Deaf Student Accommodations
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In what ways must a public college accommodate a deaf student, and what are the legal bases for the accommodation? (Interpreters in class, living on campus, extracurricular activities and campus life). I need to be able to show specific laws or best practices that demonstrate how far a college must go to make accommodations in various areas.

As a public institution, there are a few federal laws that are applicable here. Section 504 of the Rehabilitation Act (Section 504) prohibits discrimination on the basis of disability in all programs or activities that receive federal financial assistance. Title II of the Americans with Disabilities Act (ADA) prohibits discrimination on the basis of disability by public entities, including state colleges and universities, regardless of whether they receive federal financial assistance.

Under Section 504 and the ADA, institutions may not exclude or deny individuals with disabilities an equal opportunity to receive program benefits and services. To that end, institutions are required to make reasonable modifications in policies or procedures when the modifications are necessary to avoid discrimination and allow a qualified individual with a disability to participate in the services, programs, or activities of the institution unless the institution can demonstrate that making the modifications would fundamentally alter the nature of the service, program or activity or pose an undue financial or administrative hardship.

This requires the student to request such modifications and for the institution to then engage in an interactive process with the student to make an individualized assessment of what modifications/accommodations are appropriate. The areas you noted (living on campus, extracurricular activities, and campus life) would constitute services, programs or activities of the institution thus, are “fair ground” for areas in which reasonable modifications should be provided in order to avoid discrimination and provide the deaf student with an equal opportunity to participate.

It is important to note that accommodations must be provided in a timely manner and that an institution is not required to provide the exact accommodation requested, provided that the alternative accommodation effectively meets the student’s needs. The interactive process is essential in determining what is needed and what is the best way to meet the need.

As it relates to on-campus housing, the Fair Housing Act would be implicated should the student request the presence of an emotional support animal. Also, it is important to consult with your institution’s legal counsel to determine what, if any, state disability laws may apply.