

CLIENT ALERTS

Student Accommodation Issues

Client Alert

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Even the smallest Universities and two-year colleges must contend with the same range of student accommodation issues, under state and federal law, as the largest four-year institutions. Therefore, they must be aware of their legal obligations and how to analyze and address student accommodation issues. The following will guide an institution's handling of these issues:

One Office: A single office should be tasked with these matters. This should be publicized. All faculty and administrators should be trained that the only response to an accommodation request is for the student to contact that office.

Procedure: Assuming a properly documented protected disability, there must typically be an "interactive process," a discussion with the student regarding what accommodation(s) are needed to take advantage of the educational opportunity.

"A" Reasonable Accommodation: The institution need not provide the accommodation(s) the student requests, only a reasonable accommodation. While, for example, a student with a hearing loss may request an amplified sound field in each classroom, an effective accommodation might be sitting in the front row. The disability office should consider the student's limitations and accommodations that would allow the student to participate.

Individual Assessment: There is no "one size fits all" accommodation. For student learning disabilities, for example, it is impermissible to have a uniform practice of 1.5 times the normal test time and a distraction free environment and nothing more. Such

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Daniel B. Tukul
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accommodations may be appropriate, but that determination must be made based on *that student's* condition, limitations, and needs.

Standards: An institution is not required to lower academic standards or fundamentally alter a program as a disability accommodation.

Student accommodation issues are complex and fact specific. If you have additional questions, contact the author or your Butzel Long attorney.

Daniel Tukul

313.225.7047

tukul@butzel.com