

By: Representative Byrd

To: Education;  
Appropriations A

HOUSE BILL NO. 1177

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;



22 (v) Encoding skills; and  
23 (vi) Rapid naming.

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

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

30 (ii) Psychometrists, licensed by the Mississippi  
31 Department of Education, and in accordance with Chapter 31, Title  
32 73, Section 27, Mississippi Code of 1972; or

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

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

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



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

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

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



71 enrolled or enrolling in public schools for dyslexia under Section  
72 37-23-15.

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

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

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

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

92 2. The types and length of time of any  
93 interventions the student has received at school, home or through  
94 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, 2024.

