

By: Representative Masterson

To: Education;  
Appropriations

HOUSE BILL NO. 1204

1 AN ACT TO CREATE THE MISSISSIPPI COMMISSION FOR THE BLIND AND  
2 PROVIDE FOR ITS MEMBERSHIP; TO SPECIFY THE POWERS AND DUTIES OF  
3 THE COMMISSION; TO AMEND SECTIONS 37-33-53, 37-33-54, 37-33-55,  
4 37-33-57, 37-33-59, 37-33-61, 37-33-63, 37-33-65, 37-33-71,  
5 37-33-73, 37-33-153, 43-3-103, 43-5-1, 43-5-5, 43-5-7, 43-5-8,  
6 43-5-11, 43-5-13, 43-5-15 AND 43-5-17, MISSISSIPPI CODE OF 1972,  
7 TO TRANSFER THE FUNCTIONS OF THE OFFICE OF VOCATIONAL  
8 REHABILITATION FOR THE BLIND, THE MISSISSIPPI INDUSTRIES FOR THE  
9 BLIND AND THE MISSISSIPPI SCHOOL FOR THE BLIND TO THE COMMISSION;  
10 AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** (1) The purpose of this act is to establish and  
13 authorize a coordinated program of services, which will be  
14 available to persons who are blind throughout the state. The  
15 program shall be designed to maximize employment opportunities for  
16 those persons and to increase their independence and  
17 self-sufficiency and access to relevant reading material.

18 (2) It is the policy of the State of Mississippi that all  
19 programs, projects and activities of the commission shall be  
20 carried out in a manner consistent with the following principles:

21 (a) Respect for individual dignity, personal  
22 responsibility, self determination and pursuit of meaningful  
23 career based on informed choice;

24 (b) Support for the involvement of a person's  
25 representative if a person requests, desires or needs that  
26 support;

27 (c) Respect for the person's privacy and equal access  
28 to programs and information, including the use of accessible  
29 formats;

30 (d) Integration and full participation of persons who  
31 are blind in society on equal terms with others;

32 (e) Utilize a balanced approach to consumers and  
33 consumer organizations to guarantee available and free exchange of  
34 ideas from which informed choices can be made; and

35 (f) The commission shall, wherever possible, employ  
36 persons who are blind or visually impaired throughout both its  
37 administration and program positions.

38 **SECTION 2.** (1) There is created the Mississippi Commission  
39 for the Blind. The commission shall consist of five (5) members,  
40 three (3) to be appointed by the Governor and two (2) to be  
41 appointed by the Lieutenant Governor, with the advice and consent  
42 of the Senate. All members shall be qualified to serve based on  
43 knowledge and experience in rehabilitation and related services  
44 for the blind. A majority of the members shall be persons who are  
45 blind and represent a balanced cross-section of the blindness  
46 organizations and community. During the two (2) years before  
47 being appointed to the commission, the term of commission  
48 membership and two (2) years after completing the commission  
49 membership, no member of the commission shall be employed by the  
50 commission. No member of the commission shall be the director of  
51 any state agency during the term of that membership. No member of  
52 the commission shall serve more than two (2) consecutive full  
53 terms. Except as provided by this subsection, appointments to the  
54 commission shall be made without regard to the race, color,  
55 disability, sex, religion, age or national origin of the  
56 appointees.

57 (2) The Governor and Lieutenant Governor shall consult with  
58 recognized consumer groups of people who are blind within the  
59 state to obtain recommendations of persons to be appointed to the  
60 commission.

61 (3) Of the initial appointments of the Governor, one (1)  
62 member shall be appointed for a term that expires on June 30,  
63 2006, one (1) member shall be appointed for a term that expires on  
64 June 30, 2007, and one (1) member shall be appointed for a term

65 that expires on June 30, 2008. Of the initial appointment of the  
66 Lieutenant Governor, one (1) member shall be appointed for a term  
67 that expires on June 30, 2006, and one (1) member shall be  
68 appointed for a term that expires on June 30, 2007. After the  
69 expiration of the initial terms, all members of the commission  
70 shall be appointed for terms of three (3) years from the  
71 expiration date of the previous term.

72 (4) The commission shall meet quarterly and at such other  
73 times as the commission determines. The chairman of the  
74 commission shall be elected by the members present and voting at  
75 the first meeting of the commission and annually thereafter.  
76 Members of the commission shall receive no salary for their  
77 service on the commission, but they shall be allowed mileage,  
78 subsistence and per diem as authorized by law. Three (3) members  
79 of the commission shall constitute a quorum to transact business.  
80 Meetings of the commission shall be conducted according to Roberts  
81 Rules of Order, Revised, until the commission develops specific  
82 policies and procedures that will govern the manner in which it  
83 conducts business. Those policies and procedures shall be filed  
84 with the Secretary of State under the Administrative Procedures  
85 Law. Meetings may be conducted by telephone or video conference,  
86 provided that at least one (1) fully accessible facility is made  
87 available for public attendance of and participation in those  
88 meetings, and that the public notice of those meetings clearly  
89 identifies the medium being used and the location for public  
90 access. The location shall contain the necessary equipment to  
91 clearly amplify and broadcast the audio of the meeting throughout  
92 the assembly room. Members of the commission may be reimbursed  
93 for any telephone expenses related to their participation in those  
94 meetings.

95 (5) Any member of the commission who is absent from two (2)  
96 consecutive meetings, including those held by telephone or video  
97 conference, without a documented excuse from the chairman, shall

98 receive a written warning from the chairman that a third  
99 consecutive absence will result in the automatic termination of  
100 membership on the commission. Anyone losing an appointment in  
101 this manner shall not be eligible for a future appointment to the  
102 commission for the following three (3) years.

103 **SECTION 3.** (1) The commission shall appoint an executive  
104 director with knowledge and experience in rehabilitation and  
105 related services for the blind and with relevant administrative  
106 experience. The executive director shall serve as secretary to  
107 the commission and shall be the chief administrative officer of  
108 the commission. The executive director's appointment shall be for  
109 an indefinite period, but the executive director may be terminated  
110 for cause as determined by a majority of the commission.  
111 Preference shall be given to employing a person who is blind and  
112 who meets the qualifications specified by the commission for the  
113 position of executive director.

114 (2) The executive director shall employ such personnel as  
115 needed to fulfill the mission of the commission, and shall fix  
116 their compensation, subject to approval of the State Personnel  
117 Board. The commission shall, wherever possible, employ persons  
118 who are blind or visually impaired throughout both its  
119 administration and program positions.

120 (3) Upon its establishment, the commission shall receive one  
121 hundred eight (108) PINs related to the Office of Rehabilitation  
122 for the Blind of the Department of Rehabilitation Services, and  
123 nine (9) PINs related to the Mississippi Library Commission, Blind  
124 and Physically Handicapped Library Services.

125 (4) In order to more effectively recruit qualified  
126 personnel, and to encourage the personal growth and advancement  
127 potential of all employees, the positions of program or department  
128 director and of immediate assistant directors within the  
129 commission shall be permanent positions, and shall not be filled  
130 on a "will and pleasure" basis.

131           **SECTION 4.** (1) The commission shall:

132           (a) Develop and carry out a state plan for vocational  
133 rehabilitation services for persons who are blind under Section  
134 101 of the Rehabilitation Act of 1973, as amended.

135           (b) Provide independent living and social services for  
136 persons who are blind or visually impaired, including, but not  
137 limited to, services for older persons who are blind under Title  
138 VII of the Rehabilitation Act of 1973, as amended.

139           (c) Establish, equip and maintain a personnel  
140 adjustment center or centers to provide prevocational and other  
141 training (such as, but not limited to, braille, use of the white  
142 cane for independent travel, and computer and adaptive technology  
143 training) to prepare persons who are blind or visually impaired  
144 for eventual vocational training, job placement and maximum  
145 independence in the community.

146           (d) Establish and carry out a small business enterprise  
147 program for persons who are blind, and serve as the state  
148 licensing agency for persons who are blind under the Randolph  
149 Sheppard Act.

150           (e) Purchase specialized equipment and technology for  
151 the persons who are blind or visually impaired directly from  
152 specialty vendors. Those purchases shall be exempt from state  
153 centralized purchasing procedures.

154           (f) Operate the Blind and Physically Handicapped  
155 Library Services, which is currently operated by the Mississippi  
156 Library Commission. This library shall establish and maintain a  
157 full and current collection of reading material in braille, large  
158 print, audio and video recordings, audio tape players and other  
159 related forms of media that will enable the commission, the Blind  
160 and Physically Handicapped Library Services, and associated  
161 volunteer organizations involved in the production of braille or  
162 recorded materials for use by this library, the Library of  
163 Congress, and related types of organizations to work together more

164 closely and effectively. This library shall establish and  
165 maintain a facility that shall be used by trained volunteers for  
166 the repair of special media and other reading and writing  
167 equipment required by persons who are unable to use ordinary  
168 print, and for the production of materials in special media by  
169 volunteer organizations.

170 (g) Operate the Mississippi School for the Blind.

171 (h) Operate the Mississippi Industries for the Blind.

172 (i) Provide technical assistance in cooperation with  
173 other appropriate agencies to assist the State Department of  
174 Education and local education agencies in the provision of  
175 auxiliary aids and services to students who are blind and their  
176 parents in complying with the Americans with Disabilities Act and  
177 the Individuals with Disabilities Education Act, as amended.

178 (j) Provide technical assistance to agencies within the  
179 state in order to assure that information technology purchased or  
180 used by those agencies (including agency web sites) is accessible  
181 to and useable by persons who are blind at the time the technology  
182 is purchased or used.

183 (k) Participate, through the designation of the  
184 executive director or an appropriate staff member of the  
185 commission, on boards, commissions or bodies that may exist or be  
186 established within the state for the purpose of coordination and  
187 planning of services for persons who are blind.

188 (l) Conduct a review of consumer satisfaction with  
189 programs of the commission and perform other functions of the  
190 statewide Rehabilitation Council specified in Section 105(C) of  
191 the Rehabilitation Act of 1973, as amended.

192 (m) Promulgate rules to carry out programs of the  
193 commission, in accordance with the Administrative Procedures Law.

194 (n) Apply for and receive money from any state or  
195 federal agency to support the programs of the commission and  
196 receive on behalf of the state any gifts, donations or bequests

197 from any source, to be used in carrying out the commission's  
198 duties as described in this act.

199 (o) Develop and administer any other program that will  
200 further the provision of services to persons who are blind and is  
201 determined by the commission to fall within its scope of  
202 responsibility.

203 (p) Assist persons who are blind in obtaining aids and  
204 appliances (including low vision aids) that are used to improve  
205 the person's ability to function without normal sight.

206 (q) Provide all clients of the commission with current  
207 information (including membership forms) for all recognized  
208 consumer groups of persons who are blind within the state. This  
209 information shall be in the accessible format requested by the  
210 client. The executive director shall maintain open lines of  
211 communications with these organizations in order to assure that  
212 this information is always current.

213 (2) The commission may carry out any of the powers and  
214 duties enumerated in this section by contract or cooperative  
215 agreement or by the direct administration of any program.

216 **SECTION 5.** The commission shall publish an annual report  
217 including a list of accomplishments, findings and recommendations  
218 for improvement based on the commission's performance during the  
219 year. The report shall contain information needed to evaluate the  
220 progress of the commission in meeting the needs of persons who are  
221 blind in the state. All public documents of the commission shall  
222 be simultaneously published in braille, large print, audio  
223 cassette tape, and in files that are accessible via adaptive  
224 computer technologies.

225 **SECTION 6.** (1) Any applicant for or recipient of services  
226 from the commission who is dissatisfied with any action taken or  
227 decision made regarding those services may file a complaint  
228 setting forth the basis for the dissatisfaction and the remedy  
229 sought. Upon receipt of the complaint, the executive director

230 shall inform the person of the voluntary process available for  
231 mediation of the dispute. If the person chooses mediation, a  
232 qualified and impartial mediator will conduct mediation, and the  
233 commission shall pay the cost.

234 (2) If mediation or other informal means cannot resolve the  
235 dispute, the executive director shall, upon request of the person,  
236 convene an arbitration panel, which shall give notice, conduct a  
237 hearing and render a decision. The arbitration panel shall be  
238 composed of three (3) members appointed as follows: one (1)  
239 person designated by the executive director; one (1) person  
240 designated by the person filing the complaint; and one (1) person  
241 chosen by the other designees who is an impartial hearing officer  
242 as defined in Section 102 of the Rehabilitation Act of 1973, as  
243 amended, who shall serve as chair of the arbitration panel and  
244 issue the decision. The commission shall promulgate rules  
245 sufficient to regulate the conduct of all proceedings required in  
246 this section and to assure the rights of all parties participating  
247 in the proceedings.

248 **SECTION 7.** (1) All appropriations, real and personal  
249 property, equipment, supplies, personnel, positions and money  
250 which, before the effective date of this act, were owned or  
251 controlled by the Department of Rehabilitation Services, the  
252 Mississippi Library Commission, Blind and Physically Handicapped  
253 Library Services, the Mississippi School for the Blind and  
254 Mississippi Industries for the Blind, in providing services to  
255 persons who are blind, are transferred to the Mississippi  
256 Commission for the Blind.

257 (2) All contracts and agreements concerning services for  
258 persons who are blind that are in effect on the effective date of  
259 this act and to which any agency specified in subsection (1) of  
260 this section is a party, shall be binding upon the commission to  
261 the same extent that the contracts or agreements were binding upon



262 the agency from which they were transferred to the commission  
263 under subsection (1) of this section.

264 (3) All reimbursements from the Social Security  
265 Administration for the successful rehabilitation of blind,  
266 Supplemental Security Income or Social Security Disability  
267 Insurance recipients that are either received or claimed after the  
268 effective date of this act shall be assigned to the commission.

269 (4) The division of federal matching funds for  
270 rehabilitation shall be twenty-five percent (25%) for the  
271 commission and seventy-five percent (75%) for the Department of  
272 Rehabilitation Services.

273 **SECTION 8.** The central office of the commission shall be  
274 located along easily accessible public transportation routes  
275 within the City of Jackson. All commission offices and properties  
276 shall be fully accessible to people with disabilities at all  
277 times, and shall be fully compliant with the Americans with  
278 Disabilities Act.

279 **SECTION 9.** Section 37-33-53, Mississippi Code of 1972, is  
280 amended as follows:

281 37-33-53. As used in the Vocational Rehabilitation for the  
282 Blind Law:

283 (a) "Commission" means the Mississippi Commission for  
284 the Blind created by Section 2 of this act;

285 (b) "Director" means the Director of the Mississippi  
286 Commission for the Blind;

287 \* \* \*

288 (c) "Independent living services" includes, but are not  
289 limited to, the following services in accordance with definitions  
290 in the most current amendment of the Rehabilitation Act: (i)  
291 independent living core services (information and referral  
292 services, independent living skills training, peer counseling  
293 including cross-disability peer counseling, and individual and  
294 systems advocacy); (ii) counseling services, including

295 psychological, psychotherapeutic, and related services; (iii)  
296 services related to securing housing or shelter, including  
297 services related to community group living, and supportive of the  
298 purposes of the Rehabilitation Act and of the titles of the  
299 Rehabilitation Act, and adaptive housing services (including  
300 appropriate accommodations to and modifications of any space used  
301 to serve, or occupied by, individuals with disabilities); (iv)  
302 rehabilitation technology; (v) mobility training; (vi) services  
303 and training for individuals with cognitive and sensory  
304 disabilities, including life skills training, and interpreter and  
305 reader services; (vii) personal assistance services, including  
306 attendant care and the training of personnel providing such  
307 services; (viii) surveys, directories, and other activities to  
308 identify appropriate housing, recreation opportunities, and  
309 accessible transportation, and other support services; (ix)  
310 consumer information programs on rehabilitation and independent  
311 living services available under the Rehabilitation Act, especially  
312 for minorities and other individuals with disabilities who have  
313 traditionally been unserved or underserved by programs under the  
314 Rehabilitation Act; (x) education and training necessary for  
315 living in a community and participating in community activities;  
316 (xi) supported living; (xii) transportation, including referral  
317 and assistance for that transportation and training in the use of  
318 public transportation vehicles and systems; (xiii) physical  
319 rehabilitation; (xiv) therapeutic treatment; (xv) provision of  
320 needed prostheses and other appliances and devices; (xvi)  
321 individual and group social and recreational services; (xvii)  
322 training to develop skills specifically designed for youths who  
323 are individuals with disabilities to promote self-awareness and  
324 esteem, develop advocacy and self-empowerment skills, and explore  
325 career options; (xviii) services for children; (xix) services  
326 under other federal, state, or local programs designed to provide  
327 resources, training, counseling, or other assistance, of

328 substantial benefit in enhancing the independence, productivity,  
329 and quality of life of individuals with disabilities; (xx)  
330 appropriate preventive services to decrease the need of  
331 individuals assisted under the Rehabilitation Act for similar  
332 services in the future; (xxi) community awareness programs to  
333 enhance the understanding and integration into society of  
334 individuals with disabilities; and (xxii) such other services as  
335 may be necessary and not inconsistent with the provisions of the  
336 most current amendment of the Rehabilitation Act;

337         (d) "Individual who is blind" means any person with  
338 insufficient vision to perform vocational or independent living  
339 tasks for which sight is essential;

340         (e) "Maintenance" means monetary support provided to an  
341 individual for expenses, such as food, shelter, and clothing, that  
342 are in excess of the normal expenses of the individual and that  
343 are necessitated by the individual's participation in an  
344 assessment for determining eligibility and vocational  
345 rehabilitation needs or the individual's receipt of vocational  
346 rehabilitation services under an individualized plan for  
347 employment;

348         (f) "Physical restoration services" means (i)  
349 corrective surgery or therapeutic treatment that is likely, within  
350 a reasonable period of time, to correct or modify substantially a  
351 stable or slowly progressive physical or mental impairment that  
352 constitutes a substantial impediment to employment; (ii) diagnosis  
353 of and treatment for mental or emotional disorders by qualified  
354 personnel in accordance with state licensure laws; (iii)  
355 dentistry; (iv) nursing services; (v) necessary hospitalization  
356 (either inpatient or outpatient care) in connection with surgery  
357 or treatment and clinic services; (vi) drugs and supplies; (vii)  
358 prosthetic and orthotic devices; (viii) eyeglasses and visual  
359 services, including visual training, and the examination and  
360 services necessary for the prescription and provision of

361 eyeglasses, contact lenses, microscopic lenses, telescopic lenses,  
362 and other special visual aids prescribed by personnel that are  
363 qualified in accordance with state licensure laws; (ix) podiatry;  
364 (x) physical therapy; (xi) occupational therapy; (xii) speech or  
365 hearing therapy; (xiii) mental health services; (xiv) treatment of  
366 either acute or chronic medical complications and emergencies that  
367 are associated with or arise out of the provision of physical and  
368 mental restoration services, or that are inherent in the condition  
369 under treatment; (xv) special services for the treatment of  
370 individuals with end-stage renal disease, including  
371 transplantation, dialysis, artificial kidneys, and supplies; and  
372 (xvi) other medical or medically related rehabilitation services;

373 (g) "Prosthetic appliance" means any artificial device  
374 necessary to support, to take the place of, a part of the body, or  
375 to increase the acuity of a sense organ;

376 (h) "Occupational licenses" means any license, permit  
377 or other written authority required by any government unit to be  
378 obtained in order to engage in an occupation;

379 \* \* \*

380 (i) "Regulations" means regulations made by the  
381 director with the approval of the commission, including  
382 regulations pertaining to independent living services;

383 (j) "Rehabilitation engineering services" means the  
384 systematic application of engineering sciences to design, develop,  
385 adapt, test, evaluate, apply, and distribute technological  
386 solutions to problems confronted by individuals with disabilities  
387 in functional areas, such as mobility, communications, hearing,  
388 vision, and cognition, and in activities associated with  
389 employment, independent living, education, and integration into  
390 the community;

391 (k) "Rehabilitation training" means all necessary  
392 training provided to an individual who is blind to enable him or  
393 her to overcome his or her substantial impediment to employment,

394 including, but not limited to, manual, preconditioning,  
395 prevocational, vocational, and supplementary training and training  
396 provided for the purpose of developing occupational skills and  
397 capacities;

398         (l) "Supported employment services" means ongoing  
399 support services and other appropriate services needed to support  
400 and maintain an individual with a most significant disability in  
401 supported employment that are provided by the department (i) for a  
402 period of time not to exceed eighteen (18) months, unless under  
403 special circumstances the eligible individual and the  
404 rehabilitation counselor or coordinator jointly agree to extend  
405 the time to achieve the employment outcome identified in the  
406 individualized plan for employment; and (ii) following transition,  
407 as post-employment services that are unavailable from an extended  
408 services provider and that are necessary to maintain or regain the  
409 job placement or advance in employment;

410         \* \* \*

411         (m) "Substantial impediment to employment" means that a  
412 physical or mental impairment (in light of attendant medical,  
413 psychological, vocational, educational, communication, and other  
414 related factors) hinders an individual from preparing for,  
415 entering into, engaging in, or retaining employment consistent  
416 with the individual's abilities and capabilities;

417         (n) "Vocational rehabilitation" and "vocational  
418 rehabilitation services" mean, for an individual who is blind,  
419 services available to assist an individual with a disability in  
420 preparing for, securing, retaining, or regaining an employment  
421 outcome that is consistent with the individual's strengths,  
422 resources, priorities, concerns, abilities, capabilities,  
423 interests, and informed choice, including, but not limited to,  
424 services in accordance with definitions in the most current  
425 amendment of the Rehabilitation Act: (i) assessment for  
426 determining eligibility and priority for services by qualified

427 personnel, including, if appropriate, an assessment by personnel  
428 skilled in rehabilitation technology; (ii) assessment for  
429 determining vocational rehabilitation needs by qualified  
430 personnel, including, if appropriate, an assessment by personnel  
431 skilled in rehabilitation technology; (iii) vocational  
432 rehabilitation counseling and guidance, including information and  
433 support services to assist an individual in exercising informed  
434 choice; (iv) referral and other services necessary to assist  
435 applicants and eligible individuals to secure needed services from  
436 other agencies, including other components of the statewide  
437 workforce investment system and to advise those individuals about  
438 client assistance programs; (v) physical and mental restoration  
439 services, to the extent that financial support is not readily  
440 available from a source other than the State Department of  
441 Rehabilitation Services (such as through health insurance or a  
442 comparable service or benefit); (vi) vocational and other training  
443 services, including personal and vocational adjustment training,  
444 books, tools, and other training materials, except that no  
445 training or training services in an institution of higher  
446 education (universities, colleges, community or junior colleges,  
447 vocational schools, technical institutes, or hospital schools of  
448 nursing) may be paid for with funds under this law unless maximum  
449 efforts have been made by the state unit and the individual to  
450 secure grant assistance in whole or in part from other sources to  
451 pay for that training; (vii) maintenance; (viii) transportation in  
452 connection with the rendering of any vocational rehabilitation  
453 service; (ix) vocational rehabilitation services to family members  
454 of an applicant or eligible individual if necessary to enable the  
455 applicant or eligible individual to achieve an employment outcome;  
456 (x) interpreter services, including sign language and oral  
457 interpreter services, for individuals who are deaf or hard of  
458 hearing and tactile interpreting services for individuals who are  
459 deaf-blind provided by qualified personnel; (xi) reader services,

460 rehabilitation teaching services, and orientation and mobility  
461 services for individuals who are blind; (xii) job-related  
462 services, including job search and placement assistance, job  
463 retention services, follow-up services, and follow-along services;  
464 (xiii) supported employment services; (xiv) personal assistance  
465 services; (xv) post-employment services; (xvi) occupational  
466 licenses, tools, equipment, initial stocks, and supplies; (xvii)  
467 rehabilitation technology including vehicular modification,  
468 telecommunications, sensory, and other technological aids and  
469 devices; (xviii) transition services; (xix) technical assistance  
470 and other consultation services to conduct market analyses,  
471 develop business plans, and otherwise provide resources, to the  
472 extent those resources are authorized to be provided through the  
473 statewide workforce investment system, to eligible individuals who  
474 are pursuing self-employment or telecommuting or establishing a  
475 small business operation as an employment outcome; (xx) other  
476 goods and services determined necessary for the individual with a  
477 disability to achieve an employment outcome.

478       **SECTION 10.** Section 37-33-54, Mississippi Code of 1972, is  
479 amended as follows:

480       37-33-54. The Mississippi Commission for the Blind shall  
481 administer the Vocational Rehabilitation for the Blind Law as  
482 prescribed in Sections 37-33-53 through 37-33-75, Sections 43-3-3  
483 through 43-3-15 and Section 43-3-93. The \* \* \* director of the  
484 commission shall assign to the office such powers and duties  
485 deemed appropriate to carry out the lawful functions of this law  
486 and any federal law or regulation.

487       **SECTION 11.** Section 37-33-55, Mississippi Code of 1972, is  
488 amended as follows:

489       37-33-55. \* \* \* The Mississippi Commission for the Blind  
490 shall appoint a director \* \* \* in accordance with established  
491 personnel standards and on the basis of his or her education,  
492 training, experience and administrative ability. The director

493 shall devote his or her full time to the administration of  
494 vocational rehabilitation. In carrying out his or her duties  
495 under the Vocational Rehabilitation for the Blind Law, the  
496 director:

497           (a) Shall, with the approval of the commission, make  
498 regulations in conformity with the most recent amendment of the  
499 federal Rehabilitation Act and its associated regulations  
500 governing the protection of records and confidential information,  
501 the manner and form of filing applications, eligibility and  
502 investigations and determinations thereof for vocational  
503 rehabilitation services, procedures for fair hearings, and such  
504 other regulations as are found necessary to carry out the purposes  
505 of that law;

506           (b) Shall, with the approval of the commission,  
507 establish appropriate subordinate administrative units within the  
508 office for providing vocational rehabilitation, independent  
509 living, supported employment, rehabilitation engineering and other  
510 services to children, adolescents and adults under federal and  
511 state regulatory guidelines;

512           (c) Shall, with the approval of the commission,  
513 recommend for appointment of such personnel as may be necessary  
514 for the efficient performance of the functions of the office;

515           (d) Shall prepare and submit to the commission through  
516 the executive director annual reports of activities and  
517 expenditures and, before each regular session of the Legislature,  
518 shall submit estimates of sums required for carrying out the  
519 Vocational Rehabilitation for the Blind Law and estimates of the  
520 amounts to be made available for this purpose from all sources;

521           (e) Shall, if the commission so authorizes, make  
522 certifications on behalf of the executive director for the  
523 disbursement of funds available for vocational rehabilitation for  
524 individuals who are blind;



525           (f) Shall, with the approval of the commission, take  
526 such other action as he or she deems necessary or appropriate to  
527 carry out the purposes of the Vocational Rehabilitation for the  
528 Blind Law;

529           (g) May, with the approval of the commission, delegate  
530 to any officer or employee of the office such of his or her powers  
531 and duties, except the making of regulations and the making of  
532 recommendations for appointment of personnel, as he or she finds  
533 necessary to carry out the purposes of the Vocational  
534 Rehabilitation for the Blind Law;

535           (h) Shall, with the approval of the commission, appoint  
536 committees to serve as the governing authority for independent  
537 living centers or other entities as required by federal law.

538           **SECTION 12.** Section 37-33-57, Mississippi Code of 1972, is  
539 amended as follows:

540           37-33-57. The director, with the approval of the  
541 commission, may accept and use gifts and donations made  
542 unconditionally or otherwise for carrying out the purposes of the  
543 Vocational Rehabilitation for the Blind Law, from either public or  
544 private sources. Gifts made under such conditions as in the  
545 judgment of the commission are proper and consistent with the  
546 provisions of that law may be so accepted and shall be held,  
547 invested, reinvested and used in accordance with the conditions of  
548 the gift. All monies received as gifts or donations, except  
549 conditional gifts requiring other treatment, shall be deposited in  
550 the State Treasury and shall constitute a permanent fund to be  
551 called the "Special Fund for the Vocational Rehabilitation of  
552 Individuals who are Blind," and to be used by the commission for  
553 those purposes. The commission shall report annually to the State  
554 Legislature, setting forth the condition of vocational  
555 rehabilitation of individuals who are blind in Mississippi, the  
556 expenditures made from state and federal funds in carrying out the  
557 provisions of that law or its purpose, and a detailed statement of

558 all gifts and donations offered and accepted, together with the  
559 names of donors and the respective amounts prescribed by each and  
560 all the disbursements made therefrom.

561 **SECTION 13.** Section 37-33-59, Mississippi Code of 1972, is  
562 amended as follows:

563 37-33-59. The commission shall provide vocational  
564 rehabilitation services to individuals who are blind who are  
565 determined by the commission to be eligible therefor, and in  
566 carrying out the purposes of the Vocational Rehabilitation for the  
567 Blind Law, the commission is authorized among other things:

568 (a) To cooperate with other departments, agencies and  
569 institutions, both public and private, in providing for the  
570 vocational rehabilitation of individuals who are blind, in  
571 studying the problems involved therein, and in establishing,  
572 developing and providing, in conformity with the purposes of that  
573 law, such programs, facilities and services as may be necessary or  
574 desirable;

575 (b) To conduct research and compile statistics relating  
576 to the vocational rehabilitation of individuals who are blind;

577 (c) To prescribe and provide such courses of vocational  
578 training as may be necessary for the vocational rehabilitation of  
579 individuals who are blind.

580 **SECTION 14.** Section 37-33-61, Mississippi Code of 1972, is  
581 amended as follows:

582 37-33-61. The commission shall cooperate, under agreements  
583 with the federal government, in carrying out the purposes of any  
584 federal statutes pertaining to vocational rehabilitation of  
585 individuals who are blind, and is authorized to adopt such methods  
586 of administration as are found by the federal government to be  
587 necessary for the proper and efficient operation of those  
588 agreements or plans for vocational rehabilitation and to comply  
589 with such conditions as may be necessary to secure the full  
590 benefits of those federal statutes and appropriations, to

591 administer any legislation under those federal statutes and  
592 appropriations that is enacted by the State of Mississippi, to  
593 direct the disbursement and administer the use of all funds  
594 provided by the federal government or this state for the  
595 vocational rehabilitation of individuals who are blind in this  
596 state, and to do all things necessary to insure the vocational  
597 rehabilitation of individuals who are blind.

598         **SECTION 15.** Section 37-33-63, Mississippi Code of 1972, is  
599 amended as follows:

600         37-33-63. (1) Vocational rehabilitation services shall be  
601 provided to any individual who is blind, (i) who is a resident of  
602 the state at the time of filing his or her application therefor  
603 and whose vocational rehabilitation the director determines after  
604 full investigation can be satisfactorily achieved, or (ii) who is  
605 eligible therefor under the terms of an agreement with another  
606 state or with the federal government. Except as otherwise  
607 provided by law or as specified in any agreement with the federal  
608 government with respect to classes of individuals certified to the  
609 commission under that agreement, the following rehabilitation  
610 services shall be provided to blind individuals, utilizing  
611 available financial resources. These may include state, federal  
612 and/or personal funds. The services shall include:

- 613             (a) Physical restoration;
- 614             (b) Transportation not provided to determine the  
615 eligibility of the individual for vocational rehabilitation  
616 services and the nature and extent of the services necessary;
- 617             (c) Occupational licenses;
- 618             (d) Placement equipment, tools and supplies;
- 619             (e) Maintenance;
- 620             (f) Training books and materials;
- 621             (g) Supported employment services, rehabilitation  
622 engineering services and independent living services.

623 (2) No person shall be determined ineligible because of  
624 financial status.

625 **SECTION 16.** Section 37-33-65, Mississippi Code of 1972, is  
626 amended as follows:

627 37-33-65. Any individual applying for or receiving  
628 vocational rehabilitation who is aggrieved by any action or  
629 inaction of the commission shall be entitled, in accordance with  
630 regulations promulgated by the commission, to a fair hearing.

631 **SECTION 17.** Section 37-33-71, Mississippi Code of 1972, is  
632 amended as follows:

633 37-33-71. The State Treasurer is designated as the custodian  
634 of all funds received by the state from appropriations made by the  
635 Congress of the United States, or from other sources for the  
636 purpose of carrying out any state or federal statutes pertaining  
637 to vocational rehabilitation services for individuals who are  
638 blind. The State Treasurer is authorized to receive and provide  
639 for the proper custody of those funds, establish such special  
640 funds and accounts as may be necessary, and shall make  
641 disbursements from those funds and accounts for vocational  
642 rehabilitation purposes upon requisition by the \* \* \* director and  
643 upon the issuance of warrants by the State Fiscal Officer.

644 **SECTION 18.** Section 37-33-73, Mississippi Code of 1972, is  
645 amended as follows:

646 37-33-73. Budget estimates of the amount of appropriations  
647 needed each fiscal year for vocational rehabilitation services for  
648 the blind and for the administration of that program shall be  
649 submitted in such manner as may be provided by law, and sufficient  
650 funds for the purpose of carrying out the provisions of the  
651 Vocational Rehabilitation for the Blind Law shall be appropriated  
652 by the Legislature. In the event federal funds are available to  
653 the State of Mississippi for vocational rehabilitation purposes,  
654 the commission is authorized to comply with such requirements as  
655 may be necessary to obtain those federal funds in the maximum

656 amount and most advantageous proportion possible insofar as this  
657 may be done without violating other provisions of the state law  
658 and constitution. In the event the national Congress fails in any  
659 year to appropriate funds for grants-in-aid to the state for  
660 vocational rehabilitation purposes, the State Legislature shall  
661 appropriate such funds as may be necessary to carry out the  
662 provisions of that law.

663 **SECTION 19.** Section 37-33-153, Mississippi Code of 1972, is  
664 amended as follows:

665 37-33-153. In order to provide for rehabilitation,  
666 habilitation and other services to eligible individuals with  
667 disabilities, their families and the community, there is created  
668 the State Department of Rehabilitation Services. The department  
669 shall be composed of the following offices:

- 670 (a) The Office of Vocational Rehabilitation;  
671 (b) The Office of Disability Determination Services;  
672 and  
673 (c) The Office of Special Disability Programs.

674 \* \* \*

675 **SECTION 20.** Section 43-3-103, Mississippi Code of 1972, is  
676 amended as follows:

677 43-3-103. (1) \* \* \* The MIB shall be governed by the  
678 Mississippi Commission for the Blind created by Section 2 of this  
679 act. The commission shall \* \* \* appoint \* \* \* an executive  
680 director, who shall be the executive and administrative head of  
681 MIB and who shall serve at the pleasure of the commission. The  
682 commission shall set the compensation of the executive director,  
683 subject to the approval of the State Personnel Board.

684 \* \* \*

685 (2) There is created a revolving fund in the State Treasury,  
686 which shall be used by the Mississippi Industries for the Blind  
687 for the purpose of taking advantage of contractual opportunities  
688 that would not be available to MIB without those funds and for the

689 purpose of meeting the obligations of those types of contracts.  
690 The fund shall consist of monies that are specifically made  
691 available by the Legislature for the purpose of the fund. MIB  
692 shall not be authorized to expend any monies in the fund until it  
693 has received the prior written approval of the Executive Director  
694 of the Department of Finance and Administration and the State  
695 Treasurer. MIB shall repay to the fund all monies that it expends  
696 from the fund, which monies then may be used by MIB for future  
697 contractual opportunities and obligations. Monies in the fund at  
698 the end of a fiscal year shall not lapse into the State General  
699 Fund, and all interest earned on monies in the fund shall be  
700 credited to the fund.

701 \* \* \*

702 **SECTION 21.** Section 43-5-1, Mississippi Code of 1972, is  
703 amended as follows:

704 43-5-1. (1) (a) The State Board of Education shall be the  
705 Board of Trustees of the Mississippi School for the Deaf \* \* \* and  
706 shall retain all powers and duties granted by law to the Board of  
707 Trustees of the Mississippi School for the Deaf \* \* \*. Wherever  
708 the term Board of Trustees of the Mississippi School for the  
709 Deaf \* \* \* appears in any law, the same shall mean the State Board  
710 of Education.

711 (b) The Mississippi Commission for the Blind created by  
712 Section 2 of this act shall be the Board of Trustees of the  
713 Mississippi School for the Blind and shall retain all powers and  
714 duties granted by law to the Board of Trustees of the Mississippi  
715 School for the Blind. Wherever the term Board of Trustees of the  
716 Mississippi School for the Blind appears in any law, the same  
717 shall mean the Mississippi Commission for the Blind.

718 (2) The provisions of this section shall not be construed to  
719 require any consolidation or combination of the Mississippi School  
720 for the Deaf and the Mississippi School for the Blind other than  
721 where economies can be realized through the common utilization of

722 maintenance personnel and equipment, physical facilities, vehicles  
723 and administrative personnel, where the same can be done without  
724 impairment of the effectiveness of the educational programs of the  
725 two (2) institutions or the welfare of the students.

726 (3) The provisions of this section shall not be construed to  
727 require any consolidation of services involving curriculum or  
728 instructional programs of the two (2) institutions.

729 (4) (a) The State Board of Education, on behalf of the  
730 Mississippi School for the Deaf, shall have the power to receive  
731 and hold property, real and personal, and to accept and use as  
732 provided by law, separate from the needs of the other  
733 institutions, all bequests, devices and donations made or which  
734 may in the future be made to or for it, and shall continue to  
735 enjoy the rights and privileges heretofore conferred upon it by  
736 law and such as are necessary now, or hereafter, to accomplish the  
737 purposes of its own establishment and operation and maintenance  
738 hereunder, provided that the same be not inconsistent with or in  
739 conflict with this chapter.

740 (b) The Mississippi Commission for the Blind, on behalf  
741 of the Mississippi School for the Blind, shall have the power to  
742 receive and hold property, real and personal, and to accept and  
743 use as provided by law, separate from the needs of the other  
744 institutions, all bequests, devices and donations made or which  
745 may in the future be made to or for it, and shall continue to  
746 enjoy the rights and privileges heretofore conferred upon it by  
747 law and such as are necessary now, or hereafter, to accomplish the  
748 purposes of its own establishment and operation and maintenance  
749 hereunder, provided that the same be not inconsistent with or in  
750 conflict with this chapter.

751 **SECTION 22.** Section 43-5-5, Mississippi Code of 1972, is  
752 amended as follows:

753 43-5-5. (1) The State Board of Education shall adopt all  
754 needful rules and regulations for the government of the

755 Mississippi School for the Deaf. The State Board of Education  
756 shall have authority and control over the pupils and over the  
757 properties of the Mississippi School for the Deaf except where  
758 otherwise prescribed by law. The State Board of Education shall  
759 provide and maintain a library for the Mississippi School for the  
760 Deaf, and shall provide for proper and needful recreational  
761 facilities for the pupils of the Mississippi School for the Deaf,  
762 and encourage their physical and hygienic and religious  
763 advancement, including facilities for church attendances on the  
764 Sabbath.

765 (2) The Mississippi Commission for the Blind shall adopt all  
766 needful rules and regulations for the government of the  
767 Mississippi School for the Blind. The Mississippi Commission for  
768 the Blind shall have authority and control over the pupils and  
769 over the properties of the Mississippi School for the Blind except  
770 where otherwise prescribed by law. The Mississippi Commission for  
771 the Blind shall provide and maintain a library for the Mississippi  
772 School for the Blind, and shall provide for proper and needful  
773 recreational facilities for the pupils of the Mississippi School  
774 for the Blind, and encourage their physical and hygienic and  
775 religious advancement, including facilities for church attendances  
776 on the Sabbath.

777 **SECTION 23.** Section 43-5-7, Mississippi Code of 1972, is  
778 amended as follows:

779 43-5-7. (1) The State Superintendent of Education, or his  
780 designee, shall make regular and frequent inspections of the  
781 Mississippi School for the Deaf, and shall personally visit the  
782 Mississippi School for the Deaf at least once a month during every  
783 school session, and shall prescribe when and where and by whom and  
784 in what quantities all supplies and sustenance of every kind shall  
785 be purchased. As far as practicable, the purchases for the  
786 Mississippi School for the Deaf shall be on basis of wholesale  
787 rather than at retail prices. The State Superintendent of



788 Education shall prepare in writing, monthly, the status of the  
789 Mississippi School for the Deaf and needs, and the physical and  
790 moral conditions of the pupils, and they shall require that the  
791 records of the Mississippi School for the Deaf are preserved, and  
792 shall assume such duties as may through legislative enactment  
793 hereafter be placed upon the State Superintendent of Education.

794 (2) The Director of the Mississippi Commission for the  
795 Blind, or his designee, shall make regular and frequent  
796 inspections of the Mississippi School for the Blind, and shall  
797 personally visit the Mississippi School for the Blind at least  
798 once a month during every school session, and shall prescribe when  
799 and where and by whom and in what quantities all supplies and  
800 sustenance of every kind shall be purchased. As far as  
801 practicable the purchases for the Mississippi School for the Blind  
802 shall be on basis of wholesale rather than at retail prices. The  
803 Mississippi Commission for the Blind shall prepare in writing,  
804 monthly, the status of the Mississippi School for the Blind and  
805 needs, and the physical and moral conditions of the pupils, and  
806 they shall require that the records of the Mississippi School for  
807 the Blind are preserved, and shall assume such duties as may  
808 through legislative enactment hereafter be placed upon the  
809 Mississippi Commission for the Blind.

810 **SECTION 24.** Section 43-5-8, Mississippi Code of 1972, is  
811 amended as follows:

812 43-5-8. (1) The \* \* \* superintendent of the Mississippi  
813 School for the Deaf and the principal and directors shall be  
814 selected by and hold office subject to the will and pleasure of  
815 the State Superintendent of Education, subject to the approval of  
816 the State Board of Education. The State Board of Education may  
817 provide housing for the superintendent so employed either on- or  
818 off-campus. The superintendent shall at all times maintain  
819 supervision of the physical properties of the Mississippi School  
820 for the Deaf unless otherwise provided. All other personnel shall

821 be competitively appointed by the state superintendent and shall  
822 be dismissed only for cause in accordance with the rules and  
823 regulations of the State Personnel Board. The state  
824 superintendent, subject to the approval of the State Personnel  
825 Board, shall fix the amount of compensation or expenses of any of  
826 the personnel of the Mississippi School for the Deaf, which shall  
827 be paid upon the requisition of the state superintendent and  
828 warrant issued thereunder by the State Fiscal Officer out of the  
829 funds appropriated by the Legislature in a lump sum upon the basis  
830 of budgetary requirements submitted by the Superintendent of  
831 Education or out of funds otherwise made available. The entire  
832 expense of administering the Mississippi School for the Deaf shall  
833 never exceed the amount appropriated therefor, plus funds received  
834 from sources other than state appropriations. For a violation of  
835 this provision, the superintendent shall be liable, and he and the  
836 sureties on his bond shall be required to restore any excess.

837 (2) The superintendent of the Mississippi School for the  
838 Blind and the principal and directors shall be selected by and  
839 hold office subject to the will and pleasure of the Mississippi  
840 Commission for the Blind. The Mississippi Commission for the  
841 Blind may provide housing for the superintendent so employed  
842 either on- or off-campus. The superintendent shall at all times  
843 maintain supervision of the physical properties of the  
844 Mississippi School for the Blind unless otherwise provided. All  
845 other personnel shall be competitively appointed by the state  
846 superintendent and shall be dismissed only for cause in accordance  
847 with the rules and regulations of the State Personnel Board. The  
848 Mississippi Commission for the Blind shall fix the amount of  
849 compensation or expenses of any of the personnel of the  
850 Mississippi School for the Blind, which shall be paid upon the  
851 requisition of the Mississippi Commission for the Blind and  
852 warrant issued thereunder by the State Fiscal Officer out of the  
853 funds appropriated by the Legislature in a lump sum upon the basis

854 of budgetary requirements submitted by the Mississippi Commission  
855 for the Blind or out of funds otherwise made available. The  
856 entire expense of administering the Mississippi School for the  
857 Blind shall never exceed the amount appropriated therefor, plus  
858 funds received from sources other than state appropriations. For  
859 a violation of this provision, the superintendent shall be liable,  
860 and he and the sureties on his bond shall be required to restore  
861 any excess.

862         **SECTION 25.** Section 43-5-11, Mississippi Code of 1972, is  
863 amended as follows:

864         43-5-11. (1) The State Board of Education shall make a  
865 report to every annual term of the Legislature, showing the needs  
866 and condition and status of the Mississippi School for the Deaf.  
867 Such report to the Legislature shall show how the money  
868 appropriated to the Mississippi School for the Deaf has been  
869 expended during the preceding year, beginning and ending with the  
870 fiscal year of the Mississippi School for the Deaf. Such report  
871 shall exhibit the salaries paid to teachers, officers and  
872 employees and each and every item of receipt and expenditure.  
873 Each report shall be balanced and shall begin with the balance at  
874 the end of the preceding fiscal year. If any property belonging  
875 to the state or the school is used for profit, such report shall  
876 show the expenses incurred in managing the property and the amount  
877 received from the same. Such report shall also show a summary of  
878 the gross receipts and gross disbursements for each fiscal year  
879 and shall show the money on hand at the beginning of the fiscal  
880 period of the school preceding each session of the Legislature and  
881 the necessary amount of expenses to be incurred from that date to  
882 January 1 next following.

883         (2) The Mississippi Commission for the Blind shall make a  
884 report to every annual term of the Legislature, showing the needs  
885 and condition and status of the Mississippi School for the Blind.  
886 Such report to the Legislature shall show how the money

887 appropriated to the Mississippi School for the Blind has been  
888 expended during the preceding year, beginning and ending with the  
889 fiscal year of the Mississippi School for the Blind. Such report  
890 shall exhibit the salaries paid to teachers, officers and  
891 employees and each and every item of receipt and expenditure.  
892 Each report shall be balanced and shall begin with the balance at  
893 the end of the preceding fiscal year. If any property belonging  
894 to the state or the school is used for profit, such report shall  
895 show the expenses incurred in managing the property and the amount  
896 received from the same. Such report shall also show a summary of  
897 the gross receipts and gross disbursements for each fiscal year  
898 and shall show the money on hand at the beginning of the fiscal  
899 period of the school preceding each session of the Legislature and  
900 the necessary amount of expenses to be incurred from that date to  
901 January 1 next following.

902       **SECTION 26.** Section 43-5-13, Mississippi Code of 1972, is  
903 amended as follows:

904       43-5-13. (1) Every teacher or instructor in the Mississippi  
905 School for the Deaf, whose duties include oral instruction of  
906 pupils, shall become acquainted with the most efficient and  
907 advanced methods of lipreading, but every teacher shall also  
908 master the manual alphabet in order to be able to communicate with  
909 pupils who cannot read lips and in order to aid and participate in  
910 student activities outside the classrooms. Every pupil entering  
911 the school shall be given oral instruction until it is clearly  
912 determined whether he can master lipreading to an extent enabling  
913 him to progress satisfactorily in his studies, but manual  
914 instruction shall be provided in all subjects for all pupils  
915 unable to progress satisfactorily under oral instruction alone.  
916 The State Board of Education may set and determine the additional  
917 requirements necessary for each teacher or instructor at the  
918 Mississippi School for the Deaf. All teachers and instructors  
919 must enter into written contracts of employment to indicate and

920 cover the period for which they are respectively employed.  
921 Complete courses in shorthand and typewriting are to be offered at  
922 the Mississippi School for the Deaf.

923 (2) Braille print, designated commonly as revised Braille  
924 Grade Two, shall be taught in the Mississippi School for the  
925 Blind. The use of this print shall be included in the high school  
926 literary courses of students in such school. The Mississippi  
927 Commission for the Blind may set and determine the additional  
928 requirements necessary for each teacher or instructor at the  
929 Mississippi School for the Blind. All teachers and instructors  
930 must enter into written contracts of employment to indicate and  
931 cover the period for which they are respectively employed.

932 **SECTION 27.** Section 43-5-15, Mississippi Code of 1972, is  
933 amended as follows:

934 43-5-15. (1) The Mississippi School for the Deaf shall be  
935 open to receive all pupils eligible to attend it, and shall  
936 provide for the proper lodging, maintenance, care and education  
937 while in attendance. \* \* \* A pupil shall not be admitted or  
938 remain as a pupil in the Mississippi School for the Deaf whose  
939 ability to hear is customarily sufficient for him or her to attend  
940 the public schools provided for normal children. The State Board  
941 of Education, in its discretion, shall establish the age of  
942 eligibility for students seeking admission to the Mississippi  
943 School for the Deaf. No person shall be admitted to the  
944 Mississippi School for the Deaf as a pupil who is not a bona fide  
945 resident of this state or who is not of good moral character.

946 The State Board of Education shall fix the amount to be paid,  
947 and the terms of payment, by pupils in the Mississippi School for  
948 the Deaf for board, and the conditions of admission, subject to  
949 the provisions of this chapter; and shall admit free of charges,  
950 upon the certificate of the county superintendent of education of  
951 any county in the state, all pupils eligible to attend the school,  
952 provided the amount appropriated by the Legislature is sufficient

953 properly to care for the same. The Mississippi School for the  
954 Deaf shall provide requisite facilities for every pupil therein to  
955 acquire as complete a literary and musical education as  
956 practicable; and shall provide and maintain an industrial  
957 department in which expert instruction shall be given in such  
958 trades and crafts as may be suited to render the pupil therein  
959 self-sustaining in after life.

960 (2) The Mississippi School for the Blind shall be open to  
961 receive all pupils eligible to attend it, and shall provide for  
962 the proper lodging, maintenance, care and education while in  
963 attendance. A student shall not be admitted to or continue as a  
964 pupil in the Mississippi School for the Blind whose acuity of  
965 vision is, or becomes, habitually greater than fifty percent (50%)  
966 of normal vision. The Mississippi Commission for the Blind, in  
967 its discretion, shall establish the age of eligibility for  
968 students seeking admission to the Mississippi School for the  
969 Blind. No person shall be admitted to the Mississippi School for  
970 the Blind as a pupil who is not a bona fide resident of this state  
971 or who is not of good moral character.

972 The Mississippi Commission for the Blind shall fix the amount  
973 to be paid, and the terms of payment, by pupils in the Mississippi  
974 School for the Blind for board, and the conditions of admission,  
975 subject to the provisions of this chapter; and shall admit free of  
976 charges, upon the certificate of the county superintendent of  
977 education of any county in the state, all pupils eligible to  
978 attend the school, provided the amount appropriated by the  
979 Legislature is sufficient properly to care for the same. The  
980 Mississippi School for the Blind shall provide requisite  
981 facilities for every pupil therein to acquire as complete a  
982 literary and musical education as practicable; and shall provide  
983 and maintain an industrial department in which expert instruction  
984 shall be given in such trades and crafts as may be suited to  
985 render the pupil therein self-sustaining in after life.

986           **SECTION 28.** Section 43-5-17, Mississippi Code of 1972, is  
987 amended as follows:

988           43-5-17. (1) The State Board of Education shall maintain  
989 the Mississippi School for the Deaf at as high a grade of work and  
990 education as may be practicable, and shall endeavor to give the  
991 pupils the same extent and scope of education that the pupils  
992 would receive if attending the public schools of this state; and  
993 shall have diplomas or certificates granted unto those pupils who  
994 have successfully finished the prescribed courses taught.

995           (2) The Mississippi Commission for the Blind shall maintain  
996 the Mississippi School for the Blind at as high a grade of work  
997 and education as may be practicable, and shall endeavor to give  
998 the pupils the same extent and scope of education that the pupils  
999 would receive if attending the public schools of this state; and  
1000 shall have diplomas or certificates granted unto those pupils who  
1001 have successfully finished the prescribed courses taught.

1002           **SECTION 29.** This act shall take effect and be in force from  
1003 and after July 1, 2005.