

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1901

5 By: Representative Lowery
6 By: Senator Irvin
7

For An Act To Be Entitled

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

18 TO REQUIRE THE SECRETARY OF THE
19 DEPARTMENT OF EDUCATION TO ISSUE A
20 GUIDANCE MEMORANDUM REGARDING THE UNIQUE
21 EDUCATIONAL NEEDS OF STUDENTS WITH
22 DYSLEXIA, DYSCALCULIA, AND DYSGRAPHIA;
23 AND TO DECLARE AN EMERGENCY.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code Title 6, Chapter 11, Subchapter 1, is amended
30 to add an additional section to read as follows:

31 6-11-133. Guidance memorandum – Dyslexia, dyscalculia, and dysgraphia.

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

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



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

4 (A) An evaluation of a public school student;

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

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

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

12 (1) Public school districts;

13 (2) Open-enrollment public charter schools; and

14 (3) Education service cooperatives.

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

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

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

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