

By: Representatives Ford, Bailey

To: Education

HOUSE BILL NO. 539
(As Sent to Governor)

1 AN ACT TO REENACT SECTION 37-23-15, MISSISSIPPI CODE OF 1972,
2 WHICH REQUIRES THE STATE DEPARTMENT OF EDUCATION TO ADOPT PILOT
3 PROGRAMS FOR THE TESTING OF DYSLEXIA IN THE PUBLIC SCHOOLS; TO
4 AMEND REENACTED SECTION 37-23-15, MISSISSIPPI CODE OF 1972, TO
5 EXTEND THE REPEALER ON THE DYSLEXIA TESTING PILOT PROGRAMS; AND
6 FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-23-15, Mississippi Code of 1972, is
9 reenacted and amended as follows:

10 37-23-15. (1) The State Department of Education, in
11 accordance with Sections 37-23-1 through 37-23-75, and any
12 additional authority granted in this chapter, shall:

13 (a) Adopt pilot programs under which certain students
14 enrolled or enrolling in public schools in this state shall be
15 tested for dyslexia and related disorders as may be necessary.
16 The pilot programs shall provide that upon the request of a
17 parent, student, school nurse, classroom teacher or other school
18 personnel who has reason to believe that a student has a need to
19 be tested for dyslexia, such student shall be reviewed for
20 appropriate services. However, a student shall not be tested for
21 dyslexia whose parent or guardian objects thereto on grounds that
22 such testing conflicts with his conscientiously held religious
23 beliefs.

24 (b) In accordance with the pilot programs adopted by
25 the State Department of Education, such school boards shall
26 provide remediation in an appropriate multi-sensory, systematic
27 language-based regular education program or programs, as
28 determined by the school district, such as the Texas Scottish Rite

29 Hospital Dyslexia Training Program, pertinent to the child's
30 physical and educational disorders or the sensory area in need of
31 remediation for those students who do not qualify for special
32 education services.

33 (c) The State Department of Education, by not later
34 than January 1, 1997, shall make recommendations to the school
35 boards designated for the pilot programs for the delivery of
36 services to students who are identified as dyslexic.

37 (d) For the purposes of this section:

38 (i) "Dyslexia" means a language processing
39 disorder which may be manifested by difficulty processing
40 expressive or receptive, oral or written language despite adequate
41 intelligence, educational exposure and cultural opportunity.
42 Specific manifestations may occur in one or more areas, including
43 difficulty with the alphabet, reading comprehension, writing and
44 spelling.

45 (ii) "Related disorders" shall include disorders
46 similar to or related to dyslexia such as developmental auditory
47 imperception, dysphasia, specific developmental dyslexia,
48 developmental dysgraphia and developmental spelling disability.

49 (e) Local school districts designated for the pilot
50 programs may utilize any source of funds other than minimum
51 program funds to provide any services under this section.

52 (f) Nothing in this section shall be construed to
53 require any school district to implement this section unless the
54 local school board, by resolution spread on its minutes,
55 voluntarily agrees to comply with this section and any regulations
56 promulgated under this section. Any local school board may
57 withdraw from participation in the program authorized under this
58 section by providing written notice of its determination to
59 withdraw to the State Department of Education no later than June 1
60 of the preceding fiscal year.

61 (2) State funding for the pilot programs for testing
62 students for dyslexia shall be subject to the availability of
63 funds specifically appropriated therefor by the Legislature.

64 (3) The State Department of Education shall prepare a report
65 for the 1999 Regular Session of the Legislature to be submitted to

66 the Chairmen of the Education Committees of the Senate and House
67 of Representatives not later than November 1, 1998, with
68 recommendations as to the effectiveness of the pilot programs for
69 students with dyslexia and whether or not the pilot programs
70 should be expanded or discontinued.

71 (4) This section shall stand repealed from and after July 1,
72 2001.

73 SECTION 2. This act shall take effect and be in force from
74 and after July 1, 1999.