

By: Representative Fleming

To: Education

HOUSE BILL NO. 246

1 AN ACT TO PROHIBIT PUBLIC SCHOOLS FROM ENGAGING IN ABILITY  
2 GROUPING AND OTHER TRACKING PRACTICES THAT PLACE STUDENTS  
3 ACCORDING TO ABILITY; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Beginning with the 2004-2005 school year, the  
6 principal or any other school employee who is responsible for  
7 assigning students in the public schools to the various classrooms  
8 may not group the students by ability or engage in any other  
9 tracking practice that places students in certain classrooms based  
10 upon their ability without express written consent from the  
11 student's parent or legal guardian. In assigning students to  
12 various classrooms, each public school shall endeavor to achieve  
13 heterogeneously grouped classes only.

14 **SECTION 2.** This act shall take effect and be in force from  
15 and after July 1, 2004.