

By: Senator(s) Harden

To: Education;
Appropriations

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

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

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

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

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



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

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

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

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

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



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

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

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

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

76 (f) Review all existing requirements for certification
77 and licensure;

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

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

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

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

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

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

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



97 Persons who possess two (2) years of classroom experience as an
98 assistant teacher or who have taught for one (1) year in an
99 accredited public or private school shall be allowed to fulfill
100 student teaching requirements under the supervision of a qualified
101 participating teacher approved by an accredited college of
102 education. The local school district in which the assistant
103 teacher is employed shall compensate such assistant teachers at
104 the required salary level during the period of time such
105 individual is completing student teaching requirements.

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

107 (i) An application on a department form;

108 (ii) An official transcript of completion of a
109 teacher education program * * * approved by the department or a
110 nationally accredited program, subject to the following:

111 Licensure to teach in Mississippi prekindergarten through
112 kindergarten classrooms shall require completion of a teacher
113 education program or a bachelor of science degree with child
114 development emphasis from a program accredited by the American
115 Association of Family and Consumer Sciences (AAFCS) or by the
116 National Association for Education of Young Children (NAEYC) or by
117 the National Council for Accreditation of Teacher Education

118 (NCATE). Licensure to teach in Mississippi kindergarten, for
119 those applicants who have completed a teacher education program,
120 and in Grade 1 through Grade 4 shall require the completion of an
121 interdisciplinary program of studies. Licenses for Grades 4
122 through 8 shall require the completion of an interdisciplinary
123 program of studies with two (2) or more areas of concentration.

124 Licensure to teach in Mississippi Grades 7 through 12 shall
125 require a major in an academic field other than education, or a
126 combination of disciplines other than education. Students
127 preparing to teach a subject shall complete a major in the
128 respective subject discipline. All applicants for standard
129 licensure shall demonstrate that such person's college preparation



130 in those fields was in accordance with the standards set forth by
131 the National Council for Accreditation of Teacher Education
132 (NCATE) or the National Association of State Directors of Teacher
133 Education and Certification (NASDTEC) or, for those applicants who
134 have a bachelor of science degree with child development emphasis,
135 the American Association of Family and Consumer Sciences (AAFCS);

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

140 (iv) Any other document required by the State
141 Board of Education.

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

143 An individual who possesses at least a bachelor's degree from
144 an accredited institution of higher learning, who has been
145 employed for at least five (5) consecutive years in an area
146 requiring knowledge and practical application of the individual's
147 postsecondary academic background, who can document to the
148 satisfaction of the commission, successful experience working with
149 children, may be issued a one-year, nonrenewable, nontraditional
150 conditional license to teach students in Grades 9 through 12 in
151 the area of the individual's academic background and employment
152 experience, in the vocational education field or in a subject
153 matter shortage area or in a geographical shortage area as
154 determined by the State Board of Education, if the individual
155 meets the requirements of this paragraph:

156 (i) The State Board of Education shall adopt rules
157 requiring that teacher preparation institutions which provide a
158 nontraditional teacher preparation internship program, at a
159 minimum, meet the standards and comply with the provisions of this
160 paragraph. A nontraditional teacher preparation internship
161 program is exempt from the student teaching or field experience
162 requirements of traditional education degree programs. A



163 nontraditional teacher preparation internship program shall
164 include a twelve-semester-hour course in education theory,
165 teaching of reading and math, instructional methods, classroom
166 management and education of exceptional children.

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

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

185 (iv) During the first nine (9) weeks of
186 employment, the teacher preparation institution shall monitor the
187 performance of the intern. The institution that delivers the
188 coursework to a teacher pursuant to this paragraph shall, along
189 with the school district that employs the conditional teacher,
190 supervise the conditional teacher during the teacher's year of
191 employment under a nontraditional conditional license, and shall,
192 in consultation with the teacher's evaluator at the school
193 district of employment, submit to the commission a comprehensive
194 evaluation of the teacher's performance sixty (60) days prior to
195 the expiration of the nontraditional conditional license. If the



196 comprehensive evaluation establishes that the conditional
197 teacher's performance fails to meet the standards of the approved
198 nontraditional teacher preparation internship program, the
199 individual shall not be approved for a provisional license.

200 (v) An individual may be issued a provisional
201 license to teach students in Grades 9 through 12 in the area of
202 the individual's academic background and employment experience if
203 the individual has successfully completed the one-year internship
204 program of teaching under a nontraditional conditional license.
205 An individual issued a provisional teaching license under this
206 nontraditional route shall successfully complete, at a minimum, a
207 two-year beginning teacher mentoring and induction program
208 administered by the employing school district with the assistance
209 of the State Department of Education.

210 (vi) At the successful completion of the two-year
211 provisional period, applicants for a Standard
212 License - Nontraditional Route shall submit to the commission
213 evidence of successful completion of the Praxis II examination for
214 knowledge of pedagogies for not less than one (1) content area,
215 along with any other document required by the State Board of
216 Education.

217 (vii) The local school district in which the
218 nontraditional teacher intern or provisional licensee is employed
219 shall compensate such interns at Step 1 of the required salary
220 level and shall compensate such provisional teachers at Step 3 of
221 the required salary level during the period of time such
222 individual is completing student internship or provisional
223 licensee requirements.

224 The State Department of Education shall compile and report,
225 in consultation with the commission, information relating to
226 nontraditional teacher preparation internship programs, including
227 the number of programs available and geographic areas in which
228 they are available, the number of individuals who apply for and



229 possess a nontraditional conditional license, the subject areas in
230 which individuals who possess nontraditional conditional licenses
231 are teaching and where they are teaching, and shall submit its
232 findings and recommendations to the legislative committees on
233 education by December 1, 2003.

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

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

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

259 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
260 person may teach for a maximum of three (3) periods per teaching
261 day in a public school or a nonpublic school accredited/approved



262 by the state. Such person shall submit to the department a
263 transcript or record of his education and experience which
264 substantiates his preparation for the subject to be taught and
265 shall meet other qualifications specified by the commission and
266 approved by the State Board of Education. In no case shall any
267 local school board hire nonlicensed personnel as authorized under
268 this paragraph in excess of five percent (5%) of the total number
269 of licensed personnel in any single school.

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

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

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

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

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

293 (d) **Administrator License - Nontraditional Route.** The
294 board may establish a nontraditional route for licensing



295 administrative personnel. Such nontraditional route for
296 administrative licensure shall be available for persons holding,
297 but not limited to, a master of business administration degree, a
298 master of public administration degree or a master of public
299 planning and policy degree from an accredited college or
300 university, with five (5) years of administrative or supervisory
301 experience, or for persons holding a bachelor's degree from an
302 accredited institution of higher learning in such subject areas
303 and who have been employed for at least ten (10) of the last
304 fifteen (15) years in a management position. Such individual may
305 be issued a one-year, nonrenewable, nontraditional conditional
306 administrator's license if the individual successfully completes a
307 nontraditional administrator preparation internship program in
308 accordance with this paragraph. An individual may be issued an
309 Administrator's License - Nontraditional Route if the individual
310 successfully completes one (1) year of employment as an
311 administrator under a nontraditional conditional license.

312 (i) The State Board of Education shall adopt rules
313 requiring that teacher preparation institutions which provide a
314 nontraditional administrator preparation internship program, at a
315 minimum, meet the standards and comply with the standards
316 established pursuant to this paragraph. A nontraditional
317 administrator preparation internship program shall include a
318 twelve-semester-hour course of study in education management,
319 governance organization and planning.

320 (ii) The institution providing the nontraditional
321 administrator preparation internship program shall enter into a
322 written agreement with the school board of a school district,
323 under terms and conditions as agreed upon by the contracting
324 parties, providing that the school district will provide interns
325 seeking a nontraditional conditional administrator license with
326 one (1) year of administrative experience.



327 (iii) Upon completion of the twelve-semester-hour
328 course of study, the institution providing the approved
329 nontraditional administrator preparation internship program shall
330 submit to the commission a recommendation for licensure. If the
331 institution recommends licensure, the intern shall be issued a
332 nontraditional conditional license by the commission.

333 (iv) The institution that delivers the coursework
334 to an intern pursuant to this paragraph shall supervise the
335 conditional administrator during the intern's year of employment
336 under a nontraditional conditional license, and shall, in
337 consultation with the school board of the school district of
338 employment, submit to the commission a comprehensive evaluation of
339 the intern's performance sixty (60) days prior to the expiration
340 of the nontraditional conditional license. If the comprehensive
341 evaluation establishes that the intern's performance fails to meet
342 the standards of the approved nontraditional administrator
343 preparation internship program, the individual shall not be
344 approved for a provisional license.

345 (v) An individual may be issued a provisional
346 administrator's license if the individual has successfully
347 completed the one-year internship program under a nontraditional
348 conditional license. An individual issued a provisional
349 administrator's license under this nontraditional route shall
350 successfully complete, at a minimum, a two-year beginning
351 administrator mentoring and induction program administered by the
352 employing school district with the assistance of the State
353 Department of Education.

354 (vi) At the successful completion of the two-year
355 provisional period, applicants shall be qualified for a Standard
356 Administrator License - Nontraditional Route.

357 (vii) The local school district in which the
358 nontraditional administrator intern or provisional licensee is
359 employed shall compensate such interns at Step 1 of the required



360 salary level and shall compensate such provisional administrators
361 at Step 3 of the required salary level during the period of time
362 such individual is completing student internship or provisional
363 licensee requirements.

364 The State Department of Education shall compile and report,
365 in consultation with the commission, information relating to
366 nontraditional administrator preparation internship programs,
367 including the number of programs available and geographic areas in
368 which they are available, the number of individuals who apply for
369 and possess a nontraditional conditional license and where they
370 are employed, and shall submit its findings and recommendations to
371 the legislative committees on education by December 1, 2003.

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

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



393 (b) The department shall grant a nonrenewable special
394 license to any individual who possesses a credential which is less
395 than a standard license or certification from another state, or
396 who possesses a standard license from another state but has less
397 than two (2) years of full-time teaching or administration
398 experience. Such special license shall be valid for the current
399 school year plus one (1) additional school year to expire on June
400 30 of the second year, not to exceed a total period of twenty-four
401 (24) months, during which time the applicant shall be required to
402 complete the requirements for a standard license in Mississippi.

403 (9) **Renewal and Reinstatement of Licenses.** The State Board
404 of Education is authorized to establish rules and regulations for
405 the renewal and reinstatement of educator and administrator
406 licenses. Effective May 15, 1997, the valid standard license held
407 by an educator shall be extended five (5) years beyond the
408 expiration date of the license in order to afford the educator
409 adequate time to fulfill new renewal requirements established
410 pursuant to this subsection. An educator completing a master of
411 education, educational specialist or doctor of education degree in
412 May 1997 for the purpose of upgrading the educator's license to a
413 higher class shall be given this extension of five (5) years plus
414 five (5) additional years for completion of a higher degree.

415 (10) All controversies involving the issuance, revocation,
416 suspension or any change whatsoever in the licensure of an
417 educator required to hold a license shall be initially heard in a
418 hearing de novo, by the commission or by a subcommittee
419 established by the commission and composed of commission members
420 for the purpose of holding hearings. Any complaint seeking the
421 denial of issuance, revocation or suspension of a license shall be
422 by sworn affidavit filed with the Commission of Teacher and
423 Administrator Education, Certification and Licensure and
424 Development. The decision thereon by the commission or its
425 subcommittee shall be final, unless the aggrieved party shall



426 appeal to the State Board of Education, within ten (10) days, of
427 the decision of the committee or its subcommittee. An appeal to
428 the State Board of Education shall be on the record previously
429 made before the commission or its subcommittee unless otherwise
430 provided by rules and regulations adopted by the board. The State
431 Board of Education in its authority may reverse, or remand with
432 instructions, the decision of the committee or its subcommittee.
433 The decision of the State Board of Education shall be final.

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

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

439 (b) The applicant has a physical, emotional or mental
440 disability that renders the applicant unfit to perform the duties
441 authorized by the license, as certified by a licensed psychologist
442 or psychiatrist;

443 (c) The applicant is actively addicted to or actively
444 dependent on alcohol or other habit-forming drugs or is a habitual
445 user of narcotics, barbiturates, amphetamines, hallucinogens, or
446 other drugs having similar effect, at the time of application for
447 a license;

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

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

452 (f) Failing or refusing to furnish reasonable evidence
453 of identification;

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



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

460 (12) The State Board of Education, acting on the
461 recommendation of the commission, may revoke or suspend any
462 teacher or administrator license for specified periods of time for
463 one or more of the following:

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

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

470 (c) Suspension or revocation of a certificate or
471 license by another state shall result in immediate suspension or
472 revocation and shall continue until records in the prior state
473 have been cleared;

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

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

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

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



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

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

497 (14) A person whose license has been suspended on any
498 grounds except criminal grounds may petition for reinstatement of
499 the license after one (1) year from the date of suspension, or
500 after one-half (1/2) of the suspended time has lapsed, whichever
501 is greater. A license suspended on the criminal grounds may be
502 reinstated upon petition to the commission filed after expiration
503 of the sentence and parole or probationary period imposed upon
504 conviction. A revoked license may be reinstated upon satisfactory
505 showing of evidence of rehabilitation. The commission shall
506 require all who petition for reinstatement to furnish evidence
507 satisfactory to the commission of good character, good mental,
508 emotional and physical health and such other evidence as the
509 commission may deem necessary to establish the petitioner's
510 rehabilitation and fitness to perform the duties authorized by the
511 license.

512 (15) Reporting procedures and hearing procedures for dealing
513 with infractions under this section shall be promulgated by the
514 commission, subject to the approval of the State Board of
515 Education. The revocation or suspension of a license shall be
516 effected at the time indicated on the notice of suspension or
517 revocation. The commission shall immediately notify the
518 superintendent of the school district or school board where the
519 teacher or administrator is employed of any disciplinary action
520 and also notify the teacher or administrator of such revocation or



521 suspension and shall maintain records of action taken. The State
522 Board of Education may reverse or remand with instructions any
523 decision of the commission regarding a petition for reinstatement
524 of a license, and any such decision of the State Board of
525 Education shall be final.

526 (16) An appeal from the action of the State Board of
527 Education in denying an application, revoking or suspending a
528 license or otherwise disciplining any person under the provisions
529 of this section, shall be filed in the Chancery Court of the First
530 Judicial District of Hinds County on the record made, including a
531 verbatim transcript of the testimony at the hearing. The appeal
532 shall be filed within thirty (30) days after notification of the
533 action of the board is mailed or served and the proceedings in
534 chancery court shall be conducted as other matters coming before
535 the court. The appeal shall be perfected upon filing notice of
536 the appeal and by the prepayment of all costs, including the cost
537 of preparation of the record of the proceedings by the State Board
538 of Education, and the filing of a bond in the sum of Two Hundred
539 Dollars (\$200.00) conditioned that if the action of the board be
540 affirmed by the chancery court, the applicant or license holder
541 shall pay the costs of the appeal and the action of the chancery
542 court.

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

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



553 performance as a prerequisite of initial or continued employment
554 in such districts.

555 (19) In addition to the reasons specified in subsections
556 (12) and (13) of this section, the board shall be authorized to
557 suspend the license of any licensee for being out of compliance
558 with an order for support, as defined in Section 93-11-153. The
559 procedure for suspension of a license for being out of compliance
560 with an order for support, and the procedure for the reissuance or
561 reinstatement of a license suspended for that purpose, and the
562 payment of any fees for the reissuance or reinstatement of a
563 license suspended for that purpose, shall be governed by Section
564 93-11-157 or 93-11-163, as the case may be. Actions taken by the
565 board in suspending a license when required by Section 93-11-157
566 or 93-11-163 are not actions from which an appeal may be taken
567 under this section. Any appeal of a license suspension that is
568 required by Section 93-11-157 or 93-11-163 shall be taken in
569 accordance with the appeal procedure specified in Section
570 93-11-157 or 93-11-163, as the case may be, rather than the
571 procedure specified in this section. If there is any conflict
572 between any provision of Section 93-11-157 or 93-11-163 and any
573 provision of this chapter, the provisions of Section 93-11-157 or
574 93-11-163, as the case may be, shall control.

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

577 37-159-3. (1) There is established the "Critical Needs
578 Teacher Scholarship Program," the purpose of which is to attract
579 qualified teachers to those geographical areas of the state where
580 there exists a critical shortage of teachers by awarding full
581 scholarships to persons declaring an intention to serve in the
582 teaching field who actually render service to the state while
583 possessing an appropriate teaching license.

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



586 higher learning whose teacher education program is approved by the
587 State Board of Education or at an accredited, nonprofit community
588 or junior college in the State of Mississippi, and is enrolled in
589 or accepted for enrollment in (a) a teacher education program, (b)
590 a nontraditional teacher licensure program authorized under
591 Section 37-3-2(6)(b), or a teacher assistant associate degree
592 program, who expresses in writing an intention to teach in a
593 geographical area of the state in which there exists a critical
594 shortage of teachers, as designated by the State Board of
595 Education, shall be eligible for a financial scholarship to be
596 applied toward the costs of the individual's college education.
597 The annual amount of the award shall be equal to the total cost
598 for tuition, room and meals, books, materials and fees at the
599 college or university in which the student is enrolled, not to
600 exceed an amount equal to the highest total cost of tuition, room
601 and meals, books, materials and fees assessed by a state
602 institution of higher learning during that school year. Awards
603 made to nonresidents of the state shall not include any amount
604 assessed by the college or university for out-of-state tuition.
605 It is the intent of the Legislature that not less than one hundred
606 (100) scholarships shall be available under the program to
607 applicants for nontraditional teacher licensure and that not less
608 than fifty (50) scholarships shall be available under the program
609 to participants in teacher assistant associate degree programs.

610 (3) Awards granted under the Critical Needs Teacher
611 Scholarship Program shall be available to both full-time and
612 part-time students. Students enrolling on a full-time basis may
613 receive a maximum of four (4) annual awards. The maximum number
614 of awards that may be made to students attending school on a
615 part-time basis, and the maximum time period for part-time
616 students to complete the number of academic hours necessary to
617 obtain a baccalaureate degree in education, shall be established
618 by rules and regulations jointly promulgated by the Board of



619 Trustees of State Institutions of Higher Learning and the State
620 Board of Education. Critical Needs Teacher Scholarships shall not
621 be based upon an applicant's eligibility for financial aid.

622 (4) Except in those cases where employment positions may not
623 be available upon completion of licensure requirements, at the
624 beginning of the first school year in which a recipient of a
625 Critical Needs Teacher Scholarship is eligible for employment as a
626 licensed teacher, a provisionally licensed teacher or a teaching
627 assistant, that person shall begin to render service as a licensed
628 teacher, provisionally licensed teacher or teaching assistant in a
629 public school district in a geographical area of the state where
630 there is a critical shortage of teachers, as approved by the State
631 Board of Education. Any person who received four (4) annual
632 awards, or the equivalent of four (4) annual awards, shall render
633 three (3) years' service as a licensed teacher, provisionally
634 licensed teacher or teaching assistant, as the case may be. Any
635 person who received fewer than four (4) annual awards, or the
636 equivalent of four (4) annual awards, shall render one (1) year's
637 service as a licensed teacher, provisionally licensed teacher or
638 teaching assistant, as the case may be, for each year that the
639 person received a full-time student scholarship, or for the number
640 of academic hours equivalent to one (1) school year, as determined
641 by the Board of Trustees of State Institutions of Higher Learning,
642 which a part-time student received a scholarship.

643 (5) Any person failing to complete a program of study which
644 will enable that person to become a licensed teacher,
645 provisionally licensed teacher or teaching assistant, as the case
646 may be, shall become liable immediately to the Board of Trustees
647 of State Institutions of Higher Learning for the sum of all
648 Critical Needs Teacher Scholarship awards made to that person,
649 plus interest accruing at the current Stafford Loan rate at the
650 time the person abrogates his participation in the program. Any
651 person failing to complete his teaching obligation, as required



652 under subsection (4) of this section, shall become liable
653 immediately to the board for the sum of all scholarship awards
654 made to that person less the corresponding amount of any awards
655 for which service has been rendered, plus interest accruing at the
656 current Stafford Loan rate at the time the person discontinues his
657 service, except in the case of a deferral of debt for cause by the
658 State Board of Education when there is no employment position
659 immediately available upon a teacher's completion of licensure
660 requirements. After the period of such deferral, such person
661 shall begin or resume teaching duties as required under subsection
662 (4) or shall become liable to the board under this subsection. If
663 a claim for payment under this subsection is placed in the hands
664 of an attorney for collection, the obligor shall be liable for an
665 additional amount equal to a reasonable attorney's fee.

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

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

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

682 (9) All funds received by the Board of Trustees of State
683 Institutions of Higher Learning from the repayment of scholarship



684 awards by program participants shall be deposited in the
685 Mississippi Critical Teacher Shortage Fund.

686 (10) The State Department of Education shall compile and
687 report, in consultation with the Board of Trustees of State
688 Institutions of Higher Learning, an annual report with findings
689 and recommendations to the legislative committees on education by
690 December 1, 2003, and annually thereafter, on the following:

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

694 (b) The number of nontraditional teacher license
695 program participants, and the number of teacher assistant
696 participants;

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

700 (d) The number of individuals who are in default of
701 their obligation under the Critical Needs Teacher Scholarship
702 Program and the status of their obligation;

703 (e) The number of participants in the program who have
704 successfully completed the Praxis examination in their junior
705 year.

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

