

By: Harden

To: Education;
AppropriationsSENATE BILL NO. 2302
(As Passed the Senate)

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 research, pilot, planning and evaluation of all programs serving
222 preschool children and their families.
223 (g) Shall utilize the federally funded Head Start model
224 in the expansion of early childhood services programs.
225 (6) This section shall stand repealed from and after June
226 30, 2002.
227 SECTION 3. (1) The Interagency Advisory Committee for Early
228 Childhood Services is hereby created to develop and make
229 recommendations to the Early Childhood Services Interagency
230 Coordinating Council established under Section 2 of this act as
231 deemed necessary to implement the council's responsibilities
232 relating to all programs serving preschool children and their
233 families in Mississippi.
234 (2) The membership of the Interagency Advisory Committee for
235 Early Childhood Services shall be as follows:
236 (a) The Chairmen of the Senate Education, Public Health
237 and Welfare and Appropriations Committees, or their designees;
238 (b) The Chairmen of the House Education, Public Health
239 and Welfare and Appropriations Committees, or their designees;
240 (c) A representative of the Governor;
241 (d) A representative of the State Department of
242 Education;
243 (e) A representative of the State Department of Health;
244 (f) A representative of the Department of Human
245 Services;
246 (g) A representative of the Mississippi Department of
247 Mental Health;
248 (h) A representative of the State Department of

249 Rehabilitation Services;

250 (i) The following representatives of the early
251 childhood profession:

252 (i) The President of the Mississippi Head Start
253 Association;

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

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

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

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

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

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

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

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

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

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

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

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

281 (l) A representative of the cooperative extension

282 services appointed by the President of the Senate;

283 (m) A physician who is a member of the Mississippi
284 Chapter of the American Academy of Pediatrics, appointed by the
285 Director of the University Medical Center;

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

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

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

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

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

315 (4) Nonlegislative members of the advisory committee shall
316 receive no compensation for their services, but shall be
317 reimbursed for travel and other expenses actually incurred in the
318 performance of their official duties. Such reimbursement shall be
319 paid in accordance with the provisions of Section 25-3-41,
320 Mississippi Code of 1972, and shall be approved by the chairman of
321 the advisory committee. Legislative members of the advisory
322 committee shall receive the same per diem and expense
323 reimbursement as is authorized for interim committee meetings to
324 be paid from the contingent expense funds of the respective
325 chamber.

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

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

334 (b) Identify services to children which impact early
335 childhood development and education;

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

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

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

345 (6) This section shall stand repealed from and after June
346 30, 2002.

347 SECTION 4. (1) The cooperative extension service of any

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

376 (2) The cooperative extension service shall (a) determine a
377 process for interested school districts and other nonprofit
378 entities in partnership with a school district to apply for grant
379 funds in order to participate in the programs; (b) monitor program
380 operations; (c) evaluate program effectiveness; and (d) develop

381 rules for the administration of the program. In developing the
382 process, the cooperative extension service shall utilize, but not
383 be limited to, representatives of the following categories:
384 parents; local school districts' parent education programs staff;
385 the Department of Human Services, Division of Family and
386 Children's Services; Head Start; the State Department of Education
387 and USOE funded parental assistance programs. In the event an
388 Interagency Coordinating Council for Early Childhood Services, or
389 similar organization, is established by act of the Legislature,
390 the cooperative extension service may contract with such
391 interagency council for the performance of its duties and
392 responsibilities under this act.

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

414 providers, State Department of Education and State Department of
415 Health.

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

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

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

438 (a) Number of children and families served;

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

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

444 (d) Annual budget, administrative costs and other
445 pertinent fiscal information;

446 (e) Annual salary and fringe benefit information for

447 each employee in the program;

448 (f) Annual cost of materials, training and other
449 instructional costs related to the program;

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

451 (h) Other information as directed by the cooperative
452 extension service;

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

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

456 (7) This section shall stand repealed from and after June
457 30, 2002.

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

461 (a) Parents have the primary duty to educate their
462 children.

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

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

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

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

476 (2) The Department of Human Services, in collaboration with
477 the State Department of Education, shall on or before January 1,
478 2001, develop and promulgate regulations establishing standards
479 for all providers participating in any state or federally

480 subsidized child care program, which shall include the following
481 minimum requirements:

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

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

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

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

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

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

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

509 (3) In order to improve the educational level of child care
510 staff, the State Department of Human Services, in collaboration
511 with the Board of Trustees of State Institutions of Higher
512 Learning, the State Board for Community and Junior Colleges and

513 the State Department of Education, shall develop and provide an
514 on-going staff training program for directors, teachers and
515 assistant teachers at subsidized child care facilities. All
516 teachers and assistant teachers in child care facilities shall be
517 required to receive child development training annually, and staff
518 may carry over any excess training hours earned to the next year.

519 Topics for such required staff training shall include appropriate
520 areas of early care and child education.

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

532 (a) Eligibility requirements for the scholarship
533 program;

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

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

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

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

544 (5) In order to improve the compensation and consistency of
545 the child care staff, the State Department of Human Services shall

546 develop a salary supplement program for child care directors,
547 teachers and family child care home providers. The State
548 Department of Human Services shall develop and promulgate
549 regulations governing:

550 (a) Eligibility requirements for the salary supplement;

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

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

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

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

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

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

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

577 (10) This section shall stand repealed from and after June
578 30, 2002.

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

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

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

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

594 (c) Set and collect fees and penalties as provided for
595 in this chapter; and

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

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

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

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

611 (4) The licensing agency shall require to be performed a

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

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

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

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

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

645 of six (6) years from the expiration of the previous term.
646 Vacancies in office shall be filled by appointment of the Governor
647 in the same manner as the appointment to the position which
648 becomes vacant, subject to the advice and consent of the Senate at
649 the next regular session of the Legislature. An appointment to
650 fill a vacancy other than by expiration of a term of office shall
651 be for the balance of the unexpired term.

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

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

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

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

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

705 (4) Except in those cases where employment positions may not
706 be available upon completion of licensure requirements, at the
707 beginning of the first school year in which a recipient of a
708 Critical Needs Teacher Scholarship is eligible for employment as a
709 licensed teacher, that person shall begin to render service as a
710 licensed teacher in a public school district in a geographical

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

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

744 additional amount equal to a reasonable attorney's fee.

745 (6) The obligations made by the recipient of a Critical
746 Needs Teacher Scholarship award shall not be voidable by reason of
747 the age of the student at the time of receiving the scholarship.

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

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

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

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

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

775 (2) The commission shall be composed of fifteen (15)
776 qualified members. The membership of the commission shall be

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

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

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

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

811 (a) Set standards and criteria, subject to the approval
812 of the State Board of Education, for all educator preparation
813 programs in the state;

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

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

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

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

826 (f) Review all existing requirements for certification
827 and licensure;

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

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

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

836 (j) Hire expert consultants with approval of the State
837 Board of Education;

838 (k) Set up ad hoc committees to advise on specific
839 areas; and

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

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

876 the respective subject discipline. All applicants for standard
877 licensure shall demonstrate that such person's college preparation
878 in those fields was in accordance with the standards set forth by
879 the National Council for Accreditation of Teacher Education
880 (NCATE) or the National Association of State Directors of Teacher
881 Education and Certification (NASDTEC) or in the case of
882 certification to teach in pre-kindergarten through kindergarten
883 classrooms, the American Association of Family and Consumer
884 Sciences (AAFCS);

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

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

906 (iv) Any other document required by the State
907 Board of Education.

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

909 Applicants for a standard license-alternate teaching route shall
910 submit to the department:

911 (i) An application on a department form;
912 (ii) An official transcript evidencing a bachelors
913 degree from an accredited institution of higher learning;

914 (iii) A copy of test scores evidencing
915 satisfactory completion of an examination of achievement specified
916 by the commission and approved by the State Board of Education;

917 (iv) An official transcript evidencing appropriate
918 credit hours or a copy of test scores evidencing successful
919 completion of tests as required by the State Board of Education;

920 and

921 (v) Any other document required by the State Board
922 of Education.

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

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

942 (d) **Special License - Nonrenewable.** The State Board of
943 Education is authorized to establish rules and regulations to
944 allow those educators not meeting requirements in subsection
945 (6)(a), (b) or (c) to be licensed for a period of not more than
946 three (3) years, except by special approval of the State Board of
947 Education.

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

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

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

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

974 (b) **Administrator License - Entry Level.** Those

975 educators holding administrative endorsement and having met the
976 department's qualifications to be eligible for employment in a
977 Mississippi school district. Administrator license - entry level
978 shall be issued for a five-year period and shall be nonrenewable.

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

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

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

1008 paragraph (b), (c) or (d), and the cost of the assessment process
1009 required shall be paid by the applicant.

1010 (8) **Reciprocity.** (a) The department shall grant a standard
1011 license to any individual who possesses a valid standard license
1012 from another state and has a minimum of two (2) years of full-time
1013 teaching or administrator experience.

1014 (b) The department shall grant a nonrenewable special
1015 license to any individual who possesses a credential which is less
1016 than a standard license or certification from another state, or
1017 who possesses a standard license from another state but has less
1018 than two (2) years of full-time teaching or administration
1019 experience. Such special license shall be valid for the current
1020 school year plus one (1) additional school year to expire on June
1021 30 of the second year, not to exceed a total period of twenty-four
1022 (24) months, during which time the applicant shall be required to
1023 complete the requirements for a standard license in Mississippi.

1024 (9) **Renewal and Reinstatement of Licenses.** The State Board
1025 of Education is authorized to establish rules and regulations for
1026 the renewal and reinstatement of educator and administrator
1027 licenses.

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

1041 the State Board of Education shall be on the record previously
1042 made before the commission or its subcommittee unless otherwise
1043 provided by rules and regulations adopted by the board. The State
1044 Board of Education in its authority may reverse, or remand with
1045 instructions, the decision of the committee or its subcommittee.
1046 The decision of the State Board of Education shall be final.

1047 (11) The State Board of Education, acting through the
1048 commission, may deny an application for any teacher or
1049 administrator license for one or more of the following:

1050 (a) Lack of qualifications which are prescribed by law
1051 or regulations adopted by the State Board of Education;

1052 (b) Has a physical, emotional or mental disability that
1053 renders the applicant unfit to perform the duties authorized by
1054 the license, as certified by a licensed psychologist or
1055 psychiatrist;

1056 (c) Is actively addicted to or actively dependent on
1057 alcohol or other habit-forming drugs or is a habitual user of
1058 narcotics, barbiturates, amphetamines, hallucinogens, or other
1059 drugs having similar effect, at the time of application for a
1060 license;

1061 (d) Revocation of a certificate or license by another
1062 state;

1063 (e) Committed fraud or deceit in securing or attempting
1064 to secure such certification and license;

1065 (f) Fails or refuses to furnish reasonable evidence of
1066 identification;

1067 (g) Has been convicted, has pled guilty or entered a
1068 plea of nolo contendere to a felony, as defined by federal or
1069 state law; or

1070 (h) Has been convicted, has pled guilty or entered a
1071 plea of nolo contendere to a sex offense as defined by federal or
1072 state law.

1073 (12) The State Board of Education, acting on the

1074 recommendation of the commission, may revoke or suspend any
1075 teacher or administrator license for specified periods of time for
1076 one or more of the following:

1077 (a) Breach of contract or abandonment of employment may
1078 result in the suspension of the license for one (1) school year as
1079 provided in Section 37-9-57, Mississippi Code of 1972;

1080 (b) Obtaining a license by fraudulent means shall
1081 result in immediate suspension and continued suspension for one
1082 (1) year after correction is made;

1083 (c) Suspension or revocation of a certificate or
1084 license by another state shall result in immediate suspension or
1085 revocation and shall continue until records in the prior state
1086 have been cleared;

1087 (d) Has been convicted, has pled guilty or entered a
1088 plea of nolo contendere to a felony, as defined by federal or
1089 state law;

1090 (e) Has been convicted, has pled guilty or entered a
1091 plea of nolo contendere to a sex offense, as defined by federal or
1092 state law; or

1093 (f) Knowingly and willfully committing any of the acts
1094 affecting validity of mandatory uniform test results as provided
1095 in Section 37-16-4(1), Mississippi Code of 1972.

1096 (13) (a) Dismissal or suspension of a licensed employee by
1097 a local school board pursuant to Section 37-9-59, Mississippi Code
1098 of 1972, may result in the suspension or revocation of a license
1099 for a length of time which shall be determined by the commission
1100 and based upon the severity of the offense.

1101 (b) Any offense committed or attempted in any other
1102 state shall result in the same penalty as if committed or
1103 attempted in this state.

1104 (c) A person may voluntarily surrender a license. The
1105 surrender of such license may result in the commission
1106 recommending any of the above penalties without the necessity of a

1107 hearing. However, any such license which has voluntarily been
1108 surrendered by a licensed employee may be reinstated by a
1109 unanimous vote of all members of the commission.

1110 (14) A person whose license has been suspended on any
1111 grounds except criminal grounds may petition for reinstatement of
1112 the license after one (1) year from the date of suspension, or
1113 after one-half (1/2) of the suspended time has lapsed, whichever
1114 is greater. A license suspended on the criminal grounds may be
1115 reinstated upon petition to the commission filed after expiration
1116 of the sentence and parole or probationary period imposed upon
1117 conviction. A revoked license may be reinstated upon satisfactory
1118 showing of evidence of rehabilitation. The commission shall
1119 require all who petition for reinstatement to furnish evidence
1120 satisfactory to the commission of good character, good mental,
1121 emotional and physical health and such other evidence as the
1122 commission may deem necessary to establish the petitioner's
1123 rehabilitation and fitness to perform the duties authorized by the
1124 license.

1125 (15) Reporting procedures and hearing procedures for dealing
1126 with infractions under this section shall be promulgated by the
1127 commission, subject to the approval of the State Board of
1128 Education. The revocation or suspension of a license shall be
1129 effected at the time indicated on the notice of suspension or
1130 revocation. The commission shall immediately notify the
1131 superintendent of the school district or school board where the
1132 teacher or administrator is employed of any disciplinary action
1133 and also notify the teacher or administrator of such revocation or
1134 suspension and shall maintain records of action taken. The State
1135 Board of Education may reverse or remand with instructions any
1136 decision of the commission regarding a petition for reinstatement
1137 of a license, and any such decision of the State Board of
1138 Education shall be final.

1139 (16) An appeal from the action of the State Board of

1140 Education in denying an application, revoking or suspending a
1141 license or otherwise disciplining any person under the provisions
1142 of this section, shall be filed in the Chancery Court of the First
1143 Judicial District of Hinds County on the record made, including a
1144 verbatim transcript of the testimony at the hearing. The appeal
1145 shall be filed within thirty (30) days after notification of the
1146 action of the board is mailed or served and the proceedings in
1147 chancery court shall be conducted as other matters coming before
1148 the court. The appeal shall be perfected upon filing notice of
1149 the appeal and by the prepayment of all costs, including the cost
1150 of preparation of the record of the proceedings by the State Board
1151 of Education, and the filing of a bond in the sum of Two Hundred
1152 Dollars (\$200.00) conditioned that if the action of the board be
1153 affirmed by the chancery court, the applicant or license holder
1154 shall pay the costs of the appeal and the action of the chancery
1155 court.

1156 (17) All such programs, rules, regulations, standards and
1157 criteria recommended or authorized by the commission shall become
1158 effective upon approval by the State Board of Education as
1159 designated by appropriate orders entered upon the minutes thereof.

1160 (18) The granting of a license shall not be deemed a
1161 property right nor a guarantee of employment in any public school
1162 district. A license is a privilege indicating minimal eligibility
1163 for teaching in the public schools of Mississippi. This section
1164 shall in no way alter or abridge the authority of local school
1165 districts to require greater qualifications or standards of
1166 performance as a prerequisite of initial or continued employment
1167 in such districts.

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

1173 for support, and the procedure for the reissuance or reinstatement
1174 of a license suspended for that purpose, and the payment of any
1175 fees for the reissuance or reinstatement of a license suspended
1176 for that purpose, shall be governed by Section 93-11-157 or
1177 93-11-163, as the case may be. Actions taken by the board in
1178 suspending a license when required by Section 93-11-157 or
1179 93-11-163 are not actions from which an appeal may be taken under
1180 this section. Any appeal of a license suspension that is required
1181 by Section 93-11-157 or 93-11-163 shall be taken in accordance
1182 with the appeal procedure specified in Section 93-11-157 or
1183 93-11-163, as the case may be, rather than the procedure specified
1184 in this section. If there is any conflict between any provision
1185 of Section 93-11-157 or 93-11-163 and any provision of this
1186 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
1187 case may be, shall control.

1188 SECTION 10. The Board of Trustees of State Institutions of
1189 Higher Learning and the State Board for Community and Junior
1190 Colleges are hereby authorized and directed to enter into an
1191 articulation agreement providing for the transfer of appropriate
1192 credits from the Child Technology Degree program at the various
1193 community colleges to the appropriate college program at the
1194 various universities. The State Board for Community and Junior
1195 Colleges and the Board of Trustees of State Institutions of Higher
1196 Learning shall jointly develop a report on the articulation
1197 agreement required under this section, and submit this report to
1198 the Committees on Education and Universities and Colleges of each
1199 house of the Legislature, on or before December 1, 2000.

1200 SECTION 11. This act shall take effect and be in force from
1201 and after July 1, 2000.