

AMENDED IN ASSEMBLY MARCH 21, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2122

Introduced by Assembly Member Lara

February 23, 2012

An act to add Section 99161.5 to the Education Code, relating to standardized testing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2122, as amended, Lara. Standardized testing: *reasonable accommodations*.

Existing law imposes various requirements on a test sponsor or test agency, as defined, with respect to the administration of standardized tests for purposes of postsecondary education.

Existing law provides that a test sponsor that intentionally violates these provisions is liable for a civil penalty not to exceed \$750 for each violation.

This bill would require the test sponsor of the Law School Admission Test to provide ~~reasonable accommodation~~ *accommodations* to a disabled test subject, as specified. The bill would also require the process for determining whether to grant a reasonable accommodation to be made public ~~and~~, the outcome of the request to be conveyed to the requester within a reasonable amount of time, *and the reasons for a denial of a request for accommodation to be stated to the requester in writing*. The bill would also require that test sponsor to establish a timely appeals process when a request is denied, *and to clearly post on the Law School Admission Test Internet Web site information regarding refund policies for individuals whose requests for accommodation are denied*. The bill would also prohibit that test sponsor from notifying a

test score recipient, ~~as defined~~, that the score of any test subject was obtained by a subject who received accommodations. A violation of these requirements would subject a test sponsor to the above civil penalty.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 99161.5 is added to the Education Code,
2 to read:

3 99161.5. (a) (1) The test sponsor of the Law School Admission
4 Test shall provide reasonable accommodations to a disabled test
5 subject who makes a timely request.

6 (2) The process for determining whether to grant a reasonable
7 accommodation under paragraph (1) shall be made public, and the
8 decision whether or not to approve a request for an accommodation
9 shall be conveyed to the requester within a reasonable amount of
10 time. *If the test sponsor of the Law School Admission Test does*
11 *not approve a request for accommodation, the test sponsor shall*
12 *state the reasons for the denial of the request to the requester in*
13 *writing.*

14 (3) The test sponsor of the Law School Admission Test shall
15 establish a timely appeals process for a test taker who has been
16 denied an accommodation request. *The test sponsor of the Law*
17 *School Admission Test shall clearly post on the Law School*
18 *Admission Test Internet Web site information regarding refund*
19 *policies for individuals whose requests for accommodation are*
20 *denied.*

21 (b) Whenever a test subject has received formal testing
22 accommodations from a postsecondary educational institution, the
23 test sponsor of the Law School Admission Test shall provide
24 accommodations to that test subject.

25 (c) The test sponsor of the Law School Admission Test shall
26 not notify a test score recipient that the score of any test subject
27 was obtained by a subject who received accommodations under
28 paragraph (1) of subdivision (a).

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