Ex-Stout student sues after dismissal

By Kevin Murphy
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MADISON — An Arizona State University honors graduate who was admitted into a UW-Stout graduate program claims the university violated federal law by denying her an internship because she has cerebral palsy.

According to a lawsuit filed Sept. 14 in federal court:

Jade Buscone contends Michelle Hamilton, UW-Stout's vocational rehabilitation program coordinator, began to "micromanage" her studies in early 2011 and inquired whether Buscone's sign language interpreter was doing her schoolwork.

During a lab exercise in February 2011, Hamilton refused to allow Buscone to participate because she was "too disabled" and the other students wouldn't have the tools to properly evaluate her.

Although two students said they could work with Buscone, Hamilton again said Buscone was "too disabled" and since she had "not even figured (Buscone) out," her classmates wouldn't either.

Days later Hamilton notified Buscone she would not take part in a required internship, noting Buscone's communication skills were ineffective and inefficient. Buscone said Hamilton mocked and mimicked her speech and sign language during their meeting.

Hamilton blocked Buscone's advancement in the program despite Buscone having earned high scores on assessments. A faculty review of her work found Buscone's communication skills weren't adequate and her enrollment at UW-Stout was terminated. The decision was upheld by Mary Hopkins-Best, dean of the College of Education, Health and Human Services.

Buscone's suit alleges her termination from the program violates the Americans with Disabilities Act and the Rehabilitation Act. The suit names Hamilton, Hopkins-Best and the UW System Board of Regents as defendants. Buscone seeks reinstatement into the graduate program and unspecified damages from the three defendants.
UW-Stout spokesman Doug Mell declined to comment specifically on the lawsuit but said the university supports the rights of all people, including students, with disabilities.

Buscone's attorney was not available for comment regarding the lawsuit.

Buscone graduated from Arizona State University with a 3.6 grade-point average and enrolled in the UW-Stout vocational rehabilitation program in the fall of 2010. She received 626 out of a possible 680 points on assignments during her first semester in the program.

Buscone has had cerebral palsy since birth, uses a wheelchair for mobility and communicates through a sign language interpreter and devices including an iPad and a speech generating aid. She graduated magna cum laude from ASU in 2008 with a degree in parks and recreation management.

Murphy is a freelance writer based in Madison.