H-3711.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HOUSE BILL 2825**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 64th Legislature 2016 Regular Session**

**By** Representatives Frame, Zeiger, Walkinshaw, Stambaugh, Fitzgibbon, Haler, Tarleton, Pollet, Reykdal, McBride, Kagi, Kilduff, Morris, Ryu, and Stanford

AN ACT Relating to student services for students with disabilities; amending RCW 28B.10.912 and 28B.10.914; and adding new sections to chapter 28B.10 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 28B.10 RCW to read as follows:

(1) The institutions of higher education shall each adopt the uniform disabilities application created by section 4 of this act.

(2) The institutions of higher education shall each use the uniform disabilities application, adopted pursuant to subsection (1) of this section, for determining a student, transfer student, or prospective student's eligibility for core services or other disability-related accommodations at the institution of higher education attended by the student or for which the student is applying to attend. The uniform disabilities application used by the institutions of higher education shall each contain the same questions and require the same supporting documentation so as to ensure systemwide uniformity.

(3) The institutions of higher education shall each post the uniform disabilities application on the institution's admissions web page, in conjunction with the institution's application documents. The institutions of higher education shall also post the uniform disabilities application on any web page containing resources for students with disabilities.

**Sec.**  RCW 28B.10.912 and 1994 c 105 s 3 are each amended to read as follows:

(1) Each institution of higher education shall ensure that students with disabilities are reasonably accommodated within that institution. The institution of higher education shall provide students with disabilities with the appropriate core service or services necessary to ensure equal access. Each institution shall notify transfer students of their eligibility for receiving the same core services that were provided while previously attending another in-state institution.

(2) Core services shall include, but not be limited to:

((~~(1)~~)) (a) Flexible procedures in the admissions process that use a holistic review of the student's potential, including appropriate consideration in statewide and institutional alternative admissions programs;

((~~(2)~~)) (b) Early registration or priority registration;

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

((~~(4)~~)) (d) Textbooks and other educational materials in alternative media, including, but not limited to, large print, braille, electronic format, and audiotape;

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

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

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

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

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

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

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

((~~(12)~~)) (l) Flexibility in test taking arrangements;

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

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

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

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

(3) The institutions of higher education shall provide all students who transfer from another institution of higher education and who had received a core service at their prior institution, with at least the same core services upon the student's acceptance at the institution, without the student having to reapply for the services at that institution.

**Sec.**  RCW 28B.10.914 and 1994 c 105 s 4 are each amended to read as follows:

(1) Reasonable accommodation for students with disabilities shall be provided as appropriate for all aspects of college and university life, including but not limited to: Recruitment, the application process, enrollment, registration, financial aid, coursework, research, academic counseling, housing programs owned or operated by the institution of higher education, and nonacademic programs and services. Each institution shall notify transfer students of their eligibility for receiving the same accommodations that were provided while previously attending another in-state institution.

(2) The institutions of higher education shall provide all students who transfer from a different in-state institution of higher education and who had received a reasonable accommodation at their prior institution, with at least the same reasonable accommodations upon the student's acceptance at the institution, without the student having to reapply for the accommodations at that institution.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.10 RCW to read as follows:

(1) By December 31, 2016, the student achievement council and state board for community and technical colleges shall draft and adopt a uniform disabilities application for determining a student's or prospective student's eligibility for disability services at any of the institutions of higher education. The disabilities application must include:

(a) Questions used to identify the applicant, including name, birthdate, address, social security number, and any other relevant identifying information;

(b) Questions necessary to determine if the applicant has a physical or mental impairment as defined by the Americans with disabilities act, or any applicable state laws;

(c) Questions necessary to determine if the applicant is eligible for core services or any other accommodations from any of the institutions of higher education; and

(d) Information regarding any supporting documentation that an applicant must submit as part of the application.

(2) The student achievement council and state board for community and technical colleges shall jointly submit the uniform disabilities application to the higher education committees of the legislature and the student achievement council disability task force by January 1, 2017.

(3) The institutions of higher education shall each adopt the uniform disabilities application created in subsection (1) of this section before the start of the 2017-18 academic year, for use as the sole application for determining a student's eligibility for disability services at that institution.

**--- END ---**