodation varies from setting to setting.

Self-Identification after Acceptance

Applicants who are accepted for admission should contact the Assistant Dean for Student Life of the law school and the University Disability Resource Center as soon as possible regarding any disabilities that might require accommodations. Accepted applicants are strongly encouraged to identify those disabilities requiring accommodations early to allow adequate time for evaluating documentation and for working out the specific accommodation (e.g. arranging scheduling in barrier-free classrooms, funding for auxiliary services, and arranging accommodations for orientation).

Requests for accommodations concerning classes, the classroom, the library, and/or the building must generally be made 30 days before the beginning of each semester. Students should request accommodations for exams (e.g. extra time, specific testing needs) at the same time. In any event, exam accommodations must ordinarily be requested no later than thirty (30) days prior to the law school's first exam or the student's first exam, whichever occurs earlier.

ENROLLED STUDENTS

Identifying the Need for Accommodations

Students with disabilities who require accommodations must make those needs known to the Assistant Dean for Student Life of the law school and the University Disability Resource Center as soon as possible. It is the responsibility of the student to make these needs known in a timely fashion and to provide the necessary documentation and evaluations in appropriate cases. Do not assume that because your application to law school indicates the presence of a disability that this information has been forwarded to or has been shared with the assistant dean's office or the University Disability Resource Center.

Documentation submitted to the Assistant Dean for Student Life may be shared with the staff of the University Disability Resource Center, and vice versa, for review to determine eligibility for requested accommodations. Disability Resource Center staff will collaborate with the Assistant Dean for Student Life and may request a meeting with the student to determine effective accommodations (such as mode of communication for students with deafness, format for alternate texts for students with visual impairments, etc.).

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, state, and university laws and 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.

Accommodations

The Brandeis School of Law will make reasonable accommodations to students with documented disabilities. Accommodations may include, but are not limited to: modifying course loads; providing alternative exam accommodations; providing interpreters or note takers; and providing materials in an accessible format. 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 Life at the Brandeis School of Law and the University Disability Resource Center will develop with the student an appropriate accommodation plan. The Assistant Dean and the University Disability Resource Center may consult with appropriate experts and professionals on a confidential basis.

Academic Modifications

Academic modifications may include reduced course loads, extending the amount of time for graduation, allowing enrollment on a reduced course basis, course substitution, and similar modifications. Applicable statutes and regulations require only modifications that do not fundamentally alter the nature of the program and that are not unduly burdensome financially or administratively. In litigation while the law school must justify denial of a requested reasonable accommodation, higher education institutions are given substantial deference in establishing their own academic requirements.

Requests for academic modifications should be made to the Assistant Dean for Student Life at the law school and the University Disability Resource Center. In appropriate cases, the adjustment will be made in consultation with faculty. For example, the Assistant Dean may permit a reduced course load administratively, but the Assistant Dean in consultation with the appropriate faculty member will make modifications such as extensions of time for completing course requirements.

Auxiliary Aids and Services

Auxiliary services may include interpreters, note takers, materials formatted for accessibility, assistance with photocopying and library retrieval, and other support services in connection with the academic programming. Services for personal use are not provided. Purchase of special equipment (such as a Kurzweil reading machine, an image enlarger, portable computers, etc.) to be used at the law school may also constitute an auxiliary service.

Brandeis School of Law does not provide individual tutorial assistance tailored to the special needs of students with learning or other related disabilities. The Academic Success Program does not discriminate on the basis of disability. The director of that program or the Assistant Dean for Student Life may refer students with learning or related disabilities either to the University's counseling center or the Disability Resource Center in order to obtain additional assistance in appropriate cases.

Students requiring auxiliary services should direct requests to the Assistant Dean for Student Life and the University Disability Resource Center. For certain auxiliary services such as interpreters, the Assistant Dean may request that the student seek eligibility for such services from the Kentucky Vocational Rehabilitation Agency or other no-cost service providers. The Assistant Dean and the Disability Resource Center will work with the student in facilitating such services. Because obtaining these services can be a time-consuming and complicated process, students are urged to seek assistance as early as possible after being accepted for admission.

Assistance in the library may be obtained by making a request of the library desk staff. The student who will require more extensive assistance and/or assistance on a regular basis should make this need known to the Assistant Dean for Student Life and the Director of the Disability Resource Center. The Disability Resource Center will work with the Law Library staff to facilitate an appropriate schedule of assistance. Students who are unable to receive satisfactory responses to their requests for library assistance should direct this concern to the Assistant Dean for Student Life.

Exam Modifications

Exam modifications may include additional time to take the exam, time allowed for rest breaks, use of a reader or amanuensis, being allowed to eat during exams, separate exam room, or taking the exam at a time other than the regularly scheduled time. Students requesting certain exam modifications may be asked to ascertain the format of the exam (e.g. multiple choice, essay,

short answer, etc.) in order to determine the appropriate modification. 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 is in a multiple choice or essay format.

All exam modification requests are to be directed to the Assistant Dean for Student Life. Please fill out the form at the end of this handbook. Because of the time needed to arrange these requests, students should ordinarily make such requests no later than thirty (30) days after the beginning of the semester in which exams are to be taken. In any event, exam accommodations must ordinarily be requested no later than thirty (30) days prior to the law school's first exam or the student's first exam, whichever occurs earlier. Requests for any assistance to be provided by the Disability Resource Center are also needed in this time frame to ensure that they are adequately staffed. Exam accommodation requests must be renewed each semester. Depending on the nature of the disability, new or updated documentation may be required.

Computer Exams

The Law School permits students to use laptop computers to take examinations, subject to faculty approval. Students must provide their own computer which meets or exceeds hardware and software requirements for the exam software, and a portable storage device (generally a USB drive) for storage and submission of completed exams. The Law

School cannot and does not guarantee compatibility between the exam software and any particular student's computer. Students taking exams on computer acknowledge and accept that in cases of pertinent software or hardware problems, they may be required to take or complete an exam by hand in approved bluebooks if problems cannot be corrected within a reasonable time.

Detailed information about the use of computers on law school exams will be issued by the Law School's IT Staff and the Assistant Dean for Student Life. The instructions provided may vary from semester to semester depending on the technical requirements of the particular software application being used by the Law School for administration of exams. Students are responsible for complying with all published procedures for the use of computers on exams.

Prior to the start of final exams each semester, the Administration will provide students with notice of room assignments and other administrative information for computer exam takers and those hand writing their exams.

Architectural Barriers

A substantial portion of the law school was built before federal law required accessible design. While there are many aspects of the facility that are readily accessible, there are some barriers that require advance planning to ensure access. Suggestions for removing barriers are welcome and should be directed to the Assistant Dean for Student Life.

Parking

There are several accessible parking spaces near the law school for individuals with the appropriate parking permit. A UofL handicap permit is required to park in designated handicap spaces. For information regarding obtaining a handicap parking permit, contact the University Parking office at (502) 502-852-PARK (7275).

Ramped Entrances

There are several ramped entrances into the School of Law and the Law

Library

These ramps are in obvious locations.

Accessible Restrooms

There are accessible restrooms on every floor of the School of Law.

Elevators

Passenger elevators with emergency communication features are found at both ends of the law school. Key access is required and must be requested for the elevator in the law library.

Classrooms

All classrooms are accessible and all have accessible seating areas.

Housing

There are several choices of accessible housing on campus, including both dormitory and apartment living. For information on campus housing, call 502-502-852-6636 or email oncampus@louisville.edu. Information on accessible housing in the Louisville area is available from the Center for Accessible Living at 502-589-6620 or www.calky.org.

Modification of Policies and Practices

Students with disabilities that justify advance registration should direct their requests to the Assistant Dean for

Student Life approximately one month before registration. Arrangements can be made to facilitate accessible class location, etc.

Class attendance is generally deemed to be a fundamental aspect of legal education. For that reason, ordinarily, faculty members will not be expected to waive attendance policies for students with disabilities. Students believing that their situations are extraordinary should direct requests to the Assistant Dean for Student Life, who will consult with the faculty member regarding such requests. Because reduced course loads and other accommodations are available, it would be extremely unusual that an alteration to an attendance policy would be a necessary reasonable accommodation.

Students who believe that registration or other policies and practices should be modified should direct these requests to the Assistant Dean for Student Life.

ACADEMIC DISMISSAL AND READMISSION

Students who are academically dismissed sometimes raise a disability as the basis for the academic difficulty. While this may sometimes justify allowing the student a second opportunity to prove academic ability, the burden will be on the student to explain why the disability was not brought to the attention of the administration if it had not been previously, to explain why accommodations were not requested, or to explain why accommodations that had been provided were not adequate. Readmission petitions should be discussed with the Assistant Dean for Student Life. The Reinstatement and Probation Committee decides on such petitions.

Committee members may have access to disability documentation if it is to be considered and the student will be asked to sign a permission form allowing the committee access to the student's record, including disability documentation.

BAR EXAMINATIONS

Law students with disabilities who believe they will require accommodations in taking the bar examination should inquire early in their legal education as to what will be necessary to obtain accommodations. Bar Examiners may require recent documentation of an individual's disability. Information on how to contact bar examiners in all states is available from the Assistant Dean for Student Life. Many state boards of bar examiners will request that the law school provide information on accommodations received during law school. Such information will be provided upon a written release from the student. Please note that accommodations provided for the bar examinations may not be the same as those provided by the law school. Inquiries concerning accommodations for the Kentucky Bar Examination may be directed to:

Kentucky Office of Bar Admissions
1510 Newtown Pike, Suite 156
Lexington, KY 40511-1255 (859) 246-2381
ATTN: Kristen E. Northcutt, Deputy Director of Bar Admissions

GRIEVANCES

Students who request accommodations from faculty or staff members and who believe that such accommodations have been impermissibly denied, or who believe that they have been discriminated against on the basis of their disability, should bring this matter to the attention of the Assistant Dean for Student Life. If the Assistant Dean for Student Life is unable to resolve the matter informally, or if the student is unsatisfied with the resolution, the student may file a grievance with the Affirmative Action/Employee Relations Office on campus. That office is located in the Personnel Services Building, 502-852-6538.

PSYCHOLOGICAL AND SUBSTANCE ABUSE IMPAIRMENTS

Students with psychological impairments, including alcohol or drug addiction, may wish to seek help from the university's Counseling Center, located at the Student Health Center, 502-852-6585. Such counseling is confidential and is not part of the student's official record. In addition, students may contact the Lawyers Helping Lawyers, 502-564-3795, a Kentucky Bar Association Committee dealing with substance abuse. All communications with that organization are kept strictly confidential, but students may be required to disclose such counseling by some state bar licensing agencies.

Law school is stressful, and students whose disabilities justify accommodations such as a reduced course load have the obligation to request accommodation before academic failure. Problems such as exam anxiety and chronic lateness will not ordinarily be considered to be disabilities justifying accommodation under the ADA or the Rehabilitation Act, although they may be symptoms of disabilities requiring appropriate diagnosis and those disabilities may justify accommodations.

Students should be aware that while reasonable accommodations are available to such disabilities, all students would be held to the same academic performance and behavior standards.

CAREER COUNSELING

The Office of Professional Development provides assistance to all students including those with disabilities. Students who believe that an employer using the services of the Office of Professional Development has discriminated on the basis of disability should bring that to the attention of the Assistant Dean for Professional Development.

RESOURCES AND REFERENCES

Law School Offices

Jennifer T. DiSanza
Assistant Dean for Student Life
502-852-8956
j.disanza@louisville.edu

Laurel Hajek
Assistant Dean for Professional Development
502-852-6096
laurel.hajek@louisville.edu

Scott Hite
Director of Academic Success
502-852-1477
scott.hite@louisville.edu

Barbara Thompson
Office of Student Records
502-852-6367
barbara.thompson@louisville.edu

Law Library
502-852-0729
lawlibrary@louisville.edu

Offices on Campus

Affirmative Action/Employee Relations Office
Human Resources Building
502-852-6538

Student Counseling Center
502-852-6585
<http://louisville.edu/counseling>

Disability Resource Center
502-852-6938
<http://louisville.edu/disability>

University Parking Office
Floyd Street Garage, 1st Floor
502-852-PARK (7275)
<http://louisville.edu/parking>

Housing and Residence Life Office
Stevenson Hall, Room 124
502-852-6636
<http://louisville.edu/housing>

Forms

University of Louisville Disability Resource Center Service Request Form

<https://louisville.edu/disability/students/service-request-form>

Brandeis School of Law Request for Exam Accommodations

<http://louisville.edu/law/intranet/...>

Resources for the Visually Impaired

National Association of Blind Lawyers

<https://nfb.org/divisions-and-committees#Lawyers>

National Federation of the Blind

<http://www.nfb.org>

ABA Sites and Commissions

Lawyers with Disabilities

http://www.americanbar.org/portals/lawyers_with_disabilities.html

Law School Disability Programs

http://www.americanbar.org/groups/disabilityrights/resources/law_school_programs.html

Bar Information for Applicants with Disabilities

<http://www.americanbar.org/groups/disabilityrights/resources/biad.html>

ABA Commission on Disability Rights

740 15th Street, N.W.
Washington, DC 20005
202-662-1570

cdr@americanbar.org

<http://www.americanbar.org/groups/disabilityrights.html>

Other Resources

Audio Casebooks and Treatises

Learning Ally

20 Roszel Road
Princeton, NJ 08540
(609) 452-0606

<http://www.learningally.org>

<https://cuthub.rfbd.org/SearchCatalog.asp?from=audiobookcatalog>

Information on Substance Addiction Issues

ABA Commission on Lawyer Assistance Programs

321 N. Clark Street
Chicago, IL 60654-7598
(312) 988-5717

http://www.americanbar.org/groups/lawyer_assistance.html

Law Student ListServ

CoLAP maintains a confidential listserv for recovering law students. If you are interested in joining this group, contact Matthew Reel at matthew@arjlap.org.

Kentucky Lawyer Assistance Program

P. O. Box 1437
Frankfort, KY 40602
(502) 564-3795

<http://www.kylap.org>

Current Information on AIDS Issues

Center for Disease Control National AIDS Hotline c/o

American Social Health Association
PO Box 13827

Research Triangle Park, NC 27709

HIVnet@ashastd.org

www.ashastd.org

<http://www.ashastd.org/std-sti/hiv-aids.html>

<http://www.cdc.gov/hiv/default.htm>

Full Participation of Individuals with Disabilities in College Life

Association on Higher Education and Disability (AHEAD)

107 Commerce Center Dr.
Ste. 204

Huntersville, NC 28078

(704) 942-7779

www.ahead.org

Disability and Diversity Contact Information

Diversity in the Profession Committee

Kentucky Bar Association

514 W. Main Street
Frankfort KY 40601-1812

(502) 564-3795

jmeyers@kybar.org <http://www.kybar.org/72>

National Association of Law Students with Disabilities

www.nalswd.org <http://www.nalswd.org/resources.html>