

CHAPTER 191**(HB 321)**

AN ACT relating to students with disabilities.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ AS FOLLOWS:

- (1) As used in this section, unless the context requires otherwise, "disability" has the same meaning as the definition given in KRS 344.010.*
- (2) The Council on Postsecondary Education shall develop guidelines for the adoption of policies by postsecondary education institutions with residence facilities that provide students with a disability a safe environment in which to live and study.*
- (3) Each institution shall develop a housing and security policy in compliance with the council's guidelines that shall be visibly posted in each residence facility, made available on campus computer networks to which students have access, and included in all student housing information. The policies shall include, but not be limited to, an appeals process that may be used by students, their parents, or their advocates when they have reason to believe that the institution's policy or the student's housing assignment does not reasonably accommodate the student's disability or endangers the student's safety or health. The appeals process shall mandate that the body assigned to hear the appeal shall not include representatives of the original department that made the housing assignment that is being appealed.*
- (4) Each institution shall prepare at the beginning of each semester a list with the name and residency assignment of each student with a disability, as reported to the institution by the student or the student's parent or advocate, as appropriate. The list shall be given to the campus housing and security authorities to be used in an emergency to identify, locate, and act to help, protect, and if necessary, rescue the student with a disability.*

SECTION 2. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO READ AS FOLLOWS:

Any person who knowingly violates the provisions of Section 1 of this Act, or who knowingly induces another, directly or indirectly, to violate the provisions of Section 1 of this Act, shall be fined not less than five hundred dollars (\$500), nor more than one thousand five hundred dollars (\$1,500).

Approved March 28, 2000

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