MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By: Senator(s) Harden                        To: Education

SENATE BILL NO. 2309
(As Sent to Governor)

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

SECTION 2. This act shall take effect and be in force from