

By: Representative Darnell

To: Education

HOUSE BILL NO. 1279

1 AN ACT TO AMEND SECTION 37-16-11, MISSISSIPPI CODE OF 1972,  
 2 TO PROVIDE THAT STUDENTS WITH CERTAIN INTELLECTUAL, PHYSICAL AND  
 3 EMOTIONAL DISABILITIES SHALL BE EXEMPT FROM THE REQUIREMENT OF  
 4 CERTAIN STANDARDS FOR GRADUATION; TO AUTHORIZE THE STATE BOARD OF  
 5 EDUCATION TO DEVELOP AND ISSUE CRITERIA FOR A MISSISSIPPI  
 6 OCCUPATIONAL DIPLOMA FOR CERTAIN STUDENTS WHICH SHALL BE EFFECTIVE  
 7 BEGINNING WITH THE 2023-2024 SCHOOL YEAR; TO PROVIDE FOR THE  
 8 ISSUANCE OF ANY AVAILABLE FUNDS TO ELIGIBLE STUDENTS IN THE FORM  
 9 OF GRANTS TO ASSIST IN MEETING THOSE REQUIREMENTS ESTABLISHED FOR  
 10 GRADUATION WITH AN OCCUPATIONAL DIPLOMA; TO PROVIDE THAT UPON  
 11 MEETING APPLICABLE REQUIREMENTS ESTABLISHED BY THE LOCAL SCHOOL  
 12 BOARD SUCH STUDENTS SHALL BE AWARDED A MISSISSIPPI OCCUPATIONAL  
 13 DIPLOMA; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 37-16-11, Mississippi Code of 1972, is  
 16 amended as follows:

17 37-16-11. (1) A student who has been properly classified,  
 18 in accordance with rules established by the State Board of  
 19 Education, as an "educable person with an intellectual  
 20 disability," "trainable person with an intellectual disability,"  
 21 "deaf," "specific learning disabled," "physically handicapped  
 22 whose ability to communicate orally or in writing is seriously  
 23 impaired" or "emotionally handicapped" or placed in an alternative



24 school for no less than one (1) year shall not be required to meet  
25 all requirements of Section 37-16-7, and shall, upon meeting all  
26 applicable requirements prescribed by the district school board,  
27 be awarded a special diploma in a form prescribed by the state  
28 board; however, such special graduation requirements prescribed by  
29 the district school board shall include minimum graduation  
30 requirements as prescribed by the state board. Any such student  
31 who meets all special requirements of the district school board  
32 for his exceptionality, but is unable to meet the appropriate  
33 special state minimum requirements, shall be awarded a special  
34 certificate of completion in a form prescribed by the state board.  
35 Nothing provided in this section, however, shall be construed to  
36 limit or restrict the right of an exceptional student solely to a  
37 special diploma. Any such student shall, upon proper request, be  
38 afforded the opportunity to fully meet all requirements of Section  
39 37-16-7 through the standard procedures established therein and  
40 thereby qualify for a standard diploma upon graduation.

41 (2) The State Board of Education shall develop and issue  
42 criteria for a Mississippi Occupational Diploma for students  
43 having a disability as defined by the federal Individuals with  
44 Disabilities Education Act. Beginning with the 2002-2003 school  
45 year, any such student, upon proper request, shall be afforded the  
46 opportunity to fully meet such requirements and qualify for an  
47 occupational diploma upon graduation.



48           (3)   \* \* \* The State Board of Education shall develop and  
49 issue criteria for a Mississippi Occupational Diploma for students  
50 placed in an alternative school for no less than one (1) year.  
51 Beginning with the 2023-2024 school year, any such student, upon  
52 proper request, shall be afforded the opportunity to fully meet  
53 such requirements and qualify for an occupational diploma upon  
54 graduation. Any individual who is eligible to receive an  
55 occupational diploma under this section shall also be eligible to  
56 receive any additional assistance in the form of grants from any  
57 funds made available for purposes of receiving services and  
58 equipment related to his or her disability to further aid such  
59 student to meet the necessary benchmarks established by the board  
60 to qualify for graduation and receipt of an occupational diploma.

61           **SECTION 2.** This act shall take effect and be in force from  
62 and after July 1, 2023.

