

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2327

Chapter 105, Laws of 1994

53rd Legislature
1994 Regular Session

STUDENTS WITH DISABILITIES--ACCESS TO HIGHER EDUCATION

EFFECTIVE DATE: 6/9/94

Passed by the House February 9, 1994
Yeas 94 Nays 0

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 3, 1994
Yeas 44 Nays 0

JOEL PRITCHARD

President of the Senate

Approved March 28, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2327** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

March 28, 1994 - 11:11 a.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2327

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

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

Read first time 01/14/94. Referred to Committee on Higher Education.

1 AN ACT Relating to students with disabilities; adding new sections
2 to chapter 28B.10 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** It is a fundamental aspiration of the people
5 of Washington that individuals be afforded the opportunity to compete
6 academically. Accordingly, it is an appropriate act of state
7 government, in furtherance of this aspiration, to make available
8 appropriate support services to those individuals who are able to
9 attend college by virtue of their potential and desire, but whose
10 educational progress and success is hampered by a lack of
11 accommodation.

12 Furthermore, under existing federal and state laws, institutions of
13 higher education are obligated to provide services to students with
14 disabilities. The legislature does not intend to confer any new or
15 expanded rights, however, the intent of this act is to provide a
16 clearer, more succinct statement of those rights than is presently
17 available and put Washington on record as supporting those rights.

18 It is the intent of the legislature that these services be provided
19 within the bounds of the law. Therefore, the institution of higher

1 education's obligations to provide reasonable accommodations are
2 limited by the defenses provided in federal and state statutes, such as
3 undue financial burden and undue hardship.

4 NEW SECTION. **Sec. 2.** Each student with one or more disabilities
5 is entitled to receive a core service only if the service is reasonably
6 needed to accommodate the student's disabilities. The requesting
7 student shall make a reasonable request for core services in a timely
8 manner and the institution of higher education or agency providing the
9 service shall respond reasonably and in a timely manner.

10 NEW SECTION. **Sec. 3.** Each institution of higher education shall
11 ensure that students with disabilities are reasonably accommodated
12 within that institution. The institution of higher education shall
13 provide students with disabilities with the appropriate core service or
14 services necessary to ensure equal access.

15 Core services shall include, but not be limited to:

16 (1) Flexible procedures in the admissions process that use a
17 holistic review of the student's potential, including appropriate
18 consideration in state-wide and institutional alternative admissions
19 programs;

20 (2) Early registration or priority registration;

21 (3) Sign language, oral and tactile interpreter services, or other
22 technological alternatives;

23 (4) Textbooks and other educational materials in alternative media,
24 including, but not limited to, large print, braille, electronic format,
25 and audio tape;

26 (5) Provision of readers, notetakers, scribes, and proofreaders
27 including recruitment, training, and coordination;

28 (6) Ongoing review and coordination of efforts to improve campus
29 accessibility, including but not limited to, all aspects of barrier-
30 free design, signage, high-contrast identification of hazards of
31 mobility barriers, maintenance of access during construction, snow and
32 ice clearance, and adequate disability parking for all facilities;

33 (7) Facilitation of physical access including, but not limited to,
34 relocating of classes, activities, and services to accessible
35 facilities and orientation if route of travel needs change, such as at
36 the beginning of a quarter or semester;

1 (8) Access to adaptive equipment including, but not limited to,
2 TDDs, FM communicators, closed caption devices, amplified telephone
3 receivers, closed circuit televisions, low-vision reading aids,
4 player/recorders for 15/16 4-track tapes, photocopy machines able to
5 use eleven-by-seventeen inch paper, braille devices, and computer
6 enhancements;

7 (9) Referral to appropriate on-campus and off-campus resources,
8 services, and agencies;

9 (10) Release of syllabi, study guides, and other appropriate
10 instructor-produced materials in advance of general distribution, and
11 access beyond the regular classroom session to slides, films, overheads
12 and other media and taping of lectures;

13 (11) Accessibility for students with disabilities to tutoring,
14 mentoring, peer counseling, and academic advising that are available on
15 campus;

16 (12) Flexibility in test taking arrangements;

17 (13) Referral to the appropriate entity for diagnostic assessment
18 and documentation of the disability;

19 (14) Flexibility in timelines for completion of courses,
20 certification, and degree requirements;

21 (15) Flexibility in credits required to be taken to satisfy
22 institutional eligibility for financial aid; and

23 (16) Notification of the institution of higher education's policy
24 of nondiscrimination on the basis of disability and of steps the
25 student may take if he or she believes discrimination has taken place.
26 This notice shall be included in all formal correspondence that
27 communicates decisions or policies adversely affecting the student's
28 status or rights with the institution of higher education. This notice
29 shall include the phone numbers of the United States department of
30 education, the United States office of civil rights, and the Washington
31 state human rights commission.

32 NEW SECTION. **Sec. 4.** Reasonable accommodation for students with
33 disabilities shall be provided as appropriate for all aspects of
34 college and university life, including but not limited to:
35 Recruitment, the application process, enrollment, registration,
36 financial aid, course work, research, academic counseling, housing
37 programs owned or operated by the institution of higher education, and
38 nonacademic programs and services.

1 NEW SECTION. **Sec. 5.** Sections 2 through 4 of this act are each
2 added to chapter 28B.10 RCW.

 Passed the House February 9, 1994.

 Passed the Senate March 3, 1994.

 Approved by the Governor March 28, 1994.

 Filed in Office of Secretary of State March 28, 1994.