

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

To: Education;
Appropriations

SENATE BILL NO. 2370
(As Sent to Governor)

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; TO CLARIFY THE
10 ACCREDITED PROGRAMS WHICH QUALIFY TEACHING IN PREKINDERGARTEN AND
11 KINDERGARTEN; TO PROVIDE STANDARDS FOR A SPECIAL TEACHER LICENSE
12 IN TRANSITIONAL BILINGUAL EDUCATION; TO PROVIDE CERTAIN REPORTING
13 REQUIREMENTS BY THE STATE DEPARTMENT OF EDUCATION AND THE TEACHER
14 PREPARATION INSTITUTIONS; TO AMEND SECTION 37-143-11, MISSISSIPPI
15 CODE OF 1972, TO PROVIDE THAT INDIVIDUALS TAKING COURSEWORK FOR
16 NONTRADITIONAL TEACHER LICENSURE SHALL BE ELIGIBLE FOR
17 STATE-FUNDED INCENTIVE SCHOLARSHIPS UNDER THE WILLIAM WINTER
18 TEACHER SCHOLAR LOAN PROGRAM; TO AMEND SECTION 37-159-3,
19 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONLY INDIVIDUALS WHO
20 HAVE PASSED THE PRAXIS I BASIC SKILLS TEST SHALL BE ELIGIBLE FOR
21 STATE-FUNDED INCENTIVE SCHOLARSHIPS UNDER THE CRITICAL NEEDS
22 TEACHER SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

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

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

26 37-3-2. (1) There is established within the State
27 Department of Education the Commission on Teacher and
28 Administrator Education, Certification and Licensure and
29 Development. It shall be the purpose and duty of the commission
30 to make recommendations to the State Board of Education regarding
31 standards for the certification and licensure and continuing
32 professional development of those who teach or perform tasks of an
33 educational nature in the public schools of Mississippi.

34 (2) The commission shall be composed of fifteen (15)
35 qualified members. The membership of the commission shall be
36 composed of the following members to be appointed, three (3) from
37 each congressional district: four (4) classroom teachers; three



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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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



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

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

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

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

152 Beginning January 1, 2003, an individual who possesses at least a
153 bachelor's degree from a nationally or regionally accredited
154 institution of higher learning, who has a passing score on the
155 Praxis I Basic Skills and Praxis II Specialty Area Test in the
156 requested area of endorsement may apply for the Teach Mississippi
157 Institute (TMI) program to teach students in Grades 7 through 12
158 if the individual meets the requirements of this paragraph (b).
159 The State Board of Education shall adopt rules requiring that
160 teacher preparation institutions which provide the Teach
161 Mississippi Institute (TMI) program for the preparation of
162 nontraditional teachers shall meet the standards and comply with
163 the provisions of this paragraph.

164 (i) The Teach Mississippi Institute (TMI) shall
165 include an intensive eight-week, nine-semester-hour summer
166 program, which shall include, but not be limited to, instruction
167 in education, effective teaching strategies, classroom management,



168 state curriculum requirements, planning and instruction,
169 instructional methods and pedagogy, using test results to improve
170 instruction, and a one (1) semester three-hour supervised
171 internship to be completed while the teacher is employed as a
172 full-time teacher intern in a local school district. The TMI
173 shall be implemented on a pilot program basis, with courses to be
174 offered at up to four (4) locations in the state, with one (1) TMI
175 site to be located in each of the three (3) Mississippi Supreme
176 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 one (1) semester three-hour intensive
185 internship in the school district during the semester immediately
186 following successful completion of the TMI and prior to the end of
187 the one-year classroom teaching 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 semester of internship in the
196 school district, the teacher preparation institution shall monitor
197 the performance of the intern teacher. The school district that
198 employs the provisional teacher shall supervise the provisional
199 teacher during the teacher's intern year of employment under a
200 nontraditional provisional license, and shall, in consultation



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

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

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

224 (vii) At the discretion of the teacher-preparation
225 institution, the individual shall be allowed to credit the twelve
226 (12) semester hours earned in the nontraditional teacher
227 internship program toward the graduate hours required for a Master
228 of Arts in Teacher (MAT) Degree.

229 (viii) The local school district in which the
230 nontraditional teacher intern or provisional licensee is employed
231 shall compensate such teacher interns at Step 1 of the required
232 salary level during the period of time such individual is
233 completing teacher internship requirements and shall compensate



234 such Standard License-Nontraditional Route teachers at Step 3 of
235 the required salary level when they complete license requirements.

236 Implementation of the TMI program provided for under this
237 paragraph (b) shall be contingent upon the availability of funds
238 appropriated specifically for such purpose by the Legislature.

239 Such implementation of the TMI program may not be deemed to
240 prohibit the State Board of Education from developing and
241 implementing additional alternative route teacher licensure
242 programs, as deemed appropriate by the board. The emergency
243 certification program in effect prior to July 1, 2002, shall
244 remain in effect.

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

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

261 (c) **Special License - Expert Citizen.** In order to
262 allow a school district to offer specialized or technical courses,
263 the State Department of Education, in accordance with rules and
264 regulations established by the State Board of Education, may grant
265 a one-year expert citizen-teacher license to local business or
266 other professional personnel to teach in a public school or



267 nonpublic school accredited or approved by the state. Such person
268 may begin teaching upon his employment by the local school board
269 and licensure by the Mississippi Department of Education. The
270 board shall adopt rules and regulations to administer the expert
271 citizen-teacher license. A special license - expert citizen may
272 be renewed in accordance with the established rules and
273 regulations of the State Department of Education.

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

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

291 (f) **Special License - Transitional Bilingual Education.**
292 Beginning July 1, 2003, the commission shall grant special
293 licenses to teachers of transitional bilingual education who
294 possess such qualifications as are prescribed in this section.
295 Teachers of transitional bilingual education shall be compensated
296 by local school boards at not less than one (1) step on the
297 regular salary schedule applicable to permanent teachers licensed
298 under this section. The commission shall grant special licenses
299 to teachers of transitional bilingual education who present the



300 commission with satisfactory evidence that they (i) possess a
301 speaking and reading ability in a language, other than English, in
302 which bilingual education is offered and communicative skills in
303 English; (ii) are in good health and sound moral character; (iii)
304 possess a bachelor's degree or an associate's degree in teacher
305 education from an accredited institution of higher education; (iv)
306 meet such requirements as to courses of study, semester hours
307 therein, experience and training as may be required by the
308 commission; and (v) are legally present in the United States and
309 possess legal authorization for employment. A teacher of
310 transitional bilingual education serving under a special license
311 shall be under an exemption from standard licensure if he achieves
312 the requisite qualifications therefor. Two (2) years of service
313 by a teacher of transitional bilingual education under such an
314 exemption shall be credited to the teacher in acquiring a Standard
315 Educator License. Nothing in this paragraph shall be deemed to
316 prohibit a local school board from employing a teacher licensed in
317 an appropriate field as approved by the State Department of
318 Education to teach in a program in transitional bilingual
319 education.

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

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

331 (a) **Administrator License - Nonpracticing.** Those
332 educators holding administrative endorsement but have no



333 administrative experience or not serving in an administrative
334 position on January 15, 1997.

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

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

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

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

363 Beginning with the 1997-1998 school year, individuals seeking
364 school administrator licensure under paragraph (b), (c) or (d)
365 shall successfully complete a training program and an assessment



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

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

384 (b) The department shall grant a nonrenewable special
385 license to any individual who possesses a credential which is less
386 than a standard license or certification from another state, or
387 who possesses a standard license from another state but has less
388 than two (2) years of full-time teaching or administration
389 experience. Such special license shall be valid for the current
390 school year plus one (1) additional school year to expire on June
391 30 of the second year, not to exceed a total period of twenty-four
392 (24) months, during which time the applicant shall be required to
393 complete the requirements for a standard license in Mississippi.

394 (9) **Renewal and Reinstatement of Licenses.** The State Board
395 of Education is authorized to establish rules and regulations for
396 the renewal and reinstatement of educator and administrator
397 licenses. Effective May 15, 1997, the valid standard license held
398 by an educator shall be extended five (5) years beyond the



399 expiration date of the license in order to afford the educator
400 adequate time to fulfill new renewal requirements established
401 pursuant to this subsection. An educator completing a master of
402 education, educational specialist or doctor of education degree in
403 May 1997 for the purpose of upgrading the educator's license to a
404 higher class shall be given this extension of five (5) years plus
405 five (5) additional years for completion of a higher degree.

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

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

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

430 (b) The applicant has a physical, emotional or mental
431 disability that renders the applicant unfit to perform the duties



432 authorized by the license, as certified by a licensed psychologist
433 or psychiatrist;

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

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

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

443 (f) Failing or refusing to furnish reasonable evidence
444 of identification;

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

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

451 (12) The State Board of Education, acting on the
452 recommendation of the commission, may revoke or suspend any
453 teacher or administrator license for specified periods of time for
454 one or more of the following:

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

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

461 (c) Suspension or revocation of a certificate or
462 license by another state shall result in immediate suspension or
463 revocation and shall continue until records in the prior state
464 have been cleared;



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

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

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

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

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

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

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



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

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

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



531 affirmed by the chancery court, the applicant or license holder
532 shall pay the costs of the appeal and the action of the chancery
533 court.

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

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

546 (19) In addition to the reasons specified in subsections
547 (12) and (13) of this section, the board shall be authorized to
548 suspend the license of any licensee for being out of compliance
549 with an order for support, as defined in Section 93-11-153. The
550 procedure for suspension of a license for being out of compliance
551 with an order for support, and the procedure for the reissuance or
552 reinstatement of a license suspended for that purpose, and the
553 payment of any fees for the reissuance or reinstatement of a
554 license suspended for that purpose, shall be governed by Section
555 93-11-157 or 93-11-163, as the case may be. Actions taken by the
556 board in suspending a license when required by Section 93-11-157
557 or 93-11-163 are not actions from which an appeal may be taken
558 under this section. Any appeal of a license suspension that is
559 required by Section 93-11-157 or 93-11-163 shall be taken in
560 accordance with the appeal procedure specified in Section
561 93-11-157 or 93-11-163, as the case may be, rather than the
562 procedure specified in this section. If there is any conflict
563 between any provision of Section 93-11-157 or 93-11-163 and any



564 provision of this chapter, the provisions of Section 93-11-157 or
565 93-11-163, as the case may be, shall control.

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

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

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

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

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

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



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

599 (6) The loans of persons who actually render service as
600 licensed teachers or nontraditional teacher interns authorized
601 under Section 37-3-2 (6)(b) in a public school in Mississippi for
602 a major portion of the school day for at least seventy-eight (78)
603 school days during each of eight (8) school semesters of the ten
604 (10) immediately after obtaining a baccalaureate degree, shall be
605 converted to interest-free scholarships. Conversion shall be
606 based on two (2) semesters of service for each year a loan was
607 received, and the Board of Trustees of State Institutions of
608 Higher Learning shall not authorize the conversion of loans into
609 interest-free scholarships at any other ratio, except as follows:
610 Participants in the William F. Winter Teacher Scholar Loan Program
611 may have their loans converted into interest-free scholarships at
612 the same ratio as under the Critical Needs Teacher Scholarship
613 Program if they render service as a licensed teacher or
614 nontraditional teacher intern authorized under Section 37-3-2
615 (6)(b) in a public school district in a geographical area of the
616 state where there is a critical shortage of teachers, as
617 designated by the State Board of Education.

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



630 the claim for payment of such loan is placed in the hands of an
631 attorney for collection after default, then the obligor shall be
632 liable for an additional amount equal to a reasonable attorney's
633 fee.

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

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

640 (10) All monies repaid to the Board of Trustees of State
641 Institutions of Higher Learning hereunder shall be added to the
642 appropriations made for purposes of this section, and those
643 appropriations shall not lapse.

644 (11) The Board of Trustees of State Institutions of Higher
645 Learning with the concurrence of the State Board of Education
646 shall jointly promulgate regulations necessary for the proper
647 administration of this section.

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

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



663 and expenses incurred under the provisions of this section. The
664 board shall, upon its records and any published reports,
665 distinguish between those recipients who have breached their
666 contracts but with the board's permission who have paid their
667 financial obligations in full, and those recipients who have
668 breached their contracts and remain financially indebted to the
669 state.

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

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

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



696 amount assessed by the college or university for out-of-state
697 tuition.

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

710 (4) Except in those cases where employment positions may not
711 be available upon completion of licensure requirements, at the
712 beginning of the first school year in which a recipient of a
713 Critical Needs Teacher Scholarship is eligible for employment as a
714 licensed teacher or a nontraditional teacher intern pursuant to
715 Section 37-3-2 (6)(b), that person shall begin to render service
716 as a licensed teacher or nontraditional teacher intern in a public
717 school district in a geographical area of the state where there is
718 a critical shortage of teachers, as approved by the State Board of
719 Education. Any person who received four (4) annual awards, or the
720 equivalent of four (4) annual awards, shall render three (3)
721 years' service as a licensed teacher or nontraditional teacher
722 intern, as the case may be. Any person who received fewer than
723 four (4) annual awards, or the equivalent of four (4) annual
724 awards, shall render one (1) year's service as a licensed teacher
725 or nontraditional teacher intern, as the case may be, for each
726 year that the person received a full-time student scholarship, or
727 for the number of academic hours equivalent to one (1) school
728 year, as determined by the Board of Trustees of State Institutions



729 of Higher Learning, which a part-time student received a
730 scholarship.

731 (5) Any person failing to complete a program of study which
732 will enable that person to become a licensed teacher or
733 nontraditional teacher intern under Section 37-3-2 (6)(b), as the
734 case may be, shall become liable immediately to the Board of
735 Trustees of State Institutions of Higher Learning for the sum of
736 all Critical Needs Teacher Scholarship awards made to that person,
737 plus interest accruing at the current Stafford Loan rate at the
738 time the person abrogates his participation in the program. Any
739 person failing to complete his teaching obligation, as required
740 under subsection (4) of this section, shall become liable
741 immediately to the board for the sum of all scholarship awards
742 made to that person less the corresponding amount of any awards
743 for which service has been rendered, plus interest accruing at the
744 current Stafford Loan rate at the time the person discontinues his
745 service, except in the case of a deferral of debt for cause by the
746 State Board of Education when there is no employment position
747 immediately available upon a teacher's completion of licensure
748 requirements. After the period of such deferral, such person
749 shall begin or resume teaching duties as required under subsection
750 (4) or shall become liable to the board under this subsection. If
751 a claim for payment under this subsection is placed in the hands
752 of an attorney for collection, the obligor shall be liable for an
753 additional amount equal to a reasonable attorney's fee.

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

757 (7) The Board of Trustees of State Institutions of Higher
758 Learning and the State Board of Education shall jointly promulgate
759 rules and regulations necessary for the proper administration of
760 the Critical Needs Teacher Scholarship Program. The Board of



761 Trustees of State Institutions of Higher Learning shall be the
762 administering agency of the program.

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

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

774 (10) The State Department of Education shall compile and
775 report, in consultation with the Board of Trustees of State
776 Institutions of Higher Learning, an annual report with findings
777 and recommendations to the legislative committees on education by
778 December 1, 2003, and annually thereafter, on the following:

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

782 (b) The number of nontraditional teacher license
783 program participants;

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

787 (d) The number of individuals who are in default of
788 their obligation under the Critical Needs Teacher Scholarship
789 Program and the status of their obligation; and

790 (e) The number of participants in the program who have
791 successfully completed the Praxis examination in their junior
792 year.



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

