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The International Law Student: Culture, Access, and When We'll Stop Scrambling

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THE INTERNATIONAL LAW STUDENT: CULTURE, ACCESS, AND WHEN WE'LL STOP SCRAMBLING

BEGIN TRANSCRIPT[*]

FANTA AW: My name is Fanta Aw and I work on main campus. I am the Assistant Vice-President of Campus Life and also the Director of International Student Scholar Services Office here at American University. I am going to let each of the panelists quickly introduce themselves and then we are going to get started.

SANDRA BUTEAU: Good morning everybody. My name is Sandra Buteau. I am the Director of Graduate Career and Professional Development at Georgetown University Law Center. Just to be completely true, my title basically means that I am the LL.M. career advisor. So for the Masters of Law that are in the Law School, we have close to 500-550 both U.S. and foreign-trained.

MYRA WILDER: You all have seen me already, but to reintroduce myself, I am Myra Wilder. I am the Senior Academic Counselor here at American University Washington College of Law. I am the individual responsible for implementing accommodations for all students, J.D. as well as LL.M.

FANTA AW: Well the title of our session—I think it is quite appropriate the way it has been framed—it is called, "International Law Student: Culture, Access, and When We'll Stop Scrambling." (Laughter). The last part of it, I think, is the operative word, "scrambling."

By and large, what we are going to attempt to do today is really to provide some framework for you. After that, really give ample time for us

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to engage in a discussion about what you are observing on your respective campuses and perhaps what might be some of the strategies that we have learned working with students who are coming to us from pretty much all around the world and with various forms of disabilities.

As the Director of the International Student Scholar Services Office, one of the things that I have seen—the first encounter I had with specifically trying to look at accommodation issues and looking at issues of culture and access was probably about 20 years ago when the first student from Argentina came to American University when I first started working in the office. As a student then, this was a blind student who came to American and had a dog with him to help him out. Needless to say, that was the first time on main campus where I had encountered that specific situation. It took literally—as we say in my part of the world—it took a village.

So first and foremost to get us started I think it is safe to say, in order to do this and to do this well, it really does take a village. We will give examples after examples of how that plays out. Why is this issue important? Even if on your campus you have only encountered one or two students who have come to you—international students in need of accommodation—what I can assure you is this is going to be a growing trend. Let me tell you a little bit about why this is a growing trend. By and large, with sponsoring organizations, and primarily with U.S. government agencies, whether it is the Fulbright program, whether it is the Humphrey program, whether it is IRE, pretty much every single major exchange visitor program is making a commitment to diversify the international students that they are bringing to the United States.

The commitment is around two major fronts. First and foremost, they are making a commitment to make sure that there is greater representation among these major flagship programs of students from under-represented backgrounds. So now more and more Fulbright Commissions around the world are leaving the capitals of the world and are going to more remote areas to try to recruit students in distant places beyond the capital to ensure that there is more socio-economic diversity. In addition, there has been a growing commitment to diversify along disability and issues of access. And so as a result, as more government programs are moving in that direction, it will translate into more students coming our way with different forms of disabilities that are being supported through either the U.S. government or, in some instances, are being supported through their own government.

Just recently on main campus, one of our faculty members who works in the School of International Service just received a $9 million grant from the Nippon Foundation to put together a disability access program for the ASEAN countries with the understanding that students from around the

ASEAN countries will be able to take courses through distance education and as a result, this will help to permeate the larger societal framework and will allow more and more people from different communities to be able to function fully and to be full citizens within their communities.

So one is, there is a growing trend. There is funding that is being put specifically toward meeting this goal. A second reason for why we will be seeing more students coming our way and also more scholars, by the way, research scholars and others coming our way from international backgrounds is that that there are more participants with passion for social justice and disability rights. Many times the students will be coming to your law programs. The students who would be coming even to main campus for various programs often come to our programs with a passion and a deep belief in social justice, particularly around disability rights.

Many of them study disability rights with the understanding that they will be able to go back to their societies and will be able to make fundamental changes within legal frameworks, within social frameworks, et cetera. That is another reason why there is a growing trend.

So with that said, what do we know about the situation and, more importantly, why does this matter? Being on campus and being in charge of the International Student Scholar Services Office, I think perhaps the best way for me to describe my role is to many times be a cross-cultural mediator. And in that sense it is to work with the academic unit, it is to work with sponsoring organizations, to work with various departments and programs to see how we can work collectively in order to ensure that the students and the scholars who are coming to us are going to be able to take full advantage of the learning that they are coming for and, more importantly, that they are going to be successful in their programs.

There are several challenges that we have encountered along the way. One, first and foremost, is balancing expectations and needs. In the U.S., you tend to work from a cultural framework of independence. Much of the world works from a framework of interdependence. When it comes specifically to students who come to us with disabilities and when it comes to international students in general, there is a very quick tension between a value system of independence and a value system of interdependence. This is where often we start to see some of the friction. A second element that often comes up, in terms of some of the cultural dynamics, is around language and the meaning around different forms of languages. Many of the students who come with disabilities often come from cultures where for the longest period of time the way they have been able to be successful is through a family support network. They leave that support network and come to us. The first thing that they often understand that has been lost is that social network. The first thing they look for is to find a substitute for

that social network. So the question that often comes up is, what would that social network look like? Who would take responsibility for that social network and how does it play out in a different cultural context? So the second element is the social network piece of the work.

The third piece having to do with communication. All too often, there is a breakdown in inter-cultural communication. With the best of intentions and with the best effort, we often find that we have to spend more time; we have to reframe differently in order to be able to navigate.

So with that said, what I wanted to talk to you a little bit about are a couple of elements. One is the reason why the scrambling happens is that all too often I think institutions will say, "We don't have enough information," particularly when we are working with the sponsoring organizations. We may find out there is a student coming to us with a disability, but beyond that we may not have the appropriate accommodation papers and Myra will talk to you a little bit more about in her work what she often has to do in order to accommodate the student.

So first point is I think we need to think about more creatively how to ensure that communication is smoother before students get here and perhaps need to spend more time with the sponsoring organizations to talk to them about our expectations, but also to understand their expectations. That would probably be one of the first things.

The second element has to do with the fact that once students actually get here, I think it is safe to say that all students are often overwhelmed, but I can certainly say that for students coming with other challenges, they are certainly even more overwhelmed. Often we find that we have to spend a lot more time. Often we find that we need to bring in folks who can perhaps play a mediating role when needed because, in many cultures, again that may be an appropriate way in which to address issues as they come up. Ultimately, at the end of the day, the number of students that we have who have come to American, one of the things that I think I can say safely is that what has been a successful model has been the teamwork. It has been the ongoing communication between the programs and my office and particularly also with the disability support services working in tandem to make sure that we are communicating the same message to students, but also placing the work in a cultural context that is relevant and that is understandable and is accessible to the student in order for them to succeed.

And so a couple of things that I have found that have been useful in my work, first and foremost, we don't need to reinvent the wheel. There are lessons that we learn along the way and those lessons help us to be able to navigate successfully. The second piece of not reinventing the wheel is that luckily here in the U.S. there is so much good information around, particularly disability and access and accommodation, but one of the key

websites that I have gone to and one of the key resources that I have worked closely with has been the Chief Executive Officer of Mobility International USA. She has been probably one of the folks that I have had on speed dial when I have needed to. I have gone to their website again and again because I have found really key resources that she has made available and her team have made available. For example, there is a clearinghouse from Mobility International and there are tons of resources on that site. Second of all, on the site there is a link on cultural differences related to disabilities. It has been very well written and it has been written particularly from the numerous voices of students and scholars who had to navigate the system and who, therefore, tell their stories and provide invaluable lessons to the work that we do.

The third element that I have found to be probably the most useful element—and this was really recent that I came across this, recent as literally in just a month or so ago—is that there are numerous forms that are intake forms that are available, related to different types of disabilities. One of the things that I certainly will recommend to the team here at American is that we probably need to use those templates prior to students getting here, making sure that we ask key questions to help us figure out ahead of time how to ensure that we have all the information that we need to be able to appropriately help students and not feel like we have to scramble at the last minute.

The fourth thing that is on the website that I also found was invaluable is that there are lots of resources for the students themselves and visitors. Because I think the more we can communicate and educate students about what are the access resources, what are some of the resources that exist around disabilities, particularly in the U.S., that helps them to conceptualize it in a way that I think will help all of us. Probably it would be useful to send some of that information ahead of time so students can anticipate a little bit better what the transition would look like so that in coming in it is not that they are going to come in with less cultural adjustment or culture shock. They are going to be better prepared psychologically for the experience itself.

I have copies of the resource information that I mentioned and the link. We will make sure to distribute that at the end of the session. I wanted to start there and really, I want to make sure we have ample time for questions and for discussion. I am going to have Myra talk a little bit about the case students that she has had to work with.

MYRA WILDER: Well we had one particular case study this summer. Just to give you some background, we have an LL.M. program here at WCL—it is the International Legal Studies Program. That program has

both foreign-trained attorneys as well as U.S.-trained attorneys who are enrolled in it, but the majority of the enrollees in that program are individuals who are attorneys outside of the United States. With that, we attract students from all over the world—from Africa, Europe, Asia, I think we have some Australians in the program as well. Obviously, there are many cultural differences and cultural aspects that come along with these students coming to the United States, many of whom have never been to the United States before and this is their first exposure to it. Coming to a city like Washington, D.C. can be, as Fanta said, a complete culture shock.

The particular case that I wanted to discuss is a student from Africa. The student was diagnosed with polio at a very young age. The student is a wheelchair user. There were a lot of things that myself, as well as multiple individuals within the University, had to do to assist the student with obtaining housing. One of the things that Fanta mentioned was language. I want to specifically focus on the word "accommodation." When we say accommodations as student service professionals, we are thinking about the accommodations that students receive within the classroom or during exams—so additional time, use of assistive technology, note takers, whatever the student needs based on his or her disability. This student, when he spoke about accommodations, he was talking about where he was going to live. So when the student sent an e-mail to our Disability Support Services office on main campus, he said, "I am seeking accommodations." The first thing that the Disability Support Service Director thought was, "Oh, he's looking for accommodations in the classroom." No. He was seeking information about housing and assumed that because we are a university in Washington, D.C. that we have housing for (a) graduate students, and (b) students with disabilities, which is not the case. So this got the wheels spinning for all of us once we realized that what he meant was, "I need a place to live."

We learned more about the student's specific needs, and because he is a wheelchair user, he needed an apartment that had enough space, doors that were wide enough, a bathroom with a roll-in shower, and lower countertops. D.C. is a wonderful city. I love it. But housing for individuals with disabilities is not easy to find. I am sure that is the case in many other cities and towns across the United States. So we had to pool every single resource that we had to help this student secure housing.

One of the difficult things was the student was sponsored through a foundation, so funding was limited. You will find this is the case with many international students coming to the United States to study. They don't have the funds to spend thousands of dollars on rent, especially in a city like D.C. that is quite expensive. The student was not going to be able to rent an apartment with the amenities that he needed with the monthly stipend that was provided by the foundation. Therefore, we had to think of

alternative housing options that would provide the student with what he needed, but also keep him within his budget. In addition to finding an accessible apartment, the student needed additional amenities including, extenders to open shelves and special amenities for the bathroom. All of these things were an additional cost. In addition, the student also needed a new wheelchair because the one that he was currently using would not withstand the city's terrain. As Fanta said, it takes a village. For this student, his family, friends, and village were the people who helped him with his daily tasks. When he came here, he wasn't going to get that, obviously.

The difficult part for us was finding and using the resources that we could to help this student get what he needed. Ultimately, after almost two months of calling various organizations, using listservs, reaching out to faculty members and independent living organizations within the city, and using every single disability resource guide that we could, an adjunct faculty member who teaches Legal English in the summer, went to the Associate Director of our International Legal Studies program, who was also a part of this search, and said, "There is an assisted living community near the University that rents apartments to individuals with disabilities. They don't have to be 55 or over," because it was a 55 or over community. This facility had the amenities that the student needed, and the rent was within what he could afford. That is how we found housing for him—two months later. I think this occurred maybe a month before school began.

It is not an easy task. It is not a quick task. It is not something that is going to happen overnight and for us, luckily the student reached out to us early enough so that we could get the process started. If he had not done that and sent us an e-mail the week before classes started, he may not have found housing until September or October. So it is very important for us who are in the Disability Support offices and students or professionals who do work with international students with disabilities to be prepared for the amount of time that it is going to take to assist the student in whatever he or she needs. Again, whether it is housing, a lot of international students are not, and I don't want to say a lot, but many of them are not very familiar with some of the technology that we use here in schools. We can't make assumptions that they know things because they may or they may not. It may not be something that they have access to in their home countries. So you have to approach each case with an open mind and an open slate. Anything can happen at any moment and you just have to be patient, number one. Patience is a virtue in this entire process. And you have to be able to walk side by side with the student. This is critical, never make the student feel like he or she is being a burden on you because—especially, again for international students who may not be very familiar with the culture—they may feel like, "I'm just a burden. I'll deal with it. I'll do it

on my own." A lot of times, they can't do it on their own. Just always be supportive of them and tell them that in the end, everything is going to work out fine, but this is not a process that takes a week or two. It could take up to, as in our case, two to three months.

FANTA AW: Looking at that case study, one of the invaluable lessons that I think was learned from that, along with several other case studies that come to mind, is that as I said before, with programs like Fulbright, and the range of programs we are seeing an increase in the number of international students who are coming through these programs with various forms of disabilities. But what we also found out through that process is that the selection process for those students happens locally with the commissions on the ground. All too often, those commissions on the ground have very little context for what is happening on the ground here in the U.S. And so in this specific instance the breakdown in communication took place particularly around what type of information needed to be communicated and, more importantly, what was the specific of the case that needed to be communicated earlier on was certainly one of the lessons that was learned and that I think will continue to be a lesson to be learned particularly by the sponsoring organization.

The second thing that I think we learned from that was the need for us as an institution to play an advocacy role with the sponsoring organization. That is where I spent a lot of my time in this instance is being on the phone with the sponsoring organizations to really talk more about our expectation, but more importantly to talk about how they can continue to work with us in partnership to ensure that this student is successful. Because the funding needs to be coming from them and so generally, it takes a lot of negotiation back and forth to be able to get to that comfortable place with the sponsoring organization and with the student.

The third element of the lesson that was learned there, and I think Myra touched on it, is really helping students to become self advocates. That takes time but it is also an important lesson. Because often what the students will expect, they will expect that when it comes to housing accommodations that of course, the university will work with me on that. But when it comes to other forms of accommodation, because they come from societies where it is nearly non-existent, they have very low expectations of what is even feasible or what they can even expect. So helping them to become better self-advocates is certainly one of the lessons that often we have to spend time with them on to make sure that things are not falling through the cracks.

SANDRA BUTEAU: When I was thinking, "What am I going to say in

this panel?"—and first of all, thank you, David Jaffe, who is not in the audience, but thank you for organizing this conference. I have come every year and I think it is an amazing resource for us. As you heard me say at the beginning of the panel, I am a career advisor. And if you read my bio, I am a foreign-trained attorney myself. So I am one of the few that is a foreign-trained attorney that actually changed careers, which in my country, is not something that you would do typically. In fact, my job doesn't even exist in my country, so whenever I went back after I got this job—I started here at AU—I always had to explain what I did. So I can relate this information to the students, disabled or not disabled, that are foreign because just the simple fact that you have an accent makes you different than the rest of the people.

I am a lawyer. I am not a counselor. I have done this for many, many years. I think I have, like many of you—I see seasoned career advisors in the audience—people that I have actually contacted and have helped me help my students. We, all of us here, the employers that are represented and the people from universities that are represented here in this conference, we all do this, whatever you job is because we like people and we like interacting with other human beings. We want to help.

Let me start by telling you my first experience with a foreign-trained LL.M. student that had a disability—and it was here. His name I will never forget: Gideon Mandeni from Tanzania. He was an amazing person—a person that the school and David and everybody else helped get all the accommodations. So he was on his way. It was very interesting to see how he left the—you know, going to a school that is in the middle of a residential area like this one, it is more problematic because if you are in GW here in town where it is outside and you can take a taxi or go to the Metro very easily, things are a little bit easier. It was very interesting because they had LL.M. students, foreign LL.M. students, that would read to him. One of them was in a career advising counseling session with me and she said, "You know, let me explain what I am doing for the school." We career advisors want to know so that we can help you flesh out things on your resume. She said, "I am a reader for Gideon," and we all knew who he was. She said, "You know, I am learning so much from him. It is not only what I am learning in the legal common law system, but it is what I am learning from having that interaction with him. You know that I have to read—he is writing a paper because he has to fulfill his duties as a student like everybody else. I am reading a quote from a book that he is putting in his paper and I said, 'That thing that I am quoting is in page 10.'" And Gideon says to her, "No that is not on page 10, it is on page 11." And she started, "No, no, no, no, it is on page 10." "Go to the book and read page 11." And guess what? It was on page 11. I learned that day that there is no difference—and that is the first lesson that I learned because

what we agreed that I was going to talk about here are the lessons learned in dealing with students that are from other countries that have disabilities.

First, don't underestimate the power of who they are as humans. Yes, they have a disability. But guess what? We sort of relate those people that have accents, and even with the United States, there are people that have accents. If they come from the south to Washington, D.C., people look at you—you have an accent. You say that and that is exactly the reaction that you get. You are breaking the ice with your student and that would be the first thing.

The second thing is what I said about myself. These positions that we all have represented in this audience do not exist in other countries. And I hope that—I have been out of practice in Panama for twelve years—so I hope that things are starting to be, I don't think they are ever going to be the way that they are in the United States, but things are happening in other countries. It is this education, and take it as the best experience that you would ever have because you are learning from the person and in order for you to actually help them better navigate through the job process for a position here within the United States, be it an intern or an externship, which is an internship for credit, or a position outside the country, you need to start developing that relationship with that person. And ask them questions. They are not going to be offended. You can say, I really don't propose to be a know-it-all of all the things that are happening in the world and all their disabilities. I need to understand who you are. Tell them that you are there to help them because they don't know. They simply do not know. They do have, and don't have the misconception that many of us have that because a person comes from Africa, that oh, Africa is an underdeveloped continent, things are not happening there. Because that is not true. So just, embrace the fact that you do not know what the person brings with them and talk to them about it. I am here to help you. I am here to advocate for you. I am not going to look for it; I'm going to help you as much as I can, but as I want to be fair with all my students. I don't have a job waiting for you; I just want to have this conversation with you so that we can figure out where to guide you.

This morning in both panels, people were talking about networking. For anybody who moves to Washington, D.C., and this is part of the process of telling your students that have a disability, anybody who comes to Washington, disabled or not, with an accent or not, you start fresh. You don't know anybody and it is just a matter of going out there and meeting people. Explain the concept of networking because it is very interesting—this is the most expensive gift—education for ten months in an LL.M. program in this country is the most expensive gift for your students, and some of the people that you meet that are LL.M.s are giving to themselves. Because education in all the years that they went to high school, primary

school, secondary school, and university has never cost as much as one year in the United States. So they have to take advantage, it is the same thing that we do with all of the foreign students, by the way, you have to remind them this is a gift that you give yourself and obviously for what Fanta and Myra are saying, some of those gifts are funded by other people, but you are the one who had the prerogative of saying, "Yes I am going" or "No, I'm not going." And you decided to come. So talk to them about the importance of networking. Some of them don't have much of the knowledge—they heard the word "mentorship" which the panelists previous to us have mentioned several times. Explain that to them and tell them about the recruiting people from the Alumni Office. I think what I found very interesting in working in two academic institutions in this country is that going and putting yourself out there, we cannot tell students if we are career advisors we cannot tell students to network if we don't do it ourselves in the places where we are. So if you have a good network of conversations with people that are involved in the life of your student, you would have those resources readily available.

In Washington, D.C., I love Sheri's story about the person who opened the can for her because how many times that happens all over this country. You are sitting in a train and you talk to somebody and you are feeling the same pain and anguish—when are we going to get there? When are we going to get there? You never know who you are talking with. So that part of the process, those things happen in this country. People are going to; you can talk to them also about the facts and we came up with a good list—what we think is a good list—of resources you can use. They need to start getting trained themselves so that they can prepare for the job search process. Talk to them about the EEOC. In the United States, everybody speaks with acronyms and so at the beginning you have to explain what the acronym is and then you are going to use it on a regular basis. We do love ILS and what is that? WCL. The same thing, EEOC, ADA and it is part of the education process. They need to know what that is. They need to know about the American Bar Association. They have a commission—the Commission on Mental and Physical Disability Laws—that has a list of employers who have signed a Disability Diversity Pledge. Obviously, they signed it for U.S.-trained attorneys but I have been known and I know my colleagues in Career Advising have been known to pick up the phone and call people. Don't underestimate the power of pushing your student to call their embassy or consulate. Even if they are in a state very far from Washington or New York, California, you have the quintessential states where you have these representations. "For what?" they would ask you. So that you can actually tell them that there is an opportunity if you hear of anybody who is looking for somebody who is doing this type of practice, you know that I am here and I am a national of your country.

In law firms, there is a disabilities coordinator. And the process of letting them know of all these things that are available in the United States for people with disabilities is actually a conversation that you have to have. We talk about expectations, but I think I am a big believer and proponent that if you give enough information to people before they come, they would know what to expect. When we prepare for the LL.M.s to come from other states and other countries, we send them a lot of information and tell them there is no job for every single one of you five hundred people but it is on you. It is your responsibility. You have to advocate for yourself. Many of them already have those skills. What do we do when we are telling people to put things on their resumes? We are telling them to list their transferable skills—their skills that they acquire in all the different positions that they have so that they can actually use them in the new position. So even that is part of your process of teaching them. The process of you explaining your disability or the process of you navigating the job-search process somewhere else in the world might be something that you might want to put on your resume; not all the time, but with the conversation that they are going to have with you and the academic advisor sometimes, it is actually a very good exercise.

Basically, just to define it, the way that we do it here is to tell them to do an introspective examination of themselves, a self-assessment of ten questions. What are the skills that you bring to the table? What are the skills that you think you are going to be able to provide to an employer? There is not that much difference between your career advising a student that doesn't have a disability and a student that has one.

We had a student at Georgetown that unfortunately had to have two surgeries and had to delay her timing in the United States. We always ask her—I think it is part of the openness in the line of communications—they have to tell you how you are going to help them. And when she went to interviews, we asked her, "Do you want us to call the interviewer or recruiter in advance?" She said she didn't and we respect that. In fact, she went and she already had; her whole life has had this disability, so she knew exactly what she wanted to say. She was a very well-spoken person. I know that you mentioned the language, but I have to say that is not a hundred percent true for every single person that you are going to meet. Yes, there are language barriers, but don't start with that premise because if you are going to consider every single person that comes from outside the United States a person that has a language barrier, then you are starting with the wrong foot. Just start fresh. That would be my last thing. Start fresh. This is a new person, a new individual and as such, they should be treated.

MYRA WILDER: We want to open it up to questions, comments, reactions. What are you observing in your part of the world and . . . ?

FEMALE AUDIENCE MEMBER: I would like some sort of input from all of you regarding how you deal with the student with a known diagnosis of disability who comes with no documentation in terms of determining eligibility issues and also how you deal with the student who, because of cultural issues in their home country, there is a lack of acknowledgement of certain behaviors or certain needs as needing a diagnosis of a disability and so they come with the notion that they are struggling. You may encounter them somewhere throughout that process of study and there are concerns about their performance and there is a suspicion that there may be some undiagnosed issue here. How do you then deal with the student's need to acquire some documentation that you can then work with in determining reasonable accommodations?

FANTA AW: I'll let everyone sort of take this on as well. I certainly, going to the question of the student who has arrived and while they are here there may be some suspicion perhaps of some disability and the resistance that often you may encounter in working with that student. I think that it is safe to say that for a lot of students who are in that situation, one of the things that I have seen as a consistent pattern is what I call the culture of shame. There is a culture of shame around disability around the world particularly. And for students primarily who come from elite communities, it is even more pronounced because there is the fear of loss of face for families. This obsession with loss of face, that is very true in many cultures, often becomes the trigger for the resistance. So one of the things that we have had to do has been to try to help steer the student away from looking at it as a culture of shame to where, in this country, it could be seen as a culture of achievement. So it is helping to shift the paradigm. So often I have had to sit with the student to begin to talk a little bit about how would this be perceived in their home country if, in fact, it was the case that there is a disability, etcetera, because I think helping to conceptualize it then helps me to find ways to shift that paradigm.

That has been one of the ways and I have found that it takes a couple of sessions, but we can get to that point. That is one of the pieces. And ensuring for the student the confidentiality part of it because it is not just shame for family, but it is also shame for community here. Who else is going to know? How is this going to reflect on me? How is this going to reflect on my family? So ensuring confidentiality of that becomes another piece to help steer that in the right direction. Maybe, Myra, you want to talk about when there is no paperwork, how does one move with that?

MYRA WILDER: Well—and this is not something that happens every time—and we were fortunate, if you will, in the case that I mentioned earlier. As we all know, we all have documentation guidelines. We are required to have documentation guidelines and for many of us that may be a three, four, five year maximum. And yes, many students are coming from countries where they may have been diagnosed as a child and once they had that formal diagnosis, they never got retested or they just saw the doctor on an informal basis, and received whatever medication or services that they needed. So there is no paper trail that an individual in the United States, if they are being consistently treated for a disability, would have. I don't know if this is the case for all foundations or sponsoring organizations—they may have a medical sheet that the student is required to complete.

Now, these medical sheets are usually one page front, back. There is not really much going on there. But for us, and for our student that I mentioned earlier, we had to use that one page sheet because there was no way that we were going to be able to contact the doctor in the student's home country and receive, in a timely manner, any documentation—if any documentation existed. And we did not operate under the premise that documentation did exist. I don't know if that is the case for all sponsoring organizations. I am assuming that they probably would require that medical form to ensure that a student was not coming into the country with any sort of communicable disease or anything like that, but that is probably where you would have to start.

We actually had to request those records and get the student's authorization to do so from the organization because they were not going to hand it over to us voluntarily. That is another thing that you have to remember is that these organizations are very tight knit, and when we first discussed money and things of that nature, we were not allowed to speak to the student. We had to speak to their foundation officer in the U.S. You really have to push and push and push to get any medical information that the organization has. They will have to get the student's authorization to release it to you. But generally, you may just have to work off of that one page sheet to determine appropriate accommodations.

You may have a student coming from a country where they have great documentation and the student was regularly seen by a physician and it may be easy in that case. That is probably more the exception than the norm. I would recommend, and this is what we have had to do in three cases actually, is we have used that sheet and then from there we have sat down with the student for an extensive period of time, explained what accommodations were available, asked the student without being too

intrusive, saying, "Okay, what do you think you are going to need. What are things that you need when you are sitting in a classroom, what are things that you feel you need? Do you feel like you need someone to take notes for you? Do you feel like if you have to write that your hand may cramp up?" Get that information from the student and then determine the accommodations primarily on what the student has told us and through also our counsel.

FANTA AW: The other element of that is in the cases that I have encountered where—I think Myra is absolutely correct that at least for the sponsoring organizations—they all have to fill out a comprehensive medical form. We don't always get it, but it is with a sponsoring organization.

The other element also that I think makes it difficult when the students have not come in with a diagnosis and now we think there is something going on and we are trying to assess that is cost. Cost is a real barrier for a lot of these; I mean accommodation assessment is extremely expensive. And so I know on main campus we have to work with our disability support services to see how creative we can be on that front. In some instances because they have contacts within the community in terms of folks who do assessment, we have had to negotiate a kind of sliding scale and then sometimes in my office through development efforts over the years we have an international student emergency fund. One of the main reasons why for years I worked on trying to create an emergency fund was because I had seen over the years emergency situations that came up where the major deterrent was cost and where being able to address that would make all the difference in that student's experience and their ability to succeed. It certainly is one of the things that I would also suggest to think about, particularly if you have a sizeable number of international students on your campus to look at alternative sources of funding to help with that.

SANDRA BUTEAU: I would say a couple of things. At Georgetown, the main campus, Georgetown, is actually separated physically from the law school. They realized that they needed to bring somebody who had counseling background and so we have a counselor in the staff. When I heard this, and this goes to my suggestion, is you should know your university ups and downs. Up and down, I'm sorry. You should know all the administrators and at universities that are big, like Georgetown University is, it is a little bit challenging but I think the first person that I would start off is with the Dean of Students. We decided that because I am an advocate for the foreign students—foreign at universities all over the world do not have this ability to have a person on call there to help them in

any shape or form. So we have incorporated in orientation a segment— her name is Ria—where Ria comes and talks to them and tells them very much what Fanta has talked about. We all recognize there is a cultural issue that has to be addressed. She not only does it verbally, but she also has a written sort of flyer that the students actually get. The other thing that I would say is that the majority of foreign-trained attorneys that you are dealing with—the majority, not all of them—come from civil law countries where you have a code and you have to follow what the code says and that is how you apply. So if you give them the tools, you talk to them about the Americans with Disabilities Act that they might not even know that exists, they start documenting themselves. They are lawyers for God's sake. And that is how you address it if the person is reluctant. "You are a lawyer; you should know your rights and your duties and responsibilities. These are the laws that apply and this is why I am asking you for this." If you can go back, because they are talking about sponsored students, but what if you are talking about a student who is not sponsored, who has the money to come and they come on their own accord? That is how I would approach it. Having a conversation and telling them, "This is for your own good." If you read the laws and you send them the laws in advance, you have read the laws and you should know that this is not because we want to bother you or be nagging you, it is because this is something that every step of the way in the ten or twelve or however long months you are here in the United States you are going to need. I think when you say that, I hope that the person is reasonable and understands that that is part of their duty and responsibility not only as a student, but as a lawyer that reads the letter of the law.

FEMALE AUDIENCE MEMBER: Thank you.

FANTA AW: And I do think Sandra has an excellent point because being in law schools you have a certain advantage over other programs in that you are working with lawyers and you have, in addition to framing it around the cultural context, you can frame it around the legal context as well.

Other instances with putting in motion all of these different strategies the student makes the decision that they are not going to move forward with an assessment—it has certainly happened. And in that instance what has often happened with that student is they have struggled long enough that often they either end up not doing as well as they had anticipated or then they can come back six months later and say, "Okay, I relent and now I think I am ready to look at other alternatives because I have exhausted all possibilities at this point."

SANDRA BUTEAU: And to address your question around the culture of issues, if you have websites, as much information as you can have available, don't think that the information is going to be basic because it is never basic. Even your U.S.-trained attorneys are going to take advantage of that information if they don't even know. But have it in different ways. That has been my way of dealing with the foreign students. I have handouts galore and I have a website that has all the information that can be distributed to the world because people access the website. But as much information as you can have. And I think at orientation is your best bet for people to pay attention to these things even if it is a slight part of your orientation because they are eager to do well, to be the best student that they can possibly be. So take advantage of orientation. I think it has proven to be very successful for us.

FANTA AW: We are kind of out of time. One last comment that I would make is going back to the point I made earlier is that I think if we can start from the premise that even though independence is the critical value system here, but that students from most other parts of the world come from an inter-dependence model. What you often find is that with the students that you are working with you may feel like you never get them to full independence, but that is because that is not their framework. Many of them will say to you by the time they finish with their programs that they probably became more independent throughout this process than they ever were.

(Applause)

END TRANSCRIPT