

U.S. Department of Justice Reaches Agreement with Rider University

In February of 2019, the United States Department of Justice determined that Rider University **violated the Americans with Disabilities Act (ADA) by failing to accommodate students with disabilities as a result of food allergies.** In light of the settlement, Food Allergy Research & Education (FARE) and the National Celiac Association (NCA) encourage all colleges and universities to **carefully assess** how well they are meeting the needs of students with celiac disease, food allergies and other food-related disabilities to ensure compliance with the ADA.

“The ADA defines ‘disability’ to include any physical or mental impairment that substantially limits one or more major life activities, such as eating, or a major bodily function, including the digestive system” according to the settlement.

The US determined that Rider **violated Title III of the ADA in several ways**, including that it “did not provide adequate information on its website for students seeking to obtain reasonable modification...; has improperly delegated responsibility for accommodating students with [food-related] disabilities to a food service provider; and in certain instances Rider does not readily offer exemptions from its meal plans for students seeking exemption due to a food allergy or food-related disability.”

The terms of the [Rider University settlement](#) are consistent with those reached in the 2012 [Lesley University settlement](#). Students with food-related disabilities are entitled to reasonable accommodations from their college. Please read some of the [important actions](#) Rider is now **required** to take to comply with the settlement agreement.

Even among schools that use the same food service vendors, there is tremendous inconsistency in how well colleges manage dietary needs. Most college food services, whether they are contract-managed or self-operated, can meet these challenges when given the proper resources and support. The most successful programs have taken steps similar to those required in this settlement, and some have gone even further.

By undertaking an honest assessment of current offerings and learning from successful programs, schools can take incremental steps forward and ensure they are in compliance with ADA. Schools may find different ways of tackling the challenges of celiac disease and food allergies, but they **must find a way to meet this need.**

FARE and NCA are here to support your efforts, and summer is a great time to implement changes in your dining halls. Read [here](#) for first steps.

Being proactive and implementing solutions now will not only help colleges and universities avoid legal trouble, it is an enormous marketing advantage. There are 35 million Americans with food allergies and/or celiac disease, and this number is only increasing. Between 1995 and 2011, the CDC found a 50 percent increase in food allergies among children. These children are growing up and attending college in record numbers. **Going beyond accommodating to genuinely serving their needs can only help colleges recruit students in a competitive market.**

Please visit foodallergy.org/collegeresources or email collegeprogram@foodallergy.org if you have questions about meeting this challenge.

- Lisa Gable, CEO Food Allergy Research and Education
- Lee Graham, CEO National Celiac Association
- Sheryl Harpel, Founder Gluten Free Friends
- Kristie Orr, President Association on Higher Education & Disability

