

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 646

Short Title: Higher Ed Plan for Students W/Disabilities. (Public)

Sponsors: Senators Robinson (Primary Sponsor); D. Davis and Parmon.

Referred to: Rules and Operations of the Senate.

April 4, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE NORTH CAROLINA COMMUNITY COLLEGES AND THE
3 CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA TO
4 OFFER A DISABILITIES SERVICES PROGRAM AND INDIVIDUAL HIGHER
5 EDUCATION PLANS TO STUDENTS WITH DISABILITIES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 115D-5 is amended by adding a new subsection to read:

8 "(v) The State Board of Community Colleges shall direct each community college to
9 implement a disability services program to support individuals with disabilities, in accordance
10 with section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and Title II of
11 the Americans with Disabilities Act of 1990, 42 U.S.C. § 12141, et seq., who are applying for
12 admission or are enrolled at the community college. The purpose of the disability services
13 program is to assist students with disabilities in the completion of the academic programs
14 offered by the community college and to offer individualized higher education plans (IHEP) for
15 students who request assistance. To achieve this purpose, the disability services program shall
16 include at least the following:

17 (1) The opportunity for a student to disclose the student's disability before or
18 during the application process to obtain assistance with the application
19 process, if necessary.

20 (2) The opportunity for a student to disclose the student's disability upon
21 admission to the community college, or at any time while enrolled at the
22 college, so that the student may work with a disability services coordinator
23 to develop an IHEP to ensure the student has access to the support and any
24 accommodations required for the student to complete the academic program
25 in which the student is enrolled. The IHEP shall include at least the
26 following components:

27 a. Testing or assessments requested by the student for initial and
28 ongoing evaluation of the student's needs.

29 b. Determination of any potential accommodations, adaptive devices,
30 and assistive services to assist the student with the completion of
31 assignments, testing, and coursework.

32 c. Academic expectations for the academic program in which the
33 student is enrolled and a plan to enable successful completion of
34 required coursework or examinations, especially in the case of
35 extended absences, by utilizing available accommodations offered by
36 the program.



1 d. Any communications requested by the student between the disability
2 services coordinator and the student's instructors to advise the
3 instructors of the student's needs and ensure that they make the
4 appropriate accommodations.

5 (3) The opportunity for students to request a variety of accommodations, to the
6 extent practicable, to address their needs related to their disabilities for
7 participation in and completion of community college programs, such as
8 interpreters, notetakers, scribes, textbooks on tape, readers, preferential
9 seating, testing modifications, online resources, and the opportunity for
10 supervised make-up examinations or completion of projects.

11 The State Board of Community Colleges shall report by February 1 each year to the Joint
12 Legislative Education Oversight Committee regarding the number of students on each campus
13 who used the services provided by the disability services program, the types of
14 accommodations utilized by students, the number of students with an IHEP who successfully
15 completed the academic program selected by the student, and any other information regarding
16 the disability services programs that may be relevant."

17 **SECTION 2.** G.S. 116-11 is amended by adding a new subdivision to read:

18 "(3b) The Board of Governors shall direct each constituent institution to
19 implement a disability services program to support individuals with
20 disabilities, in accordance with section 504 of the Rehabilitation Act of
21 1973, as amended, 29 U.S.C. § 794, and Title II of the Americans with
22 Disabilities Act of 1990, 42 U.S.C. § 12141, et seq., who are applying for
23 admission or are enrolled at the constituent institution. The purpose of the
24 disability services program is to assist students with disabilities in the
25 completion of the academic programs offered by the constituent institution
26 and to offer individualized higher education plans (IHEP) for students who
27 request assistance. To achieve this purpose, the disability services program
28 shall include at least the following:

29 a. The opportunity for a student to disclose the student's disability
30 before or during the application process to obtain assistance with the
31 application process, if necessary.

32 b. The opportunity for a student to disclose the student's disability upon
33 admission to the constituent institution, or at any time while enrolled
34 at the institution, so that the student may work with a disability
35 services coordinator to develop an IHEP to ensure the student has
36 access to the support and any accommodations required for the
37 student to complete the academic program in which the student is
38 enrolled. The IHEP shall include at least the following components:

39 1. Testing or assessments requested by the student for initial and
40 ongoing evaluation of the student's needs.

41 2. Determination of any potential accommodations, adaptive
42 devices, and assistive services to assist the student with the
43 completion of assignments, testing, and coursework.

44 3. Academic expectations for the academic program in which
45 the student is enrolled and a plan to enable successful
46 completion of required coursework or examinations,
47 especially in the case of extended absences, by utilizing
48 available accommodations offered by the program.

49 4. Any communications requested by the student between the
50 disability services coordinator and the student's instructors to

1 advise the instructors of the student's needs and ensure that
2 they make the appropriate accommodations.
3 c. The opportunity for students to request a variety of accommodations,
4 to the extent practicable, to address their needs related to their
5 disabilities for participation in and completion of the student's course
6 of study, such as interpreters, notetakers, scribes, textbooks on tape,
7 readers, preferential seating, testing modifications, online resources,
8 and the opportunity for supervised make-up examinations or
9 completion of projects.
10 The Board of Governors shall report by February 1 each year to the Joint
11 Legislative Education Oversight Committee regarding the number of
12 students on each campus who used the services provided by the disability
13 services program, the types of accommodations utilized by students, the
14 number of students with an IHEP who successfully completed the academic
15 program selected by the student, and any other information regarding the
16 disability services programs that may be relevant."
17 **SECTION 3.** This act is effective when it becomes law and applies beginning with
18 the 2013-2014 school year.