

By: Representatives Roberson, Aguirre, Boyd, To: Education  
Corley, Sykes, Willis

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1321

1 AN ACT TO AMEND SECTION 37-175-1, MISSISSIPPI CODE OF 1972,  
2 TO REVISE CERTAIN DEFINITIONS USED UNDER THE MISSISSIPPI  
3 SPEECH-LANGUAGE THERAPY SCHOLARSHIP FOR STUDENTS WITH  
4 SPEECH-LANGUAGE IMPAIRMENTS PROGRAM; TO AMEND SECTION 37-175-3,  
5 MISSISSIPPI CODE OF 1972, TO DELETE THE LIMITATION ON SCHOLARSHIPS  
6 UNDER THE PROGRAM TO STUDENTS IN KINDERGARTEN THROUGH GRADE SIX;  
7 TO AMEND SECTION 37-175-5, MISSISSIPPI CODE OF 1972, TO REVISE THE  
8 PROCEDURE BY WHICH A PARENT OF AN ELIGIBLE STUDENT REQUESTS A  
9 SCHOLARSHIP FROM THE STATE DEPARTMENT OF EDUCATION; TO AMEND  
10 SECTION 37-175-7, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN  
11 CRITERIA THAT RENDER A STUDENT INELIGIBLE FOR A SCHOLARSHIP; TO  
12 AMEND SECTION 37-175-11, MISSISSIPPI CODE OF 1972, TO REVISE  
13 PARENTAL OBLIGATIONS OF STUDENTS RECEIVING A SCHOLARSHIP TO ATTEND  
14 A NONPUBLIC SPEECH-LANGUAGE THERAPY AND INTERVENTION SCHOOL; TO  
15 AMEND SECTION 37-175-13, MISSISSIPPI CODE OF 1972, TO DECREASE THE  
16 MAXIMUM AMOUNT OF A SCHOLARSHIP UNDER THE PROGRAM AND TO REVISE  
17 THE MANNER IN WHICH PAYMENTS ARE MADE BY THE STATE DEPARTMENT OF  
18 EDUCATION TO PARTICIPATING NONPUBLIC SCHOOLS; TO AMEND SECTION  
19 37-175-15, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF A  
20 PARENT TO OPT OUT OF THE MANDATORY SCREENING FOR SPEECH DISORDERS  
21 PROVIDED BY A SCHOOL DISTRICT; TO AMEND SECTIONS 37-175-17 AND  
22 37-175-21, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
23 PROVISIONS OF THIS ACT; TO REPEAL SECTION 37-175-9, MISSISSIPPI  
24 CODE OF 1972, WHICH REQUIRES A SCHOOL DISTRICT TO MAKE AN INITIAL  
25 DETERMINATION OF WHETHER A STUDENT HAS AN ELIGIBILITY RULING OF  
26 SPEECH-LANGUAGE IMPAIRMENT UNDER THE INDIVIDUALS WITH DISABILITIES  
27 EDUCATION ACT; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** Section 37-175-1, Mississippi Code of 1972, is  
30 amended as follows:



31           37-175-1. As used in this chapter, the following words and  
32 phrases shall have the meanings ascribed in this section unless  
33 the context clearly indicates otherwise:

34           (a) "Board" means the State Board of Education.

35           (b) "Department" means the State Department of  
36 Education.

37           (c) "Speech-language impairment," as defined under  
38 IDEA, means a communication disorder, such as stuttering, impaired  
39 articulation, a language impairment or a voice impairment, that  
40 adversely affects a child's educational performance, which  
41 include:

42           (i) Articulation disorders: difficulties  
43 producing sounds in syllables or saying words incorrectly to the  
44 point that listeners cannot understand what is being said;

45           (ii) Fluency disorders: problems in which the  
46 flow of speech is interrupted by abnormal stoppages, repetitions,  
47 prolonged sounds and syllables or avoided, and where there may be  
48 silent blocks or inappropriate inhalation, exhalation or phonation  
49 patterns;

50           (iii) Resonance or voice disorders: problems with  
51 abnormal pitch, volume, resonance or quality of the voice, which  
52 may also cause pain or discomfort when speaking;

53           (iv) Receptive language disorders: difficulties  
54 understanding or processing language; and



55 (v) Expressive language disorders: difficulty  
56 putting words together, limited vocabulary or inability to use  
57 language in a socially appropriate manner.

58 (d) "Speech-language therapy" means an appropriate  
59 specialized speech-language instructional program that is  
60 delivered by a speech-language pathologist which is scientific and  
61 research-based. These components shall be taught using  
62 instructional approaches that include explicit, direct instruction  
63 which is systematic, sequential and cumulative, individualized to  
64 meet the specific learning needs of each individual student.

65 (e) "Speech-language pathologist" means a professional  
66 who has met the requirements and acquired a Certificate of  
67 Clinical Competence from the American Speech-Language-Hearing  
68 Association, or who has completed training in a department  
69 approved American Speech-Language-Hearing Association based  
70 speech-language pathology training program attaining a AA license  
71 in speech-language pathology.

72 (f) "Mississippi Speech-Language Therapy Scholarship  
73 for Students with Speech-Language Impairments Program" means  
74 a \* \* \* program to provide \* \* \* scholarships to attend a  
75 nonpublic speech-language therapy and intervention school of  
76 choice, for eligible students \* \* \*.

77 (g) "Nonpublic speech-language therapy and intervention  
78 school" or "school" means any state accredited nonpublic special  
79 purpose school that is organized to provide and emphasizes



80 instruction in speech-language therapy and intervention as the  
81 primary purpose of the school and provides a specific learning  
82 environment that provides comprehensive speech-language \* \* \*  
83 intervention and intervention services to children diagnosed with  
84 a \* \* \* speech-language impairment by a licensed, certified  
85 professional acting within the professional's scope of practice.

86 (h) "Eligible student" means a child age three (3)  
87 years or more who is diagnosed by a licensed professional with a  
88 speech-language impairment and who meets the admission standards  
89 for a full-time, nonpublic speech-language therapy and  
90 intervention school.

91 **SECTION 2.** Section 37-175-3, Mississippi Code of 1972, is  
92 amended as follows:

93 37-175-3. The Mississippi Speech-Language Therapy  
94 Scholarship for Students with Speech-Language Impairments Program,  
95 which may also be cited as the Nate Rogers Scholarship for  
96 Students with Disabilities Program, is established \* \* \*.

97 **SECTION 3.** Section 37-175-5, Mississippi Code of 1972, is  
98 amended as follows:

99 37-175-5. (1) Parents or legal guardians may \* \* \* request  
100 and receive from the state a Mississippi Speech-Language Therapy  
101 Scholarship for an eligible child to enroll in and attend a  
102 nonpublic speech-language therapy and intervention school full  
103 time in accordance with this chapter. The objectives of such  
104 school shall be:



(a) To emphasize the importance of early intervention;  
and

(b) To provide intensive high-quality speech-language pathology services.

(2) The parent or legal guardian \* \* \* must obtain acceptance for admission of the \* \* \* eligible child to a nonpublic speech-language therapy and intervention school \* \* \*. The request by the parent or legal guardian to the department for a scholarship must be within thirty (30) days before the date of the first scholarship payment. The request must be through a communication directly to the department in a manner that creates a written or electronic record of the request and the date of receipt of the request. If the student is transferring from a public school, the State Department of Education must notify the district of the parent's or legal guardian's intent upon receipt of the parent's or legal guardian's request.

**SECTION 4.** Section 37-175-7, Mississippi Code of 1972, is amended as follows:

37-175-7. (1) \* \* \* For purposes of continuity of educational choice, a Mississippi Speech-Language Therapy Scholarship shall remain in force until the student returns to a public school or completes Grade 6 or its equivalent, whichever occurs first.

( \* \* \*2) Upon reasonable notice to the department and the school district, the student's parent or legal guardian may remove



the student from the nonpublic speech-language therapy and intervention school and place the student in a public school in accordance with this section.

**SECTION 5.** Section 37-175-11, Mississippi Code of 1972, is amended as follows:

37-175-11. Each participating parent or legal guardian and student shall adhere to the following:

(a) The parent or legal guardian must select the nonpublic speech-language therapy and intervention school and apply for the admission of his or her child;

(b) The parent or legal guardian must have requested the scholarship at least thirty (30) days before the date of the first scholarship payment;

(c) Any student participating in the Mississippi Speech-Language Therapy Scholarship for Students with Speech-Language Impairments Program must remain in attendance throughout the school year unless excused by the school for illness or other good cause; and

(d) Each parent or legal guardian and each student has an obligation \* \* \* to comply with the nonpublic \* \* \* speech-language therapy and intervention school's published policies.

**SECTION 6.** Section 37-175-13, Mississippi Code of 1972, is amended as follows:



37-175-13. (1) The maximum scholarship granted per eligible student with speech-language impairment shall be an amount equivalent to seventy percent (70%) of the Mississippi Adequate Education Program base student cost.

(2) (a) Any nonpublic school under this program shall report to the State Department of Education the number of students with speech-language impairment who are enrolled in \* \* \* the Mississippi Speech-Language Therapy \* \* \* Scholarship Program as of September 30 of each year in order to determine funding for the subsequent year. \* \* \*

(b) The State Department of Education shall make payments to nonpublic speech-language therapy and intervention schools \* \* \* at the same time and in the same manner as adequate education program payments are made to school districts under Sections 37-151-101 and 37-151-103. Amounts payable to a nonpublic school must be determined by the State Department of Education.

(3) \* \* \* Transportation to and from the nonpublic speech-language therapy and intervention school shall be provided at the parent's or guardian's expense.

**SECTION 7.** Section 37-175-15, Mississippi Code of 1972, is amended as follows:

37-175-15. (1) Each local school district shall adopt a policy to ensure that students will be screened for speech, language, voice and fluency disorders before the end of Grade 1.



179 (2) If a student fails the screener, the parent or legal  
180 guardian will be notified of the results of the screener.

181 (3) If a student fails the screener, the school district, in  
182 its discretion, may perform a comprehensive speech-language  
183 evaluation.

184 (4) If a parent or a legal guardian of a student who fails  
185 the speech-language screener exercises the option to have a  
186 subsequent evaluation performed, such evaluation shall be  
187 administered by a speech-language pathologist. The subsequent  
188 evaluation obtained by the parents shall be considered by the  
189 school district for eligibility in the area of speech-language in  
190 accordance with the procedures mandated by the federal Individuals  
191 with Disabilities Education Act (IDEA) for a placement in a  
192 speech-language program within the current school or to receive a  
193 Mississippi speech-language therapy scholarship for placement in a  
194 speech-language program in a nonpublic \* \* \* speech-language  
195 therapy and intervention school. \* \* \* The provisions of this  
196 section shall not apply to home schooled students.

197 **SECTION 8.** Section 37-175-17, Mississippi Code of 1972, is  
198 amended as follows:

199 37-175-17. (1) To be eligible to participate in the  
200 Mississippi Speech-Language Therapy Scholarship for Students with  
201 Speech-Language Impairments Program, a nonpublic speech-language  
202 therapy and intervention school must:





203 (a) Be a state accredited nonpublic \* \* \* school in the  
204 state that is organized to provide and emphasizes instruction in  
205 speech-language therapy and intervention as the primary purpose of  
206 the school;

207 (b) Provide to the department all documentation  
208 required for a student's participation, including the nonpublic  
209 school's and student's fee schedules, at least thirty (30) days  
210 before the first quarterly scholarship payment is made for the  
211 student;

212 (c) Be academically accountable to the parent or legal  
213 guardian for meeting the educational needs of the student by, at a  
214 minimum, annually providing to the parent or legal guardian a  
215 written explanation of the student's progress;

216 (d) Maintain in this state a physical location where a  
217 scholarship student regularly attends classes.

218 (2) The inability of a nonpublic school to meet the  
219 requirements of this subsection shall constitute a basis for the  
220 ineligibility of the nonpublic school to participate in the  
221 scholarship program as determined by the department.

222 **SECTION 9.** Section 37-175-21, Mississippi Code of 1972, is  
223 amended as follows:

224 37-175-21. (1) The State Board of Education in conjunction  
225 with each nonpublic school operating under the provisions of this  
226 chapter, may:



(a) Extend the school day or length of the scholastic year;

(b) Develop and establish a curriculum that is consistent with the Mississippi Curriculum Framework in the subject areas of mathematics, social studies, science, music, art and physical education; and

(c) Select, purchase and use textbooks, literature and other instructional materials that would improve educational attainment by students in the school, subject to the approval of the board.

(2) The qualified personnel to provide speech-language services for children with speech-language impairment who attend the nonpublic \* \* \* speech-language therapy and intervention schools shall consist of speech-language pathologists.

**SECTION 10.** Section 37-175-9, Mississippi Code of 1972, which requires a school district to make an initial determination of whether a student has an eligibility ruling of speech-language impairment under the Individuals with Disabilities Education Act (IDEA) and authorizes parents to opt to receive a Speech-Language Therapy Scholarship, is repealed.

**SECTION 11.** This act shall take effect and be in force from and after July 1, 2019.

