

By: Representatives Grist, Miles

To: Education

HOUSE BILL NO. 1363

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 ESTABLISH AN ALTERNATIVE METHOD OF TEACHER LICENSURE FOR PERSONS  
3 FAILING THE NATIONALLY ADMINISTERED EXAMINATION OF ACHIEVEMENT;  
4 AND FOR RELATED PURPOSES.

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

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

8 37-3-2. (1) There is established within the State  
9 Department of Education the Commission on Teacher and  
10 Administrator Education, Certification and Licensure and  
11 Development. It shall be the purpose and duty of the commission  
12 to make recommendations to the State Board of Education regarding  
13 standards for the certification and licensure and continuing  
14 professional development of those who teach or perform tasks of an  
15 educational nature in the public schools of Mississippi.

16 (2) The commission shall be composed of fifteen (15)  
17 qualified members. The membership of the commission shall be  
18 composed of the following members to be appointed, three (3) from  
19 each congressional district: four (4) classroom teachers; three  
20 (3) school administrators; one (1) representative of schools of  
21 education of institutions of higher learning located within the  
22 state to be recommended by the Board of Trustees of State  
23 Institutions of Higher Learning; one (1) representative from the  
24 schools of education of independent institutions of higher  
25 learning to be recommended by the Board of the Mississippi  
26 Association of Independent Colleges; one (1) representative from  
27 public community and junior colleges located within the state to  
28 be recommended by the State Board for Community and Junior



29 Colleges; one (1) local school board member; and four (4) lay  
30 persons. All appointments shall be made by the State Board of  
31 Education after consultation with the State Superintendent of  
32 Public Education. The first appointments by the State Board of  
33 Education shall be made as follows: five (5) members shall be  
34 appointed for a term of one (1) year; five (5) members shall be  
35 appointed for a term of two (2) years; and five (5) members shall  
36 be appointed for a term of three (3) years. Thereafter, all  
37 members shall be appointed for a term of four (4) years.

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

44 (4) An appropriate staff member of the State Department of  
45 Education shall be designated and assigned by the State  
46 Superintendent of Public Education to serve as executive secretary  
47 and coordinator for the commission. No less than two (2) other  
48 appropriate staff members of the State Department of Education  
49 shall be designated and assigned by the State Superintendent of  
50 Public Education to serve on the staff of the commission.

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

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

55 (b) Recommend to the State Board of Education each year  
56 approval or disapproval of each educator preparation program in  
57 the state;

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



61 (d) Establish, subject to the approval of the State  
62 Board of Education, standards for the renewal of teacher licenses  
63 in all fields;

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

67 (f) Review all existing requirements for certification  
68 and licensure;

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

71 (h) Prepare reports from time to time on current  
72 practices and issues in the general area of teacher education and  
73 certification and licensure;

74 (i) Hold hearings concerning standards for teachers'  
75 and administrators' education and certification and licensure with  
76 approval of the State Board of Education;

77 (j) Hire expert consultants with approval of the State  
78 Board of Education;

79 (k) Set up ad hoc committees to advise on specific  
80 areas; and

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

84 (6) (a) **Standard License - Approved Program Route.** An  
85 educator entering the school system of Mississippi for the first  
86 time and meeting all requirements as established by the State  
87 Board of Education shall be granted a standard five-year license.  
88 Persons who possess two (2) years of classroom experience as an  
89 assistant teacher or who have taught for one (1) year in an  
90 accredited public or private school shall be allowed to fulfill  
91 student teaching requirements under the supervision of a qualified  
92 participating teacher approved by an accredited college of  
93 education. The local school district in which the assistant



94 teacher is employed shall compensate such assistant teachers at  
95 the required salary level during the period of time such  
96 individual is completing student teaching requirements.  
97 Applicants for a standard license shall submit to the department:  
98 (i) An application on a department form;  
99 (ii) An official transcript of completion of a  
100 teacher education program approved by the department or a  
101 nationally accredited program, subject to the following:  
102 Licensure to teach in Mississippi prekindergarten through  
103 kindergarten classrooms shall require completion of a teacher  
104 education program or a bachelor of science degree with child  
105 development emphasis from a program accredited by the American  
106 Association of Family and Consumer Sciences (AAFCS) or by the  
107 National Association for Education of Young Children (NAEYC) or by  
108 the National Council for Accreditation of Teacher Education  
109 (NCATE). Licensure to teach in Mississippi kindergarten, for  
110 those applicants who have completed a teacher education program,  
111 and in Grade 1 through Grade 4 shall require the completion of an  
112 interdisciplinary program of studies. Licenses for Grades 4  
113 through 8 shall require the completion of an interdisciplinary  
114 program of studies with two (2) or more areas of concentration.  
115 Licensure to teach in Mississippi Grades 7 through 12 shall  
116 require a major in an academic field other than education, or a  
117 combination of disciplines other than education. Students  
118 preparing to teach a subject shall complete a major in the  
119 respective subject discipline. All applicants for standard  
120 licensure shall demonstrate that such person's college preparation  
121 in those fields was in accordance with the standards set forth by  
122 the National Council for Accreditation of Teacher Education  
123 (NCATE) or the National Association of State Directors of Teacher  
124 Education and Certification (NASDTEC) or, for those applicants who  
125 have a bachelor of science degree with child development emphasis,  
126 the American Association of Family and Consumer Sciences (AAFCS);



127 (iii) A copy of test scores evidencing  
128 satisfactory completion of nationally administered examinations of  
129 achievement, such as the Educational Testing Service's teacher  
130 testing examinations; If an applicant who is required to take the  
131 nationally administered examination of achievement does not  
132 achieve a satisfactory score, as established by the State Board of  
133 Education, as an alternative requirement for licensure, the  
134 applicant may teach under the supervision of a local  
135 superintendent of education and school principal for one (1)  
136 school year, after which the principal shall determine whether or  
137 not the applicant has demonstrated a minimum level of proficiency  
138 through such methods that the State Board of Education deems  
139 sufficient to measure teacher competencies. If the principal  
140 determines that the applicant has demonstrated a sufficient  
141 proficiency level, he shall recommend licensure of that applicant  
142 to the school superintendent, who shall recommend such licensure  
143 to the State Board of Education. The State Board of Education, in  
144 establishing or revising the qualifications for licensure, shall  
145 not reduce the level of proficiency required for licensure before  
146 July 1, 2003, under the nationally administered examination of  
147 achievement; and

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

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

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



160 Mississippi Institute (TMI) program for the preparation of  
161 nontraditional teachers shall meet the standards and comply with  
162 the provisions of this paragraph.

163 (i) The Teach Mississippi Institute (TMI) shall  
164 include an intensive eight-week, nine-semester-hour summer  
165 program, which shall include, but not be limited to, instruction  
166 in education, effective teaching strategies, classroom management,  
167 state curriculum requirements, planning and instruction,  
168 instructional methods and pedagogy, using test results to improve  
169 instruction, and a one (1) semester three-hour supervised  
170 internship to be completed while the teacher is employed as a  
171 full-time teacher intern in a local school district. The TMI  
172 shall be implemented on a pilot program basis, with courses to be  
173 offered at up to four (4) locations in the state, with one (1) TMI  
174 site to be located in each of the three (3) Mississippi Supreme  
175 Court districts.

176 (ii) The school sponsoring the teacher intern  
177 shall enter into a written agreement with the institution  
178 providing the Teach Mississippi Institute (TMI) program, under  
179 terms and conditions as agreed upon by the contracting parties,  
180 providing that the school district shall provide teacher interns  
181 seeking a nontraditional provisional teaching license with a  
182 one-year classroom teaching experience. The teacher intern shall  
183 successfully complete the one (1) semester three-hour intensive  
184 internship in the school district during the semester immediately  
185 following successful completion of the TMI and prior to the end of  
186 the one-year classroom teaching experience.

187 (iii) Upon completion of the nine-semester-hour  
188 TMI, the individual shall submit his transcript to the commission  
189 for provisional licensure of the intern teacher, and the intern  
190 teacher shall be issued a provisional teaching license by the  
191 commission, which will allow the individual to legally serve as a



192 teacher while the person completes a nontraditional teacher  
193 preparation internship program.

194 (iv) During the semester of internship in the  
195 school district, the teacher preparation institution shall monitor  
196 the performance of the intern teacher. The school district that  
197 employs the provisional teacher shall supervise the provisional  
198 teacher during the teacher's intern year of employment under a  
199 nontraditional provisional license, and shall, in consultation  
200 with the teacher intern's mentor at the school district of  
201 employment, submit to the commission a comprehensive evaluation of  
202 the teacher's performance sixty (60) days prior to the expiration  
203 of the nontraditional provisional license. If the comprehensive  
204 evaluation establishes that the provisional teacher intern's  
205 performance fails to meet the standards of the approved  
206 nontraditional teacher preparation internship program, the  
207 individual shall not be approved for a standard license.

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

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

223 (vii) At the discretion of the teacher-preparation  
224 institution, the individual shall be allowed to credit the twelve



225 (12) semester hours earned in the nontraditional teacher  
226 internship program toward the graduate hours required for a Master  
227 of Arts in Teacher (MAT) Degree.

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

235 Implementation of the TMI program provided for under this  
236 paragraph (b) shall be contingent upon the availability of funds  
237 appropriated specifically for such purpose by the Legislature.  
238 Such implementation of the TMI program may not be deemed to  
239 prohibit the State Board of Education from developing and  
240 implementing additional alternative route teacher licensure  
241 programs, as deemed appropriate by the board. The emergency  
242 certification program in effect prior to July 1, 2002, shall  
243 remain in effect.

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

254 A Standard License - Approved Program Route shall be issued  
255 for a five-year period, and may be renewed. Recognizing teaching  
256 as a profession, a hiring preference shall be granted to persons  
257 holding a Standard License - Approved Program Route or Standard





258 License - Nontraditional Teaching Route over persons holding any  
259 other license.

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

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

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



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

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

319 (g) In the event any school district meets Level 4 or 5  
320 accreditation standards, the State Board of Education, in its  
321 discretion, may exempt such school district from any restrictions



322 in paragraph (e) relating to the employment of nonlicensed  
323 teaching personnel.

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

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

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

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

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



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

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

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

383           (b) The department shall grant a nonrenewable special  
384 license to any individual who possesses a credential which is less  
385 than a standard license or certification from another state, or  
386 who possesses a standard license from another state but has less



387 than two (2) years of full-time teaching or administration  
388 experience. Such special license shall be valid for the current  
389 school year plus one (1) additional school year to expire on June  
390 30 of the second year, not to exceed a total period of twenty-four  
391 (24) months, during which time the applicant shall be required to  
392 complete the requirements for a standard license in Mississippi.

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

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



420 provided by rules and regulations adopted by the board. The State  
421 Board of Education in its authority may reverse, or remand with  
422 instructions, the decision of the committee or its subcommittee.  
423 The decision of the State Board of Education shall be final.

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

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

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

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

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

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

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

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

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

450 (12) The State Board of Education, acting on the  
451 recommendation of the commission, may revoke or suspend any



452 teacher or administrator license for specified periods of time for  
453 one or more of the following:

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

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

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

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

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

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

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

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

481 (c) A person may voluntarily surrender a license. The  
482 surrender of such license may result in the commission  
483 recommending any of the above penalties without the necessity of a  
484 hearing. However, any such license which has voluntarily been



485 surrendered by a licensed employee may be reinstated by a  
486 unanimous vote of all members of the commission.

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

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

516 (16) An appeal from the action of the State Board of  
517 Education in denying an application, revoking or suspending a





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

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

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

545 (19) In addition to the reasons specified in subsections  
546 (12) and (13) of this section, the board shall be authorized to  
547 suspend the license of any licensee for being out of compliance  
548 with an order for support, as defined in Section 93-11-153. The  
549 procedure for suspension of a license for being out of compliance  
550 with an order for support, and the procedure for the reissuance or



551 reinstatement of a license suspended for that purpose, and the  
552 payment of any fees for the reissuance or reinstatement of a  
553 license suspended for that purpose, shall be governed by Section  
554 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
555 board in suspending a license when required by Section 93-11-157  
556 or 93-11-163 are not actions from which an appeal may be taken  
557 under this section. Any appeal of a license suspension that is  
558 required by Section 93-11-157 or 93-11-163 shall be taken in  
559 accordance with the appeal procedure specified in Section  
560 93-11-157 or 93-11-163, as the case may be, rather than the  
561 procedure specified in this section. If there is any conflict  
562 between any provision of Section 93-11-157 or 93-11-163 and any  
563 provision of this chapter, the provisions of Section 93-11-157 or  
564 93-11-163, as the case may be, shall control.

565       **SECTION 2.** This act shall take effect and be in force from  
566 and after July 1, 2003.

