

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

15 **SECTION 1.** The following shall be codified as Section
16 37-173-16, Mississippi Code of 1972:
17 37-173-16. (1) Each local school district shall make an
18 initial determination of whether a student diagnosed with dyslexia
19 meets the eligibility criteria under the Individuals with
20 Disabilities Education Act (IDEA) to have an Individualized
21 Education Program developed and to receive services. If a
22 student's diagnosis of dyslexia does not result in an IDEA
23 eligibility determination then the district must proceed with
24 their process for determining if the student is eligible for a 504
25 Plan under the Rehabilitation Act based on the presumption that
26 proficiency in spelling, reading and writing are essential for the
27 student to achieve appropriate educational progress. Each local
28 school district shall develop interventions and strategies to



29 address the needs of those students diagnosed with dyslexia which
30 provide the necessary accommodations to enable the student to
31 achieve appropriate educational progress. The interventions and
32 strategies developed shall include, but not be limited to, the use
33 of the 3-Tier Instructional Model and the utilization of
34 provisions of the IDEA and 504 Plan to address those needs.

35 (2) The State Department of Education shall require public
36 school districts to conduct four (4) hours of in-service training
37 in dyslexia and related disorder awareness education every three
38 (3) years for all licensed educators and paraprofessionals
39 responsible for instruction. Standard 1 and Standard 2 of the
40 International Dyslexia Association's "Knowledge and Practice
41 Standards for Teachers of Reading" 2018 Edition shall be the
42 minimum content used for the dyslexia training. Additional
43 content of the trainings shall also include the indicators and
44 characteristics, screening processes, evidence-based interventions
45 and accommodations for students with dyslexia and other related
46 disorders. The training, which may be provided through live
47 in-person instruction, online course instruction or through a
48 prerecorded video presentation, shall be delivered by an
49 individual who holds a State Department of Education License No.
50 203 in Dyslexia Therapy and a national certificate as a Certified
51 Academic Language Therapist.

52 **SECTION 2.** Section 37-173-9, Mississippi Code of 1972, is
53 amended as follows:



54 37-173-9. (1) (a) The parent or legal guardian is not
55 required to accept the offer of enrolling in another public school
56 in lieu of requesting a Mississippi Dyslexia Therapy Scholarship
57 to a nonpublic school. However, if the parent or legal guardian
58 chooses the public school option, the student may continue
59 attending a public school chosen by the parent or legal guardian
60 until the student completes Grade 12.

61 (b) If the parent or legal guardian chooses a public
62 school within the district, the school district shall provide
63 transportation to the public school selected by the parent or
64 legal guardian. However, if the parent or legal guardian chooses
65 a public school in another district, the parent or legal guardian
66 is responsible to provide transportation to the school of choice.

67 * * *(2) ~~Each local school district shall make an initial~~
68 ~~determination of whether a student diagnosed with dyslexia~~
69 ~~qualifies under the Individuals with Disabilities Education Act~~
70 ~~(IDEA) to receive services and funding under the provisions of the~~
71 ~~IDEA before proceeding to the development of a 504 Plan for each~~
72 ~~dyslexic student eligible for educational services or equipment,~~
73 ~~or both, under Sections 37-23-1 through 37-23-157. If a student's~~
74 ~~diagnosis of dyslexia results in a determination that the~~
75 ~~disability is not a disability which would qualify the student as~~
76 ~~eligible under the IDEA, then in developing the written 504 Plan~~
77 ~~for each dyslexia student, there shall be a presumption that~~
78 ~~proficiency in spelling, reading and writing are essential for the~~



79 ~~student to achieve appropriate educational progress. Each local~~
80 ~~school district shall develop interventions and strategies to~~
81 ~~address the needs of those students diagnosed with dyslexia which~~
82 ~~provide the necessary accommodations to enable the student to~~
83 ~~achieve appropriate educational progress. The interventions and~~
84 ~~strategies developed shall include, but not be limited to, the use~~
85 ~~of the 3-Tier Instructional Model and the utilization of~~
86 ~~provisions of the IDEA and Section 504 to address those needs.~~

87 * * * ~~Furthermore,~~ These provisions do not prohibit a parent
88 or legal guardian of a student diagnosed with dyslexia, at any
89 time, from choosing the option of a Mississippi Dyslexia Therapy
90 Scholarship which would allow the student to attend another public
91 school or nonpublic special purpose school.

92 (* * * 32) If the parent or legal guardian chooses the
93 nonpublic school option and the student is accepted by the
94 nonpublic school pending the availability of a space for the
95 student, the parent or legal guardian of the student must notify
96 the department thirty (30) days before the first scholarship
97 payment and before entering the nonpublic school in order to be
98 eligible for the scholarship when a space becomes available for
99 the student in the nonpublic school.

100 (* * * 43) The parent or legal guardian of a student may
101 choose, as an alternative, to enroll the student in and transport
102 the student to a public school in an adjacent school district
103 which has available space and has a program with dyslexia services



104 that provide daily dyslexia therapy sessions delivered by a
105 department licensed dyslexia therapist, and that school district
106 shall accept the student and report the student for purposes of
107 the district's funding under the Mississippi Adequate Education
108 Program.

109 **SECTION 3.** This act shall take effect and be in force from
110 and after July 1, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF
2 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND
3 CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; TO
4 PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE SCHOOL
5 DISTRICTS TO CONDUCT FOUR HOURS OF AWARENESS TRAINING FOR DYSLEXIA
6 AND OTHER RELATED DISORDERS TO ALL LICENSED EDUCATORS AND
7 PARAPROFESSIONALS RESPONSIBLE FOR INSTRUCTION; TO PROVIDE THAT
8 STANDARD 1 AND STANDARD 2 OF THE INTERNATIONAL DYSLEXIA
9 ASSOCIATION'S "KNOWLEDGE AND PRACTICE STANDARDS FOR TEACHERS OF
10 READING" 2018 EDITION SHALL BE THE MINIMUM CONTENT USED FOR THE
11 DYSLEXIA TRAINING; TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF
12 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOL'S
13 DETERMINATION OF STUDENTS WITH DYSLEXIA; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X (SIGNED)
Bennett

X (SIGNED)
DeBar

X (SIGNED)
McCarty

X (SIGNED)
Boyd

X (SIGNED)
Deweese

X (SIGNED)
Johnson

