

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Bill NO. 2370

By Senator(s) Harden

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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
154 a 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) Teacher preparation institutions shall allow
228 an individual to credit the twelve (12) semester hours earned in
229 the nontraditional teacher internship program toward the graduate
230 hours required for a Master of Arts in Teaching (MAT) Degree.

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

238 The emergency certification program in effect prior to July
239 1, 2002, shall remain in effect until the first MTI summer program
240 is offered for nontraditional teacher intern applicants, at which
241 time the emergency certification program shall be replaced with
242 the nontraditional teacher internship program.

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

253 A Standard License - Approved Program Route * * * shall be
254 issued for a five-year period, and may be renewed. Recognizing

255 teaching as a profession, a hiring preference shall be granted to
256 persons holding a Standard License - Approved Program Route or
257 Standard License - Nontraditional Teaching Route over persons
258 holding any other license.

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

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

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

289 (f) **Special License - Transitional Bilingual Education.**

290 Beginning July 1, 2003, the commission shall grant special
291 licenses to teachers of transitional bilingual education who
292 possess such qualifications as are prescribed in this section.
293 Teachers of transitional bilingual education shall be compensated
294 by local school boards at not less than one (1) step on the
295 regular salary schedule applicable to permanent teachers licensed
296 under this section. The commission shall grant special licenses
297 to teachers of transitional bilingual education who present the
298 commission with satisfactory evidence that they (i) possess a
299 speaking and reading ability in a language, other than English, in
300 which bilingual education is offered and communicative skills in
301 English; (ii) are in good health and sound moral character; (iii)
302 possess a bachelor's degree or an associate's degree in teacher
303 education from an accredited institution of higher education; (iv)
304 meet such requirements as to courses of study, semester hours
305 therein, experience and training as may be required by the
306 commission; and (v) are legally present in the United States and
307 possess legal authorization for employment. A teacher of
308 transitional bilingual education serving under a special license
309 shall be under an exemption from standard licensure if he achieves
310 the requisite qualifications therefor. Two (2) years of service
311 by a teacher of transitional bilingual education under such an
312 exemption shall be credited to the teacher in acquiring a Standard
313 Educator License. In granting special licenses for transitional
314 bilingual education, the commission shall give preference to
315 persons who have been certified as teachers in their country or
316 place of national origin. Nothing in this paragraph shall be
317 deemed to prohibit a local school board from employing a teacher
318 licensed in an appropriate field as approved by the State
319 Department of Education to teach in a program in transitional
320 bilingual education.

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

325 teaching personnel.

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

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

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

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

344 (d) **Administrator License - Nontraditional Route.** The
345 board may establish a nontraditional route for licensing
346 administrative personnel. Such nontraditional route for
347 administrative licensure shall be available for persons holding,
348 but not limited to, a master of business administration degree, a
349 master of public administration degree or a master of public
350 planning and policy degree from an accredited college or
351 university, with five (5) years of administrative or supervisory
352 experience. Successful completion of the requirements of
353 alternate route licensure for administrators shall qualify the
354 person for a standard 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 provisionally licensed teachers in a public
601 school in Mississippi for a major portion of the school day for at
602 least seventy-eight (78) school days during each of eight (8)
603 school semesters of the ten (10) immediately after obtaining a
604 baccalaureate degree, shall be converted to interest-free

605 scholarships. Conversion shall be based on two (2) semesters of
606 service for each year a loan was received, and the Board of
607 Trustees of State Institutions of Higher Learning shall not
608 authorize the conversion of loans into interest-free scholarships
609 at any other ratio, except as follows: Participants in the
610 William F. Winter Teacher Scholar Loan Program may have their
611 loans converted into interest-free scholarships at the same ratio
612 as under the Critical Needs Teacher Scholarship Program if they
613 render service as a licensed teacher or provisionally licensed
614 teacher in a public school district in a geographical area of the
615 state where there is a critical shortage of teachers, as
616 designated by the State Board of Education.

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

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

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

639 (10) All monies repaid to the Board of Trustees of State

640 Institutions of Higher Learning hereunder shall be added to the
641 appropriations made for purposes of this section, and those
642 appropriations shall not lapse.

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

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

653 (13) The Board of Trustees of State Institutions of Higher
654 Learning shall make an annual report to the Legislature. Each
655 report shall contain a complete enumeration of the board's
656 activities, loans or scholarships granted, names of persons to
657 whom granted and the institutions attended by those receiving the
658 same, the teaching location of applicants who have received their
659 education and become licensed teachers within this state as a
660 result of the loans and/or scholarships. The board shall make a
661 full report and account of receipts and expenditures for salaries
662 and expenses incurred under the provisions of this section. The
663 board shall, upon its records and any published reports,
664 distinguish between those recipients who have breached their
665 contracts but with the board's permission who have paid their
666 financial obligations in full, and those recipients who have
667 breached their contracts and remain financially indebted to the
668 state.

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

671 37-159-3. (1) There is established the "Critical Needs
672 Teacher Scholarship Program," the purpose of which is to attract
673 qualified teachers to those geographical areas of the state where
674 there exists a critical shortage of teachers by awarding full

675 scholarships to persons declaring an intention to serve in the
676 teaching field who actually render service to the state while
677 possessing an appropriate teaching license.

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

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

709 (4) Except in those cases where employment positions may not

710 be available upon completion of licensure requirements, at the
711 beginning of the first school year in which a recipient of a
712 Critical Needs Teacher Scholarship is eligible for employment as a
713 licensed teacher, or a provisionally licensed teacher, that person
714 shall begin to render service as a licensed teacher or
715 provisionally licensed teacher in a public school district in a
716 geographical area of the state where there is a critical shortage
717 of teachers, as approved by the State Board of Education. Any
718 person who received four (4) annual awards, or the equivalent of
719 four (4) annual awards, shall render three (3) years' service as a
720 licensed teacher or provisionally licensed teacher, as the case
721 may be. Any person who received fewer than four (4) annual
722 awards, or the equivalent of four (4) annual awards, shall render
723 one (1) year's service as a licensed teacher or provisionally
724 licensed teacher, as the case may be, for each year that the
725 person received a full-time student scholarship, or for the number
726 of academic hours equivalent to one (1) school year, as determined
727 by the Board of Trustees of State Institutions of Higher Learning,
728 which a part-time student received a scholarship.

729 (5) Any person failing to complete a program of study which
730 will enable that person to become a licensed teacher or
731 provisionally licensed teacher, as the case may be, shall become
732 liable immediately to the Board of Trustees of State Institutions
733 of Higher Learning for the sum of all Critical Needs Teacher
734 Scholarship awards made to that person, plus interest accruing at
735 the current Stafford Loan rate at the time the person abrogates
736 his participation in the program. Any person failing to complete
737 his teaching obligation, as required under subsection (4) of this
738 section, shall become liable immediately to the board for the sum
739 of all scholarship awards made to that person less the
740 corresponding amount of any awards for which service has been
741 rendered, plus interest accruing at the current Stafford Loan rate
742 at the time the person discontinues his service, except in the
743 case of a deferral of debt for cause by the State Board of
744 Education when there is no employment position immediately

745 available upon a teacher's completion of licensure requirements.
746 After the period of such deferral, such person shall begin or
747 resume teaching duties as required under subsection (4) or shall
748 become liable to the board under this subsection. If a claim for
749 payment under this subsection is placed in the hands of an
750 attorney for collection, the obligor shall be liable for an
751 additional amount equal to a reasonable attorney's fee.

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

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

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

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

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

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

780 (b) The number of nontraditional teacher license
781 program participants;

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

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

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

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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.