To: Education; Appropriations

MISSISSIPPI LEGISLATURE  REGULAR SESSION 2002
By: Representative Robinson (84th)

HOUSE BILL NO. 787

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

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

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

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

(2) The State Department of Education, within the availability of funds appropriated for such purpose, may expend funds for the purpose of defraying the expenses of school districts in making the reasonable accommodations, as determined by the school board to be in the best interest of the individual teacher.
teacher, for * * * teachers with a disability under the * * *

Americans with Disabilities Act of 1990, with the approval of the

State Board of Education. The department shall prescribe, by

regulation, * * * a method and necessary forms for the purpose of

school districts' applications for funds as authorized in this

section.

SECTION 2. This act shall take effect and be in force from

and after July 1, 2002.