

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H4/14/21
A Bill

HOUSE BILL 1901

By: Representatives Lowery, *Brooks*

By: Senator Irvin

For An Act To Be Entitled

AN ACT TO REQUIRE THE SECRETARY OF THE DEPARTMENT OF EDUCATION TO ISSUE A GUIDANCE MEMORANDUM TO EACH PUBLIC SCHOOL DISTRICT, OPEN-ENROLLMENT PUBLIC CHARTER SCHOOL, AND EDUCATION SERVICE COOPERATIVE REGARDING THE UNIQUE EDUCATIONAL NEEDS OF STUDENTS WITH DYSLEXIA, DYSCALCULIA, AND DYSGRAPHIA; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE SECRETARY OF THE DEPARTMENT OF EDUCATION TO ISSUE A GUIDANCE MEMORANDUM REGARDING THE UNIQUE EDUCATIONAL NEEDS OF STUDENTS WITH DYSLEXIA, DYSCALCULIA, AND DYSGRAPHIA; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 11, Subchapter 1, is amended to add an additional section to read as follows:

6-11-133. Guidance memorandum – Dyslexia, dyscalculia, and dysgraphia.

(a) The Secretary of the Department of Education shall issue a guidance memorandum, in cooperation with stakeholders and other interested parties:

(1) Describing the unique educational needs of students with dyslexia, dyscalculia, and dysgraphia; and



(2) Clarifying that public school districts, open-enrollment public charter schools, and education service cooperatives may reference and use the terms "dyslexia", "dyscalculia", and "dysgraphia" in:

(A) An evaluation of a public school student;

(B) An eligibility determination of a public school student; or

(C) The development of an individualized education program under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400 et seq., as it existed on January 1, 2021, for a public school student.

(b) The guidance memorandum issued under subsection (a) of this section shall be issued to:

(1) Public school districts;

(2) Open-enrollment public charter schools; and

(3) Education service cooperatives.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that early intervention is crucial to determine which services are necessary for students with dyslexia, dyscalculia, and dysgraphia; that this act will help inform schools about the educational needs of students with dyslexia, dyscalculia, and dysgraphia; and that this act is immediately necessary in order to ensure early interventions and services can be provided as soon as is reasonably practicable. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Lowery