

By: Senator(s) Harden, Walls, Jordan,  
Chaney, Smith, Williamson, Dearing, Johnson  
(38th)

To: Education;  
Appropriations

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2370

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE STANDARDS FOR THE ISSUANCE OF NONTRADITIONAL TEACHER  
3 LICENSES BY THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION,  
4 CERTIFICATION AND LICENSURE AND DEVELOPMENT, TO PROVIDE FOR A  
5 NONTRADITIONAL TEACHER PREPARATION INTERNSHIP PROGRAM, AND TO  
6 CLARIFY THE ACCREDITED PROGRAMS WHICH QUALIFY TEACHING IN  
7 PREKINDERGARTEN AND KINDERGARTEN; TO AMEND SECTION 37-159-3,  
8 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT INDIVIDUALS TAKING  
9 COURSEWORK FOR ALTERNATIVE TEACHER LICENSURE SHALL BE ELIGIBLE FOR  
10 STATE-FUNDED INCENTIVE SCHOLARSHIPS UNDER THE CRITICAL NEEDS  
11 TEACHER SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 37-3-2, Mississippi Code of 1972, is  
14 amended as follows:

15 37-3-2. (1) There is established within the State  
16 Department of Education the Commission on Teacher and  
17 Administrator Education, Certification and Licensure and  
18 Development. It shall be the purpose and duty of the commission  
19 to make recommendations to the State Board of Education regarding  
20 standards for the certification and licensure and continuing  
21 professional development of those who teach or perform tasks of an  
22 educational nature in the public schools of Mississippi.

23 (2) The commission shall be composed of fifteen (15)  
24 qualified members. The membership of the commission shall be  
25 composed of the following members to be appointed, three (3) from  
26 each congressional district: four (4) classroom teachers; three  
27 (3) school administrators; one (1) representative of schools of  
28 education of institutions of higher learning located within the  
29 state to be recommended by the Board of Trustees of State  
30 Institutions of Higher Learning; one (1) representative from the  
31 schools of education of independent institutions of higher



32 learning to be recommended by the Board of the Mississippi  
33 Association of Independent Colleges; one (1) representative from  
34 public community and junior colleges located within the state to  
35 be recommended by the State Board for Community and Junior  
36 Colleges; one (1) local school board member; and four (4) lay  
37 persons. All appointments shall be made by the State Board of  
38 Education after consultation with the State Superintendent of  
39 Public Education. The first appointments by the State Board of  
40 Education shall be made as follows: five (5) members shall be  
41 appointed for a term of one (1) year; five (5) members shall be  
42 appointed for a term of two (2) years; and five (5) members shall  
43 be appointed for a term of three (3) years. Thereafter, all  
44 members shall be appointed for a term of four (4) years.

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

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

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

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

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



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

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

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

74 (f) Review all existing requirements for certification  
75 and licensure;

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

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

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

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

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

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

91 (6) (a) **Standard License - Approved Program Route.** An  
92 educator entering the school system of Mississippi for the first  
93 time and meeting all requirements as established by the State  
94 Board of Education shall be granted a standard five-year license.  
95 Persons who possess two (2) years of classroom experience as an  
96 assistant teacher or who have taught for one (1) year in an  
97 accredited public or private school shall be allowed to fulfill



98 student teaching requirements under the supervision of a qualified  
99 participating teacher approved by an accredited college of  
100 education. The local school district in which the assistant  
101 teacher is employed shall compensate such assistant teachers at  
102 the required salary level during the period of time such  
103 individual is completing student teaching requirements.

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

- 105 (i) An application on a department form;  
106 (ii) An official transcript of completion of a  
107 teacher education program \* \* \* approved by the department or a  
108 nationally accredited program, subject to the following:

109 Licensure to teach in Mississippi prekindergarten through  
110 kindergarten classrooms shall require completion of a teacher  
111 education program or a bachelor of science degree with child  
112 development emphasis from a program accredited by the American  
113 Association of Family and Consumer Sciences (AAFCS) or by the  
114 National Association for Education of Young Children (NAEYC) or by  
115 the National Council for Accreditation of Teacher Education  
116 (NCATE). Licensure to teach in Mississippi kindergarten, for  
117 those applicants who have completed a teacher education program,  
118 and in Grade 1 through Grade 4 shall require the completion of an  
119 interdisciplinary program of studies. Licenses for Grades 4  
120 through 8 shall require the completion of an interdisciplinary  
121 program of studies with two (2) or more areas of concentration.  
122 Licensure to teach in Mississippi Grades 7 through 12 shall  
123 require a major in an academic field other than education, or a  
124 combination of disciplines other than education. Students  
125 preparing to teach a subject shall complete a major in the  
126 respective subject discipline. All applicants for standard  
127 licensure shall demonstrate that such person's college preparation  
128 in those fields was in accordance with the standards set forth by  
129 the National Council for Accreditation of Teacher Education  
130 (NCATE) or the National Association of State Directors of Teacher



131 Education and Certification (NASDTEC) or, for those applicants who  
132 have a bachelor of science degree with child development emphasis,  
133 the American Association of Family and Consumer Sciences (AAFCS);

134 (iii) A copy of test scores evidencing  
135 satisfactory completion of nationally administered examinations of  
136 achievement, such as the Educational Testing Service's teacher  
137 testing examinations; and

138 (iv) Any other document required by the State  
139 Board of Education.

140 (b) **Standard License - Nontraditional Teaching Route.**

141 An individual who possesses at least a bachelor's degree from  
142 an accredited institution of higher learning, who has been  
143 employed for at least three (3) consecutive years in an area  
144 requiring knowledge and practical application of the individual's  
145 postsecondary academic background or has a passing score on the  
146 Praxis II Specialty Area Test in the area of the postsecondary  
147 academic background and the requested area of endorsement may be  
148 issued a one-year, nonrenewable, nontraditional conditional  
149 license to teach students in Grades 7 through 12 in the area of  
150 the individual's academic background and employment experience if  
151 the individual meets the requirements of this paragraph:

152 (i) The State Board of Education shall adopt rules  
153 requiring that teacher preparation institutions which provide a  
154 nontraditional teacher preparation internship program, at a  
155 minimum, meet the standards and comply with the provisions of this  
156 paragraph. A nontraditional teacher preparation internship  
157 program is exempt from the student teaching or field experience  
158 requirements of traditional education degree programs. A  
159 nontraditional teacher preparation internship program shall  
160 include a nine-semester-hour course in education, instructional  
161 methods and classroom management approved by the State Board of  
162 Education.



163                   (ii) The institution providing the nontraditional  
164 teacher preparation internship program shall enter into a written  
165 agreement with a school district, under terms and conditions as  
166 agreed upon by the contracting parties, providing that the school  
167 district shall provide interns seeking a nontraditional  
168 conditional teaching license with a one-year classroom teaching  
169 experience. The intern shall successfully complete the  
170 nine-semester-hour course of study prior to the end of the  
171 one-year classroom teaching experience.

172                   (iii) Upon completion of the nine-semester-hour  
173 course of study, the institution providing the approved  
174 nontraditional teacher preparation internship program shall submit  
175 to the commission a recommendation for licensure of the intern.  
176 If the institution recommends licensure, the intern shall be  
177 issued a nontraditional conditional teaching license by the  
178 commission, which will allow the individual to legally serve as a  
179 teacher while the person completes a nontraditional teacher  
180 preparation internship program.

181                   (iv) During the first nine (9) weeks of  
182 employment, the teacher preparation institution shall monitor the  
183 performance of the intern. The institution that delivers the  
184 coursework to a teacher pursuant to this paragraph shall, along  
185 with the school district that employs the conditional teacher,  
186 supervise the conditional teacher during the teacher's year of  
187 employment under a nontraditional conditional license, and shall,  
188 in consultation with the teacher's evaluator at the school  
189 district of employment, submit to the commission a comprehensive  
190 evaluation of the teacher's performance sixty (60) days prior to  
191 the expiration of the nontraditional conditional license. If the  
192 comprehensive evaluation establishes that the conditional  
193 teacher's performance fails to meet the standards of the approved  
194 nontraditional teacher preparation internship program, the  
195 individual shall not be approved for a provisional license.



196                   (v) An individual may be issued a provisional  
197 license to teach students in Grades 7 through 12 in the area of  
198 the individual's academic background and employment experience if  
199 the individual has successfully completed the one-year internship  
200 program of teaching under a nontraditional conditional license.  
201 An individual issued a provisional teaching license under this  
202 nontraditional route shall successfully complete, at a minimum, a  
203 two-year beginning teacher mentoring and induction program  
204 administered by the employing school district with the assistance  
205 of the State Department of Education.

206                   (vi) At the successful completion of the two-year  
207 provisional period, applicants for a Standard  
208 License - Nontraditional Route shall submit to the commission  
209 evidence of successful completion of the Praxis II, Principles of  
210 Learning and Teaching Test.

211                   (vii) The local school district in which the  
212 nontraditional teacher intern or provisional licensee is employed  
213 shall compensate such interns at Step 1 of the required salary  
214 level and shall compensate such provisional teachers at Step 3 of  
215 the required salary level during the period of time such  
216 individual is completing student internship or provisional  
217 licensee requirements.

218                   The State Department of Education shall compile and report,  
219 in consultation with the commission, information relating to  
220 nontraditional teacher preparation internship programs, including  
221 the number of programs available and geographic areas in which  
222 they are available, the number of individuals who apply for and  
223 possess a nontraditional conditional license, the subject areas in  
224 which individuals who possess nontraditional conditional licenses  
225 are teaching and where they are teaching, and shall submit its  
226 findings and recommendations to the legislative committees on  
227 education by December 1, 2003.



228           A Standard License - Approved Program Route \* \* \* shall be  
229 issued for a five-year period, and may be renewed. Recognizing  
230 teaching as a profession, a hiring preference shall be granted to  
231 persons holding a Standard License - Approved Program Route or  
232 Standard License - Nontraditional Teaching Route over persons  
233 holding any other license.

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

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

253           (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
254 person may teach for a maximum of three (3) periods per teaching  
255 day in a public school or a nonpublic school accredited/approved  
256 by the state. Such person shall submit to the department a  
257 transcript or record of his education and experience which  
258 substantiates his preparation for the subject to be taught and  
259 shall meet other qualifications specified by the commission and  
260 approved by the State Board of Education. In no case shall any





261 local school board hire nonlicensed personnel as authorized under  
262 this paragraph in excess of five percent (5%) of the total number  
263 of licensed personnel in any single school.

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

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

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

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

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

287 (d) **Administrator License - Nontraditional Route.** The  
288 board may establish a nontraditional route for licensing  
289 administrative personnel. Such nontraditional route for  
290 administrative licensure shall be available for persons holding,  
291 but not limited to, a master of business administration degree, a  
292 master of public administration degree or a master of public  
293 planning and policy degree from an accredited college or



294 university, with five (5) years of administrative or supervisory  
295 experience. Successful completion of the requirements of  
296 alternate route licensure for administrators shall qualify the  
297 person for a standard administrator license.

298 The State Department of Education shall compile and report,  
299 in consultation with the commission, information relating to  
300 nontraditional administrator preparation internship programs,  
301 including the number of programs available and geographic areas in  
302 which they are available, the number of individuals who apply for  
303 and possess a nontraditional conditional license and where they  
304 are employed, and shall submit its findings and recommendations to  
305 the legislative committees on education by December 1, 2003.

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

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



327           (b) The department shall grant a nonrenewable special  
328 license to any individual who possesses a credential which is less  
329 than a standard license or certification from another state, or  
330 who possesses a standard license from another state but has less  
331 than two (2) years of full-time teaching or administration  
332 experience. Such special license shall be valid for the current  
333 school year plus one (1) additional school year to expire on June  
334 30 of the second year, not to exceed a total period of twenty-four  
335 (24) months, during which time the applicant shall be required to  
336 complete the requirements for a standard license in Mississippi.

337           (9) **Renewal and Reinstatement of Licenses.** The State Board  
338 of Education is authorized to establish rules and regulations for  
339 the renewal and reinstatement of educator and administrator  
340 licenses. Effective May 15, 1997, the valid standard license held  
341 by an educator shall be extended five (5) years beyond the  
342 expiration date of the license in order to afford the educator  
343 adequate time to fulfill new renewal requirements established  
344 pursuant to this subsection. An educator completing a master of  
345 education, educational specialist or doctor of education degree in  
346 May 1997 for the purpose of upgrading the educator's license to a  
347 higher class shall be given this extension of five (5) years plus  
348 five (5) additional years for completion of a higher degree.

349           (10) All controversies involving the issuance, revocation,  
350 suspension or any change whatsoever in the licensure of an  
351 educator required to hold a license shall be initially heard in a  
352 hearing de novo, by the commission or by a subcommittee  
353 established by the commission and composed of commission members  
354 for the purpose of holding hearings. Any complaint seeking the  
355 denial of issuance, revocation or suspension of a license shall be  
356 by sworn affidavit filed with the Commission of Teacher and  
357 Administrator Education, Certification and Licensure and  
358 Development. The decision thereon by the commission or its  
359 subcommittee shall be final, unless the aggrieved party shall



360 appeal to the State Board of Education, within ten (10) days, of  
361 the decision of the committee or its subcommittee. An appeal to  
362 the State Board of Education shall be on the record previously  
363 made before the commission or its subcommittee unless otherwise  
364 provided by rules and regulations adopted by the board. The State  
365 Board of Education in its authority may reverse, or remand with  
366 instructions, the decision of the committee or its subcommittee.  
367 The decision of the State Board of Education shall be final.

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

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

373 (b) The applicant has a physical, emotional or mental  
374 disability that renders the applicant unfit to perform the duties  
375 authorized by the license, as certified by a licensed psychologist  
376 or psychiatrist;

377 (c) The applicant is actively addicted to or actively  
378 dependent on alcohol or other habit-forming drugs or is a habitual  
379 user of narcotics, barbiturates, amphetamines, hallucinogens, or  
380 other drugs having similar effect, at the time of application for  
381 a license;

382 (d) Revocation of an applicant's certificate or license  
383 by another state;

384 (e) Fraud or deceit committed by the applicant in  
385 securing or attempting to secure such certification and license;

386 (f) Failing or refusing to furnish reasonable evidence  
387 of identification;

388 (g) The applicant has been convicted, has pled guilty  
389 or entered a plea of nolo contendere to a felony, as defined by  
390 federal or state law; or



391           (h) The applicant has been convicted, has pled guilty  
392 or entered a plea of nolo contendere to a sex offense as defined  
393 by federal or state law.

394           (12) The State Board of Education, acting on the  
395 recommendation of the commission, may revoke or suspend any  
396 teacher or administrator license for specified periods of time for  
397 one or more of the following:

398           (a) Breach of contract or abandonment of employment may  
399 result in the suspension of the license for one (1) school year as  
400 provided in Section 37-9-57;

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

404           (c) Suspension or revocation of a certificate or  
405 license by another state shall result in immediate suspension or  
406 revocation and shall continue until records in the prior state  
407 have been cleared;

408           (d) The license holder has been convicted, has pled  
409 guilty or entered a plea of nolo contendere to a felony, as  
410 defined by federal or state law;

411           (e) The license holder has been convicted, has pled  
412 guilty or entered a plea of nolo contendere to a sex offense, as  
413 defined by federal or state law; or

414           (f) The license holder knowingly and willfully  
415 committing any of the acts affecting validity of mandatory uniform  
416 test results as provided in Section 37-16-4(1).

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



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

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

431 (14) A person whose license has been suspended on any  
432 grounds except criminal grounds may petition for reinstatement of  
433 the license after one (1) year from the date of suspension, or  
434 after one-half (1/2) of the suspended time has lapsed, whichever  
435 is greater. A license suspended on the criminal grounds may be  
436 reinstated upon petition to the commission filed after expiration  
437 of the sentence and parole or probationary period imposed upon  
438 conviction. A revoked license may be reinstated upon satisfactory  
439 showing of evidence of rehabilitation. The commission shall  
440 require all who petition for reinstatement to furnish evidence  
441 satisfactory to the commission of good character, good mental,  
442 emotional and physical health and such other evidence as the  
443 commission may deem necessary to establish the petitioner's  
444 rehabilitation and fitness to perform the duties authorized by the  
445 license.

446 (15) Reporting procedures and hearing procedures for dealing  
447 with infractions under this section shall be promulgated by the  
448 commission, subject to the approval of the State Board of  
449 Education. The revocation or suspension of a license shall be  
450 effected at the time indicated on the notice of suspension or  
451 revocation. The commission shall immediately notify the  
452 superintendent of the school district or school board where the  
453 teacher or administrator is employed of any disciplinary action  
454 and also notify the teacher or administrator of such revocation or



455 suspension and shall maintain records of action taken. The State  
456 Board of Education may reverse or remand with instructions any  
457 decision of the commission regarding a petition for reinstatement  
458 of a license, and any such decision of the State Board of  
459 Education shall be final.

460 (16) An appeal from the action of the State Board of  
461 Education in denying an application, revoking or suspending a  
462 license or otherwise disciplining any person under the provisions  
463 of this section, shall be filed in the Chancery Court of the First  
464 Judicial District of Hinds County on the record made, including a  
465 verbatim transcript of the testimony at the hearing. The appeal  
466 shall be filed within thirty (30) days after notification of the  
467 action of the board is mailed or served and the proceedings in  
468 chancery court shall be conducted as other matters coming before  
469 the court. The appeal shall be perfected upon filing notice of  
470 the appeal and by the prepayment of all costs, including the cost  
471 of preparation of the record of the proceedings by the State Board  
472 of Education, and the filing of a bond in the sum of Two Hundred  
473 Dollars (\$200.00) conditioned that if the action of the board be  
474 affirmed by the chancery court, the applicant or license holder  
475 shall pay the costs of the appeal and the action of the chancery  
476 court.

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

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



487 performance as a prerequisite of initial or continued employment  
488 in such districts.

489 (19) In addition to the reasons specified in subsections  
490 (12) and (13) of this section, the board shall be authorized to  
491 suspend the license of any licensee for being out of compliance  
492 with an order for support, as defined in Section 93-11-153. The  
493 procedure for suspension of a license for being out of compliance  
494 with an order for support, and the procedure for the reissuance or  
495 reinstatement of a license suspended for that purpose, and the  
496 payment of any fees for the reissuance or reinstatement of a  
497 license suspended for that purpose, shall be governed by Section  
498 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
499 board in suspending a license when required by Section 93-11-157  
500 or 93-11-163 are not actions from which an appeal may be taken  
501 under this section. Any appeal of a license suspension that is  
502 required by Section 93-11-157 or 93-11-163 shall be taken in  
503 accordance with the appeal procedure specified in Section  
504 93-11-157 or 93-11-163, as the case may be, rather than the  
505 procedure specified in this section. If there is any conflict  
506 between any provision of Section 93-11-157 or 93-11-163 and any  
507 provision of this chapter, the provisions of Section 93-11-157 or  
508 93-11-163, as the case may be, shall control.

509 **SECTION 2.** Section 37-159-3, Mississippi Code of 1972, is  
510 amended as follows:

511 37-159-3. (1) There is established the "Critical Needs  
512 Teacher Scholarship Program," the purpose of which is to attract  
513 qualified teachers to those geographical areas of the state where  
514 there exists a critical shortage of teachers by awarding full  
515 scholarships to persons declaring an intention to serve in the  
516 teaching field who actually render service to the state while  
517 possessing an appropriate teaching license.

518 (2) Any individual who is enrolled in or accepted for  
519 enrollment at a baccalaureate degree-granting institution of





520 higher learning whose teacher education program is approved by the  
521 State Board of Education or at an accredited, nonprofit community  
522 or junior college in the State of Mississippi, and is enrolled in  
523 or accepted for enrollment in (a) a teacher education program, (b)  
524 a nontraditional teacher licensure program authorized under  
525 Section 37-3-2(6)(b), who expresses in writing an intention to  
526 teach in a geographical area of the state in which there exists a  
527 critical shortage of teachers, as designated by the State Board of  
528 Education, shall be eligible for a financial scholarship to be  
529 applied toward the costs of the individual's college education.  
530 The annual amount of the award shall be equal to the total cost  
531 for tuition, room and meals, books, materials and fees at the  
532 college or university in which the student is enrolled, not to  
533 exceed an amount equal to the highest total cost of tuition, room  
534 and meals, books, materials and fees assessed by a state  
535 institution of higher learning during that school year. Awards  
536 made to nonresidents of the state shall not include any amount  
537 assessed by the college or university for out-of-state tuition.

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

550 (4) Except in those cases where employment positions may not  
551 be available upon completion of licensure requirements, at the  
552 beginning of the first school year in which a recipient of a



553 Critical Needs Teacher Scholarship is eligible for employment as a  
554 licensed teacher, or a provisionally licensed teacher, that person  
555 shall begin to render service as a licensed teacher or  
556 provisionally licensed teacher in a public school district in a  
557 geographical area of the state where there is a critical shortage  
558 of teachers, as approved by the State Board of Education. Any  
559 person who received four (4) annual awards, or the equivalent of  
560 four (4) annual awards, shall render three (3) years' service as a  
561 licensed teacher or provisionally licensed teacher, as the case  
562 may be. Any person who received fewer than four (4) annual  
563 awards, or the equivalent of four (4) annual awards, shall render  
564 one (1) year's service as a licensed teacher or provisionally  
565 licensed teacher, as the case may be, for each year that the  
566 person received a full-time student scholarship, or for the number  
567 of academic hours equivalent to one (1) school year, as determined  
568 by the Board of Trustees of State Institutions of Higher Learning,  
569 which a part-time student received a scholarship.

570 (5) Any person failing to complete a program of study which  
571 will enable that person to become a licensed teacher or  
572 provisionally licensed teacher, as the case may be, shall become  
573 liable immediately to the Board of Trustees of State Institutions  
574 of Higher Learning for the sum of all Critical Needs Teacher  
575 Scholarship awards made to that person, plus interest accruing at  
576 the current Stafford Loan rate at the time the person abrogates  
577 his participation in the program. Any person failing to complete  
578 his teaching obligation, as required under subsection (4) of this  
579 section, shall become liable immediately to the board for the sum  
580 of all scholarship awards made to that person less the  
581 corresponding amount of any awards for which service has been  
582 rendered, plus interest accruing at the current Stafford Loan rate  
583 at the time the person discontinues his service, except in the  
584 case of a deferral of debt for cause by the State Board of  
585 Education when there is no employment position immediately



586 available upon a teacher's completion of licensure requirements.  
587 After the period of such deferral, such person shall begin or  
588 resume teaching duties as required under subsection (4) or shall  
589 become liable to the board under this subsection. If a claim for  
590 payment under this subsection is placed in the hands of an  
591 attorney for collection, the obligor shall be liable for an  
592 additional amount equal to a reasonable attorney's fee.

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

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

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

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

613 (10) The State Department of Education shall compile and  
614 report, in consultation with the Board of Trustees of State  
615 Institutions of Higher Learning, an annual report with findings  
616 and recommendations to the legislative committees on education by  
617 December 1, 2003, and annually thereafter, on the following:



618           (a) The number of participants in the Critical Needs  
619 Teacher Scholarship Program, by institution and by freshman,  
620 sophomore, junior and senior level;

621           (b) The number of nontraditional teacher license  
622 program participants;

623           (c) The number of individuals who completed the  
624 Critical Needs Teacher Scholarship Program and the school district  
625 in which they are employed;

626           (d) The number of individuals who are in default of  
627 their obligation under the Critical Needs Teacher Scholarship  
628 Program and the status of their obligation;

629           (e) The number of participants in the program who have  
630 successfully completed the Praxis examination in their junior  
631 year.

632           **SECTION 3.** This act shall take effect and be in force from  
633 and after July 1, 2002.

