

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.