

HOUSE BILL REPORT

HB 2825

As Reported by House Committee On:
Higher Education

Title: An act relating to student services for students with disabilities.

Brief Description: Concerning student services for students with disabilities.

Sponsors: Representatives Frame, Zeiger, Walkinshaw, Stambaugh, Fitzgibbon, Haler, Tarleton, Pollet, Reykdal, McBride, Kagi, Kilduff, Morris, Ryu and Stanford.

Brief History:

Committee Activity:

Higher Education: 2/2/16, 2/5/16 [DPS].

Brief Summary of Substitute Bill

- Requires the creation of a disability workgroup to make recommendations, which institutions of higher education must begin implementing by December 31, 2016, to assist students with disabilities.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 12 members: Representatives Hansen, Chair; Pollet, Vice Chair; Zeiger, Ranking Minority Member; Bergquist, Frame, Hargrove, Holy, Reykdal, Sells, Stambaugh, Tarleton and Van Werven.

Staff: Trudes Tango (786-7384).

Background:

In general, federal and state laws prohibit discrimination against students on the basis of disability. Postsecondary schools are required to provide equal access to education to students with disabilities through academic adjustments and auxiliary aids and services. In addition, postsecondary schools must ensure physical access to buildings on campus.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Under the state law, each public institution of higher education must ensure that students with disabilities are reasonably accommodated within that institution. The institution must provide students with disabilities with the appropriate core services necessary to ensure equal access. The student is entitled to receive a core service if the service is reasonably needed to accommodate the student's disability. The student must make a reasonable request for core services in a timely manner and the institution must respond reasonably and in a timely manner.

Core services include such things as: flexible procedures in the admissions process and test taking; sign language, or other interpreter services; textbooks and other education materials in large print, braille, electronic format or audiotape; provisions for a reader, note taker, scribe or proof reader; and referral to appropriate campus resources. Reasonable accommodations for students with disabilities must be provided as appropriate for all aspects of college and university life, including recruitment, applications, enrollment, registration, financial aid, coursework, research, academic counseling, housing programs, and nonacademic services.

Summary of Substitute Bill:

The Council of Presidents, the State Board for Community and Technical Colleges, and the institutions of higher education must convene a disability workgroup to make recommendations for assisting students with temporary or permanent disabilities. The workgroup must include representatives from statewide student associations and the Washington Student Achievement Council (WSAC). Recommendations should focus on removing challenges for transferring students, such as creating more standardized terminology among institutions for disability services, improving the ease of locating disability services contact information online, and developing best practices for institutions to reach out to and help prepare students for transmitting accommodations information and documentation to their new institution.

Institutions of higher education must begin implementing the recommendations as soon as practicable, but no later than December 31, 2016. The workgroup must provide a report to the relevant committees of the Legislature no later than December 31, 2016. The provision expires August 1, 2017.

Substitute Bill Compared to Original Bill:

The substitute creates the disability workgroup and removes the requirement that a uniform disabilities application be drafted, adopted, and used. The substitute bill also removes the provision stating that when students with disabilities who received core services or reasonable accommodations at a previous institution of higher education are transferring to a new institution, the new institution must provide the same core services or reasonable accommodation.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 5, 2016.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is a collaborative effort and attempts are being made to reach consensus. The bill streamlines the process for students with disabilities when they transfer schools. The goal is to reduce barriers and the need for re-documentation. Transferring to a new university should be as simple as possible. There are many students with disabilities in the colleges and universities. Every year, school staff work with students while they are still in the K-12 system to help them transition into college. Providing accommodations in college helps these students succeed. When every institution has their own policies and practices, it is confusing and inconsistent. Sometimes the policies require excessive documentation. Students with permanent disabilities do not necessarily see a health care provider regularly just for their disability. Requiring documentation when transferring could result in the student having to see specialist providers and get expensive tests done again about their disability. Not having a uniform process creates confusion and misinformation about what the state and federal laws require. It is important that these students receive services as soon as possible after they transfer schools, instead of being into the third or fourth week of school and still not being provided core services.

(Opposed) None.

(Other) There is a shared goal of providing a seamless transition, but institutions need to be able to work individually with each student to meet the student's particular needs. This is a complex issue. More time is needed to make sure this is done right. Institutions need flexibility. The WSAC had a disability task force and issued a report recently. One of the issues addressed by the task force was the portability of technology when students with disabilities move from the K-12 system to the college system.

Persons Testifying: (In support) Representative Frame, prime sponsor; Paul Bell; student; Toby Olson, Governor's Committee on Disability; Anna Nepomuceno, University of Washington; Noah Seidel, Self Advocates in Leadership; and Cynthia Chin, Central Washington University.

(Other) Scott Copeland, State Board for Community and Technical Colleges; Cody Eccles, Council of Presidents; and Madeleine Thompson, Washington Student Achievement Council.

Persons Signed In To Testify But Not Testifying: None.