HOUSE BILL NO. 474
(As Passed the House)

AN ACT TO AMEND SECTION 37-23-15, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE STATE DEPARTMENT OF EDUCATION TO ADOPT PILOT PROGRAMS FOR THE TESTING OF DYSLEXIA IN PUBLIC SCHOOLS, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2001, TO JULY 1, 2005; AND FOR RELATED PURPOSES.

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

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

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

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

(b) In accordance with the pilot programs adopted by the State Department of Education, such school boards shall provide remediation in an appropriate multi-sensory, systematic language-based regular education program or programs, as determined by the school district, such as the Texas Scottish Rite Hospital Dyslexia Training Program, pertinent to the child's
physical and educational disorders or the sensory area in need of remediation for those students who do not qualify for special education services.

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

(d) For the purposes of this section:

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

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

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

(f) Nothing in this section shall be construed to require any school district to implement this section unless the local school board, by resolution spread on its minutes, voluntarily agrees to comply with this section and any regulations promulgated under this section. Any local school board may withdraw from participation in the program authorized under this section by providing written notice of its determination to withdraw to the State Department of Education no later than June 1 of the preceding fiscal year.
(2) State funding for the pilot programs for testing students for dyslexia shall be subject to the availability of funds specifically appropriated therefor by the Legislature.

(3) The State Department of Education shall prepare a report for the 1999 Regular Session of the Legislature to be submitted to the Chairmen of the Education Committees of the Senate and House of Representatives not later than November 1, 1998, with recommendations as to the effectiveness of the pilot programs for students with dyslexia and whether or not the pilot programs should be expanded or discontinued.

(4) This section shall stand repealed from and after July 1, 2005.

SECTION 2. This act shall take effect and be in force from and after July 1, 2001.