

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

To: Education;
Appropriations

SENATE BILL NO. 2370
(As Passed the Senate)

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 SUMMER TEACH MISSISSIPPI INSTITUTE (TMI) TO BE PROVIDED FOR
6 APPLICANTS BY TEACHER PREPARATION INSTITUTIONS; TO PROVIDE FOR THE
7 ISSUANCE OF A PROVISIONAL LICENSE DURING AN INTERNSHIP PERIOD; TO
8 PROVIDE FOR A TEACHER PREPARATION INTERNSHIP PROGRAM TO BE
9 PROVIDED BY THE EMPLOYING SCHOOL DISTRICT AND SUPERVISED BY THE
10 TEACHER PREPARATION INSTITUTION; TO CLARIFY THE ACCREDITED
11 PROGRAMS WHICH QUALIFY TEACHING IN PREKINDERGARTEN AND
12 KINDERGARTEN; TO PROVIDE STANDARDS FOR A SPECIAL TEACHER LICENSE
13 IN TRANSITIONAL BILINGUAL EDUCATION; TO PROVIDE CERTAIN REPORTING
14 REQUIREMENTS BY THE STATE DEPARTMENT OF EDUCATION AND THE TEACHER
15 PREPARATION INSTITUTIONS; TO AMEND SECTION 37-143-11, MISSISSIPPI
16 CODE OF 1972, TO PROVIDE THAT INDIVIDUALS TAKING COURSEWORK FOR
17 NONTRADITIONAL TEACHER LICENSURE SHALL BE ELIGIBLE FOR
18 STATE-FUNDED INCENTIVE SCHOLARSHIPS UNDER THE WILLIAM WINTER
19 TEACHER SCHOLAR LOAN PROGRAM; TO AMEND SECTION 37-159-3,
20 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONLY INDIVIDUALS WHO
21 HAVE PASSED THE PRAXIS I BASIC SKILLS TEST SHALL BE ELIGIBLE FOR
22 STATE-FUNDED INCENTIVE SCHOLARSHIPS UNDER THE CRITICAL NEEDS
23 TEACHER SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

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

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

27 37-3-2. (1) There is established within the State
28 Department of Education the Commission on Teacher and
29 Administrator Education, Certification and Licensure and
30 Development. It shall be the purpose and duty of the commission
31 to make recommendations to the State Board of Education regarding
32 standards for the certification and licensure and continuing
33 professional development of those who teach or perform tasks of an
34 educational nature in the public schools of Mississippi.

35 (2) The commission shall be composed of fifteen (15)
36 qualified members. The membership of the commission shall be
37 composed of the following members to be appointed, three (3) from



38 each congressional district: four (4) classroom teachers; three
39 (3) school administrators; one (1) representative of schools of
40 education of institutions of higher learning located within the
41 state to be recommended by the Board of Trustees of State
42 Institutions of Higher Learning; one (1) representative from the
43 schools of education of independent institutions of higher
44 learning to be recommended by the Board of the Mississippi
45 Association of Independent Colleges; one (1) representative from
46 public community and junior colleges located within the state to
47 be recommended by the State Board for Community and Junior
48 Colleges; one (1) local school board member; and four (4) lay
49 persons. All appointments shall be made by the State Board of
50 Education after consultation with the State Superintendent of
51 Public Education. The first appointments by the State Board of
52 Education shall be made as follows: five (5) members shall be
53 appointed for a term of one (1) year; five (5) members shall be
54 appointed for a term of two (2) years; and five (5) members shall
55 be appointed for a term of three (3) years. Thereafter, all
56 members shall be appointed for a term of four (4) years.

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

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

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



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

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

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

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

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

86 (f) Review all existing requirements for certification
87 and licensure;

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

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

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

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

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

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



103 (6) (a) **Standard License - Approved Program Route.** An
104 educator entering the school system of Mississippi for the first
105 time and meeting all requirements as established by the State
106 Board of Education shall be granted a standard five-year license.
107 Persons who possess two (2) years of classroom experience as an
108 assistant teacher or who have taught for one (1) year in an
109 accredited public or private school shall be allowed to fulfill
110 student teaching requirements under the supervision of a qualified
111 participating teacher approved by an accredited college of
112 education. The local school district in which the assistant
113 teacher is employed shall compensate such assistant teachers at
114 the required salary level during the period of time such
115 individual is completing student teaching requirements.
116 Applicants for a standard license shall submit to the department:
117 (i) An application on a department form;
118 (ii) An official transcript of completion of a
119 teacher education program * * * approved by the department or a
120 nationally accredited program, subject to the following:
121 Licensure to teach in Mississippi prekindergarten through
122 kindergarten classrooms shall require completion of a teacher
123 education program or a bachelor of science degree with child
124 development emphasis from a program accredited by the American
125 Association of Family and Consumer Sciences (AAFCS) or by the
126 National Association for Education of Young Children (NAEYC) or by
127 the National Council for Accreditation of Teacher Education
128 (NCATE). Licensure to teach in Mississippi kindergarten, for
129 those applicants who have completed a teacher education program,
130 and in Grade 1 through Grade 4 shall require the completion of an
131 interdisciplinary program of studies. Licenses for Grades 4
132 through 8 shall require the completion of an interdisciplinary
133 program of studies with two (2) or more areas of concentration.
134 Licensure to teach in Mississippi Grades 7 through 12 shall
135 require a major in an academic field other than education, or a



136 combination of disciplines other than education. Students
137 preparing to teach a subject shall complete a major in the
138 respective subject discipline. All applicants for standard
139 licensure shall demonstrate that such person's college preparation
140 in those fields was in accordance with the standards set forth by
141 the National Council for Accreditation of Teacher Education
142 (NCATE) or the National Association of State Directors of Teacher
143 Education and Certification (NASDTEC) or, for those applicants who
144 have a bachelor of science degree with child development emphasis,
145 the American Association of Family and Consumer Sciences (AAFCS);

146 (iii) A copy of test scores evidencing
147 satisfactory completion of nationally administered examinations of
148 achievement, such as the Educational Testing Service's teacher
149 testing examinations; and

150 (iv) Any other document required by the State
151 Board of Education.

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

153 Beginning July 1, 2003, an individual who possesses at least a
154 bachelor's degree from a nationally or regionally accredited
155 institution of higher learning, who has a passing score on the
156 Praxis I Basic Skills and Praxis II Specialty Area Test in the
157 requested area of endorsement may apply for the Teach Mississippi
158 Institute (TMI) program to teach students in Grades 4 through 12
159 if the individual meets the requirements of this paragraph (b).
160 The State Board of Education shall adopt rules requiring that
161 teacher preparation institutions which provide the Teach
162 Mississippi Institute (TMI) program for the preparation of
163 nontraditional teachers shall meet the standards and comply with
164 the provisions of this paragraph.

165 (i) The Teach Mississippi Institute (TMI) shall
166 include an intensive eight-week, nine-semester-hour summer
167 program, which shall include instruction in education, effective
168 teaching strategies, classroom management, state curriculum



169 requirements, planning and instruction, instructional methods and
170 pedagogy, using test results to improve instruction, and a
171 three-course per hour supervised internship to be completed while
172 the teacher is employed as a full-time teacher intern in a local
173 school district. The TMI shall be implemented on a pilot program
174 basis, with courses to be offered at up to four (4) locations in
175 the state, with one (1) TMI site to be located in each of the
176 three (3) Mississippi Supreme Court districts.

177 (ii) The school sponsoring the teacher intern
178 shall enter into a written agreement with the institution
179 providing the Teach Mississippi Institute (TMI) program, under
180 terms and conditions as agreed upon by the contracting parties,
181 providing that the school district shall provide teacher interns
182 seeking a nontraditional provisional teaching license with a
183 one-year classroom teaching experience. The teacher intern shall
184 successfully complete the three-semester-hour intensive internship
185 in the school district immediately following successful completion
186 of the TMI and prior to the end of the one-year classroom teaching
187 experience.

188 (iii) Upon completion of the nine-semester-hour
189 TMI, the individual shall submit his transcript to the commission
190 for provisional licensure of the intern teacher, and the intern
191 teacher shall be issued a provisional teaching license by the
192 commission, which will allow the individual to legally serve as a
193 teacher while the person completes a nontraditional teacher
194 preparation internship program.

195 (iv) During the internship in the school district,
196 the teacher preparation institution shall monitor the performance
197 of the intern teacher. The institution that delivers the
198 coursework to a teacher intern pursuant to this paragraph shall,
199 along with the school district that employs the provisional
200 teacher, supervise the provisional teacher during the teacher
201 intern's year of employment under a nontraditional provisional



202 license, and shall, in consultation with the teacher intern's
203 mentor at the school district of employment, submit to the
204 commission a comprehensive evaluation of the teacher's performance
205 sixty (60) days prior to the expiration of the nontraditional
206 provisional license. If the comprehensive evaluation establishes
207 that the provisional teacher intern's performance fails to meet
208 the standards of the approved nontraditional teacher preparation
209 internship program, the individual shall not be approved for a
210 standard license.

211 (v) An individual issued a provisional teaching
212 license under this nontraditional route shall successfully
213 complete, at a minimum, a one-year beginning teacher mentoring and
214 induction program administered by the employing school district
215 with the assistance of the State Department of Education.

216 (vi) Upon successful completion of the TMI and the
217 internship provisional license period, applicants for a Standard
218 License-Nontraditional Route shall submit to the commission a
219 transcript of successful completion of the twelve (12) semester
220 hours required in the internship program, and the employing school
221 district, with the assistance of the institution supervising the
222 internship program, shall submit to the commission a
223 recommendation for standard licensure of the intern. If the
224 school district recommends licensure, the applicant shall be
225 issued a Standard License-Nontraditional Route which shall be
226 valid for a five-year period and be renewable.

227 (vii) The local school district in which the
228 nontraditional teacher intern or provisional licensee is employed
229 shall compensate such teacher interns at Step 1 of the required
230 salary level during the period of time such individual is
231 completing teacher internship requirements and shall compensate
232 such Standard License-Nontraditional Route teachers at Step 3 of
233 the required salary level when they complete license requirements.



234 The emergency certification program in effect prior to July
235 1, 2002, shall remain in effect until the first TMI summer program
236 is offered for nontraditional teacher intern applicants, at which
237 time the emergency certification program shall be replaced with
238 the nontraditional teacher internship program.

239 The State Department of Education shall compile and report,
240 in consultation with the commission, information relating to
241 nontraditional teacher preparation internship programs, including
242 the number of programs available and geographic areas in which
243 they are available, the number of individuals who apply for and
244 possess a nontraditional conditional license, the subject areas in
245 which individuals who possess nontraditional conditional licenses
246 are teaching and where they are teaching, and shall submit its
247 findings and recommendations to the legislative committees on
248 education by December 1, 2004.

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

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



266 be renewed in accordance with the established rules and
267 regulations of the State Department of Education.

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

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

285 (f) **Special License - Transitional Bilingual Education.**
286 Beginning July 1, 2003, the commission shall grant special
287 licenses to teachers of transitional bilingual education who
288 possess such qualifications as are prescribed in this section.
289 Teachers of transitional bilingual education shall be compensated
290 by local school boards at not less than one (1) step on the
291 regular salary schedule applicable to permanent teachers licensed
292 under this section. The commission shall grant special licenses
293 to teachers of transitional bilingual education who present the
294 commission with satisfactory evidence that they (i) possess a
295 speaking and reading ability in a language, other than English, in
296 which bilingual education is offered and communicative skills in
297 English; (ii) are in good health and sound moral character; (iii)
298 possess a bachelor's degree or an associate's degree in teacher



299 education from an accredited institution of higher education; (iv)
300 meet such requirements as to courses of study, semester hours
301 therein, experience and training as may be required by the
302 commission; and (v) are legally present in the United States and
303 possess legal authorization for employment. A teacher of
304 transitional bilingual education serving under a special license
305 shall be under an exemption from standard licensure if he achieves
306 the requisite qualifications therefor. Two (2) years of service
307 by a teacher of transitional bilingual education under such an
308 exemption shall be credited to the teacher in acquiring a Standard
309 Educator License. In granting special licenses for transitional
310 bilingual education, the commission shall give preference to
311 persons who have been certified as teachers in their country or
312 place of national origin. Nothing in this paragraph shall be
313 deemed to prohibit a local school board from employing a teacher
314 licensed in an appropriate field as approved by the State
315 Department of Education to teach in a program in transitional
316 bilingual education.

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

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

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



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

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

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

351 The State Department of Education shall compile and report,
352 in consultation with the commission, information relating to
353 nontraditional administrator preparation internship programs,
354 including the number of programs available and geographic areas in
355 which they are available, the number of individuals who apply for
356 and possess a nontraditional conditional license and where they
357 are employed, and shall submit its findings and recommendations to
358 the legislative committees on education by December 1, 2004.

359 Beginning with the 1997-1998 school year, individuals seeking
360 school administrator licensure under paragraph (b), (c) or (d)
361 shall successfully complete a training program and an assessment
362 process prescribed by the State Board of Education. Applicants
363 seeking school administrator licensure prior to June 30, 1997, and
364 completing all requirements for provisional or standard



365 administrator certification and who have never practiced, shall be
366 exempt from taking the Mississippi Assessment Battery Phase I.
367 Applicants seeking school administrator licensure during the
368 period beginning July 1, 1997, through June 30, 1998, shall
369 participate in the Mississippi Assessment Battery, and upon
370 request of the applicant, the department shall reimburse the
371 applicant for the cost of the assessment process required. After
372 June 30, 1998, all applicants for school administrator licensure
373 shall meet all requirements prescribed by the department under
374 paragraph (b), (c) or (d), and the cost of the assessment process
375 required shall be paid by the applicant.

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

380 (b) The department shall grant a nonrenewable special
381 license to any individual who possesses a credential which is less
382 than a standard license or certification from another state, or
383 who possesses a standard license from another state but has less
384 than two (2) years of full-time teaching or administration
385 experience. Such special license shall be valid for the current
386 school year plus one (1) additional school year to expire on June
387 30 of the second year, not to exceed a total period of twenty-four
388 (24) months, during which time the applicant shall be required to
389 complete the requirements for a standard license in Mississippi.

390 (9) **Renewal and Reinstatement of Licenses.** The State Board
391 of Education is authorized to establish rules and regulations for
392 the renewal and reinstatement of educator and administrator
393 licenses. Effective May 15, 1997, the valid standard license held
394 by an educator shall be extended five (5) years beyond the
395 expiration date of the license in order to afford the educator
396 adequate time to fulfill new renewal requirements established
397 pursuant to this subsection. An educator completing a master of



398 education, educational specialist or doctor of education degree in
399 May 1997 for the purpose of upgrading the educator's license to a
400 higher class shall be given this extension of five (5) years plus
401 five (5) additional years for completion of a higher degree.

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

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

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

426 (b) The applicant has a physical, emotional or mental
427 disability that renders the applicant unfit to perform the duties
428 authorized by the license, as certified by a licensed psychologist
429 or psychiatrist;



430 (c) The applicant is actively addicted to or actively
431 dependent on alcohol or other habit-forming drugs or is a habitual
432 user of narcotics, barbiturates, amphetamines, hallucinogens, or
433 other drugs having similar effect, at the time of application for
434 a license;

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

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

439 (f) Failing or refusing to furnish reasonable evidence
440 of identification;

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

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

447 (12) The State Board of Education, acting on the
448 recommendation of the commission, may revoke or suspend any
449 teacher or administrator license for specified periods of time for
450 one or more of the following:

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

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

457 (c) Suspension or revocation of a certificate or
458 license by another state shall result in immediate suspension or
459 revocation and shall continue until records in the prior state
460 have been cleared;



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

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

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

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

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

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

484 (14) A person whose license has been suspended on any
485 grounds except criminal grounds may petition for reinstatement of
486 the license after one (1) year from the date of suspension, or
487 after one-half (1/2) of the suspended time has lapsed, whichever
488 is greater. A license suspended on the criminal grounds may be
489 reinstated upon petition to the commission filed after expiration
490 of the sentence and parole or probationary period imposed upon
491 conviction. A revoked license may be reinstated upon satisfactory
492 showing of evidence of rehabilitation. The commission shall
493 require all who petition for reinstatement to furnish evidence



494 satisfactory to the commission of good character, good mental,
495 emotional and physical health and such other evidence as the
496 commission may deem necessary to establish the petitioner's
497 rehabilitation and fitness to perform the duties authorized by the
498 license.

499 (15) Reporting procedures and hearing procedures for dealing
500 with infractions under this section shall be promulgated by the
501 commission, subject to the approval of the State Board of
502 Education. The revocation or suspension of a license shall be
503 effected at the time indicated on the notice of suspension or
504 revocation. The commission shall immediately notify the
505 superintendent of the school district or school board where the
506 teacher or administrator is employed of any disciplinary action
507 and also notify the teacher or administrator of such revocation or
508 suspension and shall maintain records of action taken. The State
509 Board of Education may reverse or remand with instructions any
510 decision of the commission regarding a petition for reinstatement
511 of a license, and any such decision of the State Board of
512 Education shall be final.

513 (16) An appeal from the action of the State Board of
514 Education in denying an application, revoking or suspending a
515 license or otherwise disciplining any person under the provisions
516 of this section, shall be filed in the Chancery Court of the First
517 Judicial District of Hinds County on the record made, including a
518 verbatim transcript of the testimony at the hearing. The appeal
519 shall be filed within thirty (30) days after notification of the
520 action of the board is mailed or served and the proceedings in
521 chancery court shall be conducted as other matters coming before
522 the court. The appeal shall be perfected upon filing notice of
523 the appeal and by the prepayment of all costs, including the cost
524 of preparation of the record of the proceedings by the State Board
525 of Education, and the filing of a bond in the sum of Two Hundred
526 Dollars (\$200.00) conditioned that if the action of the board be



527 affirmed by the chancery court, the applicant or license holder
528 shall pay the costs of the appeal and the action of the chancery
529 court.

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

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

542 (19) In addition to the reasons specified in subsections
543 (12) and (13) of this section, the board shall be authorized to
544 suspend the license of any licensee for being out of compliance
545 with an order for support, as defined in Section 93-11-153. The
546 procedure for suspension of a license for being out of compliance
547 with an order for support, and the procedure for the reissuance or
548 reinstatement of a license suspended for that purpose, and the
549 payment of any fees for the reissuance or reinstatement of a
550 license suspended for that purpose, shall be governed by Section
551 93-11-157 or 93-11-163, as the case may be. Actions taken by the
552 board in suspending a license when required by Section 93-11-157
553 or 93-11-163 are not actions from which an appeal may be taken
554 under this section. Any appeal of a license suspension that is
555 required by Section 93-11-157 or 93-11-163 shall be taken in
556 accordance with the appeal procedure specified in Section
557 93-11-157 or 93-11-163, as the case may be, rather than the
558 procedure specified in this section. If there is any conflict
559 between any provision of Section 93-11-157 or 93-11-163 and any



560 provision of this chapter, the provisions of Section 93-11-157 or
561 93-11-163, as the case may be, shall control.

562 **SECTION 2.** Section 37-143-11, Mississippi Code of 1972, is
563 amended as follows:

564 37-143-11. (1) It is the intention of the Legislature to
565 attract and retain qualified teachers by awarding incentive loans
566 to persons declaring an intention to serve in the teaching field
567 and who actually render service to the state while possessing an
568 appropriate teaching license.

569 (2) There is established the "William F. Winter Teacher
570 Scholar Loan Program."

571 (3) To the extent of appropriations available, students who
572 are enrolled in any baccalaureate degree-granting institution of
573 higher learning in the State of Mississippi accredited by the
574 Southern Association of Colleges and Schools and approved by the
575 Mississippi Commission on College Accreditation, or any accredited
576 nonprofit community or junior college, and who have expressed in
577 writing a present intention to teach in Mississippi, shall be
578 eligible for student loans to be applied to the costs of their
579 college education. Persons who have been admitted to a teacher
580 education program or a nontraditional teacher internship licensure
581 program authorized under Section 37-3-2(6)(b), as approved by the
582 State Board of Education shall also qualify for loans at approved
583 institutions.

584 (4) A freshman establishing initial eligibility shall be
585 eligible for a maximum of four (4) annual loans and a senior shall
586 be eligible for one (1) annual loan.

587 (5) The maximum annual loan shall be set by the Board of
588 Trustees of State Institutions of Higher Learning at an amount not
589 to exceed the cost of attendance at any baccalaureate
590 degree-granting institution of higher learning in the State of
591 Mississippi. However, it is the intent of the Legislature that
592 the maximum annual loan amounts under the William F. Winter



593 Teacher Scholar Loan Program shall not be of such amounts that
594 would compete with the Critical Needs Teacher Scholarship Program.

595 (6) The loans of persons who actually render service as
596 licensed teachers or provisionally licensed teachers in a public
597 school in Mississippi for a major portion of the school day for at
598 least seventy-eight (78) school days during each of eight (8)
599 school semesters of the ten (10) immediately after obtaining a
600 baccalaureate degree, shall be converted to interest-free
601 scholarships. Conversion shall be based on two (2) semesters of
602 service for each year a loan was received, and the Board of
603 Trustees of State Institutions of Higher Learning shall not
604 authorize the conversion of loans into interest-free scholarships
605 at any other ratio, except as follows: Participants in the
606 William F. Winter Teacher Scholar Loan Program may have their
607 loans converted into interest-free scholarships at the same ratio
608 as under the Critical Needs Teacher Scholarship Program if they
609 render service as a licensed teacher or provisionally licensed
610 teacher in a public school district in a geographical area of the
611 state where there is a critical shortage of teachers, as
612 designated by the State Board of Education.

613 (7) Persons failing to complete an appropriate program of
614 study shall immediately become liable to the Board of Trustees of
615 State Institutions of Higher Learning for the sum of all
616 outstanding loans, except in the case of a deferral of debt for
617 cause by the board, after which period of deferral, study may be
618 resumed. Persons failing to meet teaching requirements in any
619 required semester shall immediately be in breach of contract and
620 become liable to the board for the amount of the corresponding
621 loan received, with interest accruing at the current Stafford Loan
622 rate at the time the breach occurs, except in the case of a
623 deferral of debt for cause by the board, after which period of
624 deferral, teaching duties required hereunder will be resumed. If
625 the claim for payment of such loan is placed in the hands of an



626 attorney for collection after default, then the obligor shall be
627 liable for an additional amount equal to a reasonable attorney's
628 fee.

629 (8) A loan made pursuant to this section shall not be
630 voidable by reason of the age of the borrower at the time of
631 receiving the loan.

632 (9) Failure to repay any loan and interest that becomes due
633 shall be cause for the revocation of a person's teaching license
634 by the State Department of Education.

635 (10) All monies repaid to the Board of Trustees of State
636 Institutions of Higher Learning hereunder shall be added to the
637 appropriations made for purposes of this section, and those
638 appropriations shall not lapse.

639 (11) The Board of Trustees of State Institutions of Higher
640 Learning with the concurrence of the State Board of Education
641 shall jointly promulgate regulations necessary for the proper
642 administration of this section.

643 (12) If insufficient funds are available for requested loans
644 to a qualified student during any fiscal year, the Board of
645 Trustees of State Institutions of Higher Learning shall make pro
646 rata reductions in the loans made to qualifying applicants.
647 Priority consideration shall be given to persons receiving
648 previous loans and participating in the program.

649 (13) The Board of Trustees of State Institutions of Higher
650 Learning shall make an annual report to the Legislature. Each
651 report shall contain a complete enumeration of the board's
652 activities, loans or scholarships granted, names of persons to
653 whom granted and the institutions attended by those receiving the
654 same, the teaching location of applicants who have received their
655 education and become licensed teachers within this state as a
656 result of the loans and/or scholarships. The board shall make a
657 full report and account of receipts and expenditures for salaries
658 and expenses incurred under the provisions of this section. The



659 board shall, upon its records and any published reports,
660 distinguish between those recipients who have breached their
661 contracts but with the board's permission who have paid their
662 financial obligations in full, and those recipients who have
663 breached their contracts and remain financially indebted to the
664 state.

665 **SECTION 3.** Section 37-159-3, Mississippi Code of 1972, is
666 amended as follows:

667 37-159-3. (1) There is established the "Critical Needs
668 Teacher Scholarship Program," the purpose of which is to attract
669 qualified teachers to those geographical areas of the state where
670 there exists a critical shortage of teachers by awarding full
671 scholarships to persons declaring an intention to serve in the
672 teaching field who actually render service to the state while
673 possessing an appropriate teaching license.

674 (2) Any individual who is enrolled in or accepted for
675 enrollment at a baccalaureate degree-granting institution of
676 higher learning whose teacher education program is approved by the
677 State Board of Education or at an accredited, nonprofit community
678 or junior college in the State of Mississippi, and has a passing
679 score on the Praxis I Basic Skills Test who expresses in writing
680 an intention to teach in a geographical area of the state in which
681 there exists a critical shortage of teachers, as designated by the
682 State Board of Education, shall be eligible for a financial
683 scholarship to be applied toward the costs of the individual's
684 college education. The annual amount of the award shall be equal
685 to the total cost for tuition, room and meals, books, materials
686 and fees at the college or university in which the student is
687 enrolled, not to exceed an amount equal to the highest total cost
688 of tuition, room and meals, books, materials and fees assessed by
689 a state institution of higher learning during that school year.
690 Awards made to nonresidents of the state shall not include any



691 amount assessed by the college or university for out-of-state
692 tuition.

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

705 (4) Except in those cases where employment positions may not
706 be available upon completion of licensure requirements, at the
707 beginning of the first school year in which a recipient of a
708 Critical Needs Teacher Scholarship is eligible for employment as a
709 licensed teacher, or a provisionally licensed teacher, that person
710 shall begin to render service as a licensed teacher or
711 provisionally licensed teacher in a public school district in a
712 geographical area of the state where there is a critical shortage
713 of teachers, as approved by the State Board of Education. Any
714 person who received four (4) annual awards, or the equivalent of
715 four (4) annual awards, shall render three (3) years' service as a
716 licensed teacher or provisionally licensed teacher, as the case
717 may be. Any person who received fewer than four (4) annual
718 awards, or the equivalent of four (4) annual awards, shall render
719 one (1) year's service as a licensed teacher or provisionally
720 licensed teacher, as the case may be, for each year that the
721 person received a full-time student scholarship, or for the number
722 of academic hours equivalent to one (1) school year, as determined



723 by the Board of Trustees of State Institutions of Higher Learning,
724 which a part-time student received a scholarship.

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

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

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



755 Trustees of State Institutions of Higher Learning shall be the
756 administering agency of the program.

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

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

768 (10) The State Department of Education shall compile and
769 report, in consultation with the Board of Trustees of State
770 Institutions of Higher Learning, an annual report with findings
771 and recommendations to the legislative committees on education by
772 December 1, 2004, and annually thereafter, on the following:

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

776 (b) The number of nontraditional teacher license
777 program participants;

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

781 (d) The number of individuals who are in default of
782 their obligation under the Critical Needs Teacher Scholarship
783 Program and the status of their obligation;

784 (e) The number of participants in the program who have
785 successfully completed the Praxis examination in their junior
786 year.



787 **SECTION 4.** This act shall take effect and be in force from
788 and after July 1, 2002.

