

Chapter No. 382

10/SS26/R576

JN / AS / SG

SENATE BILL NO. 2520

Originated in Senate *Renald Guynes* Secretary

SENATE BILL NO. 2520

AN ACT TO AMEND SECTION 37-16-9, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENT OF MAKING APPROPRIATE ACCOMMODATIONS FOR TESTING INSTRUMENTS AND PROCEDURES FOR STUDENTS WITH DISABILITIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 37-16-9, Mississippi Code of 1972, is amended as follows:

37-16-9. (1) The state board shall, after a public hearing and consideration, make provision for appropriate accommodations for testing instruments and procedures for students with identified handicaps or disabilities in order to ensure that the results of the testing represent the student's achievement, rather than reflecting the student's impaired sensory, manual, speaking or psychological process skills, except when such skills are the factors the test purports to measure.

(2) The public hearing and consideration required hereunder shall not be construed to amend or nullify the requirements of security relating to the contents of examinations or assessment instruments and related materials or data.

(3) Children with disabilities shall be included in general statewide and district-wide assessments programs, with appropriate accommodations, where necessary. As appropriate, the State Department of Education and the local educational agency shall:

(a) Develop policies and procedures for the participation of children with disabilities in alternate assessments for those children who cannot participate in statewide and district-wide assessment programs; and

(b) Develop and, beginning not later than July 1, 2000, conduct those alternate assessments.

(4) The State Department of Education shall make available to the public, and report to the public with the same frequency and in the same detail as it reports on the assessment of nondisabled children, the following:

(a) The number of children with disabilities participating in regular assessments;

(b) The number of children participating in alternate assessments;

(c) The performance of those children on regular assessments, beginning not later than July 1, 1998, and on alternate assessments, not later than July 1, 2000, if doing so would be statistically sound and would not result in the disclosure of performance results identifiable to individual children; and

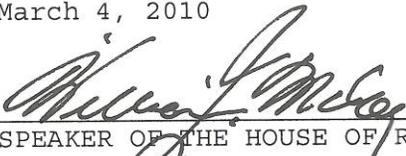
(d) Data relating to the performance of children with disabilities shall be disaggregated for assessments conducted after July 1, 1998.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.

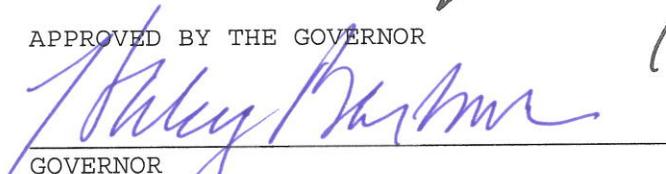
PASSED BY THE SENATE
February 3, 2010


PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 4, 2010


SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR


GOVERNOR

3/17/10

12:27 pm