

UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Jason Gati v. Western Kentucky University

No. 18-5732, United States Court of Appeals for the Sixth Circuit (January 29, 2019)

SUMMARY

In this unpublished Sixth Circuit case, the court affirmed summary judgment for Western Kentucky University on claims under the ADA, Rehabilitation Act, and Kentucky Civil Rights Act, holding that the university did not fail to reasonably accommodate a disabled student when it declined to offer courses via Interactive Television or at a satellite campus because such accommodations would fundamentally alter the academic program. The court emphasized that the student bore the initial burden of proving his proposed accommodations were reasonable and that the university’s alternative offer of on-campus housing was reasonable; it also gave significant deference to the university’s academic judgment in structuring its clinical counseling curriculum. Additionally, the court barred state-law claims against officials in their official capacities under Eleventh Amendment immunity and held that the admissions counselor’s ministerial conduct did not support claims of promissory estoppel, fraud, or tortious interference.

CASE DETAILS

COURT	United States Court of Appeals for the Sixth Circuit
WRITING FOR THE COURT	Cook, Circuit Judge; Siler, Circuit Judge; Bush, Circuit Judge
JURISDICTION	Federal
DECIDED	January 29, 2019
DOCKET	18-5732
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the United States District Court for the Western District of Kentucky
STANDARD OF REVIEW	We review a district court's grant of summary judgment de novo, viewing the entire record in a light most favorable to the party opposing summary judgment and drawing all reasonable inferences in that party's favor.
PRECEDENTIAL VALUE	Unpublished
PARTIES	Jason Gati v. Western Kentucky University; Crissy Priddy; Bill Kline

TOPICS

summary judgment

civil rights

ada discrimination

fraud

promissory estoppel

PRACTICE AREAS

Disability Law

Education Law

Torts

QUESTIONS PRESENTED

1. Whether the district court correctly granted summary judgment on Gati's disability discrimination claims under the ADA, Rehabilitation Act, and KCRA because his proposed accommodations were unreasonable.
2. Whether the district court correctly dismissed the aiding and abetting claim against Kline and Priddy under KRS § 344.280.
3. Whether the official-capacity state law claims against Priddy are barred by the Eleventh Amendment.
4. Whether the individual-capacity tort claims against Priddy for promissory estoppel, fraud, and tortious interference fail.

HOLDINGS

1. No rational jury could find Gati's proposed accommodations reasonable. The university's offer of on-campus housing was a reasonable accommodation, and Gati's rejection of it means he is not a qualified individual with a disability as a matter of law. Therefore, summary judgment was proper.
2. Because Gati failed to make a prima facie case of discrimination against WKU, the aiding and abetting claim fails as a matter of law.
3. The Eleventh Amendment bars federal courts from hearing state law claims against state officials in their official capacity without explicit waiver of immunity, and Kentucky has not waived immunity for these claims. Therefore, the official-capacity claims are dismissed.
4. The promissory estoppel claim fails because Priddy made no promises; the fraud claim fails because Gati presented no evidence that Priddy knew her statements were false; the tortious interference claim fails because Gati did not show improper interference.

KEY QUOTATIONS

“We review a district court's grant of summary judgment de novo, viewing the entire record in a light most favorable to the party opposing summary judgment and drawing all reasonable inferences in that party's favor.” (at 4)

“Even if such an interactive process is required in an academic setting, this process is not an end in itself—it is a means to find a disabled person a reasonable accommodation.” (at 7)

FACTUAL BACKGROUND

Jason Gati, a former army soldier with a spinal injury preventing prolonged sitting, enrolled in Western Kentucky University's mental health counseling program using GI Bill benefits. He requested accommodations to take classes via Interactive Television (ITV) or at a local satellite campus because his disability prevented commuting to the main campus. The university denied these requests, offering instead on-campus housing. Gati sued for disability discrimination and state tort claims, and the district court granted summary judgment.

PROCEDURAL HISTORY

The district court granted summary judgment to the defendants on all claims. Gati appealed.

DISPOSITION

affirmed

CASES CITED

- Michael v. Caterpillar Fin. Servs. Corp., 496 F.3d 584, 593 (6th Cir. 2007)
- Matsushita Elec. Indus. Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986)
- Jakubowski v. Christ Hosp., Inc., 627 F.3d 195, 201 (6th Cir. 2010)
- Banks v. Bosch Rexroth Corp., 610 F. App'x 519, 526 (6th Cir. 2015)
- Doe v. Woodford Cty. Bd. of Educ., 213 F.3d 921, 925 (6th Cir. 2000)
- Anderson v. City of Blue Ash, 798 F.3d 338, 357 (6th Cir. 2015)
- Kaltenberger v. Ohio Coll. of Podiatric Med., 162 F.3d 432, 435 (6th Cir. 1998)
- Southeastern Community Coll. v. Davis, 442 U.S. 397, 413 (1979)
- Alexander v. Choate, 469 U.S. 287, 300 (1985)
- Talley v. Family Dollar Stores of Ohio, Inc., 542 F.3d 1099, 1108 (6th Cir. 2008)
- Mershon v. St. Louis Univ., 442 F.3d 1069, 1078 (8th Cir. 2006)
- Kleiber v. Honda of Am. Mfg. Inc., 485 F.3d 862, 871 (6th Cir. 2007)
- E.E.O.C. v. Ford Motor Co., 782 F.3d 753, 766 (6th Cir. 2015)
- Brumley v. United Parcel Serv., Inc., 909 F.3d 834, 840–41 (6th Cir. 2018)
- Rorrer v. City of Stow, 743 F.3d 1025, 1041 (6th Cir. 2014)
- Lapidus v. Bd. of Regents of Univ. Sys. of Ga., 535 U.S. 613, 623–24 (2002)
- Ammerman v. Bd. of Educ. of Nicholas Cty., 30 S.W.3d 793, 797 (Ky. 2000)
- CNH Capital Am. LLC v. Hunt Tractor, Inc., 568 F. App'x 461, 472–73 (6th Cir. 2014)
- Pennhurst State School & Hospital v. Halderman, 465 U.S. 89, 117–121 (1984)
- Experimental Holdings, Inc. v. Farris, 503 F.3d 514, 521 (6th Cir. 2007)
- Agrawal v. Montemagno, 574 F. App'x 570, 573 (6th Cir. 2014)
- Furtula v. Univ. of Ky., 438 S.W.3d 303, 305 (Ky. 2014)
- Yanero v. Davis, 65 S.W.3d 510, 522 (Ky. 2001)
- Martin v. O'Daniel, 507 S.W.3d 1, 5–6 (Ky. 2016)

- Mosley v. Brock, No. 2016-CA-001020-MR, 2018 WL 4849714, at *6 (Ky. Ct. App. Oct. 5, 2018)
- Marson v. Thomason, 438 S.W.3d 292, 296–97 (Ky. 2014)
- Ashland, Inc. v. Oppenheimer & Co., 648 F.3d 461, 472 (6th Cir. 2011)
- Giddings & Lewis, Inc. v. Indus. Risk Insurers, 348 S.W.3d 729, 747 (Ky. 2011)
- de Jong v. Leitchfield Deposit Bank, 254 S.W.3d 817, 825 (Ky. Ct. App. 2007)
- Nat’l Collegiate Athletic Ass’n v. Hornung, 754 S.W.2d 855, 858 (Ky. 1988)
- Steelvest, Inc. v. Scansteel Serv. Ctr., Inc., 807 S.W.2d 476, 487 (Ky. 1991)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 251–52 (1986)