

By: Representatives Bennett, Arnold, Byrd

To: Education

COMMITTEE SUBSTITUTE
FOR
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 AMEND SECTION 37-106-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY
5 THERETO; 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 in an instructional or clinical capacity as a
29 licensed * * * dyslexia * * * therapist in a public school
30 district in the state or an eligible nonpublic school as defined
31 by Section 37-173-1 and meets the criteria established in Section
32 37-173-17, not to exceed five (5) recipients rendering
33 instructional or clinical services in a nonpublic school at any
34 time.

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

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



expanding the program to include more participants annually as determined by the need for such qualified professionals in the public school setting. Additionally, the report shall include a summary of allocations and expenditures for the administration of the program and the total amount of funds issued to recipients of forgivable loans from the inception of the program until such time as the report has been prepared and submitted to the Legislature.

* * *

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

(* * *8) No more than twenty (20) students per cohort shall be selected annually to be admitted into the program for receipt of forgivable loans beginning with the 2013-2014 academic year. However, forgivable loans awarded under the program shall be provided only to students who have been accepted into a Dyslexia Therapy Master's Degree Cohort Program approved by the State Department of Education that provides instructional training as required under Chapter 173, Title 37, Mississippi Code of 1972,



for dyslexia therapy in preparation of those cohort students for
AA licensure by the department.

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

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

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

(c) Have school leadership trained in dyslexia; and



(d) Have a current School Program Verification and Assurances form on file with the State Department of Education, Office of Curriculum and Instruction. Procedures and standards for the application for such funds shall be established by regulations developed and issued by the State Board of Education.

SECTION 2. Section 37-106-53, Mississippi Code of 1972, is amended as follows:

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

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

(b) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into



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

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

142 (2) Any person failing to complete a program of study which
143 will enable that person to enter service employment, or failing to
144 obtain any required licensure or additional credentials necessary



for that person to enter service employment shall become liable to the board for the sum of all forgivable loan awards made to that person plus a penalty of five percent (5%) of the loan awards and interest on the combined amount accruing at the current unsubsidized Federal Stafford loan rate at the time the person abrogates his participation in the program.

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

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

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

