

By: Representative Bennett

To: Education

HOUSE BILL NO. 1035

1 AN ACT TO AMEND SECTION 37-106-71, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY REPAYMENT AND CONVERSION TERMS AND THE ADMINISTRATION
3 OF THE MISSISSIPPI DYSLEXIA EDUCATION FORGIVABLE LOAN PROGRAM; TO
4 BRING FORWARD SECTION 37-106-53, MISSISSIPPI CODE OF 1972, FOR THE
5 PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 37-106-71, Mississippi Code of 1972, is
8 amended as follows:

9 37-106-71. (1) There is established the Mississippi
10 Dyslexia Education Forgivable Loan Program for the purpose of
11 identifying and recruiting qualified university and college
12 students from the state for schooling in education with a focus on
13 dyslexia therapy.

14 (2) The receipt of a forgivable loan under the program shall
15 be solely limited to those students who are enrolled in or who
16 have been accepted for enrollment into a master's degree program
17 of study for dyslexia therapy at any public or private institution
18 of higher learning within the State of Mississippi at the time an
19 application for a forgivable loan is filed with the board.



20 (3) The annual amount of the forgivable loan award shall be
21 equal to the total cost for tuition, materials and fees at the
22 college or university in which the student is enrolled. Awards
23 made to nonresidents of the state shall not include any amount
24 assessed by the college or university for out-of-state tuition.

25 (4) Upon completion of the master's program and licensure
26 requirements, a forgivable loan recipient who has not been
27 previously licensed by the State Department of Education shall
28 render service as a licensed teacher of dyslexia therapy in a
29 public school district in the state or an eligible nonpublic
30 school as defined by Section 37-173-1 and meets the criteria
31 established in Section 37-173-17, not to exceed five (5)
32 recipients rendering services in a nonpublic school at any time.

33 (5) Repayment and conversion terms shall be the same as
34 those outlined in Section 37-106-53, except that service may also
35 be rendered on the basis of two (2) years' part-time service for
36 one (1) year's loan amount.

37 (6) The board shall prepare and submit a report to the
38 Legislature by January 1, 2015, and annually thereafter, outlining
39 in detail the number of participants who have received forgivable
40 loans under the program, the record of service provided by those
41 recipients as they transition out of the degree program into the
42 public school districts of this state, and the projection for
43 expanding the program to include more participants annually as
44 determined by the need for such qualified professionals in the



45 public school setting. Additionally, the report shall include a
46 summary of allocations and expenditures for the administration of
47 the program and the total amount of funds issued to recipients of
48 forgivable loans from the inception of the program until such time
49 as the report has been prepared and submitted to the Legislature.

50 * * *

51 (* * *7) Funding for the establishment and continued
52 operation of the Mississippi Dyslexia Education Forgivable Loan
53 Program shall be administered by the board through a special fund
54 established * * * for the benefit of the Mississippi Dyslexia
55 Education Forgivable Loan Program. The board may accept and
56 receive monetary gifts and donations from any source, public or
57 private, which such funds shall be deposited in the special fund
58 for the benefit of the Mississippi Dyslexia Education Forgivable
59 Loan Program * * *.

60 (* * *8) No more than twenty (20) students per cohort shall
61 be selected annually to be admitted into the program for receipt
62 of forgivable loans beginning with the 2013-2014 academic year.
63 However, forgivable loans awarded under the program shall be
64 provided only to students who have been accepted into a Dyslexia
65 Therapy Master's Degree Cohort Program approved by the State
66 Department of Education that provides instructional training as
67 required under Chapter 173, Title 37, Mississippi Code of 1972,
68 for dyslexia therapy in preparation of those cohort students for
69 AA licensure by the department.



70 (* * *9) As part of the Mississippi Dyslexia Education
71 Forgivable Loan Program, the State Department of Education is
72 authorized and directed, subject to the availability of funds
73 specifically appropriated therefor by the Legislature, to provide
74 financial assistance for the recruitment, placement and employment
75 of qualified licensed dyslexia therapy professionals identified
76 under Section 37-173-15(1) (b), Mississippi Code of 1972, in order
77 to provide dyslexia screening, evaluation and therapy services to
78 the students attending school in the school district. Said
79 funding may be used to purchase curriculum materials and supplies
80 for dyslexia therapy services. Said funding shall be provided to
81 public school districts upon application therefor regardless of
82 the financial need of the school district in an amount not to
83 exceed Fifty Thousand Dollars (\$50,000.00) annually, and subject
84 to specific appropriation therefor by the Legislature. In order
85 to qualify for such funds, the school district shall meet the
86 following criteria:

87 (a) Use licensed dyslexia therapists or individuals
88 participating in an approved training program resulting in State
89 Department of Education licensure to provide dyslexia therapy to
90 students diagnosed with dyslexia;

91 (b) Use daily Orton-Gillingham-based therapy;

92 (c) Have school leadership trained in dyslexia; and

93 (d) Have a current School Program Verification and
94 Assurances form on file with the State Department of Education,



95 Office of Curriculum and Instruction. Procedures and standards
96 for the application for such funds shall be established by
97 regulations developed and issued by the State Board of Education.

98 **SECTION 2.** Section 37-106-53, Mississippi Code of 1972, is
99 brought forward as follows:

100 37-106-53. (1) Forgivable loans shall be made and based
101 upon the following options for repayment or conversion to
102 interest-free scholarships:

103 (a) Payment in full of principal plus a penalty of five
104 percent (5%) of the principal and interest on the combined
105 principal and penalty must be made in monthly installments, the
106 maximum number of which will be determined by the board, unless
107 set forth in this chapter. Interest will begin to accrue at the
108 date of separation from the approved program of study at a rate
109 equal to the unsubsidized Federal Stafford loan rate at the time
110 of separation. Repayment will commence one (1) month after
111 separation from the program of study, unless the recipient is
112 granted a grace period or deferment by the board. The
113 availability and length of a grace period will be determined by
114 the board. The availability and length of any deferments will be
115 determined by the board.

116 (b) In lieu of payment in full of both principal and
117 interest, a loan recipient may elect to repay by entry into
118 service employment. Service requirements for each forgivable loan
119 program will be determined by the board, unless set forth in this



120 chapter. Unless excepted by this chapter, repayment under this
121 option shall convert loan to scholarship, and discharge the same,
122 on the basis of one (1) year's full-time service for one (1)
123 year's loan amount or its equivalent if the recipient attended
124 part-time, or the appropriate proportion of the total outstanding
125 balance of principal and interest, all as shall be established by
126 rule and regulation of the board. The period of service shall in
127 no event be less than one (1) year. If at any time prior to the
128 repayment in full of the total obligation the recipient abandons
129 or abrogates repayment by this option, the provisions of * * *
130 paragraph (c) of this subsection shall apply.

131 (c) In the event of abandonment or abrogation of the
132 option for repayment as provided for in * * * paragraph (b) of
133 this subsection, the remaining balance of unpaid or undischarged
134 principal plus a penalty of five percent (5%) of the unpaid or
135 undischarged principal and interest on the combined principal and
136 penalty shall become due and payable over the remaining period of
137 time as if the option provided for in * * * paragraph (a) of this
138 subsection had been elected upon separation and the conclusion of
139 any applicable grace and deferment periods.

140 (2) Any person failing to complete a program of study which
141 will enable that person to enter service employment, or failing to
142 obtain any required licensure or additional credentials necessary
143 for that person to enter service employment shall become liable to
144 the board for the sum of all forgivable loan awards made to that



145 person plus a penalty of five percent (5%) of the loan awards and
146 interest on the combined amount accruing at the current
147 unsubsidized Federal Stafford loan rate at the time the person
148 abrogates his participation in the program.

149 (3) If a claim for payment under this subsection is placed
150 in the hands of a collection agency or an attorney for collection,
151 the obligor shall be liable for an additional amount equal to a
152 reasonable collection commission or attorney's fee as well as any
153 court costs.

154 (4) The obligations made by the recipient of a forgivable
155 loan award shall not be voidable by reason of the age of the
156 student at the time of receiving the scholarship.

157 **SECTION 3.** This act shall take effect and be in force from
158 and after July 1, 2018.

