

By: Senator(s) DeBar

To: Education

## SENATE BILL NO. 2181

1 AN ACT TO AMEND SECTION 37-11-51, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT SCHOOL DISTRICT TEST SECURITY PLANS FOR THE  
3 ADMINISTRATION OF THE STATEWIDE STUDENT ASSESSMENT PROGRAM SHALL  
4 BE EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; AND FOR  
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-11-51, Mississippi Code of 1972, is  
8 amended as follows:

9 37-11-51. (1) Test questions and answers in the possession  
10 of a public body, as defined by paragraph (a) of Section 25-61-3,  
11 which are to be used in future academic examinations, shall be  
12 exempt from the provisions of the Mississippi Public Records Act  
13 of 1983.

14 (2) Letters of recommendation in the possession of a public  
15 body, as defined by paragraph (a) of Section 25-61-3, respecting  
16 admission to any educational agency or institution, shall be  
17 exempt from the provisions of the Mississippi Public Records Act  
18 of 1983.



19           (3)   (a)   Except as provided in paragraph (b) of this  
20 subsection, documents, records, papers, data, protocols,  
21 information or materials in the possession of a community college  
22 or state institution of higher learning that are created,  
23 collected, developed, generated, ascertained or discovered during  
24 the course of academic research, shall be exempt from the  
25 provisions of the Mississippi Public Records Act of 1983.

26                   (b)   The exemption under paragraph (a) of this  
27 subsection shall not apply to a public record that has been  
28 published, copyrighted, trademarked or patented.

29           (4)   Unpublished manuscripts, preliminary analyses, drafts of  
30 scientific or academic papers, plans or proposals for future  
31 research and prepublication peer reviews in the possession of a  
32 community college or state institution of higher learning, or  
33 submitted and accepted for publication by publishers shall be  
34 exempt from the provisions of the Mississippi Public Records Act  
35 of 1983.

36           (5)   Nothing in this section shall otherwise create a public  
37 record right over, or shall impede or infringe upon, the copyright  
38 in any work.

39           (6)   School safety plan documents containing preventive  
40 services listed in Section 37-3-83 shall be exempt from the  
41 provisions of the Mississippi Public Records Act of 1983.



42        (7) School district test security plans for the  
43        administration of the Statewide Student Assessment Program shall  
44        be exempt from the Mississippi Public Records Act of 1983.

45        **SECTION 2.** This act shall take effect and be in force from  
46        and after July 1, 2025.

