

## IV. POLICY AND PROCEDURE FOR THE PROVISION OF SERVICES TO STUDENTS WITH DISABILITIES

Effective August 2020

### SUMMARY

This is a summary of the Policy and Procedures for the Provision of Services to Students with Disabilities. Please read the entire policy for complete information.

- I. Students must make any request for disability accommodations in writing and submit it to the Assistant Dean for Student & Diversity Services.
- II. Requests for accommodation should be made as soon as the need for accommodation is known to allow sufficient time for review, approval, and implementation of any appropriate accommodation.
- III. All non-emergency requests for final exam accommodations or rescheduling due to a disability should be made thirty (30) calendar days prior to the last day of class. Requests must be made in writing, include appropriate documentation from a qualified professional, and be submitted to the Assistant Dean for Student & Diversity Services.
- IV. Accommodation requests must be accompanied by current documentation from a qualified professional who has made an individualized assessment of the student.
- V. Accommodations may only be made on a prospective basis. No retroactive applications are permitted.
- VI. Receipt of prior accommodations in another educational or employment setting does not ensure that an individual will receive the same, or any, accommodations in law school.
- VII. The Assistant Dean for Student & Diversity Services shall make the initial determination as to appropriate accommodation(s) in response to a student request and shall provide the student with timely written notice of the decision. If a student is dissatisfied with the initial decision, the student may use the dispute resolution procedure outlined and explained in the full policy which follows.
- VIII. Each student receiving accommodations is responsible for meeting periodically with the Assistant Dean for Student & Diversity Services to evaluate the effectiveness of the accommodation.

### **Contact Information and For Questions Regarding This Policy:**

Assistant Dean for Student & Diversity Services  
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San Diego, CA 92101  
(619) 515-1575

Vice Dean for Academic and Student Affairs  
225 Cedar Street, 2nd Floor  
San Diego, CA 92101  
(619) 515-1567

## **For Section 504 Grievance Questions or Complaints or Dispute Resolution Procedure Questions:**

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### **I. INTRODUCTION**

It is California Western School of Law (the School) policy to provide reasonable accommodation in full compliance with applicable law to enrolled students with qualified disabilities who request modification, accommodation, or auxiliary aides or service.<sup>1</sup> Furthermore, the School is committed to providing overall educational program accessibility for qualified persons with disabilities.<sup>2</sup>

The School seeks to accommodate qualified students with disabilities on an individualized basis. Such students will be given reasonable accommodations based on the specific information and assessment data provided by a qualified professional. Reasonable accommodations do not include measures which are demonstrated to fundamentally alter the School's academic program. The School's academic requirements which are essential to the program of instruction will not be regarded as discriminatory. The Assistant Dean for Student & Diversity Services provides information on the existence and location of services, activities and facilities that are accessible to, and usable by, persons with disabilities and administers the program for accommodations under the direction of the Vice Dean for Academic and Student Affairs (Vice Dean).

The Vice Dean is the senior administrative officer responsible for campus policies affecting qualified students with disabilities. With the advice of the appropriate administrative officers responsible for implementing policy, the Vice Dean ensures that these policies are both educationally sound and responsive to the needs of students with disabilities.

### **II. POLICY OF NON-DISCRIMINATION BASED ON DISABILITY**

To afford equal opportunity to participate in and benefit from all School programs and activities, the School shall ensure the following:

1. Students with disabilities shall have the opportunity to participate in School programs or activities, such as scholarly publications, interscholastic competitions, internships and externships, if they otherwise qualify for such programs or activities.
2. No officially registered student organization shall discriminate in its membership practices on the basis of disability.
3. The School will not provide assistance to non-registered organizations or persons who discriminate against students on the basis of disability.

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1 The term "accommodation" as used throughout this Policy is intended to be interchangeable with the term "academic adjustment" as used within the meaning of the regulation implementing §504. See 34 C.F.R. §104.44.

2 These legal obligations are codified at 29 U.S.C. §794, Section 504 which states in pertinent part: "No otherwise qualified individual in the United States, ..., shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." This policy will be interpreted in a manner consistent with applicable state and federal law.

4. The School will provide reasonable accommodations to qualified students with disabilities, as necessary. However, all students will be required to meet the School's academic standards, with or without reasonable accommodations.
5. The School shall provide personal advising, academic advising, and career advising without discrimination on the basis of disability. For example, qualified students with disabilities will not be counseled toward more restrictive career objectives than are other students without disabilities who have similar interests and abilities.
6. In providing financial assistance to qualified students, the School may not provide less assistance, limit eligibility for assistance, or otherwise discriminate on the basis of disability.
7. The location of programs within the physical plant will provide equal access to mobility and visually impaired students to the extent required by law.

### **III. PROSPECTIVE STUDENT POLICY AND PROCEDURES**

#### **A. Admissions Policy**

The School's Policy of non-discrimination on the basis of disability extends to the Admissions process. The School will not make preadmission inquiry as to whether an applicant is a person with a disability. Any information concerning an applicant's disability provided in a personal statement or interview during the admissions process shall be on a voluntary or optional basis and shall be maintained in accordance with state and federal laws relating to confidentiality. The School may, however, consider this information only for the purpose of overcoming past performance difficulties that the applicants may have experienced due to disabilities as reflected in their academic records.<sup>3</sup> No limitations will be placed on the number or proportion of persons with disabilities who may be admitted or enrolled.<sup>4</sup>

All admissions decisions will apply the same standards of evaluation to persons with disabilities as applied to other applicants.

#### **B. Post-Admission Procedure**

After an applicant has received a letter of admission to the School, they must follow the School's procedures for requesting accommodations as stated in Section IV below. Admitted students with disabilities are encouraged to contact the Assistant Dean for Student & Diversity Services prior to arriving on campus in order to timely engage in the process to receive accommodations at the school.

### **IV. CURRENT STUDENT POLICY AND PROCEDURES**

The School is committed to providing academic adjustments, auxiliary aids and services to qualified students with disabilities who self-identify and seek accommodations. Any student requesting or receiving accommodations should carefully review and comply with all of the School's policies and procedures. These policies and procedures are available through the Assistant Dean for Student & Diversity Services and on the School's website.

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<sup>3</sup> 34 C.F.R. §104.42(b)-(c). The School seeks a diverse student body and is particularly interested in challenges that applicants have faced and overcome, and thus invites applicants, on a voluntary basis, to provide such information in their personal statements or during an admissions interview.

<sup>4</sup> 34 C.F.R. §104.42(b)(1).

It is strongly recommended that students meet with the Assistant Dean for Student & Diversity Services prior to enrollment or early in their first trimester. Early requests for accommodation will permit adequate time to arrange and implement any appropriate accommodations.

**A. Privacy and Confidentiality of Records**

Medical information about a student, including information about the existence and nature of a qualified student's disability, will be kept confidential as is reasonably possible. However, it is sometimes necessary for the Assistant Dean for Student & Diversity Services to provide disability information to School personnel in the consideration and facilitation of, and accommodations for, qualified students with disabilities. As a general rule, only the members of the Office of Academic Affairs and the Office of Student & Diversity Services have specific information about a student's disability so that reasonable and appropriate accommodations can be determined. Disability information is given to other School personnel only when necessary for such personnel to carry out their responsibilities while providing accommodations or otherwise complying with relevant disability-related policies.

The Assistant Dean for Student & Diversity Services must have the written consent and authorization of a student with a disability to share information with anyone other than the appropriate School personnel.

The School shall maintain confidential records within the Office of Student & Diversity Services relating to any accommodations based upon disability. The records shall include the documentation submitted to verify the disability. All records are kept for five years after the student's date of last attendance.

All documents produced by consultants in the performance of services for the School shall be, and shall remain, the property of the School.

**B. Procedure for Receiving Accommodations at the School**

A student seeking accommodations is responsible for requesting disability accommodations in writing and for providing supporting documentation from a qualified professional(s) to the Assistant Dean for Student & Diversity Services as discussed below. Students are encouraged to seek services as soon as possible to allow for sufficient time to approve and implement accommodations.

It is also strongly suggested that the student schedule a personal meeting with the Assistant Dean for Student & Diversity Services to ensure that the student understands what types of information may be required in order to verify the disability and document the request for accommodations, and to begin the interactive process of determining the most appropriate accommodations, if any, for the student. Reasonable documentation which qualifies to support a request for accommodations at the School is discussed in Section IV (C) below.

The process for requesting accommodations is as follows:

1. Student obtains, reviews, and completes each section of the Accommodations Request Application which is available from the Office of Student & Diversity Services or here: <https://www.cwsl.edu/student-life/campus-resources/student-services/disability-support>.
2. Student submits the Request for Disability Services Form to the Office of Student & Diversity Services and provides the Health Care Professional Verification of Disability Form and release to the qualified professional. See subsection C below for information on required supporting documentation for a request for accommodations.
3. Qualified Professional(s) submits the Health Care Professional Verification of Disability Form and relevant supporting documentation directly to the Office of Student & Diversity

Services. Health Care Professional Verification of Disability Form(s) and supporting documentation received from the student will not be accepted and will delay review of the student's request for accommodations and the interactive process for determining accommodations at the School.

4. Upon receipt of the student's request for accommodations and the Health Care Professional Verification of Disability Form with supporting documentation, the Assistant Dean for Student & Diversity Services will review the packet to assess whether it is sufficient to meet the School's criteria for establishing a disability and supporting the student's request for accommodations and schedule an in-person meeting with the student as part of the interactive process to determine what accommodations are reasonable and approved by the School.
5. Each student receiving academic accommodations shall meet periodically with the Assistant Dean for Student & Diversity Services to evaluate the effectiveness of accommodations.
6. Accommodations are subject to review, revision and possible termination upon any change in the nature of the disability or the student's failure to properly utilize the services provided.

C. Documentation Required in Support of a Request for Accommodations

Documentation in support of a request for accommodations will be reasonable, appropriate to the disability(s) and evidence the need for the requested accommodations, and should include the following six elements:

1. A diagnostic statement<sup>5</sup> that is no more than three (3) years old identifying the disability, date of the most current diagnostic evaluation, and the date of the original diagnosis. Initial qualifying documentation is preferably within the past year. Documentation older than three years may be partially useful in certain situations if, in the School's judgment, it is still relevant to the individual's situation and otherwise meets the guidelines outlined herein (e.g. transfer student who has been continuously enrolled in college and has a history of receiving services and accommodations in a similar setting, non-traditional aged student whose documentation accurately describes his/her current ability to function academically). A new assessment may be necessary to determine the current need for accommodations if the existing documentation is outdated, inadequate in scope or content, or if the student's observed performance indicates that significant changes may have occurred since the previous assessment was conducted.
2. A description of the diagnostic tests, methods, and/or criteria used. The description should include the specific results of the diagnostic procedures, diagnostic tests utilized, and when administered. When available, both summary and specific test scores should be reported as standard scores and the norming population identified. When standard scores are not available, the mean, standard deviation, and the standard error of measurement are requested as appropriate to the construction of the test.
3. A description of the current substantial functional impact of the disability on a major life activity and how the disability impacts participation in law school courses, activities, or examinations. This section should include specific test results and the examiner's narrative interpretation. The current substantial functional impact on physical,

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5 The diagnostic systems used by the Department of Education, the State Department of Rehabilitative Services or other State agencies and/or the current edition of either the Diagnostic and Statistical Manual of The American Psychiatric Association (DSM-V) or the International Statistical Classification of Diseases and Related Health Problems of the World Health Organization (ICD) are the recommended diagnostic taxonomies.

perceptual, cognitive, and behavioral abilities should be described either explicitly or through the provision of specific results from the diagnostic procedures.

4. Treatments, medications, and/or assistive devices/services currently prescribed or in use. Include a description of treatments, medication, assistive devices, accommodations and/or assistive services in current use and their estimated effectiveness in reducing the impact of the disability. Significant side effects that may impact physical, perceptual, behavioral or cognitive performance should also be noted.
5. A description of the expected progression or stability of the impact of the disability over time, particularly the next five years. This description should provide an estimate of the change in the functional limitations of the disability over time and/or recommendations concerning the predictable needs for reevaluation.
6. The credentials of the diagnosing professionals, if not clear from the letterhead or other forms. Information describing the certification, licensure, and/or the professional training of individuals conducting the evaluation should be provided.

Based on the context of the diagnostic evaluation adhering to the six elements, the qualified professional should recommend necessary accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services. Recommendations from professionals with a history of working with the individual provide valuable information for the review process. If no accommodations have been provided prior to law school admission, the qualified professional must include an explanation about why no accommodations were used in the past, and why accommodations are needed now.

A student may submit a history of accommodations received in any educational institutions, testing entities (SAT, ACT, LSAT, GMAT) or in places of employment. Such a history of accommodations is subject to verification by the institution or place of employment that facilitated the accommodations. Receipt of prior accommodations does not ensure the student will receive the same or any accommodations in the law school setting.

If the initial documentation is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the School will provide written notice explaining what additional information is required. When requested, it is the student's responsibility to obtain additional information or testing in a timely manner. The final determination of appropriate accommodations rests with the School, based on a review of the provided documentation, as outlined herein. A prior history of accommodations, without demonstration of current need, does not in and of itself warrant the provision of a like accommodation.

The cost of any supplemental documentation or assessment that may be necessary to ensure adequate verification shall be borne by the student. If the School requires an additional assessment for purposes of obtaining another professional opinion, then the School shall bear any cost not covered by any third- party payer.

#### **D. Documentation Applicable to Specific Categories of Disabilities**

##### **1. Verification of Mental or Psychological Disabilities**

In defining a disability as primarily mental or psychological in nature, the School employs the definition of mental disorders as described in the most current edition of the *Diagnostic*

*and Statistical Manual of Mental Disorders* (5<sup>th</sup> edition, DSM-V), Washington, DC, American Psychiatric Association.<sup>6</sup>

Qualified diagnosing professionals for psychological disorders are licensed or otherwise properly credentialed and possess expertise in the disability for which modifications or accommodations are sought. Documentation must be current and reflect the student's present level of functioning of the major life activity affected by the disability.

Documentation must be submitted directly to the Office of Student and Diversity Services with the professional's letterhead attached and contain the professional's signature and license number.

While mental or psychological disorders may be a source of discomfort, distress, or disability, a student may not necessarily require accommodation. A determination of eligibility for such services shall be made by the Assistant Dean for Student & Diversity Services who may consult with a licensed professional that may review, at a cost borne by the School, the student's request and documentation.

## 2. Verification of Physical Disabilities

Qualified diagnosing professionals for physical disorders are licensed or otherwise properly credentialed and possess expertise in the disability for which modifications or accommodations are sought. Documentation must be current and reflect the student's present level of functioning of the major life activity affected by the disability.

Documentation must be submitted directly to the Office of Student and Diversity Services with the professional's letterhead attached and contain the professional's signature and license number.

## 3. Verification of Learning Disability

Qualified diagnosing professionals for learning disabilities are licensed or otherwise properly credentialed and possess expertise in the disability for which modifications or accommodations are sought. A student with a learning disability(s) must provide detailed copies of all professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. Particularly, documentation must reflect evaluation within the prior three years and be scored using an adult scale. The cost of obtaining professional verification shall be borne by the student. Documentation must be current and reflect the student's present level of functioning of the major life activity affected by the disability.

Documentation must be submitted directly to the Office of Student and Diversity Services with the professional's letterhead attached and contain the professional's signature and license number.

## 4. Attention Deficit Disorder (ADD)/Attention Deficit Hyperactivity Disorder (ADHD)

A student with ADD/ADHD must provide professional documentation to the Assistant Dean for Student & Diversity Services that indicates a current (no more than three years

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<sup>6</sup> When this policy was updated, the most current edition of the Diagnostic and Statistical Manual of Mental Disorders was the 5th edition released in 2013.

old) diagnosis of ADD/ADHD that is based on age-appropriate (upon entrance to the School) diagnostic evaluations administered by qualified (i.e., certified or licensed) professionals (e.g., psychiatrists, psychologists, or neuropsychologists).

The professional evaluation must include:

- a. Diagnostic interview addressing relevant historical information including: age at initial diagnosis; past and current academic achievement; evidence of behaviors that significantly impair functioning in two or more settings; discussion of medication; history and effectiveness of accommodations in past education settings; and, if no history of accommodations exists, rationale as to why they are essential at this time;
- b. A description of the procedures used to diagnose the disability (include a list of all instruments used in the assessment);
- c. Discussion of the testing results and behavior, including the symptoms that meet the criteria diagnosis. If the student was evaluated while on medication, the description should indicate the effect this may have had on performance;
- d. DSM-V diagnosis; and
- e. Diagnostic summary statement that includes the following information:
  - i. Clear statement that ADHD does or does not exist, including a rule-out of alternative explanation for behaviors. Terms such as “appears,” “suggests,” or “has problems with” in the diagnostic summary statement do not support a conclusive diagnosis.
  - ii. Clear statement specifying the substantial limitations to one or more major life activities and the degree of severity. If the limitations are in learning (e.g., reading, written expression), an appropriate psycho-educational evaluation must be administered to document ability/achievement discrepancies.
  - iii. Recommendations regarding medications.
  - iv. Recommendations for accommodations, including rationale.

E. Transitory and Minor Disability

The School may, under unusual circumstances and on a case by case basis, provide reasonable academic accommodations for a transitory and/or minor disability.

Students seeking accommodations on the basis of a transitory and minor disability must provide written 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 an acceptable professional health care provider who is qualified in the diagnosis of such conditions.

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 School will provide written notice explaining what additional information is required. The cost of any supplemental documentation or assessment that may be necessary to ensure adequate verification shall be borne by the student. If the School requires an additional assessment for purposes of obtaining another professional opinion, then the School shall bear any cost not covered by any third party payer.



F. Prospective and Retroactive Accommodations

All accommodations are prospective only. That is, an accommodation is provided only for classwork done or activities undertaken after the initial determination process has been completed pursuant to this policy and a final decision regarding the student's accommodation request has been communicated to the student in writing.

No retroactive accommodations are provided. That is, the work completed before an accommodation is formally requested, processed and granted is not reconsidered or adjusted. The absence of an accommodation before such accommodation is requested and reviewed is, for example, not a basis for appeal, readmission, or other special consideration.

Accordingly, it is imperative that a student who believes an accommodation might be appropriate consult with the Assistant Dean for Student & Diversity Services at the earliest possible time.

G. Overview of Reasonable Accommodations at the Law School

Accommodations are 1) modifications or adjustments to the educational program; 2) the provision of auxiliary aids and services and academic adjustments, and 3) modifications to the School environment intended to remove barriers to equivalent access. The School has identified the following examples of accommodations which have removed barriers to equivalent access for students with qualifying disabilities:

1. Academic Requirements - Accommodations in this category include those necessary to ensure that academic requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student with a disability. Academic requirements that can be demonstrated as essential to the School's program of instruction need not be changed, but the school will engage in a careful, thoughtful and rational review of the academic program and its requirements in order to determine if alternatives are reasonable based on the student's specific needs.
2. Course Examinations - Accommodations made so that examinations or other procedures for evaluating students' academic achievement shall include methods of evaluating students to ensure that the evaluation results represent the student's achievement in the course, rather than reflecting a student's impaired sensory, manual or speaking skills (except where such skills are the factors that the test purports to measure). Any adjustments and accommodations in the conduct of exams which alter the administration of the exam shall be made in consultation with the Assistant Dean for Student & Diversity Services.

All examinations taken with exam accommodations are under the supervision of the Assistant Dean for Student & Diversity Services. All correspondence regarding exam accommodations, exam dates and times, and exam locations, should be directed to the Assistant Dean for Student & Diversity Services.

Students with disabilities taking accommodated exams are subject to standard rules and regulations governing examinations. The only exceptions to the rules and regulations are the specific accommodations approved by the Assistant Dean for Student & Diversity Services and/or the Vice Dean. In addition, some of the administrative procedures differ from the general exam process. Therefore, all students must be thoroughly familiar with the following information about examinations:

- a. Students are strongly discouraged from discussing their exam accommodations with professors and other students. This is to protect the anonymous exam process.
  - b. Professors give specific instructions as to what can and cannot be brought into the examination room. The proctors, therefore, know what students can and cannot have with them. Under no circumstances shall any student taking an accommodated examination bring unauthorized material or personal belongings into the exam room.
  - c. Any breaks shall be taken within the exam period, unless otherwise approved as a separate exam accommodation.
  - d. No extension of time will be given if a student is late for the examination. If a student arrives more than thirty (30) minutes after the scheduled starting time, the Assistant Dean for Student & Diversity Services or the Vice Dean may reschedule the exam should there be an extraordinary and compelling excuse.
  - e. Should the student become ill and unable to sit for the examination, the student must first notify the Vice Dean or the Assistant Dean for Student & Diversity Services. Any decision about a change in time or date can only be made by the Vice Dean.
3. Classroom Adjustments - Accommodations in this category include those necessary to ensure students with disabilities have equal access to educational materials as students without disabilities. Classroom adjustments include, but are not limited to, note takers, recording of lectures, alternative format books, and/or accessing classroom materials in alternative formats as long as cost is not an undue burden to the School. Depending on the specific classroom accommodation requested, the School may require the student to provide additional information to support the specific adjustment.
4. Auxiliary Aids - The School shall either provide or assist qualified students in acquiring educational auxiliary aids designed to enable them to participate fully in an academic program. The assistance provided may include contacting existing resources, such as State and community agencies, private charitable organizations, and individual volunteers. The School is not responsible for providing services of a personal nature, such as attendants.
5. Priority Registration for Courses  
The Assistant Dean for Student & Diversity Services may, in extraordinary cases, make special arrangements with the Registrar's Office for qualified students with disabilities to register early if the specific impact of such disabilities necessitates priority registration.
6. Service Animals  
The definition of a service animal in the Americans with Disability Act (ADA) is "any animal individually trained to do work or perform tasks for the benefit of an individual with a disability". Service animals will be permitted to accompany a person with a disability in nearly all locations on campus. Student who request to have a service animal must contact the office of Student & Diversity Services before the animal comes to campus. If there is any question whether an animal is a service animal, a decision will be made in consultation with the Office of Student & Diversity Services.

Requirements of service animals and their partners/student:

- a. Animals must be licensed in accordance with any and all State and local laws/ordinances.

- b. Animals must be in good health.
- c. Animals must always be on a leash at all times.
- d. The student/partner must always be in full control of the animal at all times.
- e. The student/partner must provide copy of current vaccination records and a picture of the service animal along with request for service animal to be allowed on campus.

Students with disruptive and aggressive animals may be asked to remove such animals from school facilities. If the improper behavior happens repeatedly, the animal may be barred from campus until the student takes significant steps to mitigate the behavior. If the improper behavior is not remedied, the service animal may be barred from campus permanently. The School does not permit emotional support or companion animals on campus.

#### 7. Other Accommodations

Accommodations not listed may be requested based on individual need and supporting written documentation.

#### H. Improperly-Procured Accommodations

Services for students who improperly procure accommodations under this policy will be immediately terminated and the student may be subject to disciplinary action under the Honor Code.

#### I. Administrative Discretion

Subject to applicable rules of confidentiality, the Assistant Dean for Student & Diversity Services shall provide information to appropriate administrative staff and faculty when necessary to arrange for efficient administration of accommodations.

#### J. Disqualified Upper Division Student Appeal<sup>7</sup>

Upon receipt by the Office of the Vice Dean of a petition for readmission (submitted in accordance with Academic Policy 7.50 et seq.) from an upper division student who identifies as a student with a disability, the petition will be supplemented by a report from the Assistant Dean for Student & Diversity Services providing, in a summary, chronological form, any available information regarding the nature of the disability, the extent to which it affects the student's ability to participate or perform in the academic program, the accommodations requested by the student, those granted, if any, and any other information contained in the student's file relevant to the petition.

#### K. Post-Graduation Policy and Services

Students with disabilities who believe they will require accommodations when taking the bar examination should inquire early in their legal education as to what will be necessary to obtain accommodations from the State Bar of California (<http://www.calbar.ca.gov>) or any bar to which the student may apply. Information on how to contact the bar examiners for all states is available in the Registrar's Office or on the School's website.

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7 CWSL Statement of Academic Policies §7.50-§7.53 .

The School will assist students in documenting accommodations received during law school as an aid in requesting accommodations for bar examinations. However, receipt of any accommodation at the School does not ensure that the student will receive the same or any accommodations for the bar. A written request, along with the appropriate forms from the bar examiners, must be submitted to the Assistant Dean for Student & Diversity Services in a timely manner.

The Career and Professional Development Office will aid all graduates, with or without disabilities, in developing career opportunities after the completion of studies at the School.

The School has a policy of non-discrimination on the basis of disability in all alumni activities which are a part of the official program of the School or which involve the participation of applicants or enrolled students.

**L. Informal Dispute Resolution Procedure**

If the student disagrees with the initial determination of the student's request for accommodations or has other disputes about the School's provision of accommodations, the student should schedule a review meeting with the Assistant Dean for Student & Diversity Services to engage in an interactive discussion regarding the student's request or the School's provision of services. This meeting shall be held, if feasible, within five (5) business days of receipt of the initial determination or other disputes.

After the review meeting with the Assistant Dean, the student may file a petition for review with the Vice Dean for Academic and Student Affairs. This petition for review should be in writing, and specify, with particularity, the reasons for disagreement with the determination by the Assistant Dean or the Office of Student & Diversity Services. The student may submit new information or documentation with the petition. This petition for review must be filed within seven (7) business days of the date of the review meeting.<sup>8</sup>

The Vice Dean will review the written petition for review and the student's disability documentation submitted in support of the request for accommodations, and may consult with the relevant parties, other School employees, or disability specialists. The student is encouraged, though not required, to meet with the Vice Dean of Academic and Student Affairs to discuss the student's petition ("optional meeting"), which meeting shall be held, if feasible, within three (3) business days of the date of receipt of the petition. The Vice Dean will make a determination on the petition ("final determination") within seven (7) business days of the date of receipt of the petition,<sup>9</sup> which final determination will be communicated in writing to the student. If the student disagrees with the final determination, the student may file a formal grievance pursuant to paragraph M, below.

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<sup>8</sup> This seven (7) day period may be extended for good cause upon written notice to the Vice Dean.

<sup>9</sup> This seven (7) day period may be extended for good cause upon written notice to all interested parties.

Following is a summary of the timetable for the Informal Dispute Resolution Process:

Action	Assistant Dean for Student & Diversity Services (ADSDS) provides initial determination	Student schedules review meeting with ADSDS	Student may file petition for review with Vice Dean (VD)	Student may request optional meeting with VD	VD makes final determination
Timeline	Day 1	Within 5 business days of Day 1	Within 7 business days of review meeting	Within 3 business days of receipt of petition for review	Within 7 business days of receipt of petition for review

**M. Formal Grievance Process for Complaint of Disability Discrimination**

A student who alleges discrimination on the basis of disability shall file a complaint with CWSL General Counsel within ninety (90) calendar days of the date of the alleged act of discrimination. This procedure shall apply only to Complaints arising under Section 504 of the Rehabilitation Act or Title III of the Americans with Disability Act alleging discrimination on the basis of disability.

Upon receipt of a student complaint alleging discrimination on the basis of disability, the CWSL General Counsel shall review the complaint to ensure that it states a claim. If it states an appropriate claim, the CWSL General Counsel shall refer the complaint to a Faculty Grievance Committee (FGC) to make a final decision regarding the complaint. This referral shall be made within twenty-one (21) calendar days of receipt of the complaint. The complainant shall be advised of this referral. If the student complaint does not state an appropriate claim, CWSL General Counsel shall notify the student within twenty-one (21) calendar days of receipt of the complaint, including an explanation of why the complaint is not appropriate for the FGC.

The FGC shall conduct an adequate, impartial, and reliable fact-finding process that ensures the dignity of the parties and affords the parties a full and fair opportunity to present their claims and defenses. At the complainant's request, the FGC may hold a public hearing at the School to facilitate the fact-finding process, so long as the complainant understands that any privacy rights, including FERPA rights, may then be waived. Unless the complainant requests a public hearing, any hearing shall be private. The parties have the right to representation and may present witnesses and documents in support of their position. However, the formal rules of evidence will not apply. The FGC is further empowered to hire professional consultants to provide clarity involving medical and/or educational issues in dispute.

The FGC will use best efforts to complete the fact-finding process within thirty (30) calendar days of the referral (but may extend the thirty (30) day period for good cause and upon notice to all interested parties). Within thirty (30) calendar days of completing the fact-finding process, the FGC will issue a written decision. FGC General Counsel will provide a copy of the written decision to all interested parties, and such decision shall include appropriate findings of fact and a determination of whether discrimination on the basis of disability has occurred. If the FGC finds that discrimination on the basis of disability has occurred, she will outline steps to be taken to resolve the complaint.

The decision of the FGC will constitute the final decision of the School. No other internal administrative appeals will be allowed.

Following is a summary of the timetable for the Formal Grievance Process:

Action	Student may file formal complaint with General Counsel (GC)	GC either (1) refers complaint to Faculty Grievance Committee (FGC) or (2) notifies student it's not an appropriate claim	If GC refers complaint to FGC, FGC completes fact-finding mission	If GC refers complaint to FGC, following fact-finding mission, GC issues written decision.
Timeline	Within 90 calendar days of date of alleged act of discrimination	Within 21 calendar days of receipt of complaint	Within 30 calendar days of GC's referral to FGC	Within 30 calendar days of completing fact-finding mission

N. Prohibition Against Retaliation

Neither the School, nor any faculty member, administrator, employee, agent, or student, will in any way retaliate against an individual who makes a request for accommodations, utilizes the dispute resolution process, files a complaint with CWSL General Counsel, or files a complaint with the Office for Civil Rights, or exercises other rights protected by Section 504 or applicable law. Retaliation is a serious violation of this Policy and should be reported immediately to the CWSL General Counsel. Complaints of retaliation under this policy may be filed through the Section 504 Complaint procedure described above in part M. Any person found to have retaliated against another individual for any action taken under this Policy will be subject to disciplinary action.

V. **BUILDING ACCESSIBILITY**

A. Entrances

1. 225 Cedar Street - The courtyard has a ramped, main entrance. Access doorways are equipped with power assisted doors with lowered push buttons outside and inside of each door.
2. 290 Cedar Street - The main entry is accessible and fitted with power-assisted push buttons on the interior and exterior of the entrance.
3. 350 Cedar Street - There is an accessible entrance at the easterly doorway. This entrance has a ramp and power assisted door with lowered push buttons outside and inside of the door.

B. Elevators

1. 225 Cedar Street - The building is equipped with two elevators which access all four floors of the building, as well as three floors in the parking garage. The elevators are equipped with buttons with raised numbers, Braille symbols, and auditory signals. Both elevators are located in the northwest corner of the courtyard.
2. 290 Cedar Street - The building is equipped with two elevators which access all four floors of the building. The elevators are equipped with buttons with raised numbers,

Braille symbols, and auditory signals. Both elevators are located in the west interior of the building.

3. 350 Cedar Street - The building is equipped with one elevator, which accesses the lower level and three floors of the building. The elevator is equipped with buttons with raised numbers, Braille symbols, and auditory signals. The elevator is in the westerly part of the lobby.

C. Restrooms

1. 225 Cedar Street - There are accessible restrooms with designated stalls in the southeast corner of each of the four floors in this building, and accessible all-gender restrooms in the 1<sup>st</sup> floor space contiguous to the Experiential Learning Center.
2. 290 Cedar Street - There are accessible restrooms on each floor in the northwest corner.
3. 350 Cedar Street - There are accessible restrooms on the lower level and on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors.

D. Emergency Procedures

Detailed information about what to do in case of emergency may be obtained from the Office of Facilities Management on the Mezzanine level of the 350 Cedar Building, (619) 525-1487.

In the event of a fire, earthquake, or other disaster, an alarm will sound throughout the building. *If the building needs to be evacuated because of fire, wheelchair users on floors other than the ground level, should request assistance from persons around them and leave their chairs behind* because elevators will not be operating.

E. Parking

Students with certain disabilities that affect mobility may apply for a Handicapped Parking Placard from the City of San Diego. This placard allows one to park free at any metered or non-metered street space. There are two spaces reserved for the disabled in front of the 350 Cedar Building.

**VI. INQUIRIES ABOUT FEDERAL LAWS PROTECTING PERSONS WITH DISABILITIES**

Inquiries concerning the School's compliance with applicable disability laws may be directed to the Assistant Dean for Student & Diversity Services, California Western School of Law, 350 Cedar Street, San Diego, CA 92101-3046. In addition, inquiries or complaints regarding federal laws and regulations may be sent to the Office for Civil Rights, U.S. Department of Education, 50 United Nations Plaza, San Francisco, CA 94102.

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