

2017

# A REPORT TO THE LEGISLATURE

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UNIVERSITY



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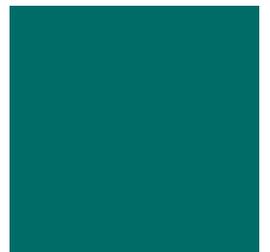
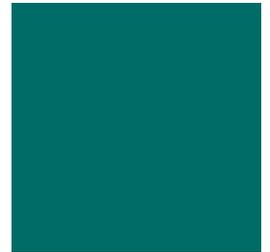
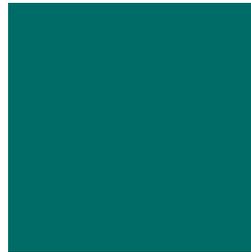


WASHINGTON STATE  
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## DISABILITY SERVICES TRANSFER WORK GROUP



WASHINGTON STATE  
*Council of*  
**Presidents**

[www.councilofpresidents.org](http://www.councilofpresidents.org)

DECEMBER 2017

The Council of Presidents (COP) is an association of Washington's six public baccalaureate degree granting college and universities. Located in Olympia, Washington, COP strives to be a common voice for the public baccalaureate sector and the most respected and trusted resource for decision makers on issues affecting public higher education. COP serves a coordinating role for a number of initiatives and activities common to the public baccalaureate institutions, fostering coordination and collaboration among the public baccalaureates as well as with other educational partners, both in Washington and nationally.

This report is also available online at <http://www.councilofpresidents.org>

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## Table of Contents

<b>Introduction</b>	<b>1</b>
<b>Disability Services Background</b>	<b>1</b>
Federal Disability Laws	1
State Disability Laws	1
Washington State Higher Education Disability Service Associations	2
<b>Work Group Background</b>	<b>2</b>
Legislation	2
Work Group Charge	3
Work Group Makeup	3
Work Group Meetings	3
<b>2016 Report and Recommendations</b>	<b>3</b>
<b>Progress in 2017</b>	<b>4</b>
Implementation of Best Practices, Transfer Checklist, and Common Release Form	4
Outreach to the Public Four-Year Sector	4
Community Technical College Outreach: DSSC Survey	4
Recommendations to Increase Adoption	5
Advocating for Students	6
Documentation Standards	6
Resource Constraints	7
National Trends and Growth	7
Statewide Trends and Growth	7
Shifts in the Delivery of Education	8
Accessibility Through System-Wide Hub	9
State Models	9
Statewide Hub Model in Washington State	9
<b>Future Work and Recommendations</b>	<b>10</b>
Work Group Work Plan and Recommendations	10
<b>Appendices</b>	<b>i</b>
Appendix A: Legislation	i
Appendix B: Work Group Members	iii
Appendix C: Meeting Schedule	iv
Appendix D: 2016 Work Group Recommendations	v
Appendix E: SBCTC DSSC Survey Results	vii
Appendix F: Disability Service Transfer Best Practices	x
Appendix G: Common Release Form	xi
Appendix H: Transfer Checklist	xiii
Appendix I: Student Outreach and Training Resources	xiv

## Introduction

The Disabilities Services Transfer (DST) Work Group was originally established in [Senate Bill 6466 \(2016\)](#) and has concluded a second year of work following an extension of its mandate in [House Bill 2037 \(2017\)](#). The 2016 legislation directed the DST Work Group to explore areas for improving the transfer of students with disabilities between institutions of higher education in the state of Washington. The DST Work Group issued its first report in December 2016 that included a set of recommendations. The 2017 legislation directed the work group to continue developing a plan that focuses on removing obstacles for students with disabilities and also addressing the issue of providing course materials in an accessible manner. The DST Work Group worked over the 2017 interim to make progress on the 2016 recommendations and address the new directive to ensure accessible course material.

## Disability Services Background

### Federal Disability Laws

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in any program or activity operated by recipients of federal funds. Title II of the Americans with Disabilities Act of 1990 (ADA) prohibits discrimination based on disability by public entities, regardless of whether they receive federal financial assistance. This includes the inequitable access to educational programs and facilities and refusal to implement or inappropriate implementation of academic adjustments in higher education.

Links to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations:

- ◆ [PUBLIC LAW 93-113 - OCTOBER 1, 1973 \(USCode.House.Gov\)](#)
- ◆ [34 CFR 104](#)

Title II of the Americans with Disabilities Act of 1990 and its implementing regulations:

- ◆ [42 USC 12131-12134 \(USCode.House.Gov\)](#)
- ◆ [28 CFR 35](#)
- ◆ [The Americans with Disabilities Act \(ADA\)](#)
- ◆ [Section 504 of the Rehabilitation Act of 1973](#)
- ◆ [US Department of Housing and Urban Development's Fair Housing Act](#)

### State Disability Laws

In 1979, Washington State policy makers added persons with sensory, mental, and physical disabilities as a protected class within the state's existing anti-discrimination laws. In 1973, the Washington State Legislature passed HB 445 defining persons with disabilities as a protected class under Washington's non-discrimination laws, but this measure was vetoed by the Governor. Anti-discrimination laws would not apply to persons with disabilities until 1979 with the passage of [HB 480](#). In 1994, there was an additional legislative effort to ensure a minimum level of services was provided to students with disabilities with the passage of [HB 2327](#).

- ◆ [Washington State Core Services Act](#)
- ◆ [Washington State Anti-Discrimination Law](#)

- ◆ [Washington State Human Rights Commission](#)
- ◆ [RCW 28B.10.916 Supplemental instructional materials for students with print access disability.](#)

In 2004, policymakers passed legislation concerning supplemental instructional materials for students with print access disabilities. The statute, RCW 28B.10.916, requires publishers and manufacturers of instructional materials for higher education students to provide institutions with instruction material in mutually agreed upon formats.

In 2017, Washington State's Chief Information Officer approved a policy concerning digital accessibility that colleges and universities are in the process of implementing. [Policy #188](#) requires that the technology and content that Washington state services are built on and use are accessible by meeting an established and testable standard. The policy also requires that agencies have an Information Technology Accessibility Coordinator to shepherd the creation and publishing of policies concerning accessibility and processes in place to conform to the policy and a plan to address existing barriers in digital access.

### Washington State Higher Education Disability Service Associations

There are a number of disability service entities in Washington state that work on coordinating postsecondary institutions in a collaborative manner:

- ◆ **Council of Presidents, Interinstitutional Committee of Disability service Officers (ICDSO)** – ICDSO is an ad-hoc group of the Disability Services departments of the public four-year colleges and universities developed to address issues relating to the provision of disability support services in Washington's public baccalaureate sector.
- ◆ **State Board of Community and Technical Colleges, Disability Support Service Council (DSSC)** - The Disability Support Services Council (DSSC) reports to the Washington State Student Services Commission (WSSSC). The council brings together professionals who serve students with disabilities in postsecondary education to facilitate information exchange, encourage coordinated efforts among postsecondary institutions for inclusion of persons with disabilities in programs and service, and communicate and coordinate with other organizations and agencies involved in education- and rehabilitation-related efforts of persons with disabilities
- ◆ **Washington Association on Postsecondary Education and Disability (WAPED)** - Consisting of 165 members representing 51 institutions of higher education across Washington and Idaho, WAPED members are committed to access, inclusivity, and the creation of disability positive environments for students with disabilities in higher education. As a private non-profit professional association WAPED strives to provide high quality professional development opportunities that allow professionals to stay abreast of emerging trends and best practices while cultivating the next generation of service providers.

## Work Group Background

### Legislation

The Disabilities Services Transfer (DST) Work Group was originally established in [Senate Bill 6466 \(2016\)](#) sponsored by Senator Cyrus Habib. Representative Noel Frame sponsored the companion bill in the House of Representatives and took an active role with the DST Work Group during 2016 interim meetings. With her continued commitment to the legislation, Rep. Frame introduced [House Bill 2037 \(2017\)](#) during the 2017

legislative session. HB2037 extended the work group in order to continue to identify and reduce barriers in transfer for students with disabilities and continue implementation the [2016 Disability Services Transfer Work Group Report to the Legislature](#).

→ To see the full text of House Bill 2037 see Appendix A.

## Work Group Charge

The work group must continue developing a plan that focuses on removing obstacles for students with disabilities, and address changing methods of delivering course content, availability of course materials in an accessible manner, and the supplemental course material provided by third parties.

The DST Work Group shall provide the plan to the higher education committees of the legislature no later than December 31, 2017.

## Work Group Makeup

Convened and staffed by Council of Presidents staff, the DST Work Group is a collaboration between students, - including students with disabilities - the Washington Student Association, the public four-year colleges and universities, the community and technical college system, and the Washington Student Achievement Council (WSAC). The workgroup members include representatives from the public baccalaureate college and universities, three representatives from the community and technical colleges selected by the State Board for Community and Technical Colleges (SBCTC) Disability Support Services Council (DSSC), a representative of the SBCTC, two students with disabilities, and a representative from the WSAC. All meetings were open to the public and were regularly attended by legislative staff from both the House and the Senate.

→ To see a full list of work group members, see Appendix B.

## Work Group Meetings

The DST work group met a total of seven times between June-December 2017. The meetings revolved around further development and implementation of the [2016 Disability Service Transfer Report](#) recommendations.

→ To see a full list meeting dates, see Appendix C.

## 2016 Report and Recommendations

In 2016, the DST Work Group advanced a set of recommendations to improve transfer for students with disabilities. The 2017 DST Work Group meetings were focused on developing and implementing these recommendations.

The 2017 DST Work Group recommendations included the following items:

- 1. Implement a Common Release of Information Form**—The public four-year colleges and universities and the SBCTC should implement a common release form for disability services records.
- 2. Increase Awareness of Disability Services During Admissions and Transfer Processes**—Future conversation regarding process improvement would include collaboration with admissions personnel and counselors.

- 3. Develop a Framework for Creating a Student Advocate to Guide Students with Disabilities and Advocate on Their Behalf**—Student Advocates would help students navigate the disabilities services process in the event students feel they are not being adequately served.
- 4. Develop a State Standard for Disability Service Caseloads**—Caseload standards for disability service offices would help colleges and universities quantify campus needs.
- 5. Continue to Develop Documentation Guidelines**—WAPED is in the process of developing documentation guidelines. The DST Work Group should collaborate in these efforts to provide better documentation guidelines for disability service staff.

In addition to these themes, the recommendations also acknowledged a need to increase resources for Disability Services Offices. Inadequate funding was identified as a major barrier in both the student survey and stakeholder outreach.

→ See full set of 2016 DST work group recommendations in Appendix D.

## Progress in 2017

### Implementation of Best Practices, Transfer Checklist, and Common Release Form

The DST Work Group 2016 report included the recommendation to *Increase Awareness of Disability Services During Admissions and Transfer Processes*. The work group developed three documents to support this recommendation the *Transfer Checklist*, a *Disability Services Transfer Best Practices*, and a common *Transfer of Documentation release form*. In 2017, the DST Work Group surveyed institutions to determine if campuses were using the documents developed by the DST Work Group and what the barriers were to using these documents in the event they were not being utilized.

### Outreach to the Public Four-Year Sector

Outreach to the public four-year institutions took place in two forms: (1) communication through the institutional disability services lead representative on the DST Work Group and (2) outreach through the Council of Presidents Interinstitutional Committee of Registrars and Admission Officers (ICORA). Survey responses showed some, but not all institutions were utilizing the best practices document and the transfer checklist on their campuses, but the vast majority had not yet been utilizing the common release form. Before the implementation of the common release form, disability service offices wanted to get the approval of the registrars, who are typically the holders of education records and have the most knowledge of FERPA requirements. The DST Work Group reached out to the registrars through ICORA, where there was a discussion of the common release form and best practices document, and no barriers to implementation were identified.

### Community Technical College Outreach: DSSC Survey

Outreach to the 34 community and technical colleges (CTC's) was more challenging due to the number of independently operated institutions. The primary mode of communication and outreach to the CTC's was through the SBCTC DSSC. The DSSC representatives to the DST Work Group developed a survey for the DSSC members and administered it at the DSSC October meeting. Twenty-six colleges participated in the survey.

The survey results were summarized by two-year college representatives on the DST Work Group. Their key findings were presented as follows:

- ◆ Focusing on students and the interactive process was clearly important and pervasive in the survey results.
- ◆ All respondents to the survey reported communicating with students regarding the transfer process; however, some respondents commented on wanting to have a more robust communication process (e.g. more information available in print or on websites).
- ◆ Based on the responses to the usage/acceptance of the Common Release Form it does not appear that there are any significant barriers to implementation. Those respondents who are not currently using/accepting it reported that this was new information and will be starting the process of using/accepting it soon.
- ◆ Based on the comments associated with the use of the Transfer Checklist, it appears that many respondents were not aware of the already developed checklist. There does not appear to be a barrier to implementation once the checklist is made widely available.
- ◆ Partnerships appear to be important and active. Any barriers were around time and insufficient staffing levels to develop and maintain the desired partnerships.
- ◆ There does not appear to be any opposition to these transfer best practices. Limitations surrounding implementation are primarily focused on awareness of a tool and lack of time or staff.

In regards to the adoption and use of the common release of information form, eleven colleges stated that they had implemented the form; 13 responded that they had not implemented the form, but would be willing to implement it, and only one school expressed reservations about the implementing the common release form. DST Work Group members reached out to individual institutions that had not implemented the common release form, and discussed the potential barriers to implementation, and found that most lacked knowledge of the form developed by the DST Work Group.

### **Recommendations to Increase Adoption**

Based on the SBCTC survey results and outreach by the public four-year institutions, the DST Work Group identified the usage of the documents and potential barriers to implementation. From this information the DST Work Group identified the following action steps:

- ◆ Request time on the agendas of the Disability Support Services Council (DSSC) and Washington Association of Postsecondary Education and Disability (WAPED) organizations to continue to promote the Common Release Form and Transfer Checklist.
- ◆ Request time on the agendas of the DSSC and WAPED organizations to onboard new disability service providers to ensure that these transfer best practices are continued.
- ◆ Work across and within sectors to collaborate to maximize the implementation of the common release form, best practices, and transfer checklist acknowledging existing institutional resource constraints.
- ◆ Post *Transfer Checklist*, a *Disability Services Transfer Best Practices*, and a common *Transfer of Documentation release form* on COP and DSSC websites to help share and promote access and use of the Common Release Form and other resources.

➔ **See SBCTC DSSC Survey Results in Appendix E.**

## Advocating for Students

In 2016, the Washington Student Association (WSA), which represents Washington undergraduate and graduate students, recommended that each institution create a student advocate or ombuds position within student government. Students advocated for a position that was independent and led by students. The 2016 DST Work Group report recommended that future DST Work Group efforts focus on developing a framework for creating a student advocate position/ombuds within student government and paid for with Service and Activity (S&A) fees.

In 2017, led by the student representatives on the DST Work Group, WSA began to develop a framework. As part of their work they identified two issues: (1) the existence of student advocate positions and (2) the process for adoption of an S&A fee. The student advocate position was found to already exist on many four-year campuses, often combined with another position or a general student advocate. For example at the University of Washington, Washington State University Pullman, and Western Washington University there are student positions within student government offices dedicated towards advocacy and outreach for disability-related issues. These positions are generally charged with connecting students to their campuses disability resource center and help students out with specific issues related to their accommodation. If a student advocate is unable to directly help a student, students may access an on-campus ombuds office. The campus ombuds office can direct the student to more on-campus or community resources that can help them accelerate or immediately access accommodations.

Additionally, the 2016 DST Work Group recommended that new positions be funded by S&A fees. New service and activity fees can be administered by students only through an on-campus referendum process or by a direct mandate from each campuses board of regents/trustees. This process can take over a year to complete and there is no guarantee that students would vote to approve the fee if it ended up on the ballot.

As a result of this work, WSA determined that the best resolution was to leverage current resources and develop a set of resources and communication documents for students to navigate existing student services. These resources will be designed to expand the knowledge of student disability advocates about available institutional grievance and complaint resources and include other on-campus services that a student can access if they are having difficulty accessing their accommodations prior or during their transfer process.

→ **See Student Training Material and Informational Material in Appendix I.**

## Documentation Standards

Creating statewide documentation standards goes against the individualized process that is the core pillars of the ADA and state legislation for providing accommodations to persons with disabilities. However, the DST workgroup continued to seek out ways to improve the current systems and processes in place for institutions of higher education working with students with disabilities seeking accommodations. This comes in the form of the implementation of the DST created resources; Disability Services Transfer Best Practices, Transfer Checklist and Common Release Form. The work group is also committed to continued collaboration between the community and technical colleges, the public four-year college and universities, WSAC, and students through existing structures outside of legislation, including Council of Presidents, DSSC and WAPED.

Additionally, in November 2017, through outreach by the DST members, the current WAPED president established an ad-hoc committee that over the next 18 months would focus on assessing and identifying best practices within the WAPED membership community related to the accommodation determination process. The primary outcome would be collecting resources and practices used in the broad process of accommodation determination that are intended to help facilitate the interactive process required by state and federal legislation. At the conclusion of the work the goals are to enhance available membership resources and best practices that cover the main areas of; but not limited to: disability and health care documentation best practices, frequently used or template questions to assist offices during their interactive process engagement with students, identifying processes and timelines to engage in the interactive process, and identifying educational environments and/or program standards that inform the determination of accommodations.

### Resource Constraints

The 2016 DST Report outlined the need to increase resources to disability services offices across all Washington two-year, baccalaureate and graduate/professional granting public institutions of higher education. The greatest barrier, as identified by members of the DST Work Group and their colleagues, to serving students with disabilities was the high student to service provider caseloads caused by a dependence on limited internal institutional funding that is based on expenditures instead of forecasted growth and programmatic outcomes such as improving transferability between institutions. The DST Work Group explored the reason for the increased caseload of disability service offices in detail.

### National Trends and Growth

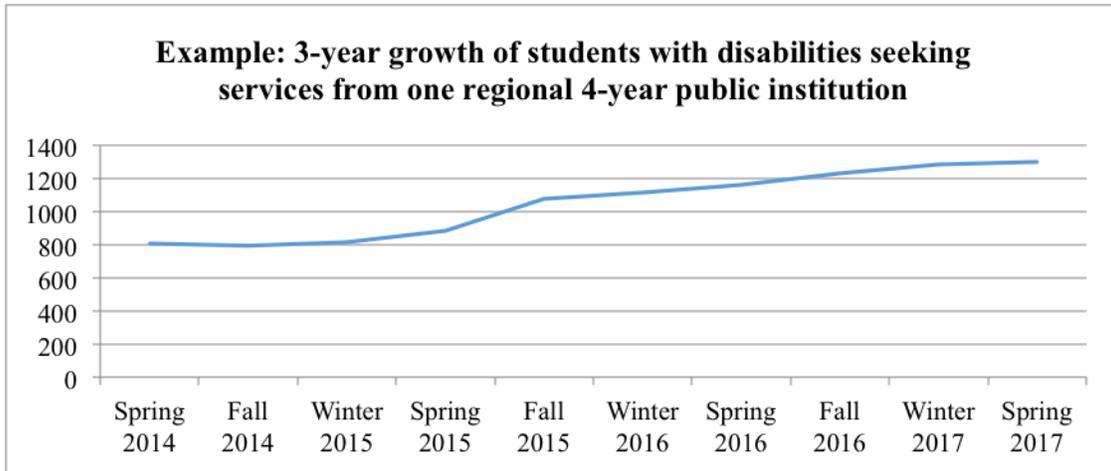
Growth in students with disabilities seeking services is not only a Washington State trend but a national trend as well. It is worthy of celebration to acknowledge there is a higher number of students with disabilities attending colleges and universities across the nation than ever before, with the U.S. Department of Education reporting a 12% increase with continued growth projected. Recognizing growth in students with disabilities accessing higher education is a societal achievement on the long road for equality and inclusion of traditionally marginalized populations. The four principal reasons for the growth in students with disabilities enrolling in higher education, and in turn seeking services, are:

- ◆ Society's evolution of the social construct of disability, inclusion, and access
- ◆ An entire generation of college aged young adults have now experienced the ADA since birth and for all of their educational years
- ◆ Advances in independence oriented durable medical equipment, health care, and mental health support have created opportunities for more students with disabilities to find success in higher education
- ◆ Shifts in educational delivery methods have created alternative pathways to obtaining a post-secondary education for many students who just a few years ago would not have considered enrolling in a college or university

### Statewide Trends and Growth

There is not a centralized Washington State repository, such as OFM's Public Centralized Higher Education Enrollment System, for tracking enrollment or retention/graduation outcomes for students with disabilities enrolled in higher education; therefore, the DST Work Group was reliant on independently reported data such as this example from a 4-year Washington regional public university that has experienced a 60+% service population growth in just three academic years:

A 60+% growth in service population was not uncommon across state institutions; it was also not uncommon to discover a parallel growth in the number of students with disabilities reporting two or more disability based conditions requiring comprehensive auxiliary aid and academic accommodation services to be successful in their college and university courses.



Student to service provider ratios, or service provider caseloads, have increased dramatically as student service populations outpace the number of service providers available at each institution. Higher caseloads create a reduction in critical program elements such as academic advising unique to students with disabilities, education to career transition, mental health case management and efficient and effective transfer pathways that lead to positive retention, graduation and employment outcomes. Instead, service providers with high caseloads default to ensuring minimum compliance based services are in place and timely. Students with disabilities are receiving basic core services to experience equal access in the classroom but meeting compliance thresholds does not equate to successful transferring between institutions nor to a higher degree their successful graduation and transition to productive and successful careers in Washington state.

### Shifts in the Delivery of Education

With higher caseloads, service providers in higher education are also adjusting to changes in how colleges and universities deliver educational content. There are greater numbers of online programs, flipped or hybrid courses, enhanced technology components embedded into the curriculum such as the use of course management software (CMS), out of classroom experiences, and shifts in curriculum design that places more emphasis on group work as an essential element. While there are many educational benefits to these shifts for all students they are also creating new, and often more complex, educational access barriers for students with disabilities.

While service providers continue to address architectural barriers in college/university buildings and classrooms or create access to traditional didactic lectures, and paper based examinations they are today accommodating for modern barriers such as:

- ◆ course content and outcomes related to access in group work and participation
- ◆ ensuring fully accessible instructional materials, including all electronic mediums
- ◆ evaluating accessibility in settings outside the traditional classroom structure such as clinical sites, internships, field courses, and study aboard excursions and programs

## Accessibility Through System-Wide Hub

The Americans with Disabilities Act of 1990 as amended and Section 504 of the Rehabilitation Act of 1973 require post-secondary institutions to provide equitable access to all learning materials and activities, digital or otherwise. Within this context the DST Work Group looked at course material accessibility. Course material includes, but is not limited to, textbooks, courseware, instructional software and materials shared through learning management systems.

Washington already has an existing statute that requires publishers and manufacturers to work with institutions to develop materials for students with disabilities. Building on this work and recognizing limited resources of disability services offices, the DST Work Group identified the development of a statewide resource hub as a potential way to address the needs of students.

The Disability Services office at each college or university is responsible for ensuring students have accessible materials, either through in-house production or by outsourcing to a third party. For offices already challenged by insufficient staffing, obtaining accessible materials can be an onerous task. Additionally, because each office operates independently, there is no mechanism to avoid costly duplication of efforts across the state.

Centralizing production of accessible materials would eliminate redundancies, improve the quality of materials provided to students with disabilities and reduce the amount of time individual disability offices spend addressing this issue. Streamlined processes would also reduce the overall cost of providing accessible materials to students.

## State Models

Centralized processing programs have been established in both California, and Georgia, and could be used as models for creating a Washington state resource hub. The Alternative Text Production Center (ATPC) in California is a publicly funded resource dedicated to serving the alternate media needs of the 113 community colleges in California. The ATPC provides a searchable library of converted materials and produces accessible textbooks for schools. California also provides centralized training resources to assist individual disability offices in producing materials. The ATPC receives \$1.25 million annually in state funding to host the database and to produce accessible STEM textbooks for blind students. Additional funding is provided to support centralized training for state disability service providers to ensure they are able to create accessible exams and handouts, as needed.

In Washington, Central Access is the accessible materials production center at Central Washington University (CWU). Central Access produces accessible materials for students attending CWU, as well as for schools across the country, including many two and four-year state institutions. Currently, the lab has a limited ability to respond to unexpected surges in demand. Additional capacity is required to ensure consistent services to state institutions.

## Statewide Hub Model in Washington State

Utilizing existing expertise to establish a new statewide hub, or expanding the production capacity of Central Access would ensure that college students across the state are provided high quality, accessible materials and avoid unnecessary duplication of efforts.

The work group requests funding to establish a centralized conversion center to provide postsecondary institutions resources to supply accessible materials to their students. Creating a centralized processing center

capable of handling the volume of materials necessary to serve public two-year and four-year colleges and universities would best be implemented in phases.

Initially, focusing on the creation of a database of accessible materials and the development of systems necessary to manage lab operations would create a framework for future operations. Additionally, the establishment and dissemination of best practices for production can begin, including training and resources for disability services professionals. The first phase, including the establishment of a statewide database, combined with the creation of production standards and training resources could be operational within the first year.

Concurrently, a work group should research existing programs and identify the best way to centralize production of accessible materials. Issues to be addressed include:

- ◆ Articulation of the scope and structure of the center
- ◆ Payment structures and processes
- ◆ Prioritization of need
- ◆ Anticipated use
- ◆ Organizational structure
- ◆ Staffing needs

The second phase of implementation would be the production of materials for schools, with incremental implementation.

## Future Work and Recommendations

The work of improving services to students with disabilities is an ongoing and evolving process that warrants the continued attention of stakeholders including students, college and university disability service providers, and college and university leaders. While the DST Work Group members will continue the work they started, the DST Work Group has identified a number of areas for continued consideration as well as actionable recommendations.

### Work Group Work Plan and Recommendations

- 1. Continue informal collaboration between higher education partners** – To this end, the work group recommends the continued collaboration between the community and technical colleges, the public four-year college and universities, and students through existing structures outside of legislation, including Council of Presidents, DSSC and WAPED.
- 2. Continue to implement and grow support for common release form, best practices, and transfer checklist** – Growing support and adoption of the common release form, best practices, and transfer checklist will require consistent contact and training with institutions. The DST Work Group members will need to request time on the agendas of the Disability Support Services Council (DSSC) and Washington Association of Postsecondary Education and Disability (WAPED) organization to continue to promote the Common Release Form and Transfer Checklist. Additionally, time on the agendas of the DSSC and WAPED organization can be used to onboard new disability service providers to ensure

that these transfer best practices are continued.

3. **Support WAPED's work around documentation and student accommodations** – To meet the recommendation to implement and grow support for the documents developed by the DST Work Group, the Work Group will continue to work through WAPED's ad hoc committee to address the issue of assessing and identifying issues with the documentation process and the application for disability accommodations.
4. **Student associations provide student groups with training and outreach resources** – Students will develop a set of resources and communication documents for students to navigate existing student services. These resources will be designed to expand the knowledge of student disability advocates about available legal resources and include other on-campus services that a student can access if they are having difficulty accessing their accommodations prior or during their transfer process.
5. **Create a statewide hub for a library of accessible material and accessible material production** –Centralizing production of accessible materials would eliminate redundancies, improve the quality of materials provided to students with disabilities and reduce the amount of time individual disability offices spend converting materials into an accessible format. Streamlined processes would also reduce the overall cost of providing accessible materials to students. The creation of a state-wide hub would require two major components that could be implemented in stages. One component would be creating a library of accessible material collected by member institutions with the goal of reducing duplication of producing materials in alternative format. The second component of a statewide hub model includes a material production unit which would require an infusion of state dollars.
6. **Increase resources for disability services offices** – A lack of funding was identified as a major constraint in both the student survey and stakeholder outreach. While some larger colleges and universities may have adequate resources, many smaller colleges' disability service offices consist of one person. Unless basic service levels are met, disability service offices will not have the capacity to address more structural issues identified in this report.

## Appendices

### Appendix A: Legislation

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2037

Chapter 175, Laws of 2017

65th Legislature

2017 Regular Session

STUDENTS WITH DISABILITIES--WORK GROUP--EXPIRATION

EFFECTIVE DATE: 7/23/2017

SUBSTITUTE HOUSE BILL 2037

Passed Legislature - 2017 Regular Session

State of Washington

65th Legislature

2017 Regular Session

By House Higher Education (originally sponsored by Representatives Frame, Haler, Ryu, Pollet, Stambaugh, Kagi, Kilduff, Tarleton, Fitzgibbon, Jinkins, Bergquist, and McDonald)

READ FIRST TIME 02/17/17.

AN ACT Relating to student services for students with disabilities; amending 2016 sp.s. c 22 s 2 (uncodified); creating a new section; and providing an expiration date.

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

NEW SECTION. Sec. 1. In the 2016 session, the legislature required the council of presidents to convene a work group to explore ways to improve the process for students with disabilities when they are transferring between institutions of higher education. The work group included representatives from the institutions, the student achievement council, students, and other stakeholders. Among other things, the work group conducted a survey for students and identified barriers and best practices. In the work group's report to the legislature, the work group recognized that improving services to students with disabilities is an ongoing and evolving process that warrants the continued attention of stakeholders. Therefore, the legislature intends to reauthorize the work group for the purposes of continuing its progress.

Sec. 2. 2016 sp.s. c 22 s 2 (uncodified) is amended to read as follows:

(1) The council of presidents shall convene a work group to develop a plan for removing obstacles for students with disabilities. The work group shall include:

(a) Representatives from the state board for community and technical colleges; the state college, regional universities, and state universities, each as defined in RCW 28B.10.016; the student achievement council; and statewide student associations; and

(b) At least two students with disabilities selected by statewide student associations.

(2) The plan shall focus on removing obstacles for students with disabilities transferring between institutions of higher education, including but not limited to: Standardizing medical documentation requirements, standardizing intake and review procedures, and developing best practices for institutions to provide outreach to and help prepare students for transmitting accommodations information and documentation to their next institution of higher education.

(3) The council of presidents shall provide the plan developed in subsection (2) of this section to the higher

education committees of the legislature no later than December 31, 2016.

(4) The work group must continue developing a plan that focuses on removing obstacles for students with disabilities, as provided in subsection (2) of this section, and addressing changing methods of delivering course content, availability of course materials in an accessible manner, and the supplemental course material provided by third parties.

(5) The council shall provide the plan developed under this section to the higher education committees of the legislature no later than December 31, 2017.

(6) This section expires August 1, ((2017)) 2018.

Passed by the House March 7, 2017.

Passed by the Senate April 12, 2017.

Approved by the Governor May 4, 2017.

Filed in Office of Secretary of State May 4, 2017.

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## Appendix B: Workgroup Members

### Workgroup Members

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### Additional Participants

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Cody Eccles, Council of Presidents–[ceccles@cop.wsu.edu](mailto:ceccles@cop.wsu.edu)

## Appendix C: Meeting Schedule

Thursday, June 22, 2017

2:00 PM – 3:00 PM

Teleconference

Tuesday, July 11, 2017

12:00 PM – 2:00 PM

Council of Presidents, Olympia, WA

Tuesday, August 29, 2017

12:00 PM – 2:00 PM

Washington State University West, Seattle, WA

Thursday, September 14, 2017

10:00 AM – 2:00 PM

Pierce College Fort Steilacoom, Lakewood, WA

Monday, October 30, 2017

10:00 AM – 2:00 PM

Pierce College Fort Steilacoom, Lakewood, WA

Monday, November 20, 2017

12:00 PM – 4:00 PM

Washington State University West, Seattle, WA

Thursday, December 14, 2017

12:00 PM – 2:00PM

Teleconference

## Appendix D: 2016 Work Group Recommendations

### Work Group Recommendations

1. **Continued Collaboration Between Higher Education Partners**—While the DST Work Group has made substantial progress in identifying the needs of transfer students with disabilities, the Work Group has identified a number of areas that warrant further development. To this end, the Work Group recommends the continued collaboration between the community and technical college system, the public four-year colleges and universities, and students. The DST Work Group would focus their continued work in the following areas.
  - a. **Implement a Common Release of Information Form**—The public-four year colleges and universities and the SBCTC should implement a common release form for disability services records. The implementation of a common release form as outlined in this report would help reduce barriers for students applying for disability services and increase student access to their records. While individualized processes for students are necessary for proper evaluation, this portion of the application and transfer process would be improved through greater uniformity. As noted in this report, the implementation of a common release form should involve review by the necessary stakeholder groups at colleges and universities and their attorney generals.
  - b. **Increase Awareness of Disability Services During Admissions and Transfer Processes**—Future conversation regarding process improvement would include collaboration with admissions personnel and counselors. The Work Group identified early communication as a key way to ensure students and disability service providers can identify the needs of students and ensure a timely provision of services. Working with advisors and with the help of a transfer checklist, students would be better prepared to transfer their disability services.
  - c. **Develop a Framework for Creating a Student Advocate to Guide Students with Disabilities and Advocate on Their Behalf**—Student Advocates would help students navigate the disabilities services process in the event students feel they are not being adequately served. The student advocate would know and understand the process and any remedies. The student advocate should be housed outside of the disability service office to avoid any appearance of a conflict of interest and ideally would be funded through service and activity fees in order to keep the position independent from the institution. This position could be combined with other student advocate positions, such as those serving veteran navigators or equal opportunity ombuds. Student advocates could also take the form of peer-to-peer mentoring by creating a student position.
  - d. **Develop a State Standard for Disability Service Caseloads**—Caseload standards for disability service offices would help colleges and universities quantify campus needs. While every campus has unique student needs, a common caseload measurement would allow benchmarking between institutions.
  - e. **Continue to Develop Documentation Guidelines**—WAPED is in the process of developing documentation guidelines. The DST Work Group should collaborate in these efforts to provide better documentation guidelines for disability service staff.

- 2. Increase Resources for Disability Services Offices.** Inadequate funding was identified as a major barrier in both the student survey and stakeholder outreach. While larger colleges and universities may have adequate resources, many colleges' disability service offices consist of one person. This structure can present unintentional barriers to students when student needs are at their highest. Unless basic service levels are met, disability service offices will not have the capacity to address more structural issues identified in this report.

## Appendix E: SBCTC DSSC Survey Results

### DSSC Survey: Disability Services Transfer Best Practices, Fall Quarter 2017

#### Summary of Findings

Focusing on students and the interactive process was clearly important and pervasive in the survey results.

All respondents to the survey reported communicating with students regarding the transfer process; however, some respondents commented on wanting to have a more robust communication process (e.g. more information available in print or on websites).

Based on the responses to the usage/acceptance of the Common Release Form it does not appear that there are any significant barriers to implementation. Those respondents who are not currently using/accepting it reported that this was new information and will be starting the process of using/accepting it soon.

Based on the comments associated with the use of the Transfer Checklist it appears that many respondents were not aware of the already developed checklist. There does not appear to be a barrier to implementation once the checklist is made widely available.

Partnerships appear to be important and active. Any barriers were around time and insufficient staffing levels to develop and maintain the desired partnerships.

There does not appear to be any opposition to these transfer best practices. Limitations surrounding implementation are primarily focused on awareness of a tool and lack of time or staff.

#### Suggested Actions

- ◆ Request time on the agendas of the Disability Support Services Council (DSSC) and Washington Association of Postsecondary Education and Disability (WAPED) organization to continue to promote the Common Release Form and Transfer Checklist.
- ◆ Request time on the agendas of the DSSC and WAPED organization to onboard new disability service providers to ensure that these transfer best practices are continued.

#### Survey Results on the Implementation of Best Practices

##### Preparing to Transfer

- ◆ Be available, either in person or by phone, to prospective students to answer questions about specific accommodations and delivery of services on campus.
  - All 26 responded YES.
- ◆ Communicate clear steps needed to transfer between institutions as a student with a disability.
  - 23 responded YES.
  - The remaining 3 report doing this in some fashion; however, not as robustly as they would prefer (e.g. more information on website or in print).
- ◆ Communicate information outlining process.
  - 17 responded YES.
  - 4 report doing this in some fashion; however, not as robustly as they would prefer (e.g. more information on website or in print).

- 3 did not answer.
- 2 responded NO.
- ◆ Use a common Transfer of Documentation Form to streamline accommodation documentation sharing between disability services offices.
  - 11 responded YES.
  - 13 responded NO; however, the barrier was due to not implementing it yet (new process). It was not due to not being allowed to accept it or refusing to use a common release form.
  - 1 did not answer.
  - 1 responded that a common release form would not be acceptable. Can only use the college's form; however, upon further questions it appears there is administrative support to allow for the common release form.
- ◆ Share a transfer checklist that includes an overview of timelines and deadlines related to transfer including information about transferring accommodation and documentation information.
  - 7 responded YES.
  - 6 responded NO; however, the barrier was time to create a checklist. This type of response indicates they did not know a checklist had already been created for their use.
  - 8 responded NO without additional comments.
  - Based on comments of 4 respondents the question was not clear.
  - 1 did not answer.
- ◆ Partner with admissions and advising offices on best ways to share disability services contracts and information with students once admitted.
  - 20 responded YES.
  - 5 responded NO.
  - 1 did not answer.

### **During the Transfer Process**

- ◆ Partner with admissions, registration and/or orientation offices on campus to determine best avenues to reach and connect students with the disability services office for timely accommodations.
  - 23 responded YES.
  - 1 responded NO – barrier was time.
  - 2 responded NO without additional comments.

### **Arrival at College Post Transfer**

- ◆ Engage with students in the interactive process to determine accessibility needs, including the consideration of provisional and/or temporary accommodations if enough information is present to start the process.
  - All 26 responded YES.
- ◆ Work with faculty and students to ensure effective implementation of approved accommodation while also maintaining academic standards of courses and programs.

- 23 responded YES.
- 1 responded NO; however, based on comment it appears the question was not clear.
- 2 did not answer.
- ◆ Share college disability accommodation statements with faculty for placement into their syllabus.
  - 25 responded YES.
  - 1 did not answer.
- ◆ Communicate broadly college grievance procedures, both on the web and in print, and share again with the student if an accommodation is denied by the disability services office along with next step options.
  - 21 responded YES.
  - 2 responded NO; however, comments implied that it is communicated but needs a stronger web presence.
  - 1 responded NO; however, based on comment it appears the question was not clear.
  - 1 responded NO.
  - 1 did not answer.
- ◆ Establish annual outreach and training plans focused on educating faculty about the accommodation process and working with students with disabilities. Consider training that reaches faculty across multiple modalities.
  - 18 responded YES.
  - 3 responded NO – barrier was time and access to faculty.
  - 4 did not answer.
  - Pattern in the comments was focused on the fact that outreach and training were happening; however, respondents wanted to do more.
- ◆ Include students with disabilities in administrative committees related to accessibility.
  - 13 responded YES.
  - 4 responded NO and they do not have this type of committee.
  - 7 responded NO and several comments indicated that they had not considered this in the past and will move forward with it now.
  - 2 did not answer.

## Appendix F: Disability Service Transfer Best Practices

### Preparing to Transfer

- ◆ Be available, either in person or by phone, to prospective student to answer questions about specific accommodations and delivery of services on campus.
- ◆ Communicate clear steps needed to transfer between institutions as a student with a disability.
- ◆ Communicate information outlining role and requirements of documentation in process.
- ◆ Use common Transfer of Documentation Form to streamline accommodation documentation sharing between DS offices.
- ◆ Share a transfer checklist that includes overview of timelines and deadlines related to transfer including information about transferring accommodation and documentation information.
- ◆ Partner with admissions and advising offices on best ways to share contacts and information of DS offices on campuses with students once admitted.

### During the Transfer Process

- ◆ Partner with Admissions, Registration and/or Orientation offices on campus to determine best avenues to reach and connect students with DS Office for timely accommodations.

### Arrival at College Post Transfer

- ◆ Engage with student in the interactive process to determine access needs, including the consideration of provisional and/or temporary accommodations if enough information is present to start the process.
- ◆ Work with faculty and student to ensure effective implementation of approved accommodation while also maintaining academic standards of courses and programs.
- ◆ Share college disability accommodation statement with faculty for placement into their syllabus.
- ◆ Communicate widely college grievance procedure, web and print, and again shared with student if an accommodation is denied by the DS office along with next step options.
- ◆ Establish annual outreach and training plans focused on educating faculty to the accommodation process and working with students with disability. Consider training that reaches faculty across multiple modalities.
- ◆ Include students with disabilities in administrative committees related to accessibility.

## Appendix G: Common Release Form



### TRANSFER OF DOCUMENTATION FORM

Student Name:	Date of Birth:	Student ID [sending institution]:
Address:	City, State, Zip:	Phone:

#### **Acknowledgement**

The Family Educational Rights and Privacy Act (FERPA) of 1974 (20 U.S.C. § 1232g; 34CFR Part 99) is a federal law that protects the privacy of student education records. This includes your records maintained for the purposes of providing disability resources for students. The release or disclosure of your records or any personally identifiable information from your records can only be disclosed in accordance with state and federal laws and the college or university policies regarding student records.

This transfer of documentation form provides your written consent to authorize the college or university to disclosure and release your records to persons to whom the college or university may not otherwise be authorized to disclose or release your records without your consent. You are under no obligation to sign this form.

#### **Release of Information**

I voluntarily give my consent to the sending institution listed below to release my education records and information in the possession of its disability resource office for the purposes of the receiving institution’s disability resource office to evaluate my request for accommodations and/or to provide reasonable accommodation related to my disability.

This release includes the following information:

Documentation related to my diagnosis                       Accommodation plan

#### **Authorized Institutions**

This release of information applies to education records held by the following institutions maintained for the purposes outlined above.

<b>Sending institution:</b>	<b>Receiving institution:</b>
-----------------------------	-------------------------------

#### **Revocation**

I understand that this release shall remain in effect for 90 days and may be revoked by me at any time. Revocation must be in writing, and my revocation is delivered to the college or university disability resource office. The revocation will not apply to disclosures made prior to the disability resource offices receipt of the written revocation.

## DISABILITY SERVICES TRANSFER WORK GROUP REPORT TO THE LEGISLATURE

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By signing below, I acknowledge that I have read this form and I voluntarily give my consent for college or university to release my education records in accordance with the terms outlined above release of information.

---

**Student Signature**

**Date**

I certify that I know or have satisfactory evidence that \_\_\_\_\_(student) is the person who signed this acknowledgment of rights and release of education records for the uses and purposes mentioned in the instrument.

---

Access Service Staff Signature

Date

Name:

Title:

College or Institution:

Phone number:

### Instructions

The purpose of this document is to reduce the barriers for students with disabilities to release their student records. Students may fill this form out at any participating “verifying institution” in order to release disability service records from any participating “sending institution” to any other participating “receiving institution.” All three institutions must be listed below as participating in the use of the common form.

Process:

1. Fill out the document in full:
  - Student ID field is ID used at the sending institution
  - Student address and phone number field must be filled out to ensure there is current contact information for verification purposes of sending institution
  - Student will have to provide the contact information of the institution sending the student records and the contact information of the institution receiving the records.
  - A verifying institution may be the sending institution or a third-party institution, providing a service to the student as a courtesy to the sending institution and receiving institution. Verifying institution must verify the identity of the student and the verifying institution’s contact information for purposes of verifying the document
2. Student must sign or acknowledge the document in the presence of disability services staff at the verifying institution, including satisfactorily providing proof of identity.
3. The form is sent from the verifying institution to the sending institution, and a copy may also be sent to the receiving institution. Verifying institution may mail hard copy original to the sending institution or destroy in accordance with record management policies.

Participating institutions:

Central Washington University  
Eastern Washington University  
Evergreen State College  
University of Washington  
Washington State University  
Western Washington University

## Appendix H: Transfer Checklist

### Timeline to Transfer Between Disability Services Offices

*Disclaimer: Timelines are important and students are responsible for the actions below.*

#### Transferring From 2-Year College to 2-Year College

6 weeks prior to quarter:

- ◆ Request disability documentation to be transferred from current school to new school.
- ◆ Contact future school to complete the getting started process for that school.

#### Transferring From 2-year College to 4-Year College or University

2-3 quarters or 2 semesters prior:

- ◆ Review housing application and request process. See various schools housing deadlines.

2 quarters or 1 semester prior:

- ◆ Review your healthcare information and update temporary and chronic conditions impacts if your future school needs updated information.

1 quarter prior:

- ◆ Request disability documentation to be transferred from current school to new school.
  - Complete Release of Information to have documents sent to new school.
- ◆ Self-ID to future school and complete the getting started process for that school.
  - It can take 1-5 weeks to get completely set up with a DS based on different variables so students are encouraged to touch base early with DS offices.

#### Steps

- ◆ Have Intake Form transferred to new institution.
- ◆ Disability Documentation:
  - Health Care Information
  - Letter of Accommodation from prior schools that outlines approved accommodations.

## Appendix I: Student Outreach and Training Resources

### Guiding Resources for Students with Disabilities and Student Advocates

Students with disabilities can face significant barriers in ensuring that their institution is providing them with proper accommodations in a timely manner; this is especially burdensome for students who are transferring.

This document is meant to help students with disabilities and student advocates within student government offices navigate the various on-campus departments available to help students with disabilities. Our resource is divided into three sections: Rights of Students with Disabilities, Resources and Checklist for Student Governments, and Resources for Students.

#### Students with disabilities have a right to:

- ◆ An equal opportunity to learn.
- ◆ An equal opportunity to participate in and benefit from the university community.
- ◆ To choose whether or not to disclose the nature of your disability to your professor(s). The information you provide to your own campus disability resource center is protected by FERPA.
- ◆ To file a grievance if you feel you are discriminated against. Each campus has their own grievance procedure. Ensure your offices have grievance procedures posted or readily available for students with disabilities.

The following guidelines are meant to serve as a checklist that your student government office should have information readily available for students who may seek additional resources in accessing their accommodations or assistance in filing a complaint/grievance.

#### Guidelines for Student Governments

- ◆ Include an overview of disability services and these resources in your officer trainings. Providing officers and student representatives with the right information to direct students who may be facing obstacles accessing their accommodations.

If your campus does not already have a student dedicated to disability related advocacy, create a position or group to promote disability related programming and services. You can model this position off of the [Student Disability Commission at the University of Washington](#).

- ◆ Coordinate with your on campus disability services to give training during orientation. Topics you can cover include: ways to promote the on-campus resource center through student programming, go over other resources on campus that can help in getting students the academic accommodations that they need.

## Resources for Students with Disabilities

Universities offer additional resources to ensure that students are informed of their rights as students and are able to reach out to more on-campus departments to assist in any barriers to access accommodations. On top of each disability resource center, the following offices are available to students:

- ◆ **Office of the Ombuds** - This on-campus resource provides assistance with almost any situation that students are facing. They provide free counseling and offer students a third party to help navigate difficult situations.
  - If your campus does not have an on-campus ombuds office, the Office of Student Life or the Dean of Students offer similar resources.
  
- ◆ **Office of Equal Opportunity** - All of the four-year universities host an equal opportunity office. Each office is charged with ensuring that a university is in compliance with the law and spirit of equal opportunity and affirmative action as it relates to race, color, creed, religion, national origin, citizenship, sex, age, marital status, sexual orientation, gender identity or expression, disability, or status as a disabled veteran or Vietnam-era veteran, or other protected veterans.
  
- ◆ **Washington Association on Postsecondary Education and Disability (WAPED)** - WAPED members are committed to access, inclusivity, and the creation of disability positive environments for students with disabilities in higher education. WAPED strives to provide high quality professional development opportunities that allow professionals to stay abreast of emerging trends and best practices while cultivating the next generation of service providers.