Senate Engrossed House Bill

higher education; individuals with disabilities

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

CHAPTER 273

HOUSE BILL 2031

AN ACT

AMENDING TITLE 15, CHAPTER 14, ARIZONA REVISED STATUTES, BY ADDING
ARTICLE 1.1; RELATING TO HIGHER EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 14, Arizona Revised Statutes, is amended by adding article 1.1, to read:

ARTICLE 1.1. INDIVIDUALS WITH DISABILITIES

15-1811. Individuals with disabilities; policies; documentation; dissemination

A. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401 MUST ADOPT POLICIES THAT MEET BOTH OF THE FOLLOWING:

1. Make any of the following submitted by an enrolled or admitted student at the university or community college sufficient to establish that the individual is an individual with a disability:
   (a) Documentation that the individual has had an individualized education program in accordance with section 614(d) of the Individuals with Disabilities Education Act (P.L. 91-230; 84 Stat. 175 to 188), including an individualized education program that is not current on the date of the determination that the individual has a disability. The university or community college may ask for additional documentation from an individual who had an individualized education program but who was subsequently evaluated and determined to be ineligible for services under the Individuals with Disabilities Education Act (P.L. 91-230; 84 Stat. 175 to 188), including an individual determined to be ineligible during elementary school.
   (b) Documentation describing services or accommodations provided to the individual pursuant to a section 504 plan as defined in section 15-731.
   (c) A plan or record of service for the individual from a private school, a local education agency, a state educational agency or an institution of higher education provided in accordance with the Americans with Disabilities Act of 1990 (P.L. 101-336; 104 Stat. 327).
   (d) A record or evaluation from a relevant licensed professional finding that the individual has a disability.
   (e) A plan or record of disability from another institution of higher education.
   (f) Documentation of a disability due to service in the uniformed services.

2. Are transparent and explicit regarding information about the process by which the university or community college determines eligibility for accommodations for an individual with a disability.

B. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS OR A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401 SHALL DISSEMINATE THE POLICIES ADOPTED PURSUANT TO SUBSECTION A OF THIS SECTION TO STUDENTS, FACULTY AND THE PUBLIC IN ACCESSIBLE FORMATS, INCLUDING
DURING ANY STUDENT ORIENTATION AND ON THE UNIVERSITY'S OR COMMUNITY COLLEGE'S WEBSITE.

C. A UNIVERSITY OR COMMUNITY COLLEGE MAY ESTABLISH LESS BURDENSOME CRITERIA THAN THE CRITERIA PRESCRIBED IN SUBSECTION A OF THIS SECTION TO ESTABLISH AN INDIVIDUAL AS AN INDIVIDUAL WITH A DISABILITY.
