

## **Senate Amendments to House Bill No. 754**

**TO THE CLERK OF THE HOUSE:**

**THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

### **AMENDMENT NO. 1**

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

8           **SECTION 1.** Section 37-173-9, Mississippi Code of 1972, is  
9 amended as follows:

10           37-173-9. (1) (a) The parent or legal guardian is not  
11 required to accept the offer of enrolling in another public school  
12 in lieu of requesting a Mississippi Dyslexia Therapy Scholarship  
13 to a nonpublic school. However, if the parent or legal guardian  
14 chooses the public school option, the student may continue  
15 attending a public school chosen by the parent or legal guardian  
16 until the student completes Grade 12.

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

23           \* \* \*

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

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

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

46           **SECTION 2.** The following shall be codified as Section  
47 37-173-16, Mississippi Code of 1972:

48           37-173-16. Each local school district shall make an initial  
49 determination of whether a student diagnosed with dyslexia meets

50 the eligibility criteria under the Individuals with Disabilities  
51 Education Act (IDEA) to have an Individualized Education Program  
52 developed and to receive services. If a student's diagnosis of  
53 dyslexia does not result in an IDEA eligibility determination then  
54 the district must proceed with their process for determining if  
55 the student is eligible for a 504 Plan under the Rehabilitation  
56 Act based on the presumption that proficiency in spelling, reading  
57 and writing are essential for the student to achieve appropriate  
58 educational progress. Each local school district shall develop  
59 interventions and strategies to address the needs of those  
60 students diagnosed with dyslexia which provide the necessary  
61 accommodations to enable the student to achieve appropriate  
62 educational progress. The interventions and strategies developed  
63 shall include, but not be limited to, the use of the 3-Tier  
64 Instructional Model and the utilization of provisions of the IDEA  
65 and Section 504 to address those needs.

66 **SECTION 3.** This act shall take effect and be in force from  
67 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 AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972,  
2 TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOLS' DETERMINATION OF  
3 STUDENTS WITH DYSLEXIA; TO CREATE NEW SECTION 37-173-16,  
4 MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE  
5 FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER  
6 RELATED DISORDERS; AND FOR RELATED PURPOSES.

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Eugene S. Clarke  
Secretary of the Senate