



HOUSE BILL 888: Education Accommodations/Sickle Cell Disease.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 6, 2019
Introduced by:	Reps. Floyd, Dobson, Black	Prepared by:	Drupti Chauhan
Analysis of:	First Edition		Committee Counsel

OVERVIEW: House Bill 888 requires the State Board of Education (SBE), the State Board of Community Colleges (SBCC), and the Board of Governors of The University of North Carolina (BOG), to adopt policies and guidelines to provide equal educational opportunities to students with sickle cell disease.

BILL ANALYSIS:

Section 1 of the bill directs the SBE to adopt guidelines to disseminate to public schools to ensure access to a free appropriate public education for students with sickle cell disease. The SBE must consult with DHHS in the development of these guidelines as well as local school administrative unit (LEA) employees who have been designated as responsible for coordinating their LEA's effort to comply with federal regulations adopted under Section 504 of the federal Rehabilitation Act of 1973, as amended. In the development of the guidelines, the SBE must refer to recommendations by the Centers for Disease Control on supporting students with sickle cell disease in the school setting and must consider recent resolution agreements by the Office of Civil Rights in the United States Department of Education regarding complaints alleging discrimination against students with sickle cell disease. The SBE must ensure the guidelines are updated as needed and then distributed to the public schools. The guidelines adopted by the SBE must include the following:

- Procedures for the development of an individual care plan at the written request of the student's parent or guardian and involving the parent or guardian, the student's health care provider, classroom teacher, the student if appropriate, the school nurse if available, and other appropriate school personnel.
- Procedures for regular review of an individual care plan.
- Information on implementation of reasonable accommodations for student consistent with federal law.
- Information and staff development to be made available to teachers and other school personnel in order to appropriately support and assist students with sickle cell disease.

Section 2 of the bill requires the SBCC to adopt a policy that directs every community college to provide the opportunity, at the beginning of each semester, for students with sickle cell disease to request and develop a plan with the school administrator designated as responsible for coordinating the efforts to comply with the federal regulations adopted under Section 504 of the federal Rehabilitation Act of 1973. The plan must provide for appropriate, reasonable academic and nonacademic accommodations to ensure that the college does not discriminate against the student on the basis of having a disability. The opportunity to develop a plan at the beginning of the semester cannot limit a student's ability to request an accommodation or develop a plan at any time during the semester. The SBCC must ensure that the policy is updated and necessary and disseminate it to all of the community colleges. The SBCC policy must include the following:

- Disseminating information to students at the beginning of each semester about the opportunity to develop and implement a plan with a designated administrator for reasonable academic and

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nonacademic accommodations. Community colleges must provide annual training to personnel regarding the development of the plan and accommodations for student with disabilities in general.

- Procedures for the designated administrator to determine reasonable accommodations consistent with the federal requirements for the student that are specific to the student's needs, including any documentation would be required by the college, and consultation with faculty members for courses in which the student is enrolled.
- Procedures for the designated administrator to finalize the plan and inform faculty members for the student's courses about their responsibilities to provide reasonable accommodations under the plan. The administrator must review the plan every semester for any necessary revisions.
- Grievance procedures for students in developing a plan and if the requirements of a finalized plan are not met, steps to ensure that students may raise concerns fully and fairly and be provided prompt and equitable resolution of complaints. The procedures must provide for faculty members to report when students with reasonable accommodations are not meeting the requirements of the course.

Section 3 of the bill requires the BOG to adopt a policy that directs every constituent institution to provide the opportunity, at the beginning of each semester, for students with sickle cell disease to request and develop a plan with the school administrator designated as responsible for coordinating the efforts to comply with the federal regulations adopted under Section 504 of the federal Rehabilitation Act of 1973. The plan must provide for appropriate, reasonable academic and nonacademic accommodations to ensure that the college does not discriminate against the student on the basis of having a disability. The opportunity to develop a plan at the beginning of the semester cannot limit a student's ability to request an accommodation or develop a plan at any time during the semester. The BOG must ensure that the policy is updated and necessary and disseminate it to all of the constituent institutions. The BOG policy must include the following:

- Disseminating information to students at the beginning of each semester about the opportunity to develop and implement a plan with a designated administrator for reasonable academic and nonacademic accommodations. Constituent institutions must provide annual training to personnel regarding the development of the plan and accommodations for student with disabilities in general.
- Procedures for the designated administrator to determine reasonable accommodations consistent with the federal requirements for the student that are specific to the student's needs, including any documentation would be required by the constituent institution, and consultation with faculty members for courses in which the student is enrolled.
- Procedures for the designated administrator to finalize the plan and inform faculty members for the student's courses about their responsibilities to provide reasonable accommodations under the plan. The administrator must review the plan every semester for any necessary revisions.
- Grievance procedures for students in developing a plan and if the requirements of a finalized plan are not met, steps to ensure that students may raise concerns fully and fairly and be provided prompt and equitable resolution of complaints. The procedures must provide for faculty members to report when students with reasonable accommodations are not meeting the requirements of the course.

EFFECTIVE DATE: This act is effective when it becomes law and applies beginning with the 2019-2020 school year and academic year, respectively.