

By: Representative Robinson (84th)

To: Education

HOUSE BILL NO. 402

1 AN ACT TO AMEND SECTION 37-23-13, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THAT THE STATE DEPARTMENT OF EDUCATION MAY EXPEND FUNDS  
3 IN MAKING REASONABLE ACCOMMODATIONS FOR TEACHERS WITH VARIOUS  
4 DISABILITIES, INCLUDING, BUT NOT LIMITED TO, THE DISABILITY OF  
5 VISUAL IMPAIRMENT; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 37-23-13, Mississippi Code of 1972, is  
8 amended as follows:

9 37-23-13. (1) The school board of any school district  
10 is \* \* \* authorized to comply with the provisions of the Federal  
11 Americans with Disabilities Act of 1990 (42 USCS Sections  
12 12101-12213 (West Supp. 1991)) by making reasonable accommodations  
13 to the known physical or mental limitations of an otherwise  
14 qualified individual with a disability who is an applicant or  
15 employee, unless the school board can demonstrate that the  
16 accommodation would impose an undue hardship on the operation of  
17 the school. The school board of any such school district  
18 determining that such accommodation is required and reasonable may  
19 apply, by resolution spread upon its minutes, \* \* \* to the State  
20 Department of Education for funds to defray the cost of making the  
21 reasonable accommodations, as determined by the school board to be  
22 in the best interest of the individual teacher, for \* \* \* teachers  
23 with disabilities in compliance with the federal law.

24 (2) The State Department of Education, within the  
25 availability of funds appropriated for such purpose, may expend  
26 funds for the purpose of defraying the expenses of school  
27 districts in making the reasonable accommodations, as determined  
28 by the school board to be in the best interest of the individual



29 teacher, for \* \* \* teachers with a disability under the \* \* \*  
30 Americans with Disabilities Act of 1990, with the approval of the  
31 State Board of Education. The department shall prescribe, by  
32 regulation, \* \* \* a method and necessary forms for the purpose of  
33 school districts' applications for funds as authorized in this  
34 section.

35 SECTION 2. This act shall take effect and be in force from  
36 and after July 1, 2001.

