

SENATE BILL REPORT

SB 6501

As Reported By Senate Committee On:
Higher Education, February 3, 2004

Title: An act relating to instructional materials for students with disabilities.

Brief Description: Regarding instructional materials for students with disabilities at public and private institutions of higher education.

Sponsors: Senators Carlson, Kohl-Welles, Pflug, Jacobsen, Schmidt, Rasmussen, Shin, Winsley and McAuliffe; by request of State Board for Community and Technical Colleges.

Brief History:

Committee Activity: Higher Education: 2/2/04, 2/3/04 [DPS].

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 6501 be substituted therefor, and the substitute bill do pass.

Signed by Senators Carlson, Chair; Schmidt, Vice Chair; Horn, Kohl-Welles, Pflug, B. Sheldon and Shin.

Staff: Jean Six (786-7423)

Background: Providing instructional materials in specialized formats for students with print access disabilities is a challenge facing coordinators of services for students with disabilities. Under current federal and state law, Washington State's public and private higher education institutions must ensure that students with disabilities receive the appropriate services necessary to provide equal access. However, the tools available to translate instructional material into specialized formats are often cumbersome, costly and time-consuming.

Many publishers understand this and support students' work by providing electronically formatted instructional materials. Response to students' need remains at the pleasure of publishing firms, and response is varied. Electronic versions are readily available for textbooks and instructional materials – in fact, these files are created as part of the manufacturing process.

Summary of Substitute Bill: Publishers or manufacturers of instructional materials used by students attending public or private higher education institutions in the state of Washington must provide any instructional material in a mutually agreed upon electronic format at no additional cost and in a timely manner to a postsecondary institution upon receipt of a written request. The written request certifies a real need by the institution and the student to be served.

Instructional material, print access disability, structural integrity, and specialized format are defined. Copyrights are protected and exceptions are allowed when the technology is not available. Failure to comply will be a violation under the state law against discrimination.

Substitute Bill Compared to Original Bill: The original bill was not considered.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Providing instructional materials for students with visual disabilities is a challenge for Washington's public and private colleges and universities. Having access to electronic files directly from the publisher will eliminate the often long delays in providing the appropriate materials to students who require them.

Providing this electronic format has not caused an increase in textbook prices in Texas and California who already have a similar statute.

Print access limitations create challenges for students that are beyond what is experienced by students without sight limitations. Timely availability is just one of the challenges

Users will appreciate the quality of the materials provided through this process with publishers.

Testimony Against: None.

Testified: PRO: Nani Jackins Park, SBCTC; Gail Stygall, UW, CFR; Barbara Oswald, Centralia College; Sherman Troy Peterson, user of e-texts.