

By: Representative Byrd

To: Education

HOUSE BILL NO. 781

1 AN ACT TO AMEND SECTION 37-173-15, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT SCHOOL DISTRICTS PROVIDING COMPREHENSIVE DYSLEXIA
3 EVALUATIONS AND PARENTS EXERCISING THE OPTION TO HAVE SUBSEQUENT
4 COMPREHENSIVE PSYCHO-EDUCATIONAL EVALUATIONS ARE ENTITLED TO
5 REIMBURSEMENT OF THE COST OF SUCH AN EVALUATION WHICH RESULTS IN A
6 DIAGNOSIS OF DYSLEXIA, IN AN AMOUNT NOT TO EXCEED \$800.00; TO FINE
7 SCHOOLS AND SCHOOL DISTRICTS WHICH FAIL TO ACCEPT THE RESULTS OF A
8 SUBSEQUENT COMPREHENSIVE PYSCHO-EDUCATIONAL EVALUATION THAT
9 DETERMINE A DIAGNOSIS OF DYSLEXIA; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 37-173-15, Mississippi Code of 1972, is
12 amended as follows:

13 37-173-15. (1) (a) Each local school district shall adopt
14 a policy to ensure that students will be screened by a screener
15 approved by the State Board of Education in the spring of
16 kindergarten and the fall of Grade 1. The component of the
17 screening must include:

- 18 (i) Phonological awareness and phonemic awareness;
- 19 (ii) Sound symbol recognition;
- 20 (iii) Alphabet knowledge;
- 21 (iv) Decoding skills;



(v) Encoding skills; and

(vi) Rapid naming.

(b) If a student fails the screener, the parent or legal guardian will be notified of the results of the screener. Subsequent dyslexia evaluations may be administered by licensed professionals, including:

(i) Psychologists, licensed under Chapter 31, Title 73, Mississippi Code of 1972;

(ii) Psychometrists, licensed by the Mississippi Department of Education, and in accordance with Chapter 31, Title 73, Section 27, Mississippi Code of 1972; or

(iii) Speech Language Pathologists, licensed under Chapter 38, Title 73, Mississippi Code of 1972.

(c) If a student fails the screener, the school district, in its discretion, may perform a comprehensive dyslexia evaluation, such evaluation must be administered by any of the licensed professionals identified under paragraph (b) of this subsection.

(d) (i) If a parent or legal guardian of a student who fails the dyslexia screener exercises the option to have a subsequent evaluation performed, such evaluation, which shall be a comprehensive psycho-educational evaluation, shall be administered by any of the licensed professionals identified under paragraph (b) of this subsection, and the resulting diagnosis of the subsequent comprehensive psycho-educational evaluation must be



accepted by the school district for purposes of determining eligibility for placement within a dyslexia therapy program within the current school or to receive a Mississippi Dyslexia Therapy Scholarship for placement in a dyslexia program in another public school or nonpublic school.

(ii) Any school or school district which fails to comply with the provisions of this subparagraph (i) of this paragraph (d), which requires a school district to accept a diagnosis of dyslexia determined by the performance of a subsequent comprehensive psycho-educational evaluation, shall be fined by the State Department of Education for failure to adhere to state law in an amount which may be equal to the total cost of the subsequent comprehensive psycho-educational evaluation, but shall not be less than Eight Hundred Dollars (\$800.00), the maximum cost of the reimbursement provided by the department for subsequent evaluations resulting in a dyslexia diagnosis. Schools or school districts fined under this subparagraph are prohibited from using any Mississippi Adequate Education Program funds or any other source of state funds for the payment of the fine.

(2) The screening of all compulsory-school-age children enrolled in each local public school district for dyslexia required by subsection (1)(a) of this section shall in no manner nullify or defeat the requirements of the pilot programs adopted by the State Department of Education to test certain students



enrolled or enrolling in public schools for dyslexia under Section 37-23-15.

(3) (a) The cost of a comprehensive psycho-educational evaluation conducted under subsection (1)(d) of this section, which results in a diagnosis of dyslexia, must be reimbursed by the State Department of Education in an amount not to exceed Eight Hundred Dollars (\$800.00). The department shall develop policies and procedures to administer the reimbursement program established under this subsection and shall establish the criteria to be used in determining acceptable comprehensive psycho-educational evaluations and qualifying evaluators, which are licensed professionals under subsection (1)(b) of this section, for which reimbursement is permitted.

(b) The comprehensive psycho-educational evaluations performed by qualifying evaluators who are licensed professionals under subsection (1)(b) of this section shall consider all of the following components:

(i) Background information from parents and teachers that indicate:

1. If the child's family has a history of dyslexia or of delayed speech or language;

2. The types and length of time of any interventions the student has received at school, home or through tutoring;



95 3. The student's response to the
96 intervention; and
97 4. The students school attendance record;
98 (ii) The determination of a need for a formal
99 measure of intelligence;
100 (iii) Oral language skills, which focus on a
101 student's ability to listen to and understand speech, as well as
102 to express his or her thoughts through speech;
103 (iv) Word recognition;
104 (v) Decoding unfamiliar words by using
105 letter-sound knowledge, spelling patterns and chunking the word
106 into smaller parts, such as syllables;
107 (vi) Spelling;
108 (vii) Phonological processing;
109 (viii) Automaticity/fluency skills;
110 (ix) Reading comprehension; and
111 (x) Vocabulary knowledge.

112 **SECTION 2.** This act shall take effect and be in force from
113 and after July 1, 2023.

