

By: Harden

To: Education;
AppropriationsCOMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2302

1 AN ACT TO ENACT THE "MISSISSIPPI EARLY CHILDHOOD INVESTMENT
2 ACT"; TO ESTABLISH AN EARLY CHILDHOOD SERVICES INTERAGENCY
3 COORDINATING COUNCIL; TO PROVIDE FOR THE MEMBERSHIP AND
4 ORGANIZATION OF THE COUNCIL; TO DEFINE THE RESPONSIBILITIES OF THE
5 COUNCIL; TO ESTABLISH AN INTERAGENCY ADVISORY COMMITTEE TO THE
6 INTERAGENCY COUNCIL FOR EARLY CHILDHOOD SERVICES; TO PROVIDE FOR
7 THE MEMBERSHIP, ORGANIZATION AND RESPONSIBILITIES OF THE ADVISORY
8 COMMITTEE; TO AUTHORIZE AND DIRECT THE UNIVERSITY COOPERATIVE
9 EXTENSION SERVICES TO ESTABLISH AND IMPLEMENT A PARENT/FAMILY
10 EDUCATION PROGRAM, TO SPECIFY CERTAIN MODELS TO BE MADE AVAILABLE
11 THROUGH THE PROGRAMS AND TO ESTABLISH AN APPLICATION PROCESS, TO
12 AUTHORIZE THE USE OF AVAILABLE FUNDING FOR GRANTS TO PARTICIPATING
13 PROGRAMS AND TO REQUIRE A REPORTING PROCESS FOR SUCH PROGRAMS; TO
14 PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES AND THE STATE
15 DEPARTMENT OF EDUCATION SHALL DEVELOP AND PROMULGATE CERTAIN
16 MINIMUM STANDARDS FOR SUBSIDIZED CHILD CARE FACILITIES RELATING TO
17 CLASS SIZE, TEACHER PUPIL RATIO, STAFF EDUCATION REQUIREMENTS AND
18 CORE CURRICULUM; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES,
19 IN COLLABORATION WITH THE BOARD OF TRUSTEES OF STATE INSTITUTIONS
20 OF HIGHER LEARNING, THE STATE BOARD FOR COMMUNITY AND JUNIOR
21 COLLEGES AND THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE AN
22 ANNUAL STAFF DEVELOPMENT TRAINING PROGRAM FOR CHILD CARE FACILITY
23 STAFF; TO PROVIDE FOR A SCHOLARSHIP PROGRAM FOR CHILD CARE
24 DIRECTORS, TEACHERS AND STAFF; TO AUTHORIZE A SALARY SUPPLEMENT
25 INCENTIVE PROGRAM FOR SUCH CHILD CARE DIRECTORS, TEACHERS AND
26 STAFF; TO PROVIDE THAT SUCH PROGRAMS SHALL BE FUNDED FROM FEDERAL
27 CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS; TO AUTHORIZE THE
28 DEPARTMENT OF HUMAN SERVICES TO ENTER INTO CONTRACTS FOR THE
29 PROGRAM; TO AMEND SECTION 43-20-8, MISSISSIPPI CODE OF 1972, TO
30 PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL NOT BE
31 AUTHORIZED TO ISSUE MINIMUM STAFF EDUCATION STANDARDS,
32 TEACHER-PUPIL RATIOS OR CORE CURRICULUM REQUIREMENTS FOR LICENSED
33 CHILD CARE FACILITIES; TO AMEND SECTION 41-3-1, MISSISSIPPI CODE
34 OF 1972, TO PROVIDE THAT ONE MEMBER OF THE STATE BOARD OF HEALTH
35 SHALL BE A CHILD CARE FACILITY PROVIDER; TO AMEND SECTION
36 37-159-3, MISSISSIPPI CODE OF 1972, TO INCLUDE INDIVIDUALS
37 ENROLLED IN CERTAIN COLLEGE EDUCATION PROGRAMS WHO AGREE TO TEACH
38 OR BE EMPLOYED IN CERTAIN CHILD CARE PROGRAMS IN THE CRITICAL
39 NEEDS TEACHER SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-3-2,
40 MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PERSON HOLDING A BACHELOR
41 OF SCIENCE DEGREE WITH CHILD DEVELOPMENT EMPHASIS FROM A PROGRAM
42 ACCREDITED BY THE AMERICAN ASSOCIATION OF FAMILY AND CONSUMER
43 SCIENCES TO APPLY FOR A STANDARD LICENSE TO TEACH IN PUBLIC
44 PRE-KINDERGARTEN THROUGH KINDERGARTEN CLASSROOMS; TO DIRECT THE
45 BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE
46 STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES TO ENTER INTO AN
47 ARTICULATION AGREEMENT BETWEEN THE CHILD TECHNOLOGY DEGREE PROGRAM
48 AT THE COMMUNITY COLLEGES AND THE APPROPRIATE COLLEGE PROGRAM AT
49 THE UNIVERSITIES; AND FOR RELATED PURPOSES.
50 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

51 SECTION 1. (1) This act shall be known and may be cited as
52 the "Mississippi Early Childhood Investment Act."

53 (2) As used in this act:

54 (a) "Preschool aged children" means any children age
55 0-5 who have not reached the age of enrollment for public school
56 kindergarten;

57 (b) "Families First Family Resource Center" means an
58 administrative structure for the delivery of certain family
59 support programs and services including, but not limited to, a
60 board of advisors representing the community, a parent resource
61 library with an information and referral service, parent education
62 to teen parents, parent education as defined by this act and
63 delivered to the parents of preschool age children, parenting
64 skills training for the community at large and individuals
65 referred by the county office of the Department of Human Services
66 or the local youth court, drop-in respite care for the relative
67 caregivers of preschool age children, support to community child
68 care providers, coordination of family support services delivered
69 by the Cooperative Extension services as provided for by this act,
70 coordination with local school district parental assistance
71 centers operating in the county, and coordination with Head Start.

72 (c) "Drop-in Respite Service for Relative Caregivers"
73 means a program providing occasional short-term respite care to
74 the relative caregivers of preschool age children thus creating
75 the opportunity to address the school readiness needs of children
76 in relative care while their parent(s) work.

77 (d) "Local School District Parental Assistance Center"
78 means an administrative structure for the delivery of certain
79 family resource programs and services designed to increase
80 parental involvement in school activities and increase the school
81 success of enrolled children through tutorial and other academic
82 support services.

83 (e) "Blended funding" means adding TANF or CCDF funds

84 to the cost of a Head Start program or Title I pre-kindergarten
85 program in order to meet the requirements of the act for full-day,
86 full-year service.

87 (f) "Child Prep Model" means a licensed early childhood
88 teacher employed by a local school district and assigned
89 responsibility for providing training and technical assistance in
90 developing the educational component of no more that ten (10)
91 community-based licensed child care and Head Start facilities.

92 (3) The Department of Human Services is authorized and
93 directed to develop a plan for investing in programs and services
94 to strengthen families using funds available to the agency for
95 these purposes. Specifically included in the plan will be
96 strategies for expanding the agency's Families First family
97 resource program, expanding the range of services provided through
98 Families First by either establishing new service components or
99 developing linkages with (a) local school district parental
100 assistance centers, (b) Head Start programs, (c) community-based
101 child care providers, (d) the Cooperative Extension Service and/or
102 (e) privately operated state or local programs that provide
103 related services to the targeted population.

104 (4) It is the intent of this act to expand existing programs
105 and services, maximize the use of existing state and federal funds
106 available for these services, and coordinate and clarify early
107 childhood services provided by the State of Mississippi. It is
108 further the intent of the Legislature to utilize to the maximum
109 extent possible any federal Temporary Assistance for Needy
110 Families funds for early child care and other early childhood
111 services authorized under this act after meeting the state's
112 obligation for income maintenance of TANF recipients, by
113 transferring as necessary TANF funds to the Child Care Development
114 Block Grant Fund for early care and education services and the
115 Social Services Block Grant for the Families First program budget
116 following federal maintenance of effort requirements for those

117 services that cannot be funded from TANF directly. Additionally,
118 it is the intent of the Legislature to utilize funding available
119 from the Health Care Trust Fund for qualifying services. All
120 provisions of this act are subject to specific appropriation
121 therefor by the Legislature.

122 (5) This section shall stand repealed from and after June
123 30, 2002.

124 SECTION 2. (1) The Early Childhood Services Interagency
125 Coordinating Council is hereby created to ensure coordination
126 among the various agencies and programs serving preschool children
127 in order to (a) coordinate services provided to preschool children
128 who are eligible to receive services under the federal TANF
129 program directly or through TANF funds available under the Child
130 Care Development Fund or the Social Services Block Grant, (b) to
131 support school district's efforts to achieve the goal of readiness
132 to start school, and (c) to facilitate communication, cooperation
133 and maximum use of resources and to promote high standards for all
134 programs serving preschool children and their families in
135 Mississippi.

136 (2) The membership of the Early Childhood Services
137 Interagency Coordinating Council shall be as follows:

138 (a) The Executive Director of the Department of Human
139 Services, or his designee;

140 (b) The Executive Director of the Department of Health
141 or his designee;

142 (c) The State Superintendent of Education, or his
143 designee;

144 (d) The Executive Director of the Mississippi
145 Department of Mental Health, or his designee;

146 (e) The Executive Director of the Division of Medicaid,
147 Office of the Governor, or his designee;

148 (f) The President of the Mississippi Head Start
149 Association; or his designee;

150 (g) The Director of the Mississippi State University
151 Cooperative Extension Service; or his designee; and

152 (h) The Governor, or his designee.

153 (3) The council shall meet upon call of the Governor not
154 later than August 1, 2000, and shall organize for business by
155 selecting a chairman who shall serve for a one-year term and may
156 be selected for subsequent terms. The council shall adopt
157 internal organizational procedures necessary for efficient
158 operation of the council. Council procedures shall include duties
159 of officers, a process for selecting officers, quorum requirements
160 for conducting business and policies for any council staff. Each
161 member of the council shall designate necessary staff of their
162 departments to assist the council in performing its duties and
163 responsibilities. The council shall meet and conduct business at
164 least quarterly. Meetings of the council shall be open to the
165 public and opportunity for public comment shall be made available
166 at each such meeting. The chairman of the council shall notify
167 all persons who request such notice as to the date, time and place
168 of each meeting.

169 (4) Members of the council shall receive no compensation for
170 their services, but shall be reimbursed for travel and other
171 expenses actually incurred in the performance of their official
172 duties. Such reimbursement shall be paid in accordance with the
173 provisions of Section 25-3-41, Mississippi Code of 1972, and shall
174 be approved by the chairman of the council.

175 (5) The Early Childhood Services Interagency Coordinating
176 Council shall perform each of the following duties:

177 (a) Serve as interagency coordinating council for the
178 various agencies, public and private programs serving preschool
179 children and their families in the State of Mississippi;

180 (b) Serve as the coordinating agency for services
181 provided to preschool children who are eligible to receive
182 services under the federal TANF program directly or through TANF

183 funds available under the Child Care Development Fund or the
184 Social Services Block Grant.

185 (c) Advise the State Board of Health, the State Board
186 of Education, the Department of Human Services, Mississippi
187 Department of Mental Health and any other appropriate agency,
188 concerning standards, rules, rule revisions, agency guidelines and
189 administration affecting child care facilities, pre-kindergarten
190 programs, family training programs and other programs and services
191 for preschool children and families;

192 (c) Collect, compile and distribute data relating to
193 all programs and services for preschool children and families,
194 including, but not limited to, an inventory of the programs and
195 services available in each county of the state; and identify and
196 make recommendations with regard to program areas for which an
197 unfulfilled need exists within the state for accurate and
198 accessible information;

199 (d) Review and analyze spending priorities for each
200 state agency which utilizes state or federal funds to administer
201 or provide programs and services for preschool children and make
202 recommendations thereon to the Legislative Budget Committee and
203 the Governor;

204 (e) Publish annually, on or before November 1, a
205 comprehensive report on the status of all programs and services
206 for preschool children in Mississippi and distribute the report to
207 the Governor, the Legislature, local school districts and make the
208 report available to the general public, using the following
209 criteria:

210 (i) Program name and location;

211 (ii) Dates of operation;

212 (iii) Service provided;

213 (iv) Target population and number served;

214 (v) Eligibility requirement;

215 (vi) Funding source;

- 216 (vii) Amount of funding per unit;
217 (viii) Annual cost;
218 (ix) Evaluation type and results; and
219 (x) The state agency administering the program.

220 (f) Apply for, receive and administer funds for
221 administration, research, pilot, planning and evaluation of all
222 programs serving preschool children and their families.

223 (6) This section shall stand repealed from and after June
224 30, 2002.

225 SECTION 3. (1) The Interagency Advisory Committee for Early
226 Childhood Services is hereby created to develop and make
227 recommendations to the Early Childhood Services Interagency
228 Coordinating Council established under Section 2 of this act as
229 deemed necessary to implement the council's responsibilities
230 relating to all programs serving preschool children and their
231 families in Mississippi.

232 (2) The membership of the Interagency Advisory Committee for
233 Early Childhood Services shall be as follows:

234 (a) The Chairmen of the Senate Education, Public Health
235 and Welfare and Appropriations Committees, or their designees;

236 (b) The Chairmen of the House Education, Public Health
237 and Welfare and Appropriations Committees, or their designees;

238 (c) A representative of the Governor;

239 (d) A representative of the State Department of
240 Education;

241 (e) A representative of the State Department of Health;

242 (f) A representative of the Department of Human
243 Services;

244 (g) A representative of the Mississippi Department of
245 Mental Health;

246 (h) A representative of the State Department of
247 Rehabilitation Services;

248 (i) The following representatives of the early

249 childhood profession:

250 (i) The President of the Mississippi Head Start
251 Association;

252 (ii) A representative from a regulated family
253 child care home network appointed by the Governor;

254 (iii) A representative from a licensed child care
255 center appointed by the President of the Senate;

256 (iv) A representative from a public school
257 pre-kindergarten program appointed by the Speaker of the House;

258 (v) A representative from a private school
259 pre-kindergarten program appointed by the Governor;

260 (vi) A representative from a half-day church
261 sponsored pre-kindergarten program appointed by the Speaker of the
262 House;

263 (vii) A representative from a university or
264 college early childhood program appointed by the President of the
265 Senate;

266 (viii) A representative of a tribal early
267 childhood program appointed by the Governor;

268 (ix) A representative of an early childhood
269 professional organization appointed by the President of the
270 Senate;

271 (x) A representative of an advocacy organization
272 appointed by the Speaker of the House; and

273 (xi) A representative of a community/junior
274 college early childhood program appointed by the Governor;

275 (j) A parent of a preschool-age child appointed by the
276 Governor;

277 (k) A parent of a preschool-age child with special
278 needs appointed by the Speaker of the House;

279 (l) A representative of the cooperative extension
280 services appointed by the President of the Senate;

281 (m) A physician who is a member of the Mississippi

282 Chapter of the American Academy of Pediatrics, appointed by the
283 Director of the University Medical Center;

284 (n) The Director of the Mississippi Public Education
285 Forum, or his designee; and

286 (o) The Executive Director of the Mississippi Economic
287 Council, or his designee.

288 To the extent possible, any representative of a state agency
289 designated to serve on the Interagency Advisory Committee shall be
290 the same individual designated to assist the Interagency
291 Coordinating Council in performing its duties and
292 responsibilities.

293 (3) The advisory committee shall meet upon call of the Early
294 Childhood Services Interagency Coordinating Council not later than
295 August 1, 2000, and the council shall appoint a chairman who shall
296 serve for a one-year term and may be reappointed for subsequent
297 terms. The advisory committee shall adopt internal organizational
298 procedures necessary for efficient operation of the advisory
299 committee and may establish subcommittees for conducting specific
300 programs and activities. Advisory committee procedures shall
301 include duties of officers, a process for selecting officers,
302 duties of subcommittees, quorum requirements for conducting
303 business and policies for any staff. The members of the Early
304 Childhood Services Interagency Coordinating Council shall
305 designate necessary staff of their departments to assist the
306 advisory committee in performing its duties and responsibilities.

307 The advisory committee shall meet and conduct business at least
308 quarterly. Quarterly meetings of the advisory committee shall be
309 open to the public and opportunity for public comment shall be
310 made available at each such meeting. The staff of the advisory
311 committee shall notify all persons who request such notice as to
312 the date, time and place of each quarterly meeting.

313 (4) Nonlegislative members of the advisory committee shall
314 receive no compensation for their services, but shall be

315 reimbursed for travel and other expenses actually incurred in the
316 performance of their official duties. Such reimbursement shall be
317 paid in accordance with the provisions of Section 25-3-41,
318 Mississippi Code of 1972, and shall be approved by the chairman of
319 the advisory committee. Legislative members of the advisory
320 committee shall receive the same per diem and expense
321 reimbursement as is authorized for interim committee meetings to
322 be paid from the contingent expense funds of the respective
323 chamber.

324 (5) The Interagency Advisory Committee for Early Childhood
325 Services, in addition to responsibilities assigned by the Early
326 Childhood Services Interagency Coordinating Council, shall perform
327 each of the following duties:

328 (a) Assist in the implementation of the study conducted
329 by the Task Force on the Development and Implementation of
330 Comprehensive Early Childhood Services in Mississippi established
331 under Senate Bill No. 2618 (1999 Regular Session);

332 (b) Identify services to children which impact early
333 childhood development and education;

334 (c) Identify and recommend methods to facilitate
335 interagency coordination of service programs for preschool
336 children;

337 (d) Serve as a forum for information exchange regarding
338 recommendations and priorities in early childhood development and
339 education; and

340 (e) Advise and make recommendations to the interagency
341 council as deemed necessary to effectuate the council's
342 responsibilities.

343 (6) This section shall stand repealed from and after June
344 30, 2002.

345 SECTION 4. (1) The cooperative extension service of any
346 public university located in Mississippi, in its discretion, may
347 offer funds for replication of voluntary parent/family education

348 programs that support and affirm the role of parents as the
349 primary early childhood educator of their children for families
350 with children aged pre-natal through four (4) years, or until
351 entering kindergarten, using personal visits. The parent/family
352 education programs shall provide parents with opportunities to
353 voluntarily obtain support and services that will enable them to
354 provide optimum learning environments for their children,
355 particularly from birth to the age of four (4) years, within the
356 home or selected site. These programs shall use research-based,
357 independently-evaluated, proven research models showing the
358 following outcomes: (a) children with enhanced language,
359 problem-solving and social development; (b) children entering
360 school with increased readiness skills; (c) fewer children placed
361 in special education or remedial classes; (d) lower incidence of
362 child abuse and neglect; (e) higher scores on standardized reading
363 and math tests in elementary grades; (f) parents are more
364 confident in their parenting knowledge and skills; (g) parents who
365 read more to their children; and (h) more parental involvement
366 when children enter school. Program outcomes shall be determined
367 through a long-range evaluation that tracks participating children
368 through the third grade. These programs shall include Drop-in
369 Respite Services for Relative Caregivers which shall mean a
370 program providing occasional short-term respite care to the
371 relative caregivers of preschool age children thus creating the
372 opportunity to address the school readiness needs of children in
373 relative care while their parent(s) work.

374 (2) The cooperative extension service shall (a) determine a
375 process for interested school districts and other nonprofit
376 entities in partnership with a school district to apply for grant
377 funds in order to participate in the programs; (b) monitor program
378 operations; (c) evaluate program effectiveness; and (d) develop
379 rules for the administration of the program. In developing the
380 process, the cooperative extension service shall utilize, but not

381 be limited to, representatives of the following categories:
382 parents; local school districts' parent education programs staff;
383 the Department of Human Services, Division of Family and
384 Children's Services; Head Start; the State Department of Education
385 and USOE funded parental assistance programs. In the event an
386 Interagency Coordinating Council for Early Childhood Services, or
387 similar organization, is established by act of the Legislature,
388 the cooperative extension service may contract with such
389 interagency council for the performance of its duties and
390 responsibilities under this act.

391 (3) As part of the application process for participation in
392 the program, applicants must demonstrate to the cooperative
393 extension service that the program is a collaborative undertaking
394 of various community organizations. School districts and other
395 nonprofit entities in partnership with a school district applying
396 for funds shall be required to develop a collaborative plan that
397 includes, but is not limited to, participation of the local
398 extension service, Head Start, health department, human services
399 and other agencies as deemed by the advisory board in the local
400 development plan. Programs seeking funds under this act shall be
401 required to provide a twenty-five percent (25%) match. Programs
402 shall be housed in parent/family resource centers developed around
403 existing DHS Families First criteria and the State Department of
404 Education Parent/Family Center guidelines. No such parent/family
405 education program shall be established unless it is licensed by
406 the State Department of Health pursuant to Section 43-20-1 et
407 seq., if applicable. Parent education programs shall have a
408 broad-based community advisory board including, but not limited
409 to, representatives of the following categories: parents, local
410 school districts' parent education programs staff, DHS-Division of
411 Family and Children's Services, Head Start/private child care
412 providers, State Department of Education and State Department of
413 Health.

414 (4) The Department of Human Services shall allocate to the
415 maximum extent possible federal Temporary Assistance for Needy
416 Families (TANF) funds for eligible recipients for the
417 parent/family education programs authorized under this section,
418 and shall transfer as necessary TANF funds to the Child Care
419 Development Block Grant Fund or the Social Services Block Grant
420 Fund for those program services that cannot be funded from TANF
421 directly, subject to specific appropriation therefor by the
422 Legislature. The Department of Human Services shall contract with
423 the cooperative extension service as is necessary to allocate the
424 federal funds specified under subsection (4) to the programs and
425 services to be provided.

426 (5) The cooperative extension service may accept any funds,
427 public or private, made available to it for the program. The
428 funds shall be used to award grants to the participating
429 parent/family education services programs for the support of such
430 programs. A parent/family education services program may use any
431 available funding to support the administration of the program.

432 (6) The cooperative extension service shall develop an
433 annual reporting process to inform the Legislature, local school
434 district personnel and the general public as to all programs
435 funded under this section:

436 (a) Number of children and families served;

437 (b) Number of parent educators and other personnel,
438 qualifications, training related to home visit programs and
439 parent/family resource center establishment and experience levels;

440 (c) Annual program cost, with identification by name
441 and amount of the source of funds for each program;

442 (d) Annual budget, administrative costs and other
443 pertinent fiscal information;

444 (e) Annual salary and fringe benefit information for
445 each employee in the program;

446 (f) Annual cost of materials, training and other

447 instructional costs related to the program;

448 (g) Annual cost of program on a per-family basis;

449 (h) Other information as directed by the cooperative
450 extension service;

451 (i) Advisory board members' names and titles; and

452 (j) Analysis of this program's impact on Grades K-3 as
453 indicated in an independent evaluation.

454 (7) This section shall stand repealed from and after June
455 30, 2002.

456 SECTION 5. (1) To ensure that all preschool children have
457 access to quality child care services, the Legislature hereby
458 finds and declares that:

459 (a) Parents have the primary duty to educate their
460 children.

461 (b) Quality early childhood experiences are important
462 to the development of children's school readiness.

463 (c) The State of Mississippi can assist parents in
464 their role as the primary caregivers and educators by improving
465 the quality of available child care.

466 (d) The most important indicators of the quality of
467 child care are the education, compensation and consistency of the
468 teachers.

469 (e) Southeastern states that have developed effective
470 child care scholarship and salary supplement programs have been
471 proven to increase child care staff's education level and improve
472 the consistency of the teachers by reducing child care staff
473 turnover.

474 (2) The Department of Human Services, in collaboration with
475 the State Department of Education, shall on or before January 1,
476 2001, develop and promulgate regulations establishing standards
477 for all providers participating in any state or federally
478 subsidized child care program, which shall include the following
479 minimum requirements:

480 (a) Child care services shall only be provided in an
481 appropriately licensed facility meeting fire and safety
482 regulations, children's immunization and health status records,
483 and criminal history background record check information required
484 by the State Department of Health;

485 (b) Directors of child care centers, lead teachers in
486 centers and assistant teachers in centers shall meet minimum
487 educational requirements in order to develop appropriate staffing
488 requirements;

489 (c) Class size shall be limited to ten (10) children
490 per classroom, unless otherwise determined jointly by the
491 Department of Human Services and the State Department of
492 Education;

493 (d) The pupil/teacher ratio shall consist of one (1)
494 licensed teacher and one (1) teacher assistant for each classroom
495 of ten (10) children, unless otherwise determined jointly by the
496 Department of Human Services and the State Department of
497 Education;

498 (e) All teachers in child care centers are required to
499 receive child development training annually;

500 (f) Playground regulations conforming to the U.S.
501 Consumer Product Safety Commission guidelines, or other
502 appropriate standard, shall be complied with to ensure outdoor
503 play areas are free from hazards that could injure children; and

504 (g) Age appropriate core curriculum shall be followed
505 as adopted jointly by the Department of Human Services and the
506 State Department of Education.

507 (3) In order to improve the educational level of child care
508 staff, the State Department of Human Services, in collaboration
509 with the Board of Trustees of State Institutions of Higher
510 Learning, the State Board for Community and Junior Colleges and
511 the State Department of Education, shall develop and provide an
512 on-going staff training program for directors, teachers and

513 assistant teachers at subsidized child care facilities. All
514 teachers and assistant teachers in child care facilities shall be
515 required to receive child development training annually, and staff
516 may carry over any excess training hours earned to the next year.
517 Topics for such required staff training shall include appropriate
518 areas of early care and child education.

519 (4) In order to improve the educational level of child care
520 staff, the State Department of Human Services in collaboration
521 with the Board of Trustees of State Institutions of Higher
522 Learning, the State Board for Community and Junior Colleges and
523 the State Department of Education shall develop and implement a
524 scholarship program to help child care directors, teachers and
525 family child care home providers work toward completion of a Child
526 Development Associate certification or an associate, bachelor or
527 master's degree in early childhood education. The State
528 Department of Human Services shall develop and promulgate
529 regulations governing:

530 (a) Eligibility requirements for the scholarship
531 program;

532 (b) The number of child care directors, teachers and
533 family child care home providers who can be served each year
534 consistent with the available federal funds;

535 (c) The amount of scholarship available for each level
536 of education, consistent with available federal funds;

537 (d) The number of hours of education that must be
538 completed in each year to continue eligibility; and

539 (e) The requirements for continued service in their
540 sponsoring licensed child care program after completion of the
541 scholarship work.

542 (5) In order to improve the compensation and consistency of
543 the child care staff, the State Department of Human Services shall
544 develop a salary supplement program for child care directors,
545 teachers and family child care home providers. The State

546 Department of Human Services shall develop and promulgate
547 regulations governing:

548 (a) Eligibility requirements for the salary supplement;

549 (b) The number of child care directors, teachers and
550 family child care home providers who can be served each year,
551 consistent with the available federal funds;

552 (c) The amount of salary supplement available for each
553 level of education and responsibility, consistent with available
554 federal funds;

555 (d) The requirements for child care staff to have
556 worked for a continuous six-month period in the same licensed
557 child care setting.

558 (6) The expense of establishing, maintaining and operating
559 these staff development training, scholarship and salary
560 supplement programs for child care staff shall be paid from the
561 federal Child Care and Development Fund allocations, pursuant to
562 specific appropriation therefor by the Legislature.

563 (7) The State Department of Human Services shall consider
564 proven child care staff training, child care scholarship and
565 salary supplement models already effective in other states when
566 designing these programs.

567 (8) The State Department of Human Services shall develop and
568 carry out an evaluation plan of these staff development,
569 scholarship and salary supplement programs that includes
570 measurements of child care staff's education levels and turnover
571 levels.

572 (9) The State Department of Human Services may contract with
573 private, nonprofit organizations to provide these staff training,
574 scholarship and salary supplement programs.

575 (10) This section shall stand repealed from and after June
576 30, 2002.

577 SECTION 6. Section 43-20-8, Mississippi Code of 1972, is
578 amended as follows:[RDD1]

579 43-20-8. (1) The licensing agency shall have powers and
580 duties as set forth below in addition to other duties prescribed
581 under this chapter:

582 (a) Promulgate rules and regulations concerning the
583 licensing and regulation of child care facilities as defined
584 herein; provided, however, that the licensing agency shall
585 specifically not be authorized to establish minimum education
586 standards for administrators or teachers, minimum teacher-pupil
587 ratios or minimum core curriculum requirements at child care
588 facilities for licensure purposes;

589 (b) Have the authority to issue, deny, suspend, revoke,
590 restrict or otherwise take disciplinary action against licensees
591 as provided for in this chapter;

592 (c) Set and collect fees and penalties as provided for
593 in this chapter; and

594 (d) Have such other powers as may be required to carry
595 out the provisions of this chapter.

596 (2) Child care facilities shall assure that parents have
597 welcome access to the child care facility at all times.

598 (3) Child care facilities shall require that current felony
599 conviction record information is obtained and that current sex
600 offense criminal history record information and child abuse
601 registry checks are obtained, as provided in Section 45-31-1 et
602 seq., and that such criminal record information and registry
603 checks are on file for any employee or applicant for employment at
604 such child care facility. In order to determine the applicant's
605 suitability for employment, the applicant shall be fingerprinted.

606 If no disqualifying record is identified at the state level, the
607 fingerprints shall be forwarded by the Department of Public Safety
608 to the FBI for a national criminal history record check.

609 (4) The licensing agency shall require to be performed a
610 felony conviction records check, a sex offense criminal records
611 check and a child abuse registry check for any owner/operator of a

612 child care facility and any person living in a residence used for
613 child care. In order to determine the applicant's suitability for
614 employment, the applicant shall be fingerprinted. If no
615 disqualifying record is identified at the state level, the
616 fingerprints shall be forwarded by the Department of Public Safety
617 to the FBI for a national criminal history record check.

618 SECTION 7. Section 41-3-1, Mississippi Code of 1972, is
619 amended as follows:[RDD2]

620 41-3-1. (1) The present members of the State Board of
621 Health shall continue to serve until July 1, 1980, whereupon the
622 board shall be reconstituted as follows:

623 There is hereby created the State Board of Health which shall
624 consist of thirteen (13) members, appointed by the Governor with
625 the advice and consent of the Senate, as hereinafter set forth:
626 two (2) of whom shall be from each congressional district as
627 constituted on January 1, 1980, and three (3) of whom shall be
628 from the state at large. The members so appointed shall either be
629 engaged professionally in rendering health services or shall be
630 consumers of health services who have no financial interest in any
631 provider thereof. At least one (1) appointee shall be an owner or
632 director of a licensed child care facility. All appointees shall
633 be persons knowledgeable in at least one (1) of the matters of
634 jurisdiction of the board.

635 (2) The original appointments of the reconstituted board
636 shall be made no later than June 30, 1980, for terms to begin on
637 July 1, 1980. The Governor shall designate the initial terms of
638 the members of the board as follows: Four (4) members shall be
639 appointed for a term which expires July 1, 1982; four (4) members
640 shall be appointed for a term which expires July 1, 1984; and five
641 (5) members shall be appointed for a term which expires July 1,
642 1986. Thereafter, all succeeding appointments shall be for terms
643 of six (6) years from the expiration of the previous term.
644 Vacancies in office shall be filled by appointment of the Governor

645 in the same manner as the appointment to the position which
646 becomes vacant, subject to the advice and consent of the Senate at
647 the next regular session of the Legislature. An appointment to
648 fill a vacancy other than by expiration of a term of office shall
649 be for the balance of the unexpired term.

650 SECTION 8. Section 37-159-3, Mississippi Code of 1972, is
651 amended as follows:[JU3]

652 37-159-3. (1) There is established the "Critical Needs
653 Teacher Scholarship Program," the purpose of which is to attract
654 qualified teachers to those geographical areas of the state where
655 there exists a critical shortage of teachers by awarding full
656 scholarships to persons declaring an intention to serve in the
657 teaching field who actually render service to the state while
658 possessing an appropriate teaching license.

659 (2) Any individual who is enrolled in or accepted for
660 enrollment at a baccalaureate degree-granting institution of
661 higher learning whose teacher education program is approved by the
662 State Board of Education or at an accredited, nonprofit community
663 or junior college in the State of Mississippi who expresses in
664 writing an intention to teach in a geographical area of the state
665 in which there exists a critical shortage of teachers, as
666 designated by the State Board of Education, shall be eligible for
667 a financial scholarship to be applied toward the costs of the
668 individual's college education. Any individual who is enrolled in
669 or accepted for enrollment at a baccalaureate or master's
670 degree-granting institution of higher learning whose early
671 education teacher program is approved by the State Board of
672 Education or whose program for a bachelor of science degree with
673 child development emphasis is approved by the American Association
674 of Family and Consumer Sciences, or at a public or accredited
675 nonprofit community or junior college in the State of Mississippi,
676 who expresses in writing an intention to teach or otherwise be
677 employed in a licensed child care facility located in a

678 geographical area of the state in which there exists a critical
679 shortage of teachers, shall also be eligible for a financial
680 scholarship to be applied toward the costs of the individual's
681 college education subject to the availability of nonstate funds
682 for the payment of such costs. The annual amount of the award
683 shall be equal to the total cost for tuition, room and meals,
684 books, materials and fees at the college or university in which
685 the student is enrolled, not to exceed an amount equal to the
686 highest total cost of tuition, room and meals, books, materials
687 and fees assessed by a state institution of higher learning during
688 that school year. Awards made to nonresidents of the state shall
689 not include any amount assessed by the college or university for
690 out-of-state tuition.

691 (3) Awards granted under the Critical Needs Teacher
692 Scholarship Program shall be available to both full-time and
693 part-time students. Students enrolling on a full-time basis may
694 receive a maximum of four (4) annual awards. The maximum number
695 of awards that may be made to students attending school on a
696 part-time basis, and the maximum time period for part-time
697 students to complete the number of academic hours necessary to
698 obtain a baccalaureate degree in education, shall be established
699 by rules and regulations jointly promulgated by the Board of
700 Trustees of State Institutions of Higher Learning and the State
701 Board of Education. Critical Needs Teacher Scholarships shall not
702 be based upon an applicant's eligibility for financial aid.

703 (4) Except in those cases where employment positions may not
704 be available upon completion of licensure requirements, at the
705 beginning of the first school year in which a recipient of a
706 Critical Needs Teacher Scholarship is eligible for employment as a
707 licensed teacher, that person shall begin to render service as a
708 licensed teacher in a public school district in a geographical
709 area of the state where there is a critical shortage of teachers,
710 as approved by the State Board of Education or in a licensed child

711 care facility, as is applicable. Any person who received four (4)
712 annual awards, or the equivalent of four (4) annual awards, shall
713 render three (3) years' service as a licensed teacher. Any person
714 who received fewer than four (4) annual awards, or the equivalent
715 of four (4) annual awards, shall render one (1) year's service as
716 a licensed teacher for each year that the person received a
717 full-time student scholarship, or for the number of academic hours
718 equivalent to one (1) school year, as determined by the Board of
719 Trustees of State Institutions of Higher Learning, which a
720 part-time student received a scholarship.

721 (5) Any person failing to complete a program of study which
722 will enable that person to become a licensed teacher shall become
723 liable immediately to the Board of Trustees of State Institutions
724 of Higher Learning for the sum of all Critical Needs Teacher
725 Scholarship awards made to that person, plus interest accruing at
726 the current Stafford Loan rate at the time the person abrogates
727 his participation in the program. Any person failing to complete
728 his teaching obligation, as required under subsection (4) of this
729 section, shall become liable immediately to the board for the sum
730 of all scholarship awards made to that person less the
731 corresponding amount of any awards for which service has been
732 rendered, plus interest accruing at the current Stafford Loan rate
733 at the time the person discontinues his service, except in the
734 case of a deferral of debt for cause by the State Board of
735 Education when there is no employment position immediately
736 available upon a teacher's completion of licensure requirements.
737 After the period of such deferral, such person shall begin or
738 resume teaching duties as required under subsection (4) or shall
739 become liable to the board under this subsection. If a claim for
740 payment under this subsection is placed in the hands of an
741 attorney for collection, the obligor shall be liable for an
742 additional amount equal to a reasonable attorney's fee.

743 (6) The obligations made by the recipient of a Critical

744 Needs Teacher Scholarship award shall not be voidable by reason of
745 the age of the student at the time of receiving the scholarship.

746 (7) The Board of Trustees of State Institutions of Higher
747 Learning and the State Board of Education shall jointly promulgate
748 rules and regulations necessary for the proper administration of
749 the Critical Needs Teacher Scholarship Program. The Board of
750 Trustees of State Institutions of Higher Learning shall be the
751 administering agency of the program.

752 (8) If insufficient funds are available to fully fund
753 scholarship awards to all eligible students, the Board of Trustees
754 of State Institutions of Higher Learning shall make the awards to
755 first-time students on a first-come, first-served basis; however,
756 priority consideration shall be given to persons previously
757 receiving awards under the Critical Needs Teacher Scholarship
758 Program.

759 (9) All funds received by the Board of Trustees of State
760 Institutions of Higher Learning from the repayment of scholarship
761 awards by program participants shall be deposited in the
762 Mississippi Critical Teacher Shortage Fund.

763 SECTION 9. Section 37-3-2, Mississippi Code of 1972, is
764 amended as follows:

765 37-3-2. (1) There is hereby established within the State
766 Department of Education the Commission on Teacher and
767 Administrator Education, Certification and Licensure and
768 Development. It shall be the purpose and duty of the commission
769 to make recommendations to the State Board of Education regarding
770 standards for the certification and licensure and continuing
771 professional development of those who teach or perform tasks of an
772 educational nature in the public schools of Mississippi.

773 (2) The commission shall be composed of fifteen (15)
774 qualified members. The membership of the commission shall be
775 composed of the following members to be appointed three (3) from
776 each congressional district: four (4) classroom teachers; three

777 (3) school administrators; one (1) representative of schools of
778 education of institutions of higher learning located within the
779 state to be recommended by the Board of Trustees of State
780 Institutions of Higher Learning; one (1) representative from the
781 schools of education of independent institutions of higher
782 learning to be recommended by the Board of the Mississippi
783 Association of Independent Colleges; one (1) representative from
784 public community and junior colleges located within the state to
785 be recommended by the State Board for Community and Junior
786 Colleges; one (1) local school board member; and four (4) lay
787 persons. All appointments shall be made by the State Board of
788 Education after consultation with the State Superintendent of
789 Public Education. The first appointments by the State Board of
790 Education shall be made as follows: five (5) members shall be
791 appointed for a term of one (1) year; five (5) members shall be
792 appointed for a term of two (2) years; and five (5) members shall
793 be appointed for a term of three (3) years. Thereafter, all
794 members shall be appointed for a term of four (4) years.

795 (3) The State Board of Education when making appointments
796 shall designate a chairman. The commission shall meet at least
797 once every two (2) months or more often if needed. Members of the
798 commission shall be compensated at a rate of per diem as
799 authorized by Section 25-3-69 and be reimbursed for actual and
800 necessary expenses as authorized by Section 25-3-41.

801 (4) An appropriate staff member of the State Department of
802 Education shall be designated and assigned by the State
803 Superintendent of Public Education to serve as executive secretary
804 and coordinator for the commission. No less than two (2) other
805 appropriate staff members of the State Department of Education
806 shall be designated and assigned by the State Superintendent of
807 Public Education to serve on the staff of the commission.

808 (5) It shall be the duty of the commission to:

809 (a) Set standards and criteria, subject to the approval

810 of the State Board of Education, for all educator preparation
811 programs in the state;

812 (b) Recommend to the State Board of Education each year
813 approval or disapproval of each educator preparation program in
814 the state;

815 (c) Establish, subject to the approval of the State
816 Board of Education, standards for initial teacher certification
817 and licensure in all fields;

818 (d) Establish, subject to the approval of the State
819 Board of Education, standards for the renewal of teacher licenses
820 in all fields;

821 (e) Review and evaluate objective measures of teacher
822 performance, such as test scores, which may form part of the
823 licensure process, and to make recommendations for their use;

824 (f) Review all existing requirements for certification
825 and licensure;

826 (g) Consult with groups whose work may be affected by
827 the commission's decisions;

828 (h) Prepare reports from time to time on current
829 practices and issues in the general area of teacher education and
830 certification and licensure;

831 (i) Hold hearings concerning standards for teachers'
832 and administrators' education and certification and licensure with
833 approval of the State Board of Education;

834 (j) Hire expert consultants with approval of the State
835 Board of Education;

836 (k) Set up ad hoc committees to advise on specific
837 areas; and

838 (l) Perform such other functions as may fall within
839 their general charge and which may be delegated to them by the
840 State Board of Education.

841 (6) (a) **Standard License - Approved Program Route.** An
842 educator entering the school system of Mississippi for the first

843 time and meeting all requirements as established by the State
844 Board of Education shall be granted a standard five-year license.
845 Persons who possess two (2) years of classroom experience as an
846 assistant teacher or who have taught for one (1) year in an
847 accredited public or private school shall be allowed to fulfill
848 student teaching requirements under the supervision of a qualified
849 participating teacher approved by an accredited college of
850 education. The local school district in which the assistant
851 teacher is employed shall compensate such assistant teachers at
852 the required salary level during the period of time such
853 individual is completing student teaching requirements.
854 Applicants for a standard license shall submit to the department:
855 (i) An application on a department form;
856 (ii) An official transcript of completion of a
857 teacher education program or bachelor of science degree with child
858 development emphasis from a program accredited by the American
859 Association of Family and Consumer Sciences (AAFCS) approved by
860 the department or a nationally accredited program, subject to the
861 following: Licensure to teach in Mississippi pre-kindergarten
862 through kindergarten classrooms shall require completion of a
863 teacher education program or bachelor of science degree with child
864 development emphasis from a program accredited with the American
865 Association of Family and Consumer Sciences (AAFCS). Licensure to
866 teach in Mississippi kindergarten through Grade 4 shall require
867 the completion of an interdisciplinary program of studies.
868 Licenses for Grades 4 through 8 shall require the completion of an
869 interdisciplinary program of studies with two (2) or more areas of
870 concentration. Licensure to teach in Mississippi Grades 7 through
871 12 shall require a major in an academic field other than
872 education, or a combination of disciplines other than education.
873 Students preparing to teach a subject shall complete a major in
874 the respective subject discipline. All applicants for standard
875 licensure shall demonstrate that such person's college preparation

876 in those fields was in accordance with the standards set forth by
877 the National Council for Accreditation of Teacher Education
878 (NCATE) or the National Association of State Directors of Teacher
879 Education and Certification (NASDTEC) or in the case of
880 certification to teach in pre-kindergarten through kindergarten
881 classrooms, the American Association of Family and Consumer
882 Sciences (AAFCS);

883 (iii) A copy of test scores evidencing
884 satisfactory completion of nationally administered examinations of
885 achievement, such as the Educational Testing Service's teacher
886 testing examinations. The State Board of Education is directed to
887 study and develop a report on the progress of the nationally
888 administered examination of achievement for students in an
889 approved teacher education program. This report shall develop
890 data for the period beginning July 1, 1997, and ending June 30,
891 1998. The state board, with the assistance of the commission,
892 shall prepare the results of the study and make a report thereon
893 to the Education Committees of the Legislature utilizing the
894 following components:

- 895 1. Collect data on entrance and exit
896 performance of students in a teacher education program;
- 897 2. Report on student performance as compared
898 to the required examination score;
- 899 3. Develop and make recommendations on
900 necessary requirement revisions as may be appropriate based on
901 student performance results;
- 902 4. Include other such formats as may best
903 describe the profile of the student examination results; and

904 (iv) Any other document required by the State
905 Board of Education.

906 (b) **Standard License - Alternate Teaching Route.**

907 Applicants for a standard license-alternate teaching route shall
908 submit to the department:

909 (i) An application on a department form;
910 (ii) An official transcript evidencing a bachelors
911 degree from an accredited institution of higher learning;
912 (iii) A copy of test scores evidencing
913 satisfactory completion of an examination of achievement specified
914 by the commission and approved by the State Board of Education;
915 (iv) An official transcript evidencing appropriate
916 credit hours or a copy of test scores evidencing successful
917 completion of tests as required by the State Board of Education;
918 and
919 (v) Any other document required by the State Board
920 of Education.

921 A Standard License-Approved Program Route and a Standard
922 License-Alternate Teaching Route shall be issued for a five-year
923 period, and may be renewed. Recognizing teaching as a profession,
924 a hiring preference shall be granted to persons holding a Standard
925 License-Approved Program Route or Standard License-Alternate
926 Teaching Route over persons holding any other license.

927 (c) **Special License - Expert Citizen.** In order to
928 allow a school district to offer specialized or technical courses,
929 the State Department of Education, in accordance with rules and
930 regulations established by the State Board of Education, may grant
931 a one-year expert citizen-teacher license to local business or
932 other professional personnel to teach in a public school or
933 nonpublic school accredited or approved by the state. Such person
934 may begin teaching upon his employment by the local school board
935 and licensure by the Mississippi Department of Education. The
936 board shall adopt rules and regulations to administer the expert
937 citizen-teacher license. A special license-expert citizen may be
938 renewed in accordance with the established rules and regulations
939 of the State Department of Education.

940 (d) **Special License - Nonrenewable.** The State Board of
941 Education is authorized to establish rules and regulations to

942 allow those educators not meeting requirements in subsection
943 (6)(a), (b) or (c) to be licensed for a period of not more than
944 three (3) years, except by special approval of the State Board of
945 Education.

946 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
947 person may teach for a maximum of three (3) periods per teaching
948 day in a public school or a nonpublic school accredited/approved
949 by the state. Such person shall submit to the department a
950 transcript or record of his education and experience which
951 substantiates his preparation for the subject to be taught and
952 shall meet other qualifications specified by the commission and
953 approved by the State Board of Education. In no case shall any
954 local school board hire nonlicensed personnel as authorized under
955 this paragraph in excess of five percent (5%) of the total number
956 of licensed personnel in any single school.

957 (f) In the event any school district meets Level 4 or 5
958 accreditation standards, the State Board of Education may, in its
959 discretion, exempt such school district from any restrictions
960 in paragraph (e) relating to the employment of nonlicensed
961 teaching personnel.

962 (7) **Administrator License.** The State Board of Education is
963 authorized to establish rules and regulations and to administer
964 the licensure process of the school administrators in the State of
965 Mississippi. There will be four (4) categories of administrator
966 licensure with exceptions only through special approval of the
967 State Board of Education.

968 (a) **Administrator License - Nonpracticing.** Those
969 educators holding administrative endorsement but have no
970 administrative experience or not serving in an administrative
971 position on January 15, 1997.

972 (b) **Administrator License - Entry Level.** Those
973 educators holding administrative endorsement and having met the
974 department's qualifications to be eligible for employment in a

975 Mississippi school district. Administrator license - entry level
976 shall be issued for a five-year period and shall be nonrenewable.

977 (c) **Standard Administrator License - Career Level.** An
978 administrator who has met all the requirements of the department
979 for standard administrator licensure.

980 (d) **Administrator License - Alternate Route.** The board
981 may establish an alternate route for licensing administrative
982 personnel. Such alternate route for administrative licensure
983 shall be available for persons holding, but not limited to, a
984 master of business administration degree, a master of public
985 administration degree or a master of public planning and policy
986 degree from an accredited college or university, with five (5)
987 years of administrative or supervisory experience. Successful
988 completion of the requirements of alternate route licensure for
989 administrators shall qualify the person for a standard
990 administrator license.

991 Beginning with the 1997-1998 school year, individuals seeking
992 school administrator licensure under paragraph (b), (c) or (d)
993 shall successfully complete a training program and an assessment
994 process prescribed by the State Board of Education. Applicants
995 seeking school administrator licensure prior to June 30, 1997, and
996 completing all requirements for provisional or standard
997 administrator certification and who have never practiced, shall be
998 exempt from taking the Mississippi Assessment Battery Phase I.
999 Applicants seeking school administrator licensure during the
1000 period beginning July 1, 1997, through June 30, 1998, shall
1001 participate in the Mississippi Assessment Battery, and upon
1002 request of the applicant, the department shall reimburse the
1003 applicant for the cost of the assessment process required. After
1004 June 30, 1998, all applicants for school administrator licensure
1005 shall meet all requirements prescribed by the department under
1006 paragraph (b), (c) or (d), and the cost of the assessment process
1007 required shall be paid by the applicant.

1008 (8) **Reciprocity.** (a) The department shall grant a standard
1009 license to any individual who possesses a valid standard license
1010 from another state and has a minimum of two (2) years of full-time
1011 teaching or administrator experience.

1012 (b) The department shall grant a nonrenewable special
1013 license to any individual who possesses a credential which is less
1014 than a standard license or certification from another state, or
1015 who possesses a standard license from another state but has less
1016 than two (2) years of full-time teaching or administration
1017 experience. Such special license shall be valid for the current
1018 school year plus one (1) additional school year to expire on June
1019 30 of the second year, not to exceed a total period of twenty-four
1020 (24) months, during which time the applicant shall be required to
1021 complete the requirements for a standard license in Mississippi.

1022 (9) **Renewal and Reinstatement of Licenses.** The State Board
1023 of Education is authorized to establish rules and regulations for
1024 the renewal and reinstatement of educator and administrator
1025 licenses.

1026 (10) All controversies involving the issuance, revocation,
1027 suspension or any change whatsoever in the licensure of an
1028 educator required to hold a license shall be initially heard in a
1029 hearing de novo, by the commission or by a subcommittee
1030 established by the commission and composed of commission members
1031 for the purpose of holding hearings. Any complaint seeking the
1032 denial of issuance, revocation or suspension of a license shall be
1033 by sworn affidavit filed with the Commission of Teacher and
1034 Administrator Education, Certification and Licensure and
1035 Development. The decision thereon by the commission or its
1036 subcommittee shall be final, unless the aggrieved party shall
1037 appeal to the State Board of Education, within ten (10) days, of
1038 the decision of the committee or its subcommittee. An appeal to
1039 the State Board of Education shall be on the record previously
1040 made before the commission or its subcommittee unless otherwise

1041 provided by rules and regulations adopted by the board. The State
1042 Board of Education in its authority may reverse, or remand with
1043 instructions, the decision of the committee or its subcommittee.
1044 The decision of the State Board of Education shall be final.

1045 (11) The State Board of Education, acting through the
1046 commission, may deny an application for any teacher or
1047 administrator license for one or more of the following:

1048 (a) Lack of qualifications which are prescribed by law
1049 or regulations adopted by the State Board of Education;

1050 (b) Has a physical, emotional or mental disability that
1051 renders the applicant unfit to perform the duties authorized by
1052 the license, as certified by a licensed psychologist or
1053 psychiatrist;

1054 (c) Is actively addicted to or actively dependent on
1055 alcohol or other habit-forming drugs or is a habitual user of
1056 narcotics, barbiturates, amphetamines, hallucinogens, or other
1057 drugs having similar effect, at the time of application for a
1058 license;

1059 (d) Revocation of a certificate or license by another
1060 state;

1061 (e) Committed fraud or deceit in securing or attempting
1062 to secure such certification and license;

1063 (f) Fails or refuses to furnish reasonable evidence of
1064 identification;

1065 (g) Has been convicted, has pled guilty or entered a
1066 plea of nolo contendere to a felony, as defined by federal or
1067 state law; or

1068 (h) Has been convicted, has pled guilty or entered a
1069 plea of nolo contendere to a sex offense as defined by federal or
1070 state law.

1071 (12) The State Board of Education, acting on the
1072 recommendation of the commission, may revoke or suspend any
1073 teacher or administrator license for specified periods of time for

1074 one or more of the following:

1075 (a) Breach of contract or abandonment of employment may
1076 result in the suspension of the license for one (1) school year as
1077 provided in Section 37-9-57, Mississippi Code of 1972;

1078 (b) Obtaining a license by fraudulent means shall
1079 result in immediate suspension and continued suspension for one
1080 (1) year after correction is made;

1081 (c) Suspension or revocation of a certificate or
1082 license by another state shall result in immediate suspension or
1083 revocation and shall continue until records in the prior state
1084 have been cleared;

1085 (d) Has been convicted, has pled guilty or entered a
1086 plea of nolo contendere to a felony, as defined by federal or
1087 state law;

1088 (e) Has been convicted, has pled guilty or entered a
1089 plea of nolo contendere to a sex offense, as defined by federal or
1090 state law; or

1091 (f) Knowingly and willfully committing any of the acts
1092 affecting validity of mandatory uniform test results as provided
1093 in Section 37-16-4(1), Mississippi Code of 1972.

1094 (13) (a) Dismissal or suspension of a licensed employee by
1095 a local school board pursuant to Section 37-9-59, Mississippi Code
1096 of 1972, may result in the suspension or revocation of a license
1097 for a length of time which shall be determined by the commission
1098 and based upon the severity of the offense.

1099 (b) Any offense committed or attempted in any other
1100 state shall result in the same penalty as if committed or
1101 attempted in this state.

1102 (c) A person may voluntarily surrender a license. The
1103 surrender of such license may result in the commission
1104 recommending any of the above penalties without the necessity of a
1105 hearing. However, any such license which has voluntarily been
1106 surrendered by a licensed employee may be reinstated by a

1107 unanimous vote of all members of the commission.

1108 (14) A person whose license has been suspended on any
1109 grounds except criminal grounds may petition for reinstatement of
1110 the license after one (1) year from the date of suspension, or
1111 after one-half (1/2) of the suspended time has lapsed, whichever
1112 is greater. A license suspended on the criminal grounds may be
1113 reinstated upon petition to the commission filed after expiration
1114 of the sentence and parole or probationary period imposed upon
1115 conviction. A revoked license may be reinstated upon satisfactory
1116 showing of evidence of rehabilitation. The commission shall
1117 require all who petition for reinstatement to furnish evidence
1118 satisfactory to the commission of good character, good mental,
1119 emotional and physical health and such other evidence as the
1120 commission may deem necessary to establish the petitioner's
1121 rehabilitation and fitness to perform the duties authorized by the
1122 license.

1123 (15) Reporting procedures and hearing procedures for dealing
1124 with infractions under this section shall be promulgated by the
1125 commission, subject to the approval of the State Board of
1126 Education. The revocation or suspension of a license shall be
1127 effected at the time indicated on the notice of suspension or
1128 revocation. The commission shall immediately notify the
1129 superintendent of the school district or school board where the
1130 teacher or administrator is employed of any disciplinary action
1131 and also notify the teacher or administrator of such revocation or
1132 suspension and shall maintain records of action taken. The State
1133 Board of Education may reverse or remand with instructions any
1134 decision of the commission regarding a petition for reinstatement
1135 of a license, and any such decision of the State Board of
1136 Education shall be final.

1137 (16) An appeal from the action of the State Board of
1138 Education in denying an application, revoking or suspending a
1139 license or otherwise disciplining any person under the provisions

1140 of this section, shall be filed in the Chancery Court of the First
1141 Judicial District of Hinds County on the record made, including a
1142 verbatim transcript of the testimony at the hearing. The appeal
1143 shall be filed within thirty (30) days after notification of the
1144 action of the board is mailed or served and the proceedings in
1145 chancery court shall be conducted as other matters coming before
1146 the court. The appeal shall be perfected upon filing notice of
1147 the appeal and by the prepayment of all costs, including the cost
1148 of preparation of the record of the proceedings by the State Board
1149 of Education, and the filing of a bond in the sum of Two Hundred
1150 Dollars (\$200.00) conditioned that if the action of the board be
1151 affirmed by the chancery court, the applicant or license holder
1152 shall pay the costs of the appeal and the action of the chancery
1153 court.

1154 (17) All such programs, rules, regulations, standards and
1155 criteria recommended or authorized by the commission shall become
1156 effective upon approval by the State Board of Education as
1157 designated by appropriate orders entered upon the minutes thereof.

1158 (18) The granting of a license shall not be deemed a
1159 property right nor a guarantee of employment in any public school
1160 district. A license is a privilege indicating minimal eligibility
1161 for teaching in the public schools of Mississippi. This section
1162 shall in no way alter or abridge the authority of local school
1163 districts to require greater qualifications or standards of
1164 performance as a prerequisite of initial or continued employment
1165 in such districts.

1166 (19) In addition to the reasons specified in subsection (8)
1167 of this section, the board shall be authorized to suspend the
1168 license of any licensee for being out of compliance with an order
1169 for support, as defined in Section 93-11-153. The procedure for
1170 suspension of a license for being out of compliance with an order
1171 for support, and the procedure for the reissuance or reinstatement
1172 of a license suspended for that purpose, and the payment of any

1173 fees for the reissuance or reinstatement of a license suspended
1174 for that purpose, shall be governed by Section 93-11-157 or
1175 93-11-163, as the case may be. Actions taken by the board in
1176 suspending a license when required by Section 93-11-157 or
1177 93-11-163 are not actions from which an appeal may be taken under
1178 this section. Any appeal of a license suspension that is required
1179 by Section 93-11-157 or 93-11-163 shall be taken in accordance
1180 with the appeal procedure specified in Section 93-11-157 or
1181 93-11-163, as the case may be, rather than the procedure specified
1182 in this section. If there is any conflict between any provision
1183 of Section 93-11-157 or 93-11-163 and any provision of this
1184 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
1185 case may be, shall control.

1186 SECTION 10. The Board of Trustees of State Institutions of
1187 Higher Learning and the State Board for Community and Junior
1188 Colleges are hereby authorized and directed to enter into an
1189 articulation agreement providing for the transfer of appropriate
1190 credits from the Child Technology Degree program at the various
1191 community colleges to the appropriate college program at the
1192 various universities. The State Board for Community and Junior
1193 Colleges and the Board of Trustees of State Institutions of Higher
1194 Learning shall jointly develop a report on the articulation
1195 agreement required under this section, and submit this report to
1196 the Committees on Education and Universities and Colleges of each
1197 house of the Legislature, on or before December 1, 2000.

1198 SECTION 11. This act shall take effect and be in force from
1199 and after July 1, 2000.