
HOUSE BILL 1296

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By Representatives Ogden, Wood, Spanel, Miller, Sheldon, Dellwo, May, Fraser, Paris, Ferguson, Betrozoff, Mitchell, Wineberry, R. Johnson, Brekke, Basich and Anderson.

Read first time January 25, 1991. Referred to Committee on Higher Education\Appropriations.

1 AN ACT Relating to access to higher education for students with
2 disabilities; adding new sections to chapter 28B.80 RCW; and making
3 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 veterans administration, the Washington library for the blind and
6 physically handicapped, the department of labor and industries, the
7 department of corrections, the human rights commission, the Easter Seal
8 Society, the governor's committee on disability issues and employment,
9 the Washington financial aid officers' association, institutions of
10 higher education, the developmental disabilities planning council, and
11 the Washington state library.

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

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

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

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

26 (4) Develop an information system that supports the efforts of
27 students, institutions, and agencies to locate and make effective use
28 of available resources. The system may include a data base, a tracking
29 system, technical assistance, loan agreements, and other mechanisms.

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

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

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

16 (8) Develop consistent guidelines and standards for the
17 implementation of core services for students with disabilities to
18 ensure uniformity in the range and level of accommodation provided;

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

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

27 (11) Develop standards and practices regarding the documentation of
28 disabilities, with particular emphasis on hidden disabilities.

1 NEW SECTION. **Sec. 3.**

2 With the assistance of the advisory
3 committee, the board shall undertake the following responsibilities:

4 (1) Oversee and refine interagency agreements to ensure consistent,
5 effective, and equitable utilization of those resources to foster
6 clearer and more consistent understanding of the roles and
7 responsibilities of the various entities, and to promote effective
8 coordination of efforts to address the accommodation needs of students
9 with disabilities;

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

17 (3) Maintain and manage the data base, tracking system, technical
18 assistance, loan agreements, and other mechanisms that will support the
19 efforts of students, institutions, and agencies to locate and make
20 effective use of available resources;

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

25 (5) Provide a biennial report of its activities, recommendations,
26 and findings to the governor and the legislature. The report shall
27 include a review of institutional efforts to implement core services;

28 (6) Review existing institutional procedures for resolving
29 disputed reasonable accommodation requests; and

30 (7) In consultation with institutions, develop a process for speedy
review and arbitration for disputes not resolved within the

1 institution. The review and recommendations in this area should
2 include a consideration of mechanisms for awarding prevailing students
3 reasonable fees for attorneys or other professional advocates.

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

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

26 (1) A small-scale pilot program to create and strengthen on-campus
27 taping services, and to convert texts to Braille, audio tape, and
28 electronic formats. This pilot program shall be designed to augment

1 and support existing institution-based efforts by providing them with
2 a cost-effective alternative for conversion of large documents, when
3 circumstances allow sufficient lead time;

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

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

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

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

20 NEW SECTION. **Sec. 7.** The sum of one hundred thousand dollars,
21 or as much thereof as may be necessary, is appropriated from the
22 general fund to the higher education coordinating board for the
23 biennium ending June 30, 1993, to carry out the purposes of section 4
24 of this act.

25 NEW SECTION. **Sec. 8.** The sum of one million dollars, or as
26 much thereof as may be necessary, is appropriated from the general fund

1 to the higher education coordinating board for the biennium ending June
2 30, 1993, to carry out the purposes of section 5 of this act.

3 NEW SECTION. **Sec. 9.** Sections 1 through 5 of this act are
4 each added to chapter 28B.80 RCW.