

## Overview

Field experiences, such as internships, practicums, and clinicals, offer students the opportunity to gain the real-world knowledge and skills they need to become gainfully employed. Students who are deaf or hard of hearing have a right to these opportunities and experiences in the same manner as their hearing peers. Such experiences have the most rewarding outcomes when all parties—service providers, placement coordinators and disability services professionals—work together to ensure an accessible placement for students who are deaf or hard of hearing.

## What legal mandates apply to field experiences as they relate to deaf and hard of hearing individuals?

Just as it is discriminatory and unlawful to deny admission to a postsecondary institution based on disability, it is unlawful to deny participation in an internship. In fact, those who are choosing students for various sites cannot inquire about the student's disability as a part of the placement process. Any qualified student should have access to the same options and choices as other students.

Under the Americans with Disabilities Act (ADA), a qualified individual with a disability is a person who meets the qualifications for performing the essential functions of the position, whether accommodations are needed or not. For example, if the clinical site requires all applicants to complete a certain number of credit hours prior to applying for an internship, then all individuals with or without a disability should be afforded the opportunity to meet this criteria. If the individual has a disability and meets the criteria or qualifications for the position, then the internship



coordinator or employer can consider whether the individual can perform these functions with a reasonable accommodation once the individual discloses the need for accommodations.<sup>1</sup>

Under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA), universities that receive any federal funding have a responsibility to provide accommodations for students with disabilities during internship, practicum, or clinical experiences. Title III of ADA applies to private educational institutions. In accordance with these laws, the cost of accommodations for a field experience that is part of the academic program is the responsibility of the educational institution.

Title I of the ADA requires that employers with 15 or more employees provide qualified individuals with disabilities the same opportunities as their non-disabled peers in all stages of the recruitment, hiring, and employment process. Employers are also required to provide reasonable accommodations unless it creates undue hardship. Undue hardship is determined on a case-by-case basis, whereby the overall resources of the organization are taken into account when determining if the accommodation will create an undue burden.<sup>2</sup> In accordance with Title I, accommodations for field experiences that are offered by the employer are the responsibility of the employer.



### Who is responsible for arranging accommodations?

All sponsored programs, activities, or services must be made accessible by the hosting entity, whether it is a school, employer, or organization. More specifically:

- If the field experience is considered part of the *academic program*, the institution is responsible for providing and paying for requested accommodations.
- If the opportunity is offered by an *organization or employer*, the organization or employer may be responsible. If the intern is considered an employee, the intern is eligible for the same protections afforded other employees under the ADA.

- **Be informed.** Learn more about the institution’s policies and responsibilities in providing accommodations for internships or field placements. Connect with others who have experience providing accommodations in specific settings.
- **Be proactive.** Begin conversations with all parties, including the individual, in advance of the placement or internship. Establish a plan, including establishing important contacts, the role of the service provider in the placement and other plans.
- **Be flexible.** There are no hard and fast rules about accommodating field placements. Rather, determinations should be made on a case-by-case basis. Be prepared to explore alternative options if needed.

### What are the first steps in planning for internships/field experience accommodations?

When an individual participates in a field placement, it is recommended that the school and host site collaborate to provide effective accommodations. It is crucial that the individual who is deaf or hard of hearing be involved in the process. Title II (which applies to state and local governments) and Title III (which applies to commercial facilities and private entities) of the ADA both state that primary consideration needs to be given to the individual making the request. As you move forward:

### Resources

Accessible Experiential Learning Opportunities for Deaf Students - <https://www.nationaldeafcenter.org/news/work-based-learning-accomodations>

Official ADA website - <http://www.ada.gov/>

### References

<sup>1</sup> The ADA: Questions and Answers. Retrieved from <http://www.eeoc.gov/facts/adaga1.html>

<sup>2</sup> The ADA: Questions and Answers. Retrieved from <http://www.ada.gov/employment.htm>