



NEWS REPORT

Date: 6 April 2010
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Title: University has taken all appropriate measures to accommodate student in wheel chair
Country: The Netherlands

Context

Issue at stake: Reasonable accommodations for disabled person
Ground of discrimination: Disability
Source: Decision national equality body ETC Opinion 2010-11, dd 27 January 2010
Field: Education
Legislative provisions: Articles 1, 2, 3 and 6 a-c of the Disability Discrimination Act (DDA)

Content

Case law: A university student who needed to use a wheel chair for transportation complained that the university where he studied had not provided reasonable accommodation to make it possible for him to attend all lectures and exams and access libraries and other student facilities. According to the student, the University thereby had discriminated against him on the ground of disability. The University explained that it had taken all appropriate measures to make it possible for the student to participate as fully as possible. At the request of this particular student, it had (inter alia) adjusted a ramp, had put separate tables in the auditoriums had made many more adaptations. Also, it provided some immaterial accommodations, like e.g. personal assistance in the library. The student also complained that the University did not comply with the general regulations in the so-called *Bouwbesluit* (Decree on Building), which specifies how public buildings should be constructed, including criteria for accessibility. The Equal Treatment Commission (ETC) asked an expert to investigate this, and concluded on the basis of the expert's report that there was no breach of this Decree. Also, the ETC found that the University had indeed provided several reasonable accommodations and that the extra's that the student still requested (i.a. full access to the library, where personal assistance to bring books to a separate room next to the library was provided for) were

not proportionate to the amount of investments that this would require from the university.

Decision of the ETC:

The ETC held that there was no breach of the DDA.

Internet link source and additional information: ETC Opinion 2010-11, dd 27 January 2010. To be downloaded from:

<http://www.cgb.nl/node/15039/volledig> (Last accessed on 6 April 2010.)