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**SUBSTITUTE HOUSE BILL 1296**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Ogden, Wood, Spanel, Miller, Sheldon, Dellwo, May, Fraser, Paris, Ferguson, Betrozoff, Mitchell, Wineberry, R. Johnson, Brekke, Basich and Anderson).

Read first time February 7, 1991.

1            AN ACT Relating to access to higher education for students with  
2 disabilities; adding new sections to chapter 28B.80 RCW; creating new  
3 sections; and making appropriations.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The higher education coordinating board  
6 shall establish an advisory committee on access to higher education for  
7 students with disabilities. The advisory committee shall include, but  
8 is not limited to, representation from the following: The division of  
9 vocational rehabilitation, the department of services for the blind,  
10 the office of the superintendent of public instruction, the state board  
11 for community college education, the council of presidents, the state  
12 board for vocational education or its successor, the division of  
13 developmental disabilities, disabled student coordinators of community  
14 colleges and four-year institutions of higher education, and students  
15 with disabilities.

1 As needed and appropriate for specific time-limited activities, the  
2 board may expand the membership of the advisory committee to include  
3 participation and representation of other organizations or interested  
4 individuals. Such organizations may include, but are not limited to:  
5 The Washington state association of the deaf, the veterans  
6 administration, the Washington library for the blind and physically  
7 handicapped, the department of labor and industries, the department of  
8 corrections, the human rights commission, the Easter Seal Society, the  
9 governor's committee on disability issues and employment, the  
10 Washington financial aid officers' association, institutions of higher  
11 education, the developmental disabilities planning council, and the  
12 Washington state library.

13 NEW SECTION. **Sec. 2.** By December 15, 1994, with the  
14 assistance of the advisory committee, the higher education coordinating  
15 board shall:

16 (1) Inventory resources available to address the accommodation  
17 needs of students with disabilities, and identify the purposes and  
18 limitations of those resources and areas where resources are needed but  
19 lacking;

20 (2) Assist in the development of interagency agreements to ensure  
21 consistent, effective, and equitable utilization of those resources;

22 (3) Foster clearer and more consistent understanding of the roles  
23 and responsibilities of the various entities sharing responsibility for  
24 promoting equality of opportunity for persons with disabilities in  
25 higher education, and promote effective coordination of efforts to  
26 address the accommodation needs of students with disabilities;

27 (4) Coordinate the development of an information system that  
28 supports the efforts of students, institutions, and agencies to locate  
29 and make effective use of available resources. The system may include

1 a data base, a tracking system, technical assistance, loan agreements,  
2 and other mechanisms.

3 (5) Review application and admission procedures used within  
4 institutions of higher education, to assure that these procedures are  
5 open and accessible to people of disability and that they treat people  
6 of disability fairly and equitably;

7 (6) Review policies, processes, and practices related to  
8 alternative admissions, to assure that people of disability receive  
9 consideration and support in the efforts of institutions to promote  
10 diversity within their student bodies;

11 (7) Coordinate the development of standardized definitions and a  
12 state-wide information gathering and reporting mechanism that will  
13 provide policymakers with information on the numbers, characteristics,  
14 accommodation needs, anticipated costs of accommodations, and status of  
15 students with disabilities seeking admission or accommodation within  
16 institutions of higher education, and the staffing levels, inventory of  
17 equipment, budgets, policies, and outcomes of those institutions;

18 (8) Coordinate the development of consistent guidelines and  
19 standards for the implementation of core services for students with  
20 disabilities to ensure uniformity in the range and level of  
21 accommodation provided;

22 (9) Contingent upon funding, administer and coordinate the targeted  
23 projects established in section 5 of this act designed to complement  
24 and enhance the efforts of institutions and other existing resources to  
25 accommodate students with disabilities in the state's higher education  
26 system;

27 (10) Coordinate, with the state board for community college  
28 education, professional development training as specified in section 4  
29 of this act; and

1 (11) Coordinate the development of standards and practices  
2 regarding the documentation of disabilities, with particular emphasis  
3 on hidden disabilities.

4 NEW SECTION. **Sec. 3.** With the assistance of the advisory  
5 committee, the board shall undertake the following responsibilities:

6 (1) Oversee the refinement of interagency agreements in order to  
7 accomplish the following: Ensure consistent, effective, and equitable  
8 utilization of those resources, foster clearer and more consistent  
9 understanding of the roles and responsibilities of the various  
10 entities, and promote effective coordination of efforts to address the  
11 accommodation needs of students with disabilities;

12 (2) Monitor, analyze, and report on the product of the state-wide  
13 information gathering and reporting mechanism on the numbers,  
14 characteristics, accommodation needs, anticipated costs of  
15 accommodations, and status of students with disabilities seeking  
16 admission or accommodation within institutions of higher education, and  
17 the staffing levels, inventory of equipment, budgets, policies, and  
18 outcomes of those institutions;

19 (3) Maintain and manage a data base and other mechanisms that will  
20 support the efforts of students, institutions, and agencies to locate  
21 and make effective use of available resources. The mechanisms may  
22 include, but are not limited to, tracking systems, technical  
23 assistance, and loan agreements;

24 (4) Identify emerging issues related to opportunities for people  
25 with disabilities to benefit from postsecondary education within this  
26 state, and develop policies, plans, and recommendations for addressing  
27 those issues;

28 (5) Provide periodic reports of its activities, recommendations,  
29 and findings to the governor and the legislature. The report shall

1 include a review of institutional efforts to implement core services;  
2 and

3 (6) Review existing institutional and agency procedures for  
4 resolving disputed reasonable accommodation requests, collect data on  
5 the number of students with disputes, and recommend refinements to  
6 expedite dispute resolution procedures.

7 NEW SECTION. **Sec. 4.** The higher education coordinating board  
8 and the state board for community college education shall coordinate  
9 professional development training for disabled student service  
10 coordinators. The training shall include, but is not limited to:  
11 Applicable state and federal laws, the broad range of disabling  
12 conditions and their potential significance related to accommodation in  
13 a higher education setting, methods of providing accommodation, and  
14 interfacing with service agencies and available resources. The higher  
15 education coordinating board and the state board for community college  
16 education shall also coordinate training for faculty, staff, and  
17 administrators of institutions of higher education. The training shall  
18 include, but is not limited to: The rights of students with  
19 disabilities, people of disability as a valuable part of human  
20 diversity, and the role of the disabled student service coordinator.  
21 These programs may be coordinated through the affirmative action office  
22 at each institution.

23 NEW SECTION. **Sec. 5.** In consultation with the advisory  
24 committee created in section 1 of this act, and with the assistance of  
25 institutions of higher education, the higher education coordinating  
26 board shall administer a program that funds targeted projects designed  
27 to assist students with disabilities to access and succeed in higher  
28 education. The targeted projects may include, but are not limited to:

1 (1) A small-scale pilot program to create and strengthen on-campus  
2 taping services, and to convert texts to Braille, audio tape, and  
3 electronic formats. This pilot program shall be designed to augment  
4 and support existing institution-based efforts by providing them with  
5 a cost-effective alternative for conversion of large documents, when  
6 circumstances allow sufficient lead time;

7 (2) A fund for extraordinary, unanticipated accommodation expenses,  
8 such as sign language interpreters or adaptive aides and equipment; and

9 (3) Seed grants to encourage new programs or particular programs  
10 that would foster cooperation, increase the effectiveness of existing  
11 resources, and address unmet needs on a regional or state-wide basis.

12 The advisory committee created in section 1 of this act shall  
13 assist the board with the design, implementation, and monitoring of the  
14 targeted projects. In addition, the advisory committee shall assist in  
15 the development and administration of program guidelines. The program  
16 shall not be used to supplant other funds that would have or could have  
17 been used to cover the costs of the needed accommodations.

18 NEW SECTION. **Sec. 6.** The sum of five hundred thousand  
19 dollars, or as much thereof as may be necessary, is appropriated from  
20 the general fund to the higher education coordinating board for the  
21 biennium ending June 30, 1993, to carry out the purposes of sections 2  
22 and 3 of this act.

23 NEW SECTION. **Sec. 7.** If specific funding for the purposes of  
24 sections 2 and 3 of this act is not provided in this act or in the  
25 omnibus appropriations act by June 30, 1991, sections 2 and 3 of this  
26 act shall be null and void.

1        NEW SECTION.    **Sec. 8.**        The sum of one hundred thousand dollars,  
2 or as much thereof as may be necessary, is appropriated from the  
3 general fund to the higher education coordinating board for the  
4 biennium ending June 30, 1993, to carry out the purposes of section 4  
5 of this act.

6        NEW SECTION.    **Sec. 9.**        If specific funding for the purposes of  
7 section 4 of this act is not provided in this act or in the omnibus  
8 appropriations act by June 30, 1991, section 4 of this act shall be  
9 null and void.

10       NEW SECTION.    **Sec. 10.**       The sum of one million dollars, or as  
11 much thereof as may be necessary, is appropriated from the general fund  
12 to the higher education coordinating board for the biennium ending June  
13 30, 1993, to carry out the purposes of section 5 of this act.

14       NEW SECTION.    **Sec. 11.**       If specific funding for the purposes of  
15 section 5 of this act is not provided in this act or in the omnibus  
16 appropriations act by June 30, 1991, section 5 of this act shall be  
17 null and void.

18       NEW SECTION.    **Sec. 12.**       Sections 1 through 5 of this act are  
19 each added to chapter 28B.80 RCW.