

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 888

Short Title: Education Accommodations/Sickle Cell Disease. (Public)

Sponsors: Representatives Floyd, Dobson, and Black (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Rules, Calendar, and Operations of the House

April 22, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT STATE EDUCATION AGENCIES TO ADOPT POLICIES AND
3 GUIDELINES TO PROVIDE EQUAL EDUCATIONAL OPPORTUNITY TO STUDENTS
4 WITH SICKLE CELL DISEASE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 115C-12 is amended by adding a new subsection to read:

7 "(31a) To Adopt Guidelines for Students with Sickle Cell Disease. – The State Board
8 shall adopt guidelines to disseminate to public schools to ensure access to a
9 free appropriate public education for students with sickle cell disease. The
10 State Board shall consult with the Department of Health and Human Services
11 in the development of these guidelines. The State Board also shall consult with
12 local school administrative unit employees who have been designated as
13 responsible for coordinating their individual unit's efforts to comply with
14 federal regulations adopted under Section 504 of the Rehabilitation Act of
15 1973, as amended, 29 U.S.C. § 794. In its development of these guidelines,
16 the State Board shall refer to recommendations by the Centers for Disease
17 Control on supporting students with sickle cell disease in the school setting
18 and shall consider recent resolution agreements by the United States
19 Department of Education's Office of Civil Rights for investigations into
20 complaints alleging discrimination against students with sickle cell disease.
21 The State Board shall ensure that these guidelines are updated as necessary
22 and shall ensure that the guidelines and any subsequent changes are published
23 and disseminated to public schools. The guidelines adopted by the State Board
24 shall include at least the following:

- 25 a. Procedures for the development of an individual care plan at the
26 written request of the student's parent or guardian, and involving the
27 parent or guardian, the student's health care provider, the student's
28 classroom teacher, the student if appropriate, the school nurse if
29 available, and other appropriate school personnel.
30 b. Procedures for regular review of an individual care plan.
31 c. Information on implementation of reasonable accommodations for
32 students consistent with the requirements of federal law.
33 d. Information and staff development to be made available to teachers
34 and other school personnel in order to appropriately support and assist
35 students with sickle cell disease."



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1 **SECTION 2.** G.S. 115D-5 is amended by adding a new subsection to read:

2 "(z) The State Board of Community Colleges shall adopt a policy to be applied uniformly
3 directing every community college to provide the opportunity, at the beginning of each semester,
4 for students with sickle cell disease enrolled in the community college to request and develop a
5 plan with the school administrator designated as responsible for coordinating the college's efforts
6 to comply with federal regulations adopted under Section 504 of the Rehabilitation Act of 1973,
7 as amended, 29 U.S.C. § 794. The plan shall provide for appropriate, reasonable academic and
8 nonacademic accommodations to ensure that the college does not discriminate against the student
9 on the basis of having the disability consistent with the requirements of federal law. The
10 opportunity to develop a plan at the beginning of the semester shall in no way limit a student's
11 ability to request an accommodation or develop a plan at any time during the semester. The State
12 Board shall ensure that the policy is updated as necessary and disseminated to the community
13 colleges. The policy shall include at least the following:

14 (1) Dissemination of information to students at the beginning of each semester
15 regarding the opportunity to develop and implement a plan with a designated
16 school administrator for reasonable academic and nonacademic
17 accommodations as necessary. In addition, the community college shall
18 provide annual training to personnel regarding the development of the plan
19 and accommodations for students with disabilities in general.

20 (2) Procedures for the designated school administrator to determine reasonable
21 accommodations consistent with the requirements of federal law for the
22 student that are specific to the student's needs, including any documentation
23 that would be required by the college and consultation with faculty members
24 for courses in which the student is enrolled.

25 (3) Procedures for the designated school administrator to finalize the plan and to
26 inform faculty members for the student's courses of the plan and their
27 responsibilities to provide reasonable accommodations under the plan. In
28 addition, the plan shall be reviewed by the designated school administrator
29 every semester for any necessary revisions.

30 (4) Grievance procedures for students in developing a plan and, if the
31 requirements of a finalized plan are not met, steps to ensure that students may
32 raise concerns fully and fairly, and be provided prompt and equitable
33 resolution of complaints. The procedures shall also provide for faculty
34 members to report when students with reasonable accommodations are not
35 meeting the requirements of a course."

36 **SECTION 3.** G.S. 116-11 is amended by adding a new subdivision to read:

37 "(3c) The Board of Governors shall adopt a policy to be applied uniformly directing every
38 constituent institution to provide the opportunity, at the beginning of each semester, for students
39 with sickle cell disease enrolled in the constituent institution to request and develop a plan with
40 the school administrator designated as responsible for coordinating the institution's efforts to
41 comply with federal regulations adopted under Section 504 of the Rehabilitation Act of 1973, as
42 amended, 29 U.S.C. § 794. The plan shall provide for appropriate, reasonable academic and
43 nonacademic accommodations to ensure that the college does not discriminate against the student
44 on the basis of having the disability consistent with the requirements of federal law. The
45 opportunity to develop a plan at the beginning of the semester shall in no way limit a student's
46 ability to request an accommodation or develop a plan at any time during the semester. The Board
47 of Governors shall ensure that the policy is updated as necessary and disseminated to the
48 constituent institutions. The policy shall include at least the following:

49 (1) Dissemination of information to students at the beginning of each semester
50 regarding the opportunity to develop and implement a plan with a designated
51 school administrator for reasonable academic and nonacademic

- 1 accommodations as necessary. In addition, the constituent institution shall
2 provide annual training to personnel regarding the development of the plan
3 and accommodations for students with disabilities in general.
4 (2) Procedures for the designated school administrator to determine reasonable
5 accommodations consistent with the requirements of federal law for the
6 student that are specific to the student's needs, including any documentation
7 that would be required by the institution and consultation with faculty
8 members for courses in which the student is enrolled.
9 (3) Procedures for the designated school administrator to finalize the plan and to
10 inform faculty members for the student's courses of the plan and their
11 responsibilities to provide reasonable accommodations under the plan. In
12 addition, the plan shall be reviewed by the designated school administrator
13 every semester for any necessary revisions.
14 (4) Grievance procedures for students in developing a plan and, if the
15 requirements of a finalized plan are not met, steps to ensure that students may
16 raise concerns fully and fairly, and be provided prompt and equitable
17 resolution of complaints. The procedures shall also provide for faculty
18 members to report when students with reasonable accommodations are not
19 meeting the requirements of a course."

20 **SECTION 4.** This act is effective when it becomes law. Section 1 of this act applies
21 beginning with the 2019-2020 school year. Sections 2 and 3 of this act apply beginning with the
22 2019-2020 academic year.