

By: Harden

To: Education; Fees,
Salaries and
Administration

SENATE BILL NO. 2590
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE SCHOOL DISTRICTS TO PAY SUBSTITUTE TEACHERS TWICE PER
3 MONTH; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
4 AUTHORIZE SUBSTITUTE TEACHERS WITH CERTAIN EXPERIENCE TO BE
5 COMPENSATED WHILE COMPLETING STUDENT TEACHING REQUIREMENT; AND FOR
6 RELATED PURPOSES.

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

8 SECTION 1. Section 37-7-307, Mississippi Code of 1972, is
9 amended as follows:[RDD1]

10 37-7-307. (1) For purposes of this section, the term
11 "licensed employee" means any employee of a public school district
12 required to hold a valid license by the Commission on Teacher and
13 Administrator Education, Certification and Licensure and
14 Development.

15 (2) The school board of a school district shall establish by
16 rules and regulations a policy of sick leave with pay for licensed
17 employees employed in the school district, and such policy shall
18 include the following minimum provisions for sick and emergency
19 leave with pay:

20 (a) Each licensed employee, at the beginning of each
21 school year, shall be credited with a minimum sick leave
22 allowance, with pay, of seven (7) days for absences caused by
23 illness or physical disability of the employee during that school
24 year.

25 (b) Any unused portion of the total sick leave
26 allowance shall be carried over to the next school year and
27 credited to such licensed employee if the licensed employee
28 remains employed in the same school district. In the event any

29 public school licensed employee transfers from one public school
30 district in Mississippi to another, any unused portion of the
31 total sick leave allowance credited to such licensed employee
32 shall be credited to such licensed employee in the computation of
33 unused leave for retirement purposes under Section 25-11-109.
34 Accumulation of sick leave allowed under this section shall be
35 unlimited.

36 (c) No deduction from the pay of such licensed employee
37 may be made because of absence of such licensed employee caused by
38 illness or physical disability of the licensed employee until
39 after all sick leave allowance credited to such licensed employee
40 has been used.

41 (d) For the first ten (10) days of absence of a
42 licensed employee because of illness or physical disability, in
43 any school year, in excess of the sick leave allowance credited to
44 such licensed employee, there may be deducted from the pay of such
45 licensed employee the established substitute amount of licensed
46 employee compensation paid in that local school district,
47 necessitated because of the absence of the licensed employee as a
48 result of illness or physical disability. Thereafter, the regular
49 pay of such absent licensed employee may be suspended and withheld
50 in its entirety for any period of absence because of illness or
51 physical disability during that school year.

52 (3) Beginning with the school year 1983-1984, each licensed
53 employee at the beginning of each school year shall be credited
54 with a minimum personal leave allowance, with pay, of two (2) days
55 for absences caused by personal reasons during that school year.
56 Such personal leave shall not be taken on the first day of the
57 school term, the last day of the school term, on a day previous to
58 a holiday or a day after a holiday. Personal leave may be used
59 for professional purposes, including absences caused by attendance
60 of such licensed employee at a seminar, class, training program,
61 professional association or other functions designed for
62 educators. No deduction from the pay of such licensed employee
63 may be made because of absence of such licensed employee caused by
64 personal reasons until after all personal leave allowance credited
65 to such licensed employee has been used. However, the

66 superintendent of a school district, in his discretion, may allow
67 a licensed employee personal leave in addition to any minimum
68 personal leave allowance, under the condition that there shall be
69 deducted from the salary of such licensed employee the actual
70 amount of any compensation paid to any person as a substitute,
71 necessitated because of the absence of the licensed employee.

72 (4) Beginning with the school year 1992-1993, each licensed
73 employee shall be credited with a professional leave allowance,
74 with pay, for each day of absence caused by reason of such
75 employee's statutorily required membership and attendance at a
76 regular or special meeting held within the State of Mississippi of
77 the State Board of Education, the Commission on Teacher and
78 Administrator Education, Certification and Licensure and
79 Development, the Commission on School Accreditation, the
80 Mississippi Authority for Educational Television and the meetings
81 of the state textbook rating committees.

82 (5) Upon retirement from employment, each licensed and
83 nonlicensed employee shall be paid for not more than thirty (30)
84 days of unused accumulated leave earned while employed by the
85 school district in which the employee is last employed. Such
86 payment for licensed employees shall be made by the school
87 district at a rate equal to the amount paid to substitute teachers
88 and for nonlicensed employees, the payment shall be made by the
89 school district at a rate equal to the federal minimum wage. The
90 payment shall be treated in the same manner for retirement
91 purposes as a lump sum payment for personal leave as provided in
92 Section 25-11-103(e). Any remaining lawfully credited unused
93 leave, for which payment has not been made, shall be certified to
94 the Public Employees' Retirement System in the same manner and
95 subject to the same limitations as otherwise provided by law for
96 unused leave.

97 (6) The school board may adopt rules and regulations which
98 will reasonably aid to implement the policy of sick and personal

99 leave, including, but not limited to, rules and regulations having
100 the following general effect:

101 (a) Requiring the absent licensed employee to furnish
102 the certificate of a physician or dentist or other medical
103 practitioner as to the illness of the absent licensed employee,
104 where the absence is for four (4) or more consecutive school days,
105 or for two (2) consecutive school days immediately preceding or
106 following a nonschool day;

107 (b) Providing penalties, by way of full deduction from
108 salary, or entry on the work record of the licensed employee, or
109 other appropriate penalties, for any materially false statement by
110 the licensed employee as to the cause of absence;

111 (c) Forfeiture of accumulated or future sick leave, if
112 the absence of the licensed employee is caused by optional dental
113 or medical treatment or surgery which could, without medical risk,
114 have been provided, furnished or performed at a time when school
115 was not in session;

116 (d) Enlarging, increasing or providing greater sick or
117 personal leave allowances than the minimum standards established
118 by this section in the discretion of the school board of each
119 school district.

120 (7) School boards may include in their budgets provisions
121 for the payment of substitute teachers, necessitated because of
122 the absence of regular licensed employees. All such substitute
123 teachers shall be paid wholly from district funds other than
124 minimum education program funds, except as otherwise provided for
125 long-term substitute teachers in Section 37-19-20. Local school
126 boards may elect to pay substitute teachers twice per month. Such
127 school boards, in their discretion, also may pay, from district
128 funds other than minimum education program funds, the whole or any
129 part of the salaries of licensed employees granted leaves for the
130 purpose of special studies or training.

131 (8) The school board may further adopt rules and regulations

132 which will reasonably implement such leave policies for all other
133 nonlicensed school employees as the board deems appropriate.

134 (9) (a) For the purposes of this subsection, the following
135 words and phrases shall have the meaning ascribed in this
136 paragraph unless the context requires otherwise:

137 (i) "Catastrophic injury or illness" means a
138 severe condition or combination of conditions affecting the mental
139 or physical health of an employee or a member of an employee's
140 immediate family, including pregnancy, that requires the services
141 of a licensed physician for an extended period of time and that
142 forces the employee to exhaust all leave time accumulated by that
143 employee, thereby resulting in the loss of compensation from the
144 school district for the employee.

145 (ii) "Immediate family" means spouse, parent,
146 stepparent, sibling, child or stepchild.

147 (b) Any school district employee may donate a portion
148 of his or her unused accumulated personal leave or sick leave to
149 another employee of the same or another school district who is
150 suffering from a catastrophic injury or illness or who has a
151 member of his or her immediate family suffering from a
152 catastrophic injury or illness, in accordance with the following:

153 (i) The employee donating the leave (the "donor
154 employee") shall designate the employee who is to receive the
155 leave (the "recipient employee") and the amount of unused
156 accumulated personal leave and sick leave that is to be donated,
157 and shall notify the school district superintendent or his
158 designee of his or her designation.

159 (ii) The maximum amount of unused accumulated
160 personal leave that an employee may donate to any other employee
161 may not exceed a number of days that would leave the donor
162 employee with fewer than seven (7) days of personal leave
163 remaining, and the maximum amount of unused accumulated sick leave
164 that an employee may donate to any other employee may not exceed

165 fifty percent (50%) of the unused accumulated sick leave of the
166 donor employee.

167 (iii) An employee must have exhausted all of his
168 or her accumulated personal leave and sick leave before he or she
169 will be eligible to receive any leave donated by another employee.

170 Eligibility for donated leave shall be based upon review and
171 approval by the donor employee's supervisor.

172 (iv) Before an employee may receive donated leave,
173 he or she must provide the school district superintendent or his
174 designee with a physician's statement that states the beginning
175 date of the catastrophic injury or illness, a description of the
176 injury or illness, and a prognosis for recovery and the
177 anticipated date that the recipient employee will be able to
178 return to work.

179 (v) If the total amount of leave that is donated
180 to any employee is not used by the recipient employee, the whole
181 days of donated leave shall be returned to the donor employees on
182 a pro rata basis, based on the ratio of the number of days of
183 leave donated by each donor employee to the total number of days
184 of leave donated by all donor employees.

185 (vi) Donated leave shall not be used in lieu of
186 disability retirement.

187 SECTION 2. Section 37-3-2, Mississippi Code of 1972, is
188 amended as follows:[RDD2]

189 37-3-2. (1) There is hereby established within the State
190 Department of Education the Commission on Teacher and
191 Administrator Education, Certification and Licensure and
192 Development. It shall be the purpose and duty of the commission
193 to make recommendations to the State Board of Education regarding
194 standards for the certification and licensure and continuing
195 professional development of those who teach or perform tasks of an
196 educational nature in the public schools of Mississippi.

197 (2) The commission shall be composed of fifteen (15)

198 qualified members. The membership of the commission shall be
199 composed of the following members to be appointed three (3) from
200 each congressional district: four (4) classroom teachers; three
201 (3) school administrators; one (1) representative of schools of
202 education of institutions of higher learning located within the
203 state to be recommended by the Board of Trustees of State
204 Institutions of Higher Learning; one (1) representative from the
205 schools of education of independent institutions of higher
206 learning to be recommended by the Board of the Mississippi
207 Association of Independent Colleges; one (1) representative from
208 public community and junior colleges located within the state to
209 be recommended by the State Board for Community and Junior
210 Colleges; one (1) local school board member; and four (4) lay
211 persons. All appointments shall be made by the State Board of
212 Education after consultation with the State Superintendent of
213 Public Education. The first appointments by the State Board of
214 Education shall be made as follows: five (5) members shall be
215 appointed for a term of one (1) year; five (5) members shall be
216 appointed for a term of two (2) years; and five (5) members shall
217 be appointed for a term of three (3) years. Thereafter, all
218 members shall be appointed for a term of four (4) years.

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

225 (4) An appropriate staff member of the State Department of
226 Education shall be designated and assigned by the State
227 Superintendent of Public Education to serve as executive secretary
228 and coordinator for the commission. No less than two (2) other
229 appropriate staff members of the State Department of Education
230 shall be designated and assigned by the State Superintendent of

231 Public Education to serve on the staff of the commission.

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

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

236 (b) Recommend to the State Board of Education each year
237 approval or disapproval of each educator preparation program in
238 the state;

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

242 (d) Establish, subject to the approval of the State
243 Board of Education, standards for the renewal of teacher licenses
244 in all fields;

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

248 (f) Review all existing requirements for certification
249 and licensure;

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

252 (h) Prepare reports from time to time on current
253 practices and issues in the general area of teacher education and
254 certification and licensure;

255 (i) Hold hearings concerning standards for teachers'
256 and administrators' education and certification and licensure with
257 approval of the State Board of Education;

258 (j) Hire expert consultants with approval of the State
259 Board of Education;

260 (k) Set up ad hoc committees to advise on specific
261 areas; and

262 (l) Perform such other functions as may fall within
263 their general charge and which may be delegated to them by the

264 State Board of Education.

265 (6) (a) **Standard License - Approved Program Route.** An
266 educator entering the school system of Mississippi for the first
267 time and meeting all requirements as established by the State
268 Board of Education shall be granted a standard five-year license.

269 Persons who possess two (2) years of classroom experience as an
270 assistant teacher or substitute teacher or who have taught for one
271 (1) year in an accredited public or private school shall be
272 allowed to fulfill student teaching requirements under the
273 supervision of a qualified participating teacher approved by an
274 accredited college of education. The local school district in
275 which the assistant teacher or substitute teacher is employed
276 shall compensate such assistant teachers or substitute teachers at
277 the required salary level during the period of time such
278 individual is completing student teaching requirements.

279 Applicants for a standard license shall submit to the department:

280 (i) An application on a department form;

281 (ii) An official transcript of completion of a
282 teacher education program approved by the department or a
283 nationally accredited program, subject to the following:

284 Licensure to teach in Mississippi kindergarten through Grade 4
285 shall require the completion of an interdisciplinary program of
286 studies. Licenses for Grades 4 through 8 shall require the
287 completion of an interdisciplinary program of studies with two (2)
288 or more areas of concentration. Licensure to teach in Mississippi
289 Grades 7 through 12 shall require a major in an academic field
290 other than education, or a combination of disciplines other than
291 education. Students preparing to teach a subject shall complete a
292 major in the respective subject discipline. All applicants for
293 standard licensure shall demonstrate that such person's college
294 preparation in those fields was in accordance with the standards
295 set forth by the National Council for Accreditation of Teacher
296 Education (NCATE) or the National Association of State Directors

297 of Teacher Education and Certification (NASDTEC);

298 (iii) A copy of test scores evidencing
299 satisfactory completion of nationally administered examinations of
300 achievement, such as the Educational Testing Service's teacher
301 testing examinations. The State Board of Education is directed to
302 study and develop a report on the progress of the nationally
303 administered examination of achievement for students in an
304 approved teacher education program. This report shall develop
305 data for the period beginning July 1, 1997, and ending June 30,
306 1998. The state board, with the assistance of the commission,
307 shall prepare the results of the study and make a report thereon
308 to the Education Committees of the Legislature utilizing the
309 following components:

- 310 1. Collect data on entrance and exit
311 performance of students in a teacher education program;
- 312 2. Report on student performance as compared
313 to the required examination score;
- 314 3. Develop and make recommendations on
315 necessary requirement revisions as may be appropriate based on
316 student performance results;
- 317 4. Include other such formats as may best
318 describe the profile of the student examination results; and

319 (iv) Any other document required by the State
320 Board of Education.

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

322 Applicants for a standard license - alternate teaching route shall
323 submit to the department:

- 324 (i) An application on a department form;
- 325 (ii) An official transcript evidencing a bachelors
326 degree from an accredited institution of higher learning;
- 327 (iii) A copy of test scores evidencing
328 satisfactory completion of an examination of achievement specified
329 by the commission and approved by the State Board of Education;

330 (iv) An official transcript evidencing appropriate
331 credit hours or a copy of test scores evidencing successful
332 completion of tests as required by the State Board of Education;
333 and

334 (v) Any other document required by the State Board
335 of Education.

336 A Standard License - Approved Program Route and a Standard
337 License - Alternate Teaching Route shall be issued for a five-year
338 period, and may be renewed. Recognizing teaching as a profession,
339 a hiring preference shall be granted to persons holding a Standard
340 License - Approved Program Route or Standard License - Alternate
341 Teaching Route over persons holding any other license.

342 (c) **Special License - Expert Citizen.** In order to
343 allow a school district to offer specialized or technical courses,
344 the State Department of Education, in accordance with rules and
345 regulations established by the State Board of Education, may grant
346 a one-year expert citizen-teacher license to local business or
347 other professional personnel to teach in a public school or
348 nonpublic school accredited or approved by the state. Such person
349 may begin teaching upon his employment by the local school board
350 and licensure by the Mississippi Department of Education. The
351 board shall adopt rules and regulations to administer the expert
352 citizen-teacher license. A special license - expert citizen may
353 be renewed in accordance with the established rules and
354 regulations of the State Department of Education.

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

361 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
362 person may teach for a maximum of three (3) periods per teaching

363 day in a public school or a nonpublic school accredited/approved
364 by the state. Such person shall submit to the department a
365 transcript or record of his education and experience which
366 substantiates his preparation for the subject to be taught and
367 shall meet other qualifications specified by the commission and
368 approved by the State Board of Education. In no case shall any
369 local school board hire nonlicensed personnel as authorized under
370 this paragraph in excess of five percent (5%) of the total number
371 of licensed personnel in any single school.

372 (f) In the event any school district meets Level 4 or 5
373 accreditation standards, the State Board of Education may, in its
374 discretion, exempt such school district from any restrictions in
375 paragraph (e) relating to the employment of nonlicensed teaching
376 personnel.

377 (7) **Administrator License.** The State Board of Education is
378 authorized to establish rules and regulations and to administer
379 the licensure process of the school administrators in the State of
380 Mississippi. There will be four (4) categories of administrator
381 licensure with exceptions only through special approval of the
382 State Board of Education.

383 (a) **Administrator License - Nonpracticing.** Those
384 educators holding administrative endorsement but have no
385 administrative experience or not serving in an administrative
386 position on January 15, 1997.

387 (b) **Administrator License - Entry Level.** Those
388 educators holding administrative endorsement and having met the
389 department's qualifications to be eligible for employment in a
390 Mississippi school district. Administrator license - entry level
391 shall be issued for a five-year period and shall be nonrenewable.

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

395 (d) **Administrator License - Alternate Route.** The board

396 may establish an alternate route for licensing administrative
397 personnel. Such alternate route for administrative licensure
398 shall be available for persons holding, but not limited to, a
399 masters of business administration degree, a masters of public
400 administration degree or a masters of public planning and policy
401 degree from an accredited college or university, with five (5)
402 years of administrative or supervisory experience. Successful
403 completion of the requirements of alternate route licensure for
404 administrators shall qualify the person for a standard
405 administrator license.

406 Beginning with the 1997-1998 school year, individuals seeking
407 school administrator licensure under paragraph (b), (c) or (d)
408 shall successfully complete a training program and an assessment
409 process prescribed by the State Board of Education. Applicants
410 seeking school administrator licensure prior to June 30, 1997, and
411 completing all requirements for provisional or standard
412 administrator certification and who have never practiced, shall be
413 exempt from taking the Mississippi Assessment Battery Phase I.
414 Applicants seeking school administrator licensure during the
415 period beginning July 1, 1997, through June 30, 1998, shall
416 participate in the Mississippi Assessment Battery, and upon
417 request of the applicant, the department shall reimburse the
418 applicant for the cost of the assessment process required. After
419 June 30, 1998, all applicants for school administrator licensure
420 shall meet all requirements prescribed by the department under
421 paragraph (b), (c) or (d), and the cost of the assessment process
422 required shall be paid by the applicant.

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

427 (b) The department shall grant a nonrenewable special
428 license to any individual who possesses a credential which is less

429 than a standard license or certification from another state, or
430 who possesses a standard license from another state but has less
431 than two (2) years of full-time teaching or administration
432 experience. Such special license shall be valid for the current
433 school year plus one (1) additional school year to expire on June
434 30 of the second year, not to exceed a total period of twenty-four
435 (24) months, during which time the applicant shall be required to
436 complete the requirements for a standard license in Mississippi.

437 (9) **Renewal and Reinstatement of Licenses.** The State Board
438 of Education is authorized to establish rules and regulations for
439 the renewal and reinstatement of educator and administrator
440 licenses.

441 (10) All controversies involving the issuance, revocation,
442 suspension or any change whatsoever in the licensure of an
443 educator required to hold a license shall be initially heard in a
444 hearing de novo, by the commission or by a subcommittee
445 established by the commission and composed of commission members
446 for the purpose of holding hearings. Any complaint seeking the
447 denial of issuance, revocation or suspension of a license shall be
448 by sworn affidavit filed with the Commission of Teacher and
449 Administrator Education, Certification and Licensure and
450 Development. The decision thereon by the commission or its
451 subcommittee shall be final, unless the aggrieved party shall
452 appeal to the State Board of Education, within ten (10) days, of
453 the decision of the committee or its subcommittee. An appeal to
454 the State Board of Education shall be on the record previously
455 made before the commission or its subcommittee unless otherwise
456 provided by rules and regulations adopted by the board. The State
457 Board of Education in its authority may reverse, or remand with
458 instructions, the decision of the committee or its subcommittee.
459 The decision of the State Board of Education shall be final.

460 (11) The State Board of Education, acting through the
461 commission, may deny an application for any teacher or

462 administrator license for one or more of the following:

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

465 (b) Has a physical, emotional or mental disability that
466 renders the applicant unfit to perform the duties authorized by
467 the license, as certified by a licensed psychologist or
468 psychiatrist;

469 (c) Is actively addicted to or actively dependent on
470 alcohol or other habit-forming drugs or is a habitual user of
471 narcotics, barbiturates, amphetamines, hallucinogens, or other
472 drugs having similar effect, at the time of application for a
473 license;

474 (d) Revocation of a certificate or license by another
475 state;

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

478 (f) Fails or refuses to furnish reasonable evidence of
479 identification;

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

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

486 (12) The State Board of Education, acting on the
487 recommendation of the commission, may revoke or suspend any
488 teacher or administrator license for specified periods of time for
489 one or more of the following:

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

493 (b) Obtaining a license by fraudulent means shall
494 result in immediate suspension and continued suspension for one

495 (1) year after correction is made;

496 (c) Suspension or revocation of a certificate or
497 license by another state shall result in immediate suspension or
498 revocation and shall continue until records in the prior state
499 have been cleared;

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

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

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

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

514 (b) Any offense committed or attempted in any other
515 state shall result in the same penalty as if committed or
516 attempted in this state.

517 (c) A person may voluntarily surrender a license. The
518 surrender of such license may result in the commission
519 recommending any of the above penalties without the necessity of a
520 hearing. However, any such license which has voluntarily been
521 surrendered by a licensed employee may be reinstated by a
522 unanimous vote of all members of the commission.

523 (14) A person whose license has been suspended on any
524 grounds except criminal grounds may petition for reinstatement of
525 the license after one (1) year from the date of suspension, or
526 after one-half (1/2) of the suspended time has lapsed, whichever
527 is greater. A license suspended on the criminal grounds may be

528 reinstated upon petition to the commission filed after expiration
529 of the sentence and parole or probationary period imposed upon
530 conviction. A revoked license may be reinstated upon satisfactory
531 showing of evidence of rehabilitation. The commission shall
532 require all who petition for reinstatement to furnish evidence
533 satisfactory to the commission of good character, good mental,
534 emotional and physical health and such other evidence as the
535 commission may deem necessary to establish the petitioner's
536 rehabilitation and fitness to perform the duties authorized by the
537 license.

538 (15) Reporting procedures and hearing procedures for dealing
539 with infractions under this section shall be promulgated by the
540 commission, subject to the approval of the State Board of
541 Education. The revocation or suspension of a license shall be
542 effected at the time indicated on the notice of suspension or
543 revocation. The commission shall immediately notify the
544 superintendent of the school district or school board where the
545 teacher or administrator is employed of any disciplinary action
546 and also notify the teacher or administrator of such revocation or
547 suspension and shall maintain records of action taken. The State
548 Board of Education may reverse or remand with instructions any
549 decision of the commission regarding a petition for reinstatement
550 of a license, and any such decision of the State Board of
551 Education shall be final.

552 (16) An appeal from the action of the State Board of
553 Education in denying an application, revoking or suspending a
554 license or otherwise disciplining any person under the provisions
555 of this section, shall be filed in the Chancery Court of the First
556 Judicial District of Hinds County on the record made, including a
557 verbatim transcript of the testimony at the hearing. The appeal
558 shall be filed within thirty (30) days after notification of the
559 action of the board is mailed or served and the proceedings in
560 chancery court shall be conducted as other matters coming before

561 the court. The appeal shall be perfected upon filing notice of
562 the appeal and by the prepayment of all costs, including the cost
563 of preparation of the record of the proceedings by the State Board
564 of Education, and the filing of a bond in the sum of Two Hundred
565 Dollars (\$200.00) conditioned that if the action of the board be
566 affirmed by the chancery court, the applicant or license holder
567 shall pay the costs of the appeal and the action of the chancery
568 court.

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

573 (18) The granting of a license shall not be deemed a
574 property right nor a guarantee of employment in any public school
575 district. A license is a privilege indicating minimal eligibility
576 for teaching in the public schools of Mississippi. This section
577 shall in no way alter or abridge the authority of local school
578 districts to require greater qualifications or standards of
579 performance as a prerequisite of initial or continued employment
580 in such districts.

581 (19) In addition to the reasons specified in subsection (8)
582 of this section, the board shall be authorized to suspend the
583 license of any licensee for being out of compliance with an order
584 for support, as defined in Section 93-11-153. The procedure for
585 suspension of a license for being out of compliance with an order
586 for support, and the procedure for the reissuance or reinstatement
587 of a license suspended for that purpose, and the payment of any
588 fees for the reissuance or reinstatement of a license suspended
589 for that purpose, shall be governed by Section 93-11-157 or
590 93-11-163, as the case may be. Actions taken by the board in
591 suspending a license when required by Section 93-11-157 or
592 93-11-163 are not actions from which an appeal may be taken under
593 this section. Any appeal of a license suspension that is required

594 by Section 93-11-157 or 93-11-163 shall be taken in accordance
595 with the appeal procedure specified in Section 93-11-157 or
596 93-11-163, as the case may be, rather than the procedure specified
597 in this section. If there is any conflict between any provision
598 of Section 93-11-157 or 93-11-163 and any provision of this
599 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
600 case may be, shall control.

601 SECTION 3. This act shall take effect and be in force from
602 and after July 1, 2000.