



- 3) No cost to CCC as CCCs currently cover the costs of assessments via Disability Services and Programs for Students allocations.

**COMMENTS:**

- 1) **Background.** Federal law, specifically Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, prohibit discrimination on the basis of disability. Section 504 and Title II applies to both K-12 schools and institutions of higher education (IHE). However, unlike a K-12 schools, an IHE is not required to identify a student as having a disability, assess a student's needs or provide a free appropriate public education to a student with disabilities. Instead, a student with disabilities must inform an IHE of their disability and request supports. An IHE may require a student to provide documentation proving they have a disability. If the documentation a student has does not meet the IHE's requirements, a student may need to obtain further proof of disability. Once adequate proof of disability is provided to an IHE, federal law requires the IHE to provide supports to a student with disabilities.

According to the U.S. Department of Education, the documentation provided to students with disabilities at their K-12 school, known as an individualized education program or Section 504 plan is generally not sufficient documentation to secure supports at an IHE. This is because of the differences in learning between secondary and postsecondary education may necessitate further assessments.

Current state and federal law does not require an IHE to pay the costs for a student to complete an assessment and obtain necessary documentation to prove their disability and therefore gain supports at the IHE. Students may have health insurance to cover these costs or may apply to the state's vocational rehabilitation agency to cover costs. In other cases, a student may need to pay for an assessment and associated documents out-of-pocket. The costs of these assessments and documents may cost between \$500 and \$2,500.

- 2) **Related Legislation.** AB 447 (Arambula) of this legislative session creates a support program for students with disabilities attending an IHE. The bill is pending in this committee.

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