

VIII. Improper Procurement

Services for students who improperly procure adjustments or accommodations under this policy will be immediately terminated, and the student may be subject to disciplinary action under the Pierce Law Conduct Code found in Rules XIII A and XIII B of the Academic Rules & Regulations.

IX. Special Problems For Certain Disabilities

Students with psychological impairments, including alcohol or drug addiction, may wish to seek outside counseling or 12 Step program involvement. Initial counseling and referral may be obtained from the Assistant Dean of Students. Such counseling is confidential and not part of a student's record. Contact information for Alcoholics Anonymous and Narcotics Anonymous 12 Step meetings is available in the Alcohol and Drug Abuse Prevention Policy. A list of mental health counselors in the Concord, New Hampshire area is also made available in this publication.

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



DISABILITY DOCUMENTATION POLICY

1. Verification of Physical, Mental/Emotional Disabilities

A student with a physical disability must provide professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the disability. The student shall provide the verification documentation to the Assistant Dean of Students. The cost of obtaining the professional verification shall be borne by the student. The student's history of academic adjustments and accommodations in postsecondary education and/or in places of employment must also be submitted.

If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, Pierce Law shall have the discretion to require supplemental assessment of a physical disability. The cost of the supplemental assessment shall be borne by the student. If Pierce Law requires an additional assessment for purposes of obtaining a second professional opinion, then Pierce Law shall bear any cost not covered by any third-party payer.

2. Verification of Learning Disability

A student with a 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. The student's history of academic adjustments and accommodations in postsecondary education and/or in places of employment must also be submitted.

The four criteria necessary to establish a student's eligibility for learning disability adjustments or accommodations are: (a) average or above average intelligence as measured by standardized intelligence test which includes assessment of verbal and nonverbal abilities; (b) the presence of a severe discrepancy between levels of intellectual ability and achievement or cognitive-achievement discrepancy; (c) the presence of disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written; and (d) 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 socioeconomic circumstances, or deficiencies in intellectual ability. Whether accommodations may be made based on verification that one or more of the factors listed in 2(d) coexist with a learning disability will be determined on a case-by-case basis.

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, specialist in assessment of intellectual functioning, 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 such achievement areas as: reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, basic reading skills, spelling, listening comprehension, oral expression, math computation and math problem-solving; and
- (d) Reflect the individual's present levels of functioning in the

areas of intelligence and psychological processes. The assessment must provide data that supports the request for any academic adjustment or accommodation. In the event that a student requests an academic adjustment or accommodation 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, it is incumbent on the student to obtain supplemental testing or assessment at the student's expense.

If Pierce Law requires an additional assessment for purposes of obtaining a second professional opinion, Pierce Law shall bear any cost not covered by any third-party payer.

3. Verification of Temporary Medical Condition

Students seeking accommodations on the basis of a temporary condition must provide 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 conditions. The assessment or verification of condition must reflect the student's current level of disability, and shall be no older than 30 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, Pierce Law 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 Pierce Law requires an additional assessment for purposes of obtaining a second professional opinion, then Pierce Law shall bear the cost.

***See Assistant Dean of Students for Accommodation Request Form**



Pierce Law Policy on Participation in Spring Commencement

Pierce Law has, and can realistically have, only one major Commencement ceremony each year. Yet it has three terms in which credit may be earned, and two different starting dates for degree programs. Students may also be

off their intended cycle due to leaves, special part-time arrangements, or unforeseen academic or disciplinary difficulties.

Students understandably desire to participate in a ceremony with those with whom they have been most closely associated, at or near the end of their degree program. The school has an interest in the qualifications of those who participate in the ceremony, in maintaining the meaning of it, and in the accuracy of the annual lists of degree recipients. We have long had a custom of allowing some students who are near completion of their degree requirements to participate in the ceremony, although they receive a blank diploma. With the proliferation of degrees and starting dates the number and variety of requests to join Commencement without having completed all degree requirements has increased. The following rules have been adopted to guide those in charge of Commencement and to inform students of what they can expect in their own situation.

1. All degree candidates who have completed the requirements for their degree shall participate in the Spring Commencement following such completion unless they have already participated in Commencement under the provisions below.

2. JD candidates who would have been on schedule to earn their degree in time for Commencement but-for authorized leave, permission to take a lighted load, or a special part-time schedule and who are not otherwise disqualified may participate in Commencement, receiving a blank diploma. Their names will be foot- or end-noted in the program with their approximate expected completion date.

3. Candidates for graduate degrees (including the graduate portion of Joint Degrees) who have completed more than half the required credits and residency for a degree may participate in Commencement, receiving a blank diploma. Their names will be foot- or end-noted in the program with their approximate expected completion date. As before, January matriculants for graduate degrees are ineligible to participate in Commencement at the end of their first semester.

4. No one who, due to dismissal or suspension, was ineligible to attend classes in the semester immediately preceding Commencement may participate, nor may anyone penalized with prospective suspension during that semester.

5. Unless the faculty or Dean decides otherwise due to the gravity of the case, degree candidates who would have earned their degree in time for Commencement but-for an academic or disciplinary issue arising during their last semester may participate in Commencement, receiving