

By: Senator(s) White

To: Education

SENATE BILL NO. 2245

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A PERSON CONVICTED OF CHILD ABUSE OR CHILD SEXUAL
3 ABUSE IS INELIGIBLE TO BE LICENSED AS A TEACHER AND TO MANDATE
4 THAT THE STATE DEPARTMENT OF EDUCATION REVOKE AN EXISTING LICENSE
5 OR REFUSE TO ISSUE A LICENSE UPON APPLICATION BY SUCH PERSON; AND
6 FOR RELATED PURPOSES.

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

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

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

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



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

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

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

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

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

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

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



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

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

69 (f) Review all existing requirements for certification
70 and licensure;

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

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

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

79 (j) Hire expert consultants with approval of the State
80 Board of Education;

81 (k) Set up ad hoc committees to advise on specific
82 areas; and

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

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



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



129 (iii) A copy of test scores evidencing
130 satisfactory completion of nationally administered examinations of
131 achievement, such as the Educational Testing Service's teacher
132 testing examinations; and

133 (iv) Any other document required by the State
134 Board of Education.

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

136 Beginning January 1, 2003, an individual who possesses at least a
137 bachelor's degree from a nationally or regionally accredited
138 institution of higher learning, who has a passing score on the
139 Praxis I Basic Skills and Praxis II Specialty Area Test in the
140 requested area of endorsement may apply for the Teach Mississippi
141 Institute (TMI) program to teach students in Grades 7 through 12
142 if the individual meets the requirements of this paragraph (b).
143 The State Board of Education shall adopt rules requiring that
144 teacher preparation institutions which provide the Teach
145 Mississippi Institute (TMI) program for the preparation of
146 nontraditional teachers shall meet the standards and comply with
147 the provisions of this paragraph.

148 (i) The Teach Mississippi Institute (TMI) shall
149 include an intensive eight-week, nine-semester-hour summer
150 program, which shall include, but not be limited to, instruction
151 in education, effective teaching strategies, classroom management,
152 state curriculum requirements, planning and instruction,
153 instructional methods and pedagogy, using test results to improve
154 instruction, and a one (1) semester three-hour supervised
155 internship to be completed while the teacher is employed as a
156 full-time teacher intern in a local school district. The TMI
157 shall be implemented on a pilot program basis, with courses to be
158 offered at up to four (4) locations in the state, with one (1) TMI
159 site to be located in each of the three (3) Mississippi Supreme
160 Court districts.



161 (ii) The school sponsoring the teacher intern
162 shall enter into a written agreement with the institution
163 providing the Teach Mississippi Institute (TMI) program, under
164 terms and conditions as agreed upon by the contracting parties,
165 providing that the school district shall provide teacher interns
166 seeking a nontraditional provisional teaching license with a
167 one-year classroom teaching experience. The teacher intern shall
168 successfully complete the one (1) semester three-hour intensive
169 internship in the school district during the semester immediately
170 following successful completion of the TMI and prior to the end of
171 the one-year classroom teaching experience.

172 (iii) Upon completion of the nine-semester-hour
173 TMI, the individual shall submit his transcript to the commission
174 for provisional licensure of the intern teacher, and the intern
175 teacher shall be issued a provisional teaching license by the
176 commission, which will allow the individual to legally serve as a
177 teacher while the person completes a nontraditional teacher
178 preparation internship program.

179 (iv) During the semester of internship in the
180 school district, the teacher preparation institution shall monitor
181 the performance of the intern teacher. The school district that
182 employs the provisional teacher shall supervise the provisional
183 teacher during the teacher's intern year of employment under a
184 nontraditional provisional license, and shall, in consultation
185 with the teacher intern's mentor at the school district of
186 employment, submit to the commission a comprehensive evaluation of
187 the teacher's performance sixty (60) days prior to the expiration
188 of the nontraditional provisional license. If the comprehensive
189 evaluation establishes that the provisional teacher intern's
190 performance fails to meet the standards of the approved
191 nontraditional teacher preparation internship program, the
192 individual shall not be approved for a standard license.



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

198 (vi) Upon successful completion of the TMI and the
199 internship provisional license period, applicants for a Standard
200 License-Nontraditional Route shall submit to the commission a
201 transcript of successful completion of the twelve (12) semester
202 hours required in the internship program, and the employing school
203 district shall submit to the commission a recommendation for
204 standard licensure of the intern. If the school district
205 recommends licensure, the applicant shall be issued a Standard
206 License-Nontraditional Route which shall be valid for a five-year
207 period and be renewable.

208 (vii) At the discretion of the teacher-preparation
209 institution, the individual shall be allowed to credit the twelve
210 (12) semester hours earned in the nontraditional teacher
211 internship program toward the graduate hours required for a Master
212 of Arts in Teacher (MAT) Degree.

213 (viii) The local school district in which the
214 nontraditional teacher intern or provisional licensee is employed
215 shall compensate such teacher interns at Step 1 of the required
216 salary level during the period of time such individual is
217 completing teacher internship requirements and shall compensate
218 such Standard License-Nontraditional Route teachers at Step 3 of
219 the required salary level when they complete license requirements.

220 Implementation of the TMI program provided for under this
221 paragraph (b) shall be contingent upon the availability of funds
222 appropriated specifically for such purpose by the Legislature.
223 Such implementation of the TMI program may not be deemed to
224 prohibit the State Board of Education from developing and
225 implementing additional alternative route teacher licensure



226 programs, as deemed appropriate by the board. The emergency
227 certification program in effect prior to July 1, 2002, shall
228 remain in effect.

229 The State Department of Education shall compile and report,
230 in consultation with the commission, information relating to
231 nontraditional teacher preparation internship programs, including
232 the number of programs available and geographic areas in which
233 they are available, the number of individuals who apply for and
234 possess a nontraditional conditional license, the subject areas in
235 which individuals who possess nontraditional conditional licenses
236 are teaching and where they are teaching, and shall submit its
237 findings and recommendations to the legislative committees on
238 education by December 1, 2004.

239 A Standard License - Approved Program Route shall be issued
240 for a five-year period, and may be renewed. Recognizing teaching
241 as a profession, a hiring preference shall be granted to persons
242 holding a Standard License - Approved Program Route or Standard
243 License - Nontraditional Teaching Route over persons holding any
244 other license.

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



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

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

275 (f) **Special License - Transitional Bilingual Education.**
276 Beginning July 1, 2003, the commission shall grant special
277 licenses to teachers of transitional bilingual education who
278 possess such qualifications as are prescribed in this section.
279 Teachers of transitional bilingual education shall be compensated
280 by local school boards at not less than one (1) step on the
281 regular salary schedule applicable to permanent teachers licensed
282 under this section. The commission shall grant special licenses
283 to teachers of transitional bilingual education who present the
284 commission with satisfactory evidence that they (i) possess a
285 speaking and reading ability in a language, other than English, in
286 which bilingual education is offered and communicative skills in
287 English; (ii) are in good health and sound moral character; (iii)
288 possess a bachelor's degree or an associate's degree in teacher
289 education from an accredited institution of higher education; (iv)
290 meet such requirements as to courses of study, semester hours



291 therein, experience and training as may be required by the
292 commission; and (v) are legally present in the United States and
293 possess legal authorization for employment. A teacher of
294 transitional bilingual education serving under a special license
295 shall be under an exemption from standard licensure if he achieves
296 the requisite qualifications therefor. Two (2) years of service
297 by a teacher of transitional bilingual education under such an
298 exemption shall be credited to the teacher in acquiring a Standard
299 Educator License. Nothing in this paragraph shall be deemed to
300 prohibit a local school board from employing a teacher licensed in
301 an appropriate field as approved by the State Department of
302 Education to teach in a program in transitional bilingual
303 education.

304 (g) In the event any school district meets Level 4 or 5
305 accreditation standards, the State Board of Education, in its
306 discretion, may exempt such school district from any restrictions
307 in paragraph (e) relating to the employment of nonlicensed
308 teaching personnel.

309 (7) **Administrator License.** The State Board of Education is
310 authorized to establish rules and regulations and to administer
311 the licensure process of the school administrators in the State of
312 Mississippi. There will be four (4) categories of administrator
313 licensure with exceptions only through special approval of the
314 State Board of Education.

315 (a) **Administrator License - Nonpracticing.** Those
316 educators holding administrative endorsement but have no
317 administrative experience or not serving in an administrative
318 position on January 15, 1997.

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



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

327 (d) **Administrator License - Nontraditional Route.** The
328 board may establish a nontraditional route for licensing
329 administrative personnel. Such nontraditional route for
330 administrative licensure shall be available for persons holding,
331 but not limited to, a master of business administration degree, a
332 master of public administration degree, a master of public
333 planning and policy degree or a doctor of jurisprudence degree
334 from an accredited college or university, with five (5) years of
335 administrative or supervisory experience. Successful completion
336 of the requirements of alternate route licensure for
337 administrators shall qualify the person for a standard
338 administrator license.

339 The State Department of Education shall compile and report,
340 in consultation with the commission, information relating to
341 nontraditional administrator preparation internship programs,
342 including the number of programs available and geographic areas in
343 which they are available, the number of individuals who apply for
344 and possess a nontraditional conditional license and where they
345 are employed, and shall submit its findings and recommendations to
346 the legislative committees on education by December 1, 2004.

347 Beginning with the 1997-1998 school year, individuals seeking
348 school administrator licensure under paragraph (b), (c) or (d)
349 shall successfully complete a training program and an assessment
350 process prescribed by the State Board of Education. Applicants
351 seeking school administrator licensure prior to June 30, 1997, and
352 completing all requirements for provisional or standard
353 administrator certification and who have never practiced, shall be
354 exempt from taking the Mississippi Assessment Battery Phase I.
355 Applicants seeking school administrator licensure during the
356 period beginning July 1, 1997, through June 30, 1998, shall



357 participate in the Mississippi Assessment Battery, and upon
358 request of the applicant, the department shall reimburse the
359 applicant for the cost of the assessment process required. After
360 June 30, 1998, all applicants for school administrator licensure
361 shall meet all requirements prescribed by the department under
362 paragraph (b), (c) or (d), and the cost of the assessment process
363 required shall be paid by the applicant.

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

368 (b) The department shall grant a nonrenewable special
369 license to any individual who possesses a credential which is less
370 than a standard license or certification from another state, or
371 who possesses a standard license from another state but has less
372 than two (2) years of full-time teaching or administration
373 experience. Such special license shall be valid for the current
374 school year plus one (1) additional school year to expire on June
375 30 of the second year, not to exceed a total period of twenty-four
376 (24) months, during which time the applicant shall be required to
377 complete the requirements for a standard license in Mississippi.

378 (9) **Renewal and Reinstatement of Licenses.** The State Board
379 of Education is authorized to establish rules and regulations for
380 the renewal and reinstatement of educator and administrator
381 licenses. Effective May 15, 1997, the valid standard license held
382 by an educator shall be extended five (5) years beyond the
383 expiration date of the license in order to afford the educator
384 adequate time to fulfill new renewal requirements established
385 pursuant to this subsection. An educator completing a master of
386 education, educational specialist or doctor of education degree in
387 May 1997 for the purpose of upgrading the educator's license to a
388 higher class shall be given this extension of five (5) years plus
389 five (5) additional years for completion of a higher degree.



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

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

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

414 (b) The applicant has a physical, emotional or mental
415 disability that renders the applicant unfit to perform the duties
416 authorized by the license, as certified by a licensed psychologist
417 or psychiatrist;

418 (c) The applicant is actively addicted to or actively
419 dependent on alcohol or other habit-forming drugs or is a habitual
420 user of narcotics, barbiturates, amphetamines, hallucinogens, or
421 other drugs having similar effect, at the time of application for
422 a license;



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

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

427 (f) Failing or refusing to furnish reasonable evidence
428 of identification;

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

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

435 (12) The State Board of Education, acting on the
436 recommendation of the commission, may revoke or suspend any
437 teacher or administrator license for specified periods of time for
438 one or more of the following:

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

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

445 (c) Suspension or revocation of a certificate or
446 license by another state shall result in immediate suspension or
447 revocation and shall continue until records in the prior state
448 have been cleared;

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

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



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

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

463 (b) Any offense committed or attempted in any other
464 state shall result in the same penalty as if committed or
465 attempted in this state.

466 (c) A person may voluntarily surrender a license. The
467 surrender of such license may result in the commission
468 recommending any of the above penalties without the necessity of a
469 hearing. However, any such license which has voluntarily been
470 surrendered by a licensed employee may be reinstated by a
471 unanimous vote of all members of the commission.

472 The State Board of Education, acting through the commission,
473 shall refuse to issue, refuse to renew, or automatically revoke a
474 teacher's license to teach without the right to a hearing upon
475 receiving a certified copy of a conviction showing that the
476 teacher has been convicted of felonious child abuse or neglect, as
477 defined in Section 97-5-39, Mississippi Code of 1972, or a sex
478 offense as defined in Section 45-33-23, Mississippi Code of 1972,
479 where the victim is under the age of eighteen (18), or under a
480 similar law of another state or the United States. The State
481 Board of Education, acting through the commission, shall send
482 notice of this licensing action to the superintendent of the
483 school district in which the teacher is currently employed. A
484 person whose license to teach has been revoked, not issued, or not
485 renewed under this subsection may petition the board to reconsider
486 the licensing action if the person's conviction for child abuse or
487 sexual abuse is reversed by a final decision of the Mississippi



488 Court of Appeals or the Mississippi Supreme Court or if the person
489 has received a pardon for the offense. The petitioner shall
490 attach a certified copy of the appellate court's final decision or
491 the pardon to the petition, and the board acting through the
492 commission shall schedule and hold a disciplinary hearing on the
493 matter unless the petitioner waives the right to a hearing. If
494 the board finds that, notwithstanding the reversal of the criminal
495 conviction or the issuance of a pardon, the petitioner is
496 disqualified from teaching, the board shall affirm its previous
497 licensing action. If the board finds that the petitioner is not
498 disqualified from teaching under this subsection, it shall reverse
499 its previous licensing action.

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

515 (15) Reporting procedures and hearing procedures for dealing
516 with infractions under this section shall be promulgated by the
517 commission, subject to the approval of the State Board of
518 Education. The revocation or suspension of a license shall be
519 effected at the time indicated on the notice of suspension or
520 revocation. The commission shall immediately notify the



521 superintendent of the school district or school board where the
522 teacher or administrator is employed of any disciplinary action
523 and also notify the teacher or administrator of such revocation or
524 suspension and shall maintain records of action taken. The State
525 Board of Education may reverse or remand with instructions any
526 decision of the commission regarding a petition for reinstatement
527 of a license, and any such decision of the State Board of
528 Education shall be final.

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

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

550 (18) The granting of a license shall not be deemed a
551 property right nor a guarantee of employment in any public school
552 district. A license is a privilege indicating minimal eligibility
553 for teaching in the public schools of Mississippi. This section



554 shall in no way alter or abridge the authority of local school
555 districts to require greater qualifications or standards of
556 performance as a prerequisite of initial or continued employment
557 in such districts.

558 (19) In addition to the reasons specified in subsections
559 (12) and (13) of this section, the board shall be authorized to
560 suspend the license of any licensee for being out of compliance
561 with an order for support, as defined in Section 93-11-153. The
562 procedure for suspension of a license for being out of compliance
563 with an order for support, and the procedure for the reissuance or
564 reinstatement of a license suspended for that purpose, and the
565 payment of any fees for the reissuance or reinstatement of a
566 license suspended for that purpose, shall be governed by Section
567 93-11-157 or 93-11-163, as the case may be. Actions taken by the
568 board in suspending a license when required by Section 93-11-157
569 or 93-11-163 are not actions from which an appeal may be taken
570 under this section. Any appeal of a license suspension that is
571 required by Section 93-11-157 or 93-11-163 shall be taken in
572 accordance with the appeal procedure specified in Section
573 93-11-157 or 93-11-163, as the case may be, rather than the
574 procedure specified in this section. If there is any conflict
575 between any provision of Section 93-11-157 or 93-11-163 and any
576 provision of this chapter, the provisions of Section 93-11-157 or
577 93-11-163, as the case may be, shall control.

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

