

Introduction

In May 1997 and March 1998, the Midwest Center for Postsecondary Outreach, in conjunction with St. Paul Technical College, hosted a video teleconference in which I and four other professionals appeared. Although we answered some of the questions submitted, due to time constraints, we were unable to respond to a number of the inquiries. This document provides attendees and other viewers with technical assistance to some of the questions posed for our consideration. The information provided should not be considered legal advice, but merely serve as guidance in assisting providers, colleges and universities at large, and others in understanding the obligation of institutions of higher learning to serving students who are deaf and hard of hearing.

Although my analysis is strictly limited to interpreting Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), the reader is cautioned that the state in which his/her institution is located may also have laws that provide greater protections or rights to consumers with disabilities. In such instances, the college may be subject to higher standards than those enunciated by the federal civil rights laws. The reader is cautioned to seek legal counsel whenever there is an issue that is beyond their competence which might result in legal action. The information provided suggests responses to the limited facts offered. Very few cases are identical and a small change in facts may dictate a different response. Finally, the reader should be aware that these technical responses are offered in the context of the minimum obligation posed by federal law. As a matter of best practice or to enhance its diversity initiatives, colleges may choose to provide more or go further than the laws mandate.¹

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