

Menstruation-Related Policy and Procedure and the Bar Exam

Although menstruation is not a disability and is not to be considered one for the purpose of granting accommodations, the Minnesota Board of Law Examiners (Board) will afford examinees accommodations in a manner consistent with public policy and law and will publicly post this policy on the Board's website.

To ensure equitable treatment, examinees shall be allowed to bring their own menstrual products into the bar examination, stored in a separate bag, and may access restrooms during the examination.

The following practices are currently in place for all examinees regarding menstruation during the bar exam and applicants do not need to make a separate request:

1. Examinees are permitted to keep, access, and use personal menstrual products during the bar exam.
2. Examinees may keep products in a separate clear or opaque bag. Examinees do not need to use the same bag for their menstrual products that they use for other personal items. In the interest of security, opaque bags may be inspected upon entry to the examination.
 - If inspected, examinees may request that the inspection take place in a separate room.
 - Examinees may bring menstrual products in their original packaging. To protect the sterility of products, examinees will not be required to open an individual menstrual product that is sealed or remove it from the packaging.
 - Examinees will not be questioned about their need to bring menstrual products into the exam.
3. Examinees shall be allowed to carry their security-cleared menstrual products during the exam from their testing room to the bathroom without further inspection.
4. Examinees may use the restroom as needed during the exam. No additional time will be provided for examinees who use the restroom during the testing periods.
5. There are an adequate number of clean restrooms available both within the secure area and in the unsecure area at the exam. Examinees may use the bathroom that best corresponds to their gender-identity. The Board will work with the facility to try to provide an all-gender restroom within the secure testing area.
6. Examinees will be provided the schedule of the examination in advance of the examination. Minnesota administers the Uniform Bar Examination (UBE). The UBE is administered in three-hour blocks, with two testing blocks occurring on the first day of the examination and two testing blocks occurring on the second day. There is a break of at least one hour in between the morning and afternoon testing sessions.
7. The Board shall have tampons and pads of different sizes available and these materials will be provided free upon request.

Specific Accommodation Requests:

An examinee seeking a reasonable accommodation other than as listed above may request those accommodations in advance of the examination along with a statement by the examinee's treating physician describing the specific accommodations requested and how such accommodations are medically necessary for the health of the applicant. Individual accommodations may vary depending upon each requestor's circumstances.

All requests are reviewed by the Director who shall make a determination in accordance with this policy and notify the examinee in writing. An examinee who is not satisfied with the accommodation granted may appeal by directing a letter to the President of the Board. The President shall conduct an expedited review of the documentation supporting the request and the decision made by the Director and shall issue a written decision prior to the bar examination for which the examinee has applied provided the request is made at least two (2) business days before the examination..

Examinees who have questions or concerns may contact the Board office by telephone or through the Board's email: ble@mbcle.state.mn.us Examinees may also provide comments anonymously through the survey process at the conclusion of the examination. Any issues identified will be addressed prior to the next examination cycle.