

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Stewart R.

1 Amend reengrossed bill, page 2, after line 1 insert:

2 **"SECTION 1. Legislative declaration.** (1) (a) The general
3 assembly finds and declares that:

4 (I) In accordance with federal law, Colorado law requires
5 institutions of higher education to evaluate whether students with
6 disabilities qualify for an academic adjustment by reviewing
7 documentation, including existing individualized education programs and
8 section 504 plans;

9 (II) While many institutions of higher education have review
10 processes in place, inconsistencies and a lack of clarity in the review
11 process and implementation of the review process may impede effective
12 support for admitted or enrolled students with disabilities;

13 (III) Based on feedback from students, faculty, and advocacy
14 groups, there is a need for a clear, standardized process for institutions of
15 higher education to review documents, including existing individualized
16 education programs and section 504 plans, to determine whether a student
17 qualifies for an academic adjustment;

18 (IV) Enhancing clarity and transparency in the document review
19 process to determine whether students with disabilities qualify for
20 academic adjustments will improve the academic success and the
21 well-being of enrolled students with disabilities; and

22 (V) This act creates a transparent document review process for
23 students with disabilities to understand and determine whether they
24 qualify for academic adjustments while maintaining the authority of
25 institutions of higher education to make the final determination as to
26 whether a student with a disability qualifies for academic adjustments.

27 (b) The general assembly finds, therefore, that it is necessary to:

28 (I) Clarify the processes institutions of higher education use to
29 review documentation, including existing individualized education
30 programs and section 504 plans, to determine whether admitted or
31 enrolled students with disabilities qualify for academic adjustments;

32 (II) Ensure that the processes described in subsection (1)(b)(I) of
33 this section do not create barriers for students with disabilities;

34 (III) Implement accountability measures for an institution of
35 higher education to fulfill its responsibilities by providing a description
36 of the appeals process that focuses on documentary review; and

37 (IV) Promote the alignment of state and federal law.".

38 Renumber succeeding sections accordingly.

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