



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 25-087: ACADEMIC ADJUSTMENTS IN HIGHER EDUCATION

Prime Sponsors:

Sen. Marchman
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Fiscal note status: The revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill requires higher education institutions to develop and publicize policies for students with disabilities to request academic adjustments.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Institutions of Higher Education

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill requires institutions of higher education (IHEs) to create policies allowing students to self-disclose a disability to engage in a process with an IHE to receive an academic adjustment. These policies must include:

- a description of the process used to determine if a student is eligible for an academic adjustment;
- an outline of what documents the IHE may request from the student;
- information on the resources and accommodations provided to students with disabilities; and
- an appeals process for students to dispute a decision made by an IHE related to requesting an academic adjustment.

IHEs must distribute these policies in an accessible format on their website.

The bill establishes which documents a student may submit to determine their eligibility for an academic adjustment, including:

- an individualized education program;
- a Section 504 plan that includes a stated disability;
- documentation of an educational plan in accordance with the Americans with Disabilities Act;
- records from qualified health-care providers;
- records from other IHEs; or,
- documentation of disabilities due to military service.

The bill specifies that submission of documentation for an individualized education program or section 504 plan does not automatically mean the student qualifies for the same accommodations at the IHE that they received in high school. IHEs may request updated documentation from students if the documents initially provided lack sufficient detail.

Background

As defined in federal law, an “academic adjustment” is any modification to an institution’s academic requirements to ensure that these requirements do not discriminate against students with a disability.

Currently, institutions of higher education have their own distinct processes for students to apply for accommodations and adjustments to their academic requirements, in accordance with federal law. The Individuals with Disabilities Education Act (IDEA) governs K-12 education; while IHEs generally follows guidelines from the Americans with Disabilities Acts (ADA), Section 504 of the Rehabilitation Act and other state laws to determine adjustments for students with disabilities.

Institutions of Higher Education

IHEs will have increased workload and costs to adjust their processes for students requesting an academic adjustment and publicize the revised policies. As a result of these changes, IHEs may experience more students applying for academic adjustments, which may result in the need for additional staff to process applications, review documentation, and coordinate with professors, counselors, and other student services professionals to implement academic adjustments for qualifying students. The exact increase in workload will vary based on current practices at IHEs, the actual increase in applications, and the types of approved academic adjustments. If institutions require more staff to accommodate the changes required by the bill, the fiscal note assumes they will use institutional revenues to fund additional staff and other costs.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

Departmental Difference

Colorado State University, the University of Colorado, and the University of Northern Colorado indicated the need for specific state appropriations to implement the bill. Specifically, these institutions estimate increased costs, ranging between \$74,000 and \$1,115,000 per year and up to 9.0 FTE to implement the bill, for additional disability services staff and testing coordinators to accommodate the anticipated increase in additional students who will qualify for academic adjustments and additional services, as well as assistive technology costs.

While the fiscal note agrees that the bill potentially increases costs for institutions, any increase in students requesting academic adjustments will vary considerably between institutions based on their current policies and resources. Further, it is assumed that institutional revenue, rather than state General Fund or other state sources, is the appropriate funding source for institutions of higher education to comply with federally required ADA accommodations, even if this bill contributes to additional students taking advantage of their rights to an academic adjustment or allows new types of documentation to facilitate the process of obtaining an accommodation.

State and Local Government Contacts

Higher Education

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).