

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2309
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-23-15, MISSISSIPPI CODE OF 1972,
2 TO DELETE THE AUTOMATIC REPEALER ON THE PILOT PROGRAM FOR TESTING
3 AND EDUCATIONAL REMEDIATION FOR STUDENTS WITH DYSLEXIA AND RELATED
4 DISORDERS; AND FOR RELATED PURPOSES.

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

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

8 37-23-15. (1) The State Department of Education, in
9 accordance with Sections 37-23-1 through 37-23-75, and any
10 additional authority granted in this chapter, shall:

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

22 (b) In accordance with the pilot programs adopted by
23 the State Department of Education, such school boards shall
24 provide remediation in an appropriate multi-sensory, systematic
25 language-based regular education program or programs, as
26 determined by the school district, such as the Texas Scottish Rite
27 Hospital Dyslexia Training Program, pertinent to the child's

28 physical and educational disorders or the sensory area in need of
29 remediation for those students who do not qualify for special
30 education services.

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

35 (d) For the purposes of this section:

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

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

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

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

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

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

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70 SECTION 2. This act shall take effect and be in force from
71 and after June 30, 2001.