AN ACT TO ENACT THE "MISSISSIPPI COMPREHENSIVE EARLY CHILDHOOD SERVICES ACT OF 2000"; TO ESTABLISH AN EARLY CHILDHOOD SERVICES INTERAGENCY COORDINATING COUNCIL; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COUNCIL; TO DEFINE THE RESPONSIBILITIES OF THE COUNCIL; TO ESTABLISH AN INTERAGENCY ADVISORY COMMITTEE TO THE INTERAGENCY COUNCIL FOR EARLY CHILDHOOD SERVICES; TO PROVIDE FOR THE MEMBERSHIP, ORGANIZATION AND RESPONSIBILITIES OF THE ADVISORY COMMITTEE; TO AUTHORIZE AND DIRECT THE MISSISSIPPI STATE UNIVERSITY COOPERATIVE EXTENSION SERVICE TO ESTABLISH AND IMPLEMENT A PARENT/FAMILY EDUCATION PROGRAM TO SPECIFY CERTAIN MODELS TO BE MADE AVAILABLE THROUGH THE PROGRAMS AND TO ESTABLISH AN APPLICATION PROCESS, TO AUTHORIZE THE USE OF AVAILABLE FUNDING FOR GRANTS TO PARTICIPATING PROGRAMS AND TO REQUIRE A REPORTING PROCESS FOR SUCH PROGRAMS; TO AUTHORIZE THE STATE BOARD OF EDUCATION, IN COLLABORATION WITH THE STATE DEPARTMENT OF HUMAN SERVICES, TO IMPLEMENT A PROGRAM TO MAKE AVAILABLE A FULL DAY VOLUNTARY PRE-KINDERGARTEN EDUCATION PROGRAM FOR CERTAIN FOUR-YEAR OLD CHILDREN IN THE STATE OF MISSISSIPPI, TO ESTABLISH CERTAIN CRITERIA FOR THE PROGRAM, TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO ESTABLISH AN APPLICATION PROCESS FOR PARTICIPATION IN THE PROGRAM, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO USE AVAILABLE FUNDING FOR GRANTS TO PARTICIPATING PROGRAMS AND TO REQUIRE CERTAIN REPORTS ON THE PROGRAM; TO AMEND SECTION 43-20-5, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN EXEMPTIONS FROM THE CHILD CARE FACILITY LICENSURE LAW; TO AMEND SECTION 37-159-3, MISSISSIPPI CODE OF 1972, TO INCLUDE INDIVIDUALS ENROLLED IN CERTAIN COLLEGE EDUCATION PROGRAMS WHO AGREE TO TEACH OR BE EMPLOYED IN SUBSIDIZED CHILD CARE PROGRAMS IN THE CRITICAL NEEDS TEACHER SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PERSON HOLDING A BACHELOR OF SCIENCE DEGREE WITH CHILD DEVELOPMENT EMPHASIS FROM A PROGRAM ACCREDITED BY THE AMERICAN ASSOCIATION OF FAMILY AND CONSUMER SCIENCES TO APPLY FOR A STANDARD LICENSE TO TEACH IN PUBLIC PRE-KINDERGARTEN THROUGH KINDERGARTEN CLASSROOMS; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) This act shall be known and may be cited as the "Mississippi Comprehensive Early Childhood Services Act of 2000."

(2) As used in this act, "preschool aged children" means any children age 0-5 who have not reached the age of enrollment for public school kindergarten;
(3) To ensure that all families have access to early childhood education and development services in order to maximize the potential for children to succeed in school, the Legislature hereby finds and declares that:

(a) Parents have the primary duty to care for and educate their young preschool children;

(b) Children in families at all income levels spend their pre-school years in one or more of the following care-giving situations: (i) parental care, (ii) kinship care, (iii) home-based child care, (iv) community-based early care and education programs including Head Start, and (v) public and private school pre-kindergarten programs;

(c) Any assistance provided families should consider a family's preference for caregiving situations reflecting the family's religious, cultural and community values;

(d) The State of Mississippi can assist parents in their role as the primary caregivers and educators of young preschool children by making education and support services available to all caregivers; and

(e) There is a need to explore multiple approaches and strategies for aiding parents and families in the education and development of preschool children to ensure all families have access to services needed to prepare children for the challenges of formal schooling.

(4) It is the intent of this act to expand existing programs and services, maximize the use of existing state and federal funds available for these services, and coordinate and clarify early childhood services provided by the State of Mississippi. It is further the intent of the Legislature to utilize to the maximum extent possible any unused federal Temporary Assistance for Needy Families funds for early child care and other early childhood services authorized under this act. All provisions of this act are subject to specific appropriation therefor by the Legislature.
SECTION 2. (1) The Early Childhood Services Interagency Coordinating Council is hereby created to ensure coordination among the various agencies and programs serving preschool children in order to support school district's efforts to achieve the goal of readiness to start school, to facilitate communication, cooperation and maximum use of resources and to promote high standards for all programs serving preschool children and their families in Mississippi.

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

(a) The State Superintendent of Education;
(b) The Executive Director of the Department of Health;
(c) The Executive Director of the Department of Human Services;
(d) The Executive Director of the Mississippi Department of Mental Health;
(e) The Executive Director of the Division of Medicaid, Office of the Governor;
(f) The Executive Director of the State Department of Rehabilitation Services;
(g) The Commissioner of Higher Education;
(h) The Executive Director of the State Board for Community and Junior Colleges;
(i) The Executive Director of Mississippi Educational Television;
(j) The President of the Mississippi Head Start Association; and
(k) The Director of the Mississippi State University Cooperative Extension Service.

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

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

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

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

(b) Advise the State Board of Health, the State Board
of Education, the Department of Human Services, Mississippi
Department of Mental Health, Division of Medicaid, Department of
Rehabilitation Services and any other appropriate agency,
concerning standards, rules, rule revisions, agency guidelines and
administration affecting child care facilities, pre-kindergarten
programs, family training programs and other programs and services
for preschool children and families;

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

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

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

(i) Program name and location;
(ii) Dates of operation;
(iii) Service provided;
(iv) Target population and number served;
(v) Eligibility requirement;
(vi) Funding source;
(vii) Amount of funding per unit;
(viii) Annual cost;
(ix) Evaluation type and results; and
(x) The state agency administering the program.

(f) Receive and consider recommendations of the Interagency Advisory Committee for Early Childhood Services established in Section 3; and

(g) Apply for, receive and administer funds for research, planning and evaluation of all programs serving preschool children and their families.

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

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

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

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

(c) A representative of the Governor;

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

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

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

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

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

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

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

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

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

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

(v) A representative from a private school
(vi) A representative from a half-day church sponsored pre-kindergarten program appointed by the Speaker of the House;

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

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

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

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

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

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

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

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

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

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

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

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

(3) The advisory committee shall meet upon call of the Early Childhood Services Interagency Coordinating Council not later than August 1, 2000, and the council shall appoint a chairman who shall serve for a one-year term and may be reappointed for subsequent terms. The advisory committee shall adopt internal organizational procedures necessary for efficient operation of the advisory committee and may establish subcommittees for conducting specific programs and activities. Advisory committee procedures shall include duties of officers, a process for selecting officers, duties of subcommittees, quorum requirements for conducting business and policies for any staff. The members of the Early Childhood Services Interagency Coordinating Council shall designate necessary staff of their departments to assist the advisory committee in performing its duties and responsibilities. The advisory committee shall meet and conduct business at least quarterly. Quarterly meetings of the advisory committee shall be open to the public and opportunity for public comment shall be made available at each such meeting. The staff of the advisory committee shall notify all persons who request such notice as to the date, time and place of each quarterly meeting.

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

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

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

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

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

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

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

SECTION 4. (1) The Mississippi State University Cooperative Extension Service, in its discretion, may offer funds for replication of voluntary parent/family education programs that support and affirm the role of parents as the primary early childhood educator of their children for families with children aged pre-natal through four (4) years, or until entering kindergarten, using personal visits. The parent/family education programs shall provide parents with opportunities to voluntarily obtain support and services that will enable them to provide optimum learning environments for their children, particularly from birth to the age of four (4) years, within the home or selected site. These programs shall use research-based, independently-evaluated, proven research models showing the following outcomes: (a) children with enhanced language, problem-solving and social development; (b) children entering
school with increased readiness skills; (c) fewer children placed
in special education or remedial classes; (d) lower incidence of
child abuse and neglect; (e) higher scores on standardized reading
and math tests in elementary grades; (f) parents are more
confident in their parenting knowledge and skills; (g) parents who
read more to their children; and (h) more parental involvement
when children enter school. Program outcomes shall be determined
through a long-range evaluation that tracks participating children
through the third grade. These programs shall include "Drop-in
Play and Learn Respite Services for Relative Caregivers" which
shall mean a program providing occasional short-term respite care
to the relative caregivers of preschool age children thus creating
the opportunity to address the school readiness needs of children
in relative care while their parent(s) work).

(2) The Mississippi State University Cooperative Extension
Service shall (a) determine a process for interested school
districts and other nonprofit entities in partnership with a
school district to apply for grant funds in order to participate
in the programs; (b) monitor program operations; (c) evaluate
program effectiveness; and (d) develop rules for the
administration of the program. In developing the process, the
Mississippi State University Cooperative Extension Service shall
utilize, but not be limited to, representatives of the following
categories: parents; local school districts' parent education
programs staff; the Department of Human Services, Division of
Family and Children's Services; Head Start; the State Department
of Education and USOE funded parental assistance programs. In the
event an Interagency Coordinating Council for Early Childhood
Services, or similar organization, is established by act of the
Legislature, the Mississippi State University Cooperative
Extension Service may contract with such interagency council for
the performance of its duties and responsibilities under this act.

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

(4) The Department of Human Services shall allocate to the
maximum extent possible federal Temporary Assistance for Needy
Families (TANF) funds for eligible recipients for the
parent/family education programs authorized under this section,
and shall transfer as necessary TANF funds to the Child Care
Development Block Grant Fund or the Social Services Block Grant
Fund for those program services that cannot be funded from TANF
directly, subject to specific appropriation therefor by the
Legislature. The Department of Human Services shall contract with
the Mississippi State University Cooperative Extension Service as
is necessary to allocate the federal funds specified under
subsection (4) to the programs and services to be provided.

(5) The Mississippi State University Cooperative Extension Service may accept any funds, public or private, made available to it for the program. The funds shall be used to award grants to the participating parent/family education services programs for the support of such programs. A parent/family education services program may use any available funding to support the administration of the program.

(6) The Mississippi State University Cooperative Extension Service shall develop an annual reporting process to inform the Legislature, local school district personnel and the general public as to all programs funded under this section:

(a) Number of children and families served;
(b) Number of parent educators and other personnel, qualifications, training related to home visit programs and parent/family resource center establishment and experience levels;
(c) Annual program cost, with identification by name and amount of the source of funds for each program;
(d) Annual budget, administrative costs and other pertinent fiscal information;
(e) Annual salary and fringe benefit information for each employee in the program;
(f) Annual cost of materials, training and other instructional costs related to the program;
(g) Annual cost of program on a per-family basis;
(h) Other information as directed by the Mississippi State University Cooperative Extension Service;
(i) Advisory board members' names and titles; and
(j) Analysis of this program's impact on Grades K-3 as indicated in an independent evaluation.

(7) This section shall stand repealed from and after July 1, 2005.

SECTION 5. (1) As used in this act, the term "four-year
old" means any child age 4 on or before September 1.

(2) To ensure that all four-year olds have access to quality educational services, the Legislature hereby finds and declares that:

(a) Parents have the primary duty to educate their young preschool children.

(b) The State of Mississippi can assist parents in their role as the primary caregivers and educators by providing services for a full-year, full-day pre-kindergarten program that addresses instructional, social and emotional needs for four-year old children.

(3) The State Board of Education, in collaboration with the Department of Human Services, shall develop and implement a voluntary program to provide services for a full-year, full-day pre-kindergarten program that addresses the cognitive, social and emotional needs of four-year old children, subject to the following conditions and provisions:

(a) The program shall be voluntary.

(b) The State Board of Education, the Department of Human Services, the State Board of Health, the Mississippi Head Start Association and the public and private daycare centers shall jointly develop criteria for (i) the enrollment of four-year old children who have predicted significant readiness deficiencies, (ii) the enrollment of four-year old children who do not have predicted significant readiness deficiencies, but who otherwise do not have available to them services for four-year olds, (iii) the qualifications of personnel employed to serve the said children, (iv) pupil/teacher ratio, (v) health and safety standards, (vi) hours of operation of such programs, and (vii) provide for the transportation of said children.

(c) The core curriculum of all such four-year old programs will meet or exceed the State Department of Education's Pre-Kindergarten Curriculum benchmarks. The curriculum shall
encompass language development, mathematics language development:
math concepts, social/emotional development and physical
development (fine, gross, sensory motor development).

(d) To ensure coordination, the school district shall
review available educational resources, programs and services in
order to avoid duplication of public services.

(4) The State Board of Education shall determine a process
for interested school districts to apply for grant funds in order
to participate in such four-year old programs, and school
districts may enter into subcontracts with licensed child care
facilities or Head Start programs to provide services under this
program.

(5) The Department of Human Services shall allocate to the
maximum extent possible federal Temporary Assistance for Needy
Families (TANF) funds for eligible recipients for the
pre-kindergarten programs authorized under this section, and shall
transfer as necessary TANF funds to the Child Care Development
Block Grant Fund or the Social Services Block Grant Fund for those
program services that cannot be funded from TANF directly, subject
to specific appropriation therefor by the Legislature. The
Department of Human Services shall contract with the State Board
of Education as is necessary to allocate the federal funds
specified herein to the programs and services to be provided.

(6) The State Board of Education may accept any funds,
public or private, made available to it for the pre-kindergarten
program. Beginning in fiscal year 2001, the State Board of
Education shall award grants for not less than one (1) program in
each Mississippi congressional district and not more than
twenty-five (25) programs in all, and in subsequent years may
award additional program grants subject to the availability of
funds specifically appropriated therefor by the Legislature.
These programs shall be awarded to target school districts (a)
which are in need of an instructional program for four-year old
children who have predicted significant readiness deficiencies, or
(b) with four-year old children who do not have predicted
significant readiness deficiencies, but who otherwise do not have
such services available to them. The State Department of
Education will annually determine a cost-per-child rate which
shall be used in funding a targeted program, and shall collaborate
with the Department of Human Services in the determination of fair
market rates for subsidized child care. The targeted districts
will be responsible for blending services for children to avoid
duplication in the areas of transportation, personnel, training of
personnel, facilities and child nutrition.

(7) The State Board of Education shall report to the
Legislature on July 1, 2001, and annually thereafter, on the
desirability of expanding and permanently establishing the
program.

(8) This section shall stand repealed from and after July 1, 2005.

SECTION 6. Section 43-20-5, Mississippi Code of 1972, is
amended as follows:

43-20-5. When used in this chapter, the following words
shall have the following meanings:

(a) "Child care facility" means a place which provides
shelter and personal care for six (6) or more children who are not
related within the third degree computed according to the civil
law to the operator and who are under thirteen (13) years of age,
for any part of the 24-hour day, whether such place be organized
or operated for profit or not. The term "child care facility"
includes day nurseries, day care centers and any other facility
that falls within the scope of the definitions set forth above,
regardless of auspices. Child care facilities which operate for
no more than two (2) days a week, whose primary purpose is to
provide respite for the caregiver or temporary care during other
scheduled or related activities and organized programs which
operate for three (3) or less weeks per year such as, but not
limited to, vacation bible schools and scout day camps, are
exempt. Also exempted from this chapter is any child residential
home as defined in, and in compliance with the provisions of,
Section 43-16-3(b) et seq., Mississippi Code of 1972. Also
exempted from this chapter is any elementary, including
kindergarten, and/or secondary school system, accredited by the
Mississippi State Department of Education, the Southern
Association of Colleges and Schools or the Mississippi Private
School Education Association and any Head Start program operating
in conjunction with an elementary school system, whether it be
public, private or parochial, whose primary purpose is a
structured school or school readiness program. Provided, however,
that from and after July 1, 2000, no new pre-kindergarten program
shall be established unless it is licensed by the State Department
of Health pursuant to this chapter. Also exempted is any
membership organization affiliated with a national organization
which charges only a nominal annual membership fee, does not
receive monthly, weekly or daily payments for services, and is
certified by its national association as being in compliance with
the association's minimum standards and procedures, including,
but not limited to, the Boys and Girls Club of America, and the YMCA.
All other preschool child care programs and/or extended day
school programs must meet requirements set forth in this chapter.

SECTION 7. Section 37-159-3, Mississippi Code of 1972, is
amended as follows:[JU1]

37-159-3. (1) There is established the "Critical Needs
Teacher Scholarship Program," the purpose of which is to attract
qualified teachers to those geographical areas of the state where
there exists a critical shortage of teachers by awarding full
scholarships to persons declaring an intention to serve in the
teaching field who actually render service to the state while
possessing an appropriate teaching license.
(2) Any individual who is enrolled in or accepted for enrollment at a baccalaureate degree-granting institution of higher learning whose teacher education program is approved by the State Board of Education or at an accredited, nonprofit community or junior college in the State of Mississippi who expresses in writing an intention to teach in a geographical area of the state in which there exists a critical shortage of teachers, as designated by the State Board of Education, shall be eligible for a financial scholarship to be applied toward the costs of the individual's college education. Any individual who is enrolled in or accepted for enrollment at a baccalaureate or master's degree-granting institution of higher learning whose early education teacher program is approved by the State Board of Education or whose program for a bachelor of science degree with child development emphasis is approved by the American Association of Family and Consumer Sciences, or at a public or accredited nonprofit community or junior college in the State of Mississippi, who expresses in writing an intention to teach or otherwise be employed in a licensed child care facility located in a geographical area of the state in which there exists a critical shortage of teachers, shall also be eligible for a financial scholarship to be applied toward the costs of the individual's college education, subject to the availability of nonstate funds for the payment of such costs. The annual amount of the award shall be equal to the total cost for tuition, room and meals, books, materials and fees at the college or university in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, room and meals, books, materials and fees assessed by a state institution of higher learning during that school year. Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

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

(4) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Teacher Scholarship is eligible for employment as a licensed teacher, that person shall begin to render service as a licensed teacher in a public school district or in a licensed child care facility, as is applicable, in a geographical area of the state where there is a critical shortage of teachers, as approved by the State Board of Education. Any person who received four (4) annual awards, or the equivalent of four (4) annual awards, shall render three (3) years' service as a licensed teacher. Any person who received fewer than four (4) annual awards, or the equivalent of four (4) annual awards, shall render one (1) year's service as a licensed teacher for each year that the person received a full-time student scholarship, or for the number of academic hours equivalent to one (1) school year, as determined by the Board of Trustees of State Institutions of Higher Learning, which a part-time student received a scholarship.

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

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

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

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

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

SECTION 8. Section 37-3-2, Mississippi Code of 1972, is amended as follows:

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

(2) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed three (3) from each congressional district: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the State Board for Community and Junior Colleges; one (1) local school board member; and four (4) lay persons. All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be
appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

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

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

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

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

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

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

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

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;
(f) Review all existing requirements for certification and licensure;

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

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

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

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

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

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

(6) (a) **Standard License - Approved Program Route.** An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements.

Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a
teacher education program or bachelor of science degree with child
development emphasis from a program accredited by the American
Association of Family and Consumer Sciences (AAFCS) approved by
the department or a nationally accredited program, subject to the
following: Licensure to teach in Mississippi pre-kindergarten
through kindergarten classrooms shall require completion of a
teacher education program or bachelor of science degree with child
development emphasis from a program accredited with the American
Association of Family and Consumer Sciences (AAFCS). Licensure to
teach in Mississippi kindergarten through Grade 4 shall require
the completion of an interdisciplinary program of studies.
Licenses for Grades 4 through 8 shall require the completion of an
interdisciplinary program of studies with two (2) or more areas of
concentration. Licensure to teach in Mississippi Grades 7 through
12 shall require a major in an academic field other than
education, or a combination of disciplines other than education.
Students preparing to teach a subject shall complete a major in
the respective subject discipline. All applicants for standard
licensure shall demonstrate that such person's college preparation
in those fields was in accordance with the standards set forth by
the National Council for Accreditation of Teacher Education
(NCATE) or the National Association of State Directors of Teacher
Education and Certification (NASDTEC) or in the case of
certification to teach in pre-kindergarten through kindergarten
classrooms, the American Association of Family and Consumer
Sciences (AAFCS);
(iii) A copy of test scores evidencing
satisfactory completion of nationally administered examinations of
achievement, such as the Educational Testing Service's teacher
testing examinations. The State Board of Education is directed to
study and develop a report on the progress of the nationally
administered examination of achievement for students in an
approved teacher education program. This report shall develop
data for the period beginning July 1, 1997, and ending June 30, 1998. The state board, with the assistance of the commission, shall prepare the results of the study and make a report thereon to the Education Committees of the Legislature utilizing the following components:

1. Collect data on entrance and exit performance of students in a teacher education program;
2. Report on student performance as compared to the required examination score;
3. Develop and make recommendations on necessary requirement revisions as may be appropriate based on student performance results;
4. Include other such formats as may best describe the profile of the student examination results; and
   (iv) Any other document required by the State Board of Education.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) The department shall grant a nonrenewable special license to any individual who possesses a credential which is less than a standard license or certification from another state, or who possesses a standard license from another state but has less than two (2) years of full-time teaching or administration experience. Such special license shall be valid for the current school year plus one (1) additional school year to expire on June 30 of the second year, not to exceed a total period of twenty-four (24) months, during which time the applicant shall be required to complete the requirements for a standard license in Mississippi.
(9) **Renewal and Reinstatement of Licenses.** The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses.

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

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

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

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

(c) Is actively addicted to or actively dependent on...
alcohol or other habit-forming drugs or is a habitual user of
narcotics, barbiturates, amphetamines, hallucinogens, or other
drugs having similar effect, at the time of application for a
license;
(d) Revocation of a certificate or license by another
state;
(e) Committed fraud or deceit in securing or attempting
to secure such certification and license;
(f) Fails or refuses to furnish reasonable evidence of
identification;
(g) Has been convicted, has pled guilty or entered a
plea of nolo contendere to a felony, as defined by federal or
state law; or
(h) Has been convicted, has pled guilty or entered a
plea of nolo contendere to a sex offense as defined by federal or
state law.
(12) The State Board of Education, acting on the
recommendation of the commission, may revoke or suspend any
teacher or administrator license for specified periods of time for
one or more of the following:
(a) Breach of contract or abandonment of employment may
result in the suspension of the license for one (1) school year as
provided in Section 37-9-57, Mississippi Code of 1972;
(b) Obtaining a license by fraudulent means shall
result in immediate suspension and continued suspension for one
year after correction is made;
(c) Suspension or revocation of a certificate or
license by another state shall result in immediate suspension or
revocation and shall continue until records in the prior state
have been cleared;
(d) Has been convicted, has pled guilty or entered a
plea of nolo contendere to a felony, as defined by federal or
state law;}
(e) Has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense, as defined by federal or state law; or

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

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

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

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

(14) A person whose license has been suspended on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension, or after one-half (1/2) of the suspended time has lapsed, whichever is greater. A license suspended on the criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's
(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section, shall be filed in the Chancery Court of the First Judicial District of Hinds County on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars ($200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.
(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

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

(19) In addition to the reasons specified in subsection (8) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 9. This act shall take effect and be in force from
and after July 1, 2000.