

SENATE BILL REPORT

EHB 2327

AS REPORTED BY COMMITTEE ON HIGHER EDUCATION, FEBRUARY 22, 1994

Brief Description: Requiring appropriate services for disabled students at institutions of higher education.

SPONSORS: Representatives Jacobsen, Brumsickle, Quall, Basich, Ogden, Kessler, Mastin, Wood, Casada, Shin, Orr, Rayburn, Romero and Anderson

HOUSE COMMITTEE ON HIGHER EDUCATION

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass.

Signed by Senators Bauer, Chairman; Drew, Vice Chairman; Cantu, Prince, Quigley, Sheldon and West.

Staff: Scott Huntley (786-7421)

Hearing Dates: February 16, 1994; February 22, 1994

BACKGROUND:

Washington State statute prohibits discrimination against any of its citizens because of sensory, mental or physical handicap. Washington State statute prohibits discrimination in places of public accommodation. The definition of places of public accommodation includes educational institutions.

In 1990 legislation was enacted directing the Governor's Committee on Disability Issues and Employment to convene a task force on students with disabilities in higher education. The task force was charged with making recommendations on the roles of state agencies, colleges, universities, and students in ensuring that students with disabilities have an opportunity to obtain a higher education.

The task force identified a need to establish a clear, broad-based understanding of the needs, rights and responsibilities of students with disabilities. In order to help colleges and universities implement the recommendations, the task force suggested the passage of several pieces of legislation. The recommendations included legislation that describes core services that should be available at each institution of higher education.

SUMMARY:

The intent section states that the purpose of the legislation is to provide a clear, succinct statement of rights for students with disabilities. The Legislature does not intend to confer any new or expanded rights.

Students with disabilities are entitled to a core service only if the service is necessary to accommodate the student's disability. The student must be reasonable in requesting the service and the institution must respond in a reasonable and timely manner.

The suggested core services are as follows: (1) flexible procedures in the admissions process; (2) early registration; (3) sign language and oral and tactile interpreter services; (4) textbooks and other educational materials in alternative media; (5) provision of readers, notetakers, scribes and proofreaders; (6) ongoing review and coordination of efforts to improve campus accessibility; (7) facilitation of physical access including relocation of classes and institution-sponsored activities and services; (8) access to adaptive equipment; (9) referral to appropriate on- and off-campus support resources; (10) release of instructional materials in advance; (11) access to campus support resources; (12) flexibility in test-taking arrangements; (13) referral to the appropriate entity for diagnostic assessment and documentation of the disability; (14) flexibility in timeline for completion of course certification and degree; (15) flexibility in credits required to satisfy institutional eligibility for financial aid; and (16) notification of the institution's policy of nondiscrimination on the basis of disability and the procedure an aggrieved student must follow.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This legislation is consistent with the Governor's executive orders on the ADA and on diversity. The legislation has no fiscal impact. It does not require any expanded services, it only clarifies, in statute, the services which must be provided under existing law and rule. Persons with disabilities can make a valuable contribution to our state, so we must assure access. We cannot afford to waste human potential. It is important that the state go on record that these services at higher education institutions are necessary. Failure to provide access can irreparably damage a student's opportunity to achieve. We need to affirm this in state law; we need these core services specifically recognized and listed.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Cynthia Flynn, Council of Presidents; Jennifer Jaech, The Evergreen State College; Mary Marcy, Central Washington University; Mike Bigelow, OFM; Mary McNew, Governor's Office; Jennifer Meacham, TESC student; Mike Rodgers, SPSCC student; Karen Rosenthal, TESC student; Bobby Lavender, TESC student; Alberta May, State Board for Community and Technical Colleges; Toby Olson, Governor's Committee on Disabilities; Jane Sherman, HEC Board; Mathew Burns, President, Thurston County Assn. of Deaf and Hard of Hearing