

# Information Notice

## New Criteria and Process for Candidates Whose Primary Language Is Not English to Receive Additional Time to Complete a Qualification Examination or Continuing Education Session

Effective Date: September 1, 2012

### Executive Summary

FINRA is modifying the criteria and process for candidates whose primary language is not English to receive additional time to complete a qualification examination or Regulatory Element Continuing Education session (CE session). Effective September 1, 2012, individuals with limited English proficiency (LEP) must meet the LEP criteria as outlined in this *Notice* to qualify to receive additional time to complete an examination or CE session. Additionally, these individuals must submit to FINRA an LEP Request Form and receive notification that the form has been processed before scheduling an examination or CE session appointment. Detailed information on the modifications is available on FINRA's [website](#).

Questions about this Notice may be directed to:

- ▶ Jeanne Hartman, Senior Director, Testing and Continuing Education Department, at (240) 386-6348; or
- ▶ Tia Stafford, Operations Manager, Testing and Continuing Education Department, at (240) 386-4437.

August 1, 2012

### Suggested Routing

- ▶ Compliance
- ▶ Continuing Education
- ▶ Legal
- ▶ Operations
- ▶ Registered Representatives
- ▶ Registration
- ▶ Senior Management

### Key Topic(s)

- ▶ Continuing Education
- ▶ Limited English Proficiency
- ▶ Qualification Examinations

### Referenced Rules & Notices

- ▶ *Notice to Members* 01-81

## Discussion

FINRA has a longstanding practice of providing individuals whose primary language is not English additional time to complete an examination or CE session.<sup>1</sup> Currently, individuals for whom English is their second language may request additional time when they make an appointment for an examination or CE session. The candidate must also bring a letter on his or her sponsoring firm's letterhead to the test center on the day of the examination or CE session. This letter must, among other things, contain a representation that English is the candidate's second language and be signed by the candidate's supervisor or manager.

Effective September 1, 2012, candidates whose primary language is not English must meet the LEP criteria to be eligible to receive additional time to complete an examination or CE session. Individuals with LEP are persons who (1) do not speak English as their primary language; *and* (2) have limited ability to read, speak, write or understand the English language.<sup>2</sup> Under the modified process, in order for LEP candidates to receive additional time to complete an examination or CE session, they must take the following steps:

- ▶ Open the appropriate enrollment window in the Central Registration Depository (CRD®). For an examination, this is accomplished by requesting the examination via Form U4 (Uniform Application for Securities Industry Registration or Transfer) in the CRD system. A CE session enrollment window automatically opens in the CRD system based on the anniversary of the individual's initial securities registration.
- ▶ Submit a completed [LEP Request Form](#) to FINRA's LEP Support Services Team.<sup>3</sup> The candidate will receive confirmation from FINRA once the LEP Request Form has been processed.<sup>4</sup>
- ▶ Upon receipt of the confirmation from FINRA, schedule the examination or CE session appointment with a test center.<sup>5</sup>

Once FINRA processes a candidate's completed LEP Request Form, FINRA will notify its test delivery vendors that the candidate should be provided additional time to complete the examination or CE session.<sup>6</sup> LEP candidates who want additional time must follow the procedure outlined above, as test delivery vendor personnel will no longer be authorized to provide additional time to such candidates.

## Endnotes

1. See, e.g., *Notice to Members* 01-81 (December 2001).
2. See *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 FR 41455 (June 18, 2002).
3. An LEP candidate needs to submit only one LEP Request Form for all examinations and/or CE sessions that have an open enrollment window at the time the form is submitted to FINRA. For example, a candidate may submit one LEP Request Form to request additional time for two examinations if the enrollment windows for both examinations are open at the time the candidate submits the form. The candidate, however, must submit a new LEP Request Form to request additional time to take a subsequent examination or CE session.
4. Generally, FINRA will provide notification via email that an LEP Request Form is complete and has been processed, or that further information is required, within 10 business days of receipt.
5. The process is different for an individual who is not employed by or associated with a FINRA member firm and is required by another regulatory authority to qualify by a FINRA-administered examination. These individuals must submit a Form U10 (Uniform Examination Request for non-FINRA candidates) and, after receiving an enrollment notification from FINRA, submit the LEP Request Form. Once the individual receives confirmation from FINRA that the LEP Request Form has been processed, the individual may then schedule the examination.
6. FINRA is not modifying the amount of additional time given to candidates to complete an examination or CE session. Thus, candidates will continue to receive 30 additional minutes for examinations that have a testing time of two hours or less, and 60 additional minutes for examinations that have a testing time of more than two hours and for all CE sessions.