

## REPORT OF CONFERENCE COMMITTEE

# 2

MR. SPEAKER AND MR. PRESIDENT:

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

H. B. No. 896: MS Speech-Language Therapy Scholarship for Students with Speech-Language Impairments; create to provide students with school choice.

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:

29           **SECTION 1.** As used in this act, the following words and  
30 phrases shall have the meanings ascribed in this section unless  
31 the context clearly indicates otherwise:

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

33           (b) "Department" means the State Department of  
34 Education.

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



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

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

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

51 (iv) Receptive language disorders: difficulties  
52 understanding or processing language; and

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

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

63 (e) "Speech-language pathologist" means a professional  
64 who has met the requirements and acquired a Certificate of



65 Clinical Competence from the American Speech-Language-Hearing  
66 Association, or who has completed training in a department  
67 approved American Speech-Language-Hearing Association based  
68 speech-language pathology training program attaining a AA license  
69 in speech-language pathology.

70 (f) "Mississippi Speech-Language Therapy Scholarship  
71 for Students with Speech-Language Impairments Program" means a  
72 scholarship to provide the option to provide a scholarship to a  
73 nonpublic school of choice, for students in kindergarten through  
74 Grade 6 or its equivalent with an eligibility ruling of a  
75 speech-language impairment in order to receive comprehensive  
76 multimodality speech-language therapy delivered by holders of an  
77 appropriate license and clinical certification in speech-language  
78 pathology issued by the department and the American  
79 Speech-Language-Hearing Association.

80 (g) "School" means any state accredited nonpublic  
81 special purpose school that is organized to provide and emphasizes  
82 instruction in speech-language therapy and intervention as the  
83 primary purpose of the school and provides a specific learning  
84 environment that provides comprehensive speech-language therapy  
85 instruction delivered by speech-language pathologists licensed by  
86 the department providing highly qualified education and  
87 intervention services to children with a primary eligibility  
88 ruling of speech-language impariment.



89           **SECTION 2.** The Mississippi Speech-Language Therapy  
90 Scholarship for Students with Speech-Language Impairments Program,  
91 which may also be cited as the Nate Rogers Scholarship for  
92 Students with Disabilities Program, is established to provide a  
93 scholarship to a nonpublic school of choice, for students with an  
94 eligibility ruling of a speech-language impairment. Students in  
95 kindergarten through Grade 6 or its equivalent who have been  
96 properly evaluated and received an eligibility ruling of  
97 speech-language impairment shall be eligible to receive  
98 scholarship assistance under this program.

99           **SECTION 3.** (1) Parents or legal guardians may exercise the  
100 option to remove their child from a traditional public school  
101 setting to be enrolled in a nonpublic school which meets the  
102 standards for appropriate specific instruction designed to meet  
103 the unique learning needs of young students with a speech-language  
104 impairment. The objectives of such school shall be:

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

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

109           (2) The parent or legal guardian of a public school student  
110 with a speech-language impairment may request and receive from the  
111 state a Mississippi Speech-Language Therapy Scholarship for the  
112 child to enroll in and attend a nonpublic school in accordance  
113 with this section if:



114 (a) The student has spent the previous school year in  
115 attendance at a Mississippi public school or any other state  
116 accredited nonpublic special purpose school in the state that is  
117 organized to provide and emphasizes instruction in speech-language  
118 therapy and intervention as the primary purpose of the school; or

119 (b) The parent or legal guardian has obtained  
120 acceptance for admission of the student to a nonpublic school that  
121 is eligible for the program under Section 10 of this act and has  
122 requested from the department a scholarship within thirty (30)  
123 days before the date of the first scholarship payment. The  
124 request must be through a communication directly to the department  
125 in a manner that creates a written or electronic record of the  
126 request and the date of receipt of the request. The State  
127 Department of Education must notify the district of the parent's  
128 or legal guardian's intent upon receipt of the parent's or legal  
129 guardian's request.

130 **SECTION 4.** (1) A student is not eligible for a Mississippi  
131 Speech-Language Therapy Scholarship while he or she is:

132 (a) Enrolled in a school operating for the purpose of  
133 providing educational services to youth in Department of Juvenile  
134 Justice commitment programs;

135 (b) Participating in a home-school education program;

136 (c) Participating in a virtual school, correspondence  
137 school, or distance learning program that receives state funding



138 under the student's participation unless the participation is  
139 limited to no more than two (2) courses per school year;

140 (d) Not having regular and direct contact with his or  
141 her private school teachers at the school's physical location.

142 (2) (a) For purposes of continuity of educational choice, a  
143 Mississippi Speech-Language Therapy Scholarship shall remain in  
144 force until the student returns to a public school or completes  
145 Grade 6 or its equivalent, whichever occurs first.

146 (b) Upon reasonable notice to the department and the  
147 school district, the student's parent or legal guardian may remove  
148 the student from the nonpublic school and place the student in a  
149 public school in accordance with this section.

150 **SECTION 5.** (1) Each local school district shall make an  
151 initial determination of whether a student has an eligibility  
152 ruling of speech-language impairment that qualifies under the  
153 Individuals with Disabilities Education Act (IDEA) to receive  
154 services and funding under the provisions of the IDEA before  
155 proceeding to the development of a plan for each speech-language  
156 impaired student eligible for educational services or equipment,  
157 or both, under Sections 37-23-1 through 37-23-157.

158 Furthermore, these provisions do not prohibit a parent or  
159 legal guardian of a student who has an eligibility ruling of  
160 speech-language impairment, at any time, from choosing the option  
161 of a Mississippi Speech-Language Therapy Scholarship which would



162 allow the student to attend another nonpublic special purpose  
163 school.

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

172 **SECTION 6.** A parent or legal guardian who applies for a  
173 Mississippi Speech-Language Therapy Scholarship is exercising his  
174 or her parental option to place his or her child in a nonpublic  
175 school. Each participating parent or legal guardian and student  
176 shall adhere to the following:

177 (a) The parent or legal guardian must select the  
178 nonpublic school and apply for the admission of his or her child;

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

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



187 (d) Each parent or legal guardian and each student has  
188 an obligation to the nonpublic special purpose school to comply  
189 with the nonpublic special purpose school's published policies.

190 **SECTION 7.** (1) The maximum scholarship granted per eligible  
191 student with speech-language impairment shall be an amount  
192 equivalent to the Mississippi Adequate Education Program base  
193 student cost.

194 (2) (a) Any nonpublic school under this program shall  
195 report to the State Department of Education the number of students  
196 with speech-language impairment who are enrolled in nonpublic  
197 schools on the Mississippi Speech-Language Therapy Scholarships as  
198 of September 30 of each year in order to determine funding for the  
199 subsequent year. Funds may not be transferred from any funding  
200 provided to the Mississippi School for the Deaf and the Blind for  
201 program participants who are eligible under Section 3 of this act.

202 (b) The State Department of Education shall make  
203 payments to nonpublic schools for each student at the nonpublic  
204 school equal to the state share of the adequate education program  
205 payments for each student in average daily attendance at the  
206 school district from which the student transferred. In  
207 calculating the local contribution for purposes of determining the  
208 state share of the adequate education program payments, the  
209 department shall deduct the pro rata local contribution of the  
210 school district in which the student resides, to be determined as  
211 provided in Section 37-151-7(2) (a).





212 (c) Payments made pursuant to this subsection by the  
213 State Department of Education must be made at the same time and in  
214 the same manner as adequate education program payments are made to  
215 school districts under Sections 37-151-101 and 37-151-103.  
216 Amounts payable to a nonpublic school must be determined by the  
217 State Department of Education.

218 (3) If the parent opts to remove a child from a public  
219 school to a nonpublic special purpose school and to receive a  
220 scholarship under this act, then transportation shall be provided  
221 at the parent's or guardian's expense.

222 **SECTION 8.** (1) Each local school district shall adopt a  
223 policy to ensure that students will be screened for speech,  
224 language, voice and fluency disorders before the end of Grade 1.

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

227 (3) If a student fails the screener, the school district, in  
228 its discretion, may perform a comprehensive speech-language  
229 evaluation.

230 (4) If a parent or a legal guardian of a student who fails  
231 the speech-language screener exercises the option to have a  
232 subsequent evaluation performed, such evaluation shall be  
233 administered by a speech-language pathologist. The subsequent  
234 evaluation obtained by the parents shall be considered by the  
235 school district for eligibility in the area of speech-language in  
236 accordance with the procedures mandated by the federal Individuals



237 with Disabilities Education Act (IDEA) for a placement in a  
238 speech-language program within the current school or to receive a  
239 Mississippi speech-language therapy scholarship for placement in a  
240 speech-language program in a nonpublic special purpose school. A  
241 parent or legal guardian may provide written notification to the  
242 local school district opting out of the mandatory screening  
243 provided by the district. The provisions of this section shall  
244 not apply to homeschooled students.

245 **SECTION 9.** (1) To be eligible to participate in the  
246 Mississippi Speech-Language Therapy Scholarship for Students with  
247 Speech-Language Impairments Program, a nonpublic school must:

248 (a) Be a state accredited nonpublic special purpose  
249 school in the state that is organized to provide and emphasizes  
250 instruction in speech-language therapy and intervention as the  
251 primary purpose of the school;

252 (b) Provide to the department all documentation  
253 required for a student's participation, including the nonpublic  
254 school's and student's fee schedules, at least thirty (30) days  
255 before the first quarterly scholarship payment is made for the  
256 student;

257 (c) Be academically accountable to the parent or legal  
258 guardian for meeting the educational needs of the student by, at a  
259 minimum, annually providing to the parent or legal guardian a  
260 written explanation of the student's progress;



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

263 (2) The inability of a nonpublic school to meet the  
264 requirements of this subsection shall constitute a basis for the  
265 ineligibility of the nonpublic school to participate in the  
266 scholarship program as determined by the department.

267 **SECTION 10.** (1) The department shall publicize information  
268 regarding the Mississippi Speech-Language Therapy Scholarship on  
269 the department's official website.

270 (2) The department shall annually, by December 15, report to  
271 the Governor, the Lieutenant Governor, and the Speaker of the  
272 House of Representatives the department's actions with respect to  
273 implementing accountability in the scholarship program under this  
274 section, any substantiated allegations or violations of law or  
275 rule by an eligible nonpublic school under this program concerning  
276 the enrollment and attendance of students, the credentials of  
277 teachers, background screening of teachers, and teachers'  
278 fingerprinting results and the corrective action taken by the  
279 department.

280 **SECTION 11.** (1) The State Board of Education in conjunction  
281 with each nonpublic school operating under the provisions of this  
282 act, may:

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



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

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

293 (2) The qualified personnel to provide speech-language  
294 services for children with speech-language impairment who attend  
295 the nonpublic special purpose schools shall consist of  
296 speech-language pathologists.

297 **SECTION 12.** Teachers and other school personnel shall be  
298 subject to criminal history record checks and fingerprinting  
299 requirements applicable to other public schools under Section  
300 37-9-17(2) and (3).

301 **SECTION 13.** (1) Each school providing instruction to  
302 children with speech-language impairment shall certify to the  
303 State Department of Education its student enrollment in the same  
304 manner as local school districts.

305 (2) The state shall ensure that each school is treated  
306 equitably in the calculation and disbursement of all state  
307 categorical aid program dollars. Each school participating in the  
308 scholarship program shall comply with all reporting requirements  
309 to receive the aid.



310 (3) (a) Each nonpublic school shall adhere to generally  
311 accepted accounting principles as promulgated by nationally  
312 recognized professional organizations.

313 (b) Each school shall have its financial records  
314 audited annually, at the end of each fiscal year, by the State  
315 Auditor and shall file a copy of each audit report and  
316 accompanying management letter with the board by July 30.

317 (4) Nothing in this act shall be construed to prohibit any  
318 person or organization from providing funding or other assistance  
319 to the establishment or operation of any school authorized under  
320 this act, except religious or sectarian organizations. The State  
321 Board of Education, acting on behalf of the participating schools,  
322 is authorized to accept gifts, donations, and grants of any kind  
323 made to a participating school and to expend or use such gifts,  
324 donations, and grants in accordance with the conditions prescribed  
325 by the donor; however, no gift, donation, or grant may be accepted  
326 if subject to a condition that is contrary to any provision of  
327 federal law, state law or board rule.

328 **SECTION 14.** No liability shall arise on the part of the  
329 state based on the award or use of a Mississippi Speech-Language  
330 Therapy Scholarship.

331 **SECTION 15.** The inclusion of eligible nonpublic schools  
332 within options available to Mississippi public school students  
333 does not expand the regulatory authority of the state, its  
334 officers, or any school district to impose any additional



335 regulation of nonpublic schools beyond those reasonably necessary  
336 to enforce requirements expressly set forth in this section.

337 **SECTION 16.** This act shall take effect and be in force from  
338 and after July 1, 2013.

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

1 AN ACT TO ESTABLISH THE MISSISSIPPI SPEECH-LANGUAGE THERAPY  
2 SCHOLARSHIP FOR STUDENTS WITH SPEECH-LANGUAGE IMPAIRMENTS PROGRAM;  
3 TO DEFINE CERTAIN TERMS USED IN THIS ACT; TO PROVIDE FOR STUDENT  
4 ELIGIBILITY REQUIREMENTS FOR RECEIPT OF A SCHOLARSHIP AND  
5 RESTRICTING ELIGIBILITY THEREFOR; TO PROVIDE FOR THE TERM OF THE  
6 SCHOLARSHIP; TO STIPULATE THE OBLIGATIONS OF PARENTS OR LEGAL  
7 GUARDIANS, STUDENTS AND SCHOOLS AND SCHOOL DISTRICTS; TO PRESCRIBE  
8 THE DUTIES OF THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF  
9 EDUCATION REGARDING THE ADMINISTRATION OF THE SCHOLARSHIP PROGRAM;  
10 TO PROVIDE THE DEPARTMENT OF EDUCATION WITH THE AUTHORITY TO  
11 VERIFY THE ELIGIBILITY OF NONPUBLIC SCHOOLS AND TO ESTABLISH THE  
12 PROCESS FOR NOTIFICATIONS OF VIOLATIONS; TO AUTHORIZE THE STATE  
13 BOARD OF EDUCATION TO DENY, SUSPEND OR REVOKE A SCHOOL'S  
14 PARTICIPATION IN THE SCHOLARSHIP PROGRAM AND THE PROCEDURES TAKEN  
15 WITH RESPECT THEREFOR; TO REQUIRE THAT ALL CHILDREN BE SCREENED  
16 FOR SPEECH, LANGUAGE, VOICE AND FLUENCY DISORDERS BEFORE THE END  
17 OF GRADE 1 IN THE PUBLIC SCHOOLS OF THIS STATE; TO ESTABLISH THE  
18 PROCEDURES TO BE FOLLOWED IN THE SCREENING AND EVALUATION OF  
19 STUDENTS FOR SPEECH-LANGUAGE IMPAIRMENT; TO REQUIRE THE DEPARTMENT  
20 OF EDUCATION TO SUBMIT AN ANNUAL REPORT TO THE LEGISLATURE  
21 SUMMARIZING STUDENT PERFORMANCE, STUDENT ASSESSMENTS, FUNDING AND  
22 ANY RECOMMENDED CHANGES; TO REQUIRE THE STATE TO PAY DIRECTLY TO  
23 THE SCHOOL ANY STATE AID ATTRIBUTABLE TO A STUDENT WITH A  
24 DISABILITY ATTENDING THE SCHOOL; TO REQUIRE THE SCHOOL TO COMPLY  
25 WITH THE ANNUAL AUDIT AND BUDGET SUBMISSION REQUIREMENTS  
26 PRESCRIBED BY LAW IN TITLE 37, MISSISSIPPI CODE OF 1972; AND FOR  
27 RELATED PURPOSES.



CONFEREES FOR THE HOUSE

X (SIGNED)  
Moore

X (SIGNED)  
Barker

X (SIGNED)  
Crawford

CONFEREES FOR THE SENATE

X (SIGNED)  
Tollison

X (SIGNED)  
Collins

X (SIGNED)  
Hopson

