

By: Representative Aldridge

To: Education

## HOUSE BILL NO. 1058

1 AN ACT TO AMEND SECTION 37-23-15, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO SELECT THE  
3 SCREENING INSTRUMENTS TO BE USED THROUGHOUT THE STATE BY SCHOOL  
4 DISTRICTS PARTICIPATING IN DYSLEXIA PILOT PROGRAMS, TO PROHIBIT  
5 SCHOOL DISTRICTS FROM USING THE SCREENING INSTRUMENT TO DETERMINE  
6 WHETHER OR NOT A STUDENT IS TO BE PROMOTED, TO AUTHORIZE THE  
7 DEPARTMENT TO RECEIVE AND EXPEND FUNDS FROM ANY SOURCE FOR THE  
8 SUPPORT OF THE PILOT PROGRAMS, TO REQUIRE THE DEPARTMENT TO  
9 PRESCRIBE MINIMUM QUALIFICATIONS FOR SCHOOL DISTRICT EMPLOYEES  
10 ADMINISTERING SERVICES THROUGH THE PILOT PROGRAMS, AND TO REQUIRE  
11 THE DEPARTMENT TO ANNUALLY REPORT ON THE PILOT PROGRAMS; AND FOR  
12 RELATED PURPOSES.

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

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

16 37-23-15. (1) (a) The State Department of Education, in  
17 accordance with Sections 37-23-1 through 37-23-75, and any  
18 additional authority granted in this chapter, shall adopt pilot  
19 programs under which certain students enrolled or enrolling in  
20 public schools in this state shall be screened for dyslexia and  
21 related disorders as may be necessary. The pilot programs shall  
22 provide that upon the request of a parent, student, school nurse,  
23 classroom teacher or other school personnel who has reason to  
24 believe that a student has a need to be screened for dyslexia,  
25 such student shall be reviewed for appropriate services. However,  
26 a student shall not be screened for dyslexia whose parent or  
27 guardian objects thereto on grounds that such screening conflicts  
28 with his conscientiously held religious beliefs. The department  
29 shall select the screening assessment instrument or instruments to  
30 be used throughout the state in the screening of students in  
31 kindergarten through third grade for dyslexia. All school  
32 districts participating in the pilot programs must use the

33 screening instrument or instruments selected by the department;  
34 however, school districts are prohibited from using any dyslexia  
35 screening assessment instrument for the purpose of determining  
36 whether or not a student will be promoted to the next grade level.

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

46 (c) The State Department of Education \* \* \* shall make  
47 recommendations to the school boards designated for the pilot  
48 programs for the delivery of services to students who are  
49 identified as dyslexic.

50 (d) For the purposes of this section:

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

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

62 (e) Local school districts participating in the pilot  
63 programs may utilize any source of funds available for the purpose  
64 of providing any services under this section.

65 (f) Nothing in this section shall be construed to  
66 require any school district to implement this section unless the  
67 local school board, by resolution spread on its minutes,  
68 voluntarily agrees to comply with this section and any regulations  
69 promulgated under this section. Any local school board may  
70 withdraw from participation in the program authorized under this  
71 section by providing written notice of its determination to  
72 withdraw to the State Department of Education no later than June 1  
73 of the preceding fiscal year.

74 (2) In addition to those funds that are appropriated by the  
75 Legislature, the State Department of Education may receive and  
76 expend funds made available to the department from any source,  
77 including any federal or other governmental agency, private  
78 business, industry, foundation or other organization, for the  
79 pilot programs for screening students for dyslexia \* \* \*.

80 (3) The State Department of Education shall prescribe  
81 minimum qualifications for school district employees who  
82 administer dyslexia screening services or remediation services to  
83 students who are identified as dyslexic through the pilot  
84 programs.

85 (4) The State Department of Education shall establish a  
86 reporting system for school districts participating in the pilot  
87 programs in order to monitor the effectiveness of the dyslexia  
88 screening assessment instrument or instruments selected by the  
89 department. Under the program, the department shall require  
90 school districts to annually submit data requested by the  
91 department which may be utilized to determine whether or not the  
92 assessment instruments are accurately identifying students in need  
93 of dyslexia remediation services. The department shall prepare an  
94 annual report on the effectiveness of the dyslexia screening  
95 assessment instruments and the overall effectiveness of the pilot  
96 programs, which report must be submitted to the Chairmen of the

97 Education Committees of the Senate and House of Representatives  
98 not later than November 1 of each year.

99         **SECTION 2.** This act shall take effect and be in force from  
100 and after July 1, 2007.