



October 1, 2015

GALEN SHERWIN
Senior Staff Attorney
T/212.519.7819
F/212.549.2580
gsherwin@aclu.org

**AMERICAN CIVIL LIBERTIES
UNION FOUNDATION**
WOMEN'S RIGHTS PROJECT
NATIONAL OFFICE
125 BROAD STREET, 18-
FL.
NEW YORK, NY 10004-2400
T/212.549.2644
F/212.549.2580
WWW.ACLU.ORG

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

RICHARD ZACKS
TREASURER

David A. Wollin, Esquire, Chair
Rhode Island Board of Bar Examiners
Licht Judicial Complex
250 Benefit St.
Providence, RI 02903

Dear Chair Wollin and Members of the Board,

We write on behalf of the undersigned organizations to follow up on our letters dated July 20 and August 4, 2015, regarding accommodations for candidates who are nursing during the bar exam.

As you may be aware, we released the results of our survey and analysis of the various accommodations policies in effect across the country. The results are available at the following URL:

<https://www.aclu.org/map/breastfeeding-policies-during-bar-exam-state>.

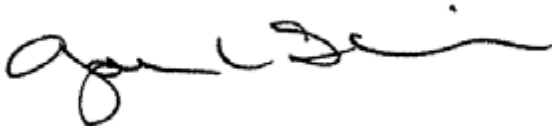
States that committed to review their policies or to implement changes in response to our campaign received a grade adjustment. Rhode Island's grade is currently an "Incomplete" because we were unable to reach anyone in your office to complete our survey, despite repeated attempts. However, we were pleased to receive your August 7th letter informing us that you are undertaking a review of your policies and procedures in response to our suggestions.

We appreciate your openness to our recommendations. In order to assist you in conducting this review and implementing necessary changes, we are pleased to share with you a model policy we have developed based on ones that have been implemented in several other states around the country.

We hope you will take it into consideration in determining how to make the exam fair and accessible for all candidates. Any changes you make will be reflected in regular updates of our report.

We would be happy to speak with you about these recommendations and answer any questions you might have. Please feel free to contact Galen Sherwin directly at (212) 519-7819 if you have any questions. Since it has been almost two months since your response, we look forward to receiving an update from you in the near future.

Sincerely,



Galen L. Sherwin
Senior Staff Attorney
ACLU Women's Rights Project
125 Broad Street
New York, NY 10004

Steven Brown
Executive Director
ACLU of Rhode Island
128 Dorrance Street, Suite 220
Providence, RI 02903

Sabrina Andrus
Executive Director
Law Students for Reproductive
Justice
1730 Franklin Street, Suite 212
Oakland, CA 94612

Jenn Steinfield
Executive Director
Women's Fund of Rhode Island
One Union Station
Providence, Rhode Island 02903

Jane W. Koster
President
League of Women Voters of Rhode
Island
172 Taunton Avenue, Ste. 8
East Providence, RI 02914

Shandi Hanna
President
Rhode Island NOW
PO Box 8413
Warwick, RI 02888

Jamie Rhodes
Director of Public Policy &
Government Relations
Planned Parenthood of Southern New
England
111 Point Street
Providence, RI 02903

Board Members
Rhode Island Women's Bar
Association
10 Weybosset Street, #800
Providence, RI 02903

Cc: Board of Bar Examiners
Nancy Mahoney

Enclosure

Accommodations for Health Related Conditions

The Office of _____ will provide, upon written request, accommodations for health-related conditions not otherwise covered under our policy regarding non-standard testing accommodations for applicants with disabilities.

[General “health-related accommodations” policy here]

Applicants who are breastfeeding

Courtesy accommodations for applicants who are breastfeeding are available upon request to enable such applicants to express breast milk during the examination.

Process for submitting requests: Applicants should submit a request for accommodations in writing to [_____appropriate office/individual, with contact information.] A request for lactation accommodations will be granted upon submission of medical documentation from your child’s pediatrician or your qualified medical provider verifying that you are breastfeeding and the child’s date of birth. (Please be advised that applicants may, upon request of the Board of Bar Examiners, be required to submit additional medical documentation to support a request.)

Applicants should list all accommodations you believe will be necessary on the day of the exam with as much specificity as possible. Accommodations may typically include:

- Permission to bring a breast pump and accompanying equipment, storage containers, and a cooler if necessary.
- A private location for expressing milk (other than a bathroom), with an electrical outlet.
- Exam room seating that affords the swiftest possible route between the test room and the lactation area during breaks.
- Additional off-the clock break time if existing breaks are insufficiently frequent for an individual’s circumstances.

Except in extraordinary circumstances or due to a recently emergent event, requests for lactation-related accommodations must be received by the Board of Bar Examiners at least three (3) weeks prior to the first day of the bar examination.