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:

SECTION 1. The following shall be codified as Section 37-173-16, Mississippi Code of 1972:

37-173-16. (1) Each local school district shall make an initial determination of whether a student diagnosed with dyslexia meets the eligibility criteria under the Individuals with Disabilities Education Act (IDEA) to have an Individualized Education Program developed and to receive services. If a student's diagnosis of dyslexia does not result in an IDEA eligibility determination then the district must proceed with their process for determining if the student is eligible for a 504 Plan under the Rehabilitation Act based on the presumption that proficiency in spelling, reading and writing are essential for the student to achieve appropriate educational progress. Each local school district shall develop interventions and strategies to
address the needs of those students diagnosed with dyslexia which
diagnosed with dyslexia which
provide the necessary accommodations to enable the student to
provide the necessary accommodations to enable the student to
achieve appropriate educational progress. The interventions and
achieve appropriate educational progress. The interventions and
strategies developed shall include, but not be limited to, the use
strategies developed shall include, but not be limited to, the use
of the 3-Tier Instructional Model and the utilization of
of the 3-Tier Instructional Model and the utilization of
provisions of the IDEA and 504 Plan to address those needs.
provisions of the IDEA and 504 Plan to address those needs.

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

SECTION 2. Section 37-173-9, Mississippi Code of 1972, is
SECTION 2. Section 37-173-9, Mississippi Code of 1972, is
amended as follows:
37-173-9. (1) (a) The parent or legal guardian is not required to accept the offer of enrolling in another public school in lieu of requesting a Mississippi Dyslexia Therapy Scholarship to a nonpublic school. However, if the parent or legal guardian chooses the public school option, the student may continue attending a public school chosen by the parent or legal guardian until the student completes Grade 12.

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

* * *(2) Each local school district shall make an initial determination of whether a student diagnosed with dyslexia qualifies under the Individuals with Disabilities Education Act (IDEA) to receive services and funding under the provisions of the IDEA before proceeding to the development of a 504 Plan for each dyslexic student eligible for educational services or equipment, or both, under Sections 37-23-1 through 37-23-157. If a student's diagnosis of dyslexia results in a determination that the disability is not a disability which would qualify the student as eligible under the IDEA, then in developing the written 504 Plan for each dyslexia student, there shall be a presumption that proficiency in spelling, reading and writing are essential for the
student to achieve appropriate educational progress. Each local
school district shall develop interventions and strategies to
address the needs of those students diagnosed with dyslexia which
provide the necessary accommodations to enable the student to
achieve appropriate educational progress. The interventions and
strategies developed shall include, but not be limited to, the use
of the 3-Tier Instructional Model and the utilization of
provisions of the IDEA and Section 504 to address those needs.

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

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

( * * *43) The parent or legal guardian of a student may
choose, as an alternative, to enroll the student in and transport
the student to a public school in an adjacent school district
which has available space and has a program with dyslexia services
that provide daily dyslexia therapy sessions delivered by a
department licensed dyslexia therapist, and that school district
shall accept the student and report the student for purposes of
the district's funding under the Mississippi Adequate Education
Program.

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

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

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

CONFEREES FOR THE HOUSE
X (SIGNED)
Bennett

CONFEREES FOR THE SENATE
X (SIGNED)
DeBar

X (SIGNED)
McCarty

X (SIGNED)
Boyd

X (SIGNED)
Deweese

X (SIGNED)
Johnson