

SENATE BILL NO. 62—COMMITTEE ON HUMAN
RESOURCES AND FACILITIES

FEBRUARY 6, 2003

Referred to Committee on Human Resources and Facilities

SUMMARY—Provides students with print access disabilities in University and Community College System of Nevada with access to electronic versions of instructional materials under certain circumstances. (BDR 34-114)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the University and Community College System of Nevada; requiring an institution within the University and Community College System of Nevada to provide electronic versions of instructional materials to students with print access disabilities under certain circumstances; requiring a publisher of such materials to provide the materials to an institution under certain circumstances; and providing other matters properly relating thereto.

- 1 “WHEREAS, Congress, in passing the Americans with Disabilities
2 Act of 1990 and the Rehabilitation Act of 1973, guaranteed
3 Americans with disabilities access to public buildings and services
4 and guaranteed reasonable accommodations to qualified students
5 with disabilities; and
6 WHEREAS, In the 1995-1996 school year, approximately 6
7 percent of undergraduate students in the United States reported that
8 they had a disability; and
9 WHEREAS, Print access disabilities present a significant
10 disadvantage to students with such disabilities; and
11 WHEREAS, Improving the educational results of students with
12 disabilities who are enrolled in postsecondary educational
13 institutions is an essential mission of this state; and



* S B 6 2 R 1 *

1 WHEREAS, Ensuring opportunities for and the full participation
2 of students with disabilities in higher education is a top priority in
3 this state; and

4 WHEREAS, The State of Nevada and the University and
5 Community College System of Nevada are dedicated to providing a
6 quality postsecondary education to students with disabilities that
7 meets the unique needs of such students; and

8 WHEREAS, The State of Nevada and the University and
9 Community College System of Nevada are committed to working
10 with publishers and other resources to ensure that students with
11 disabilities receive instructional material in a timely manner and in a
12 comprehensible format; and

13 WHEREAS, It is the policy of the State of Nevada that each
14 textbook and other instructional material for higher education must
15 be provided to students with disabilities in a comprehensible format
16 when such a version of the textbook or other instructional material
17 exists; now, therefore,

18

19 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
20 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

21

22 **Section 1.** Chapter 396 of NRS is hereby amended by adding
23 thereto a new section to read as follows:

24 *1. In the most timely manner practicable after receiving a*
25 *written request for an electronic version of instructional material*
26 *from a student with a print access disability, an institution shall*
27 *provide to the student, at no cost, an electronic version of each*
28 *requested instructional material that the institution determines is*
29 *essential to the success of the student in a course of study offered*
30 *by an institution of the System in which the student is enrolled.*

31 *2. If an institution receives a request for an electronic version*
32 *of nonprinted instructional material from a student pursuant to*
33 *subsection 1 to whom the institution would be required to provide*
34 *an electronic version of the material pursuant to subsection 1 and*
35 *an electronic version of the nonprinted instructional material is*
36 *not currently available at the institution or at another institution*
37 *of the System, the institution must contact the publisher of the*
38 *nonprinted instructional material and request an electronic*
39 *version of the nonprinted instructional material. If the publisher:*

40 *(a) Has an electronic version of the nonprinted instructional*
41 *material, the publisher must provide the electronic version to the*
42 *institution for distribution to the student; or*

43 *(b) Does not have an electronic version of the nonprinted*
44 *instructional material, the institution must create and provide to*
45 *the student an electronic version in the most timely manner*



1 *practicable after the institution is notified by the publisher that the*
2 *publisher does not have an electronic version of the nonprinted*
3 *instructional material.*

4 3. As used in this section:

5 (a) "Institution" means any university, state college or
6 community college within the System.

7 (b) "Instructional material" means any published textbook
8 and other published material that is used by students of the
9 System. The term does not include nontextual mathematics and
10 science materials unless, as determined by the Board of Regents,
11 such materials are commercially available in a format that is
12 compatible for use with equipment which is used by students of the
13 System with print access disabilities to convert material into a
14 format that provides them with the ability to have increased
15 independent access to the material. The term includes, without
16 limitation, nonprinted instructional material.

17 (c) "Nonprinted instructional material" means instructional
18 material that is in a format other than print. The term does not
19 include a website or Internet link that is associated with
20 instructional material. The term includes, without limitation,
21 instructional material that requires electronic equipment other
22 than a computer or computer peripheral for the material to be
23 used as a learning resource, such as a software program,
24 videodisc, videotape and audiotape.

25 (d) "Print access disability" means a condition in which a
26 person's independent reading of, reading comprehension of, or
27 visual access to printed material is limited or reduced because of a
28 sensory, neurological, cognitive, physical or psychiatric disability.

