



CAMPUS COUNSEL

A legal blog written for administrators, HR professionals, in-house counsel, and deans at colleges and universities

3-Part Series: Fall Semester Is Underway, Is Your College Up to Date on the Latest Federal Civil Rights Guidance? Part 2

BY BOWDITCH & DEWEY • SEPTEMBER 20, 2024

In this three-part series, we'll review the latest federal civil rights guidance, including Title VI, ADA and Section 504, and Title IX.

PART 2: HOW TO MEET THE TRANSPORTATION NEEDS OF STUDENTS WITH DISABILITIES (ADA, SECTION 504)

Many college and universities provide shuttle buses or escort rides to students, either on a regular basis or late at night and on the weekends. Colleges and universities know that they need to ensure that these options are accessible to students with disabilities, such as by providing wheelchair ramps and placing drop off and pick up stops in accessible locations.

But what happens when a college decides to take away its shuttle buses and not offer an alternative option for students with mobility issues to access the campus? A recent case out of the U.S. District Court for the Central District of California found that the West Los Angeles College violated students' rights under Title II of the ADA and Section 504 when it did just that.

In *Gurerra, et al. v. West Los Angeles College, et al.*, the Judge was clear to West Los Angeles College – “**You have lost!**” (emphasis in original). The Judge found that the students were denied meaningful access to their education because the college did not provide them on-campus transportation services due to their mobility issues.

For college and universities that do not currently have on-campus transportation services, you should consider when a disability accommodation of on-campus transportation is appropriate for a student with a mobility issue. Note, this may not just be a student who uses a wheelchair, but also students (and employees) using crutches for temporary disabilities such as a broken leg, students who need to carry oxygen or other medical equipment with them for their disabilities, and even students other disabilities such as cystic fibrosis that make it difficult to move easily across a

large campus.

For college and universities that do have on-campus transportation services, you should continue to ensure that such transportation services are provided equitably across your campus.

If you need assistance evaluating your campus transportation services or are considering new buildings or renovations on campus and would like to do an accessibility consultation, please reach out to your Bowditch attorney.