



# Individualized Assessments for Students with Disabilities in Postsecondary Education

This fact sheet provides information for colleges and universities, students, and families regarding Federal civil rights protections against discrimination for students with disabilities in college, university, and other postsecondary educational settings.

Section 504 of the Rehabilitation Act prohibits disability discrimination and requires postsecondary institutions, such as colleges and universities, that accept Federal financial assistance to provide academic adjustments (i.e., reasonable modifications and auxiliary aids or services) to qualified students with disabilities. [34 C.F.R. § 104.4](#); [34 C.F.R. § 104.44](#). Section 504 does not require postsecondary institutions to make academic adjustments that they can demonstrate pose a fundamental alteration to the nature of the program or activity. See [34 C.F.R. § 104.44\(a\)](#).

Individualized consideration is a cornerstone of Section 504. If a student makes a request for academic adjustments, the postsecondary institution must assess the request based on that student's needs and abilities, which generally requires a highly fact-specific, case-by-case inquiry. To make such individualized determinations, a postsecondary institution generally must provide and engage in a collaborative process, sometimes called an interactive process, with each qualified student with a disability.

An interactive process acknowledges the value of the perspective of both the student with a disability, who can draw on what is often many years of personal experience with academic adjustments that have been most effective for them, and the perspective of the postsecondary institution, which may have a more thorough knowledge of its own curriculum and facilities as well as experience with academic adjustments that have been successfully provided to other students in the past.

The U.S. Department of Education's (Department) Office for Civil Rights (OCR) enforces Section 504 of the Rehabilitation Act of 1973, which applies to entities that receive Federal financial assistance from the Department, such as postsecondary institutions. OCR shares in the enforcement of Title II of the Americans with Disabilities Act (ADA) with the Department of Justice (DOJ), and DOJ enforces Title III of the ADA. Both Title II and Title III can also apply to postsecondary institutions. For more information, see DOJ's ADA home page at [www.ada.gov](http://www.ada.gov), or contact DOJ at 1-800-514-0301, 1-833-610-1264 (TTY).

Sometimes, a student with a disability may request a specific academic adjustment, and the postsecondary institution grants the request outright. However, when there is initial confusion, uncertainty, or disagreement, a continued interactive process is generally necessary in order to make an individualized determination. This does not necessarily mean that recipients have to meet face-to-face with students. For example, OCR understands that many recipients implement robust programs to provide academic adjustments, with requests handled via email prior to the start of the academic year.

The needs of students with the same disability can often differ. Postsecondary institutions must individually consider each student's needs, rather than automatically determine a student's needs on the basis of their specific disability.



***For example, one student with a learning disability might require extra time to complete an exam, while another student with a learning disability does not need additional time, but does need to take an exam in a setting that allows them to read the questions aloud to themselves, while yet another student with a learning disability may need to have the exam's instructions and questions presented to them orally rather than in a written format.***

For more information, please visit OCR's [Disability Discrimination](#) webpage.

Conversely, a particular academic adjustment cannot be limited to students with certain disabilities. Some disabilities are associated with a particular academic adjustment because people with the disability commonly need that academic adjustment. But a common association is not grounds to limit a particular academic adjustment to students with certain disabilities.



***For example, captioning is a common auxiliary aid or service for students with hearing loss, but a student with an auditory processing disability might also need captioning.***

Students with disabilities may need new or novel academic adjustments that a postsecondary institution has not previously considered. As noted, the postsecondary institution must individually assess the needs of each student with a disability. Thus, no academic adjustment can be excluded from consideration based on a policy or practice alone.

Postsecondary institutions must also use an individualized assessment when questions arise regarding whether a student with a disability who requests or requires new or additional academic adjustments remains qualified for the program or activity.



***For example, if a student with a disability, long COVID with chronic fatigue, requests new or additional academic adjustments in order to meet certain academic requirements, which causes the postsecondary institution to question whether the student remains qualified for its program, the postsecondary institution must individually assess the student's needs and abilities in relation to the program to determine whether the student is qualified, with or without any academic adjustments, before taking any action with respect to the student's continued enrollment.***

Section 504 prohibits a postsecondary institution from relying on administrative convenience to offer one-size-fits-all adjustments. See [34 C.F.R. § 104.4\(b\)\(2\)](#); [34 C.F.R. Appendix A to Part 104 "Definitions," ¶ 6](#). And policies, practices, or procedures that operate inflexibly to deny students with disabilities academic adjustments violate Section 504.



***For example, rigidly applying a policy that requires all students with mental health disabilities who take a leave of absence to remain on leave for a minimum number of semesters would violate Section 504.***

To request language access services or resources, which may include oral technical assistance or written translation of Department information, free of charge, contact [OCR@ed.gov](mailto:OCR@ed.gov).

If you need more information about interpretation or translation services, call 1-800-USA-LEARN (1-800-872-5327) (TTY: 1-800-877-8339). To request documents in alternate formats such as Braille or large print, contact the Department at 202-260-0818 or [ofe\\_eos@ed.gov](mailto:ofe_eos@ed.gov).

Postsecondary institutions, students, parents, or others who would like to request technical assistance from OCR, or who would like to file a complaint, may do so by contacting the [OCR enforcement office](#) that serves their state.

*This fact sheet does not have the force and effect of law and is not meant to be binding, beyond what is required by statutory and regulatory requirements. All enforcement determinations made by OCR are based on the particular factual circumstances presented in each individual case.*