Federal Court Validates Fordham University's Reentry Procedure for Students Returning from Mental Health Leaves

JULY 7, 2016

A Federal Judge in New York has dismissed a case against Fordham University challenging its policy of requiring documentation from students returning from a mental health leave of absence. The lawsuit was filed by a graduate student in the University's School of Social Services, claiming disability discrimination under both the ADA and Section 504 of the Rehabilitation Act for the University's refusal to allow her to return to the program following a 2013 leave of absence involving a psychiatric hospitalization without providing documentation of her ability to return.

The Court dismissed the suit on the University's Motion to Dismiss, holding that the student's allegations, even if assumed to be true, failed to state a violation of the ADA or the Rehabilitation Act. The student conceded that the University's practice is to require all students returning from a leave of absence for mental health reasons to satisfy the reentry procedures of which the student complained. Moreover, the student attached emails to her complaint demonstrating that she had opted not to comply with this generally-applicable reentry process by refusing to provide the required forms. The student did not allege that she was singled out in any way based on her alleged disability, nor did she raise any other facts suggesting that the University harbored any discriminatory animus against her alleged disability. "To the contrary," the Court observed, "the Complaint itself suggests that any student who, like Plaintiff, took a leave of absence for mental health problems was required to complete the reentry process and that Plaintiff was denied readmission because she refused to comply with that process."

The Court found sufficient justification for the reentry procedure requirements in the student's own complaint, which acknowledged that "it is understandable that a university would be engaged in the practice of [e]nsuring that a student – who was suffering from a mental disability as well as a recent psychiatric admission – is not a danger to herself or others." The Court reasoned that this justification, applied consistently to all students returning from a mental health leave, was indeed "understandable" and could not constitute intentional discrimination against the student's alleged disability.

Client Tip: *The ADA does not prohibit disability-related inquiry or medical examination of an employee or student when*

©2026 Bowditch & Dewey LLP. All Rights Reserved.

doing so is "consistent with business necessity." The Court here held that Fordham's reentry procedure for students returning from mental health leaves, including providing forms and documentation of ability to return to school, was reasonable in light of the University's legitimate interest in protecting the safety of the returning student and others. Such a policy, applied consistently to all students applying for reentry following a mental health leave and requiring only the information necessary to determine fitness for return to campus, will be compliant with the ADA and will help ensure the health and safety of an institution's student population.

©2026 Bowditch & Dewey LLP. All Rights Reserved.