

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 222

Short Title: UNC Removal of Handicapped Barriers.

(Public)

Sponsors: Representatives Barnes; and Justus.

Referred to: Education.

March 7, 1991

A BILL TO BE ENTITLED

AN ACT TO MAKE THE PROGRAMS OF THE UNIVERSITY OF NORTH
CAROLINA ACCESSIBLE TO HANDICAPPED PERSONS.

The General Assembly of North Carolina enacts:

Section 1. There is appropriated from the General Fund to the Board of
Governors of The University of North Carolina the sum of \$6,200,000 for the 1991-92
fiscal year and the sum of \$6,200,000 for the 1992-93 fiscal year, to be used to
eliminate man-made barriers that make the programs or activities of the constituent
institutions of the University inaccessible to or unusable by handicapped persons.

Sec. 2. Prior to allocating funds for barrier removal, the Board of Governors
shall adopt a comprehensive plan, to be completed by no later than January 1, 1992,
which shall include:

- (1) A survey of facilities at each constituent institution, to determine
which facilities must be modified to insure that institutional programs
or activities, when viewed in their entirety, are readily accessible to
handicapped persons. The institutional surveys shall be conducted in
accordance with definitions and standards adopted by the U.S.
Department of Education, under the requirements of section 504 of the
Rehabilitation Act of 1973, 29 U.S.C. § 794, and shall incorporate any
findings made by the Office for Civil Rights of the U.S. Department of
Education pursuant to either complaint investigations or technical
assistance surveys conducted at constituent institutions of the
University. In conducting the survey, each institution shall establish
and enlist the assistance of an advisory committee, which shall include

1 handicapped members of the institutional community or their
2 representatives.

3 (2) A description of the nature and estimated cost of each facility
4 modification identified in the institutional surveys.

5 (3) A schedule for addressing adjustments and modifications designed to
6 insure accessibility, based on the following priorities:

7 a. Nonstructural adjustments. If a program or activity of a
8 constituent institution can be made readily accessible to
9 handicapped persons without structural adjustments, as through
10 reassignment of classes or other services to accessible facilities
11 or making aides available to handicapped persons, such
12 modifications shall be made within 60 days of the date of their
13 identification by the institutional surveys, without regard to the
14 schedule for facility modifications.

15 b. Facility modifications which can be accomplished within one
16 year after their starting date.

17 c. Facility modifications which cannot be accomplished within
18 one year but can be accomplished within three years after their
19 starting date.

20 d. Other facility modifications.

21 (4) A system for insuring that future facilities are accessible.

22 Sec. 3. Of the funds appropriated in Section 1 of this act, the Board of
23 Governors may allocate up to \$400,000 to conduct the surveys and complete the plan
24 required by Section 2 of this act. Implementation funds shall be expended or under
25 contract before the end of the fiscal year for which they are appropriated. The Governor
26 is urged, when performing his constitutional duty to balance the State budget, not to
27 sequester funds appropriated pursuant to this act.

28 Sec. 4. This act becomes effective July 1, 1991.