

# SENATE BILL REPORT

## ESHB 2825

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As of February 25, 2016

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

**Brief Description:** Concerning student services for students with disabilities.

**Sponsors:** House Committee on Higher Education (originally sponsored by Representatives Frame, Zeiger, Walkinshaw, Stambaugh, Fitzgibbon, Haler, Tarleton, Pollet, Reykdal, McBride, Kagi, Kilduff, Morris, Ryu and Stanford).

**Brief History:** Passed House: 2/15/16, 94-3.

**Committee Activity:** Higher Education: 2/25/16.

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### SENATE COMMITTEE ON HIGHER EDUCATION

**Staff:** Evan Klein (786-7483)

**Background:** Federal Law. Postsecondary schools are prohibited from discriminating against students on the basis of disability under two federal laws. Section 504 of the Rehabilitation Act of 1973 (Rehabilitation Act) prohibits entities that receive federal financial assistance, which includes institutions of higher education, from discriminating against otherwise qualified individuals with disabilities. The Americans with Disabilities Act of 1990 (ADA) also protects individuals with disabilities from discrimination and covers a broader range of schools.

State Law. Under state law, each public institution of higher education must ensure that students with disabilities are reasonably accommodated within that institution by providing core services and accommodations. The institution must provide students with disabilities with the appropriate core service or services necessary to ensure equal access. Core services include:

- flexible procedures in the admissions process and early registration;
- sign language, or other interpreter services;
- textbooks and other education materials in large print, braille, electronic format or audiotape;
- provision of a reader, note taker, scribe or proof reader;
- ongoing coordination of efforts to improve campus accessibility;
- facilitation of physical access;
- access to adaptive equipment;

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- referral to appropriate campus resources;
- flexibility in test taking arrangements; and
- notification of the higher education's policy of nondiscrimination on the basis of disability.

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 Bill:** The Council of Presidents (COP) must convene a workgroup to develop a plan for removing obstacles for students with disabilities. The work group must include:

- representatives from the State Board of Community and Technical Colleges, four-year institutions, Washington Student Achievement Council, and statewide student associations; and
- at least two students with disabilities selected by student associations.

The plan must, but is not limited to:

- standardize medical documentation requirements;
- standardize intake and review procedures; and
- develop best practices for institutions to provide outreach to and help prepare students for transmitting accommodations information and documentation to their next institution.

The COP must provide the plan to the higher education committees of the Legislature by December 31, 2016.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** PRO: Students flagged that there are barriers in the system. The institutions have the clear intent to make transfer of students as seamless as possible, but something is going awry. A prescriptive approach to fix this is not necessary, but this workgroup will be able to tackle these issues. This bill is identical to the Senate version that passed off the Senate floor. The Council of Presidents, sponsors, and students worked hard to come up with a way to work on recommendations for enhancing disability services for students. The associated students look forward to working with the workgroup to address these issues.

**Persons Testifying:** PRO: Representative Frame, Prime Sponsor; Cynthia Chin, Associated Students of Central Washington University; Cody Eccles, Council of Presidents.

**Persons Signed In To Testify But Not Testifying:** No one.