

By: Representative Guice

To: Education

HOUSE BILL NO. 394

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE CERTAIN TEACHERS TO COMPLETE A COLLEGE-LEVEL COURSE IN  
3 AMERICAN HISTORY; AND FOR RELATED PURPOSES.

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

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

7 37-3-2. (1) There is established within the State  
8 Department of Education the Commission on Teacher and  
9 Administrator Education, Certification and Licensure and  
10 Development. It shall be the purpose and duty of the commission  
11 to make recommendations to the State Board of Education regarding  
12 standards for the certification and licensure and continuing  
13 professional development of those who teach or perform tasks of an  
14 educational nature in the public schools of Mississippi.

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



93 teacher is employed shall compensate such assistant teachers at  
94 the required salary level during the period of time such  
95 individual is completing student teaching requirements.  
96 Applicants for a standard license shall submit to the department:  
97 (i) An application on a department form;  
98 (ii) An official transcript of completion of a  
99 teacher education program approved by the department or a  
100 nationally accredited program, subject to the following:  
101 Licensure to teach in Mississippi prekindergarten through  
102 kindergarten classrooms shall require completion of a teacher  
103 education program or a bachelor of science degree with child  
104 development emphasis from a program accredited by the American  
105 Association of Family and Consumer Sciences (AAFCS) or by the  
106 National Association for Education of Young Children (NAEYC) or by  
107 the National Council for Accreditation of Teacher Education  
108 (NCATE). Licensure to teach in Mississippi kindergarten, for  
109 those applicants who have completed a teacher education program,  
110 and in Grade 1 through Grade 4 shall require the completion of an  
111 interdisciplinary program of studies. Licenses for Grades 4  
112 through 8 shall require the completion of an interdisciplinary  
113 program of studies with two (2) or more areas of concentration.  
114 Licensure to teach in Mississippi Grades 7 through 12 shall  
115 require a major in an academic field other than education, or a  
116 combination of disciplines other than education. Students  
117 preparing to teach a subject shall complete a major in the  
118 respective subject discipline. From and after the effective date  
119 of House Bill No. \_\_\_\_\_, 2004 Regular Session, any licensed teacher  
120 hired to teach in Mississippi kindergarten through Mississippi  
121 Grade 8 shall have completed a college-level course in American  
122 History. Any person already teaching or hired to teach in  
123 Mississippi kindergarten through Mississippi Grade 8 on or before  
124 the effective date of House Bill No. \_\_\_\_\_, 2004 Regular Session,  
125 is exempt from this requirement. All applicants for standard



126 licensure shall demonstrate that such person's college preparation  
127 in those fields was in accordance with the standards set forth by  
128 the National Council for Accreditation of Teacher Education  
129 (NCATE) or the National Association of State Directors of Teacher  
130 Education and Certification (NASDTEC) or, for those applicants who  
131 have a bachelor of science degree with child development emphasis,  
132 the American Association of Family and Consumer Sciences (AAFCS);  
133 (iii) A copy of test scores evidencing  
134 satisfactory completion of nationally administered examinations of  
135 achievement, such as the Educational Testing Service's teacher  
136 testing examinations; and

137 (iv) Any other document required by the State  
138 Board of Education.

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

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

152 (i) The Teach Mississippi Institute (TMI) shall  
153 include an intensive eight-week, nine-semester-hour summer  
154 program, which shall include, but not be limited to, instruction  
155 in education, effective teaching strategies, classroom management,  
156 state curriculum requirements, planning and instruction,  
157 instructional methods and pedagogy, using test results to improve  
158 instruction, and a one (1) semester three-hour supervised



159 internship to be completed while the teacher is employed as a  
160 full-time teacher intern in a local school district. The TMI  
161 shall be implemented on a pilot program basis, with courses to be  
162 offered at up to four (4) locations in the state, with one (1) TMI  
163 site to be located in each of the three (3) Mississippi Supreme  
164 Court districts.

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

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

183 (iv) During the semester of internship in the  
184 school district, the teacher preparation institution shall monitor  
185 the performance of the intern teacher. The school district that  
186 employs the provisional teacher shall supervise the provisional  
187 teacher during the teacher's intern year of employment under a  
188 nontraditional provisional license, and shall, in consultation  
189 with the teacher intern's mentor at the school district of  
190 employment, submit to the commission a comprehensive evaluation of  
191 the teacher's performance sixty (60) days prior to the expiration



192 of the nontraditional provisional license. If the comprehensive  
193 evaluation establishes that the provisional teacher intern's  
194 performance fails to meet the standards of the approved  
195 nontraditional teacher preparation internship program, the  
196 individual shall not be approved for a standard license.

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

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

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

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



224 Implementation of the TMI program provided for under this  
225 paragraph (b) shall be contingent upon the availability of funds  
226 appropriated specifically for such purpose by the Legislature.  
227 Such implementation of the TMI program may not be deemed to  
228 prohibit the State Board of Education from developing and  
229 implementing additional alternative route teacher licensure  
230 programs, as deemed appropriate by the board. The emergency  
231 certification program in effect prior to July 1, 2002, shall  
232 remain in effect.

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

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

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





257 and licensure by the Mississippi Department of Education. The  
258 board shall adopt rules and regulations to administer the expert  
259 citizen-teacher license. A special license - expert citizen may  
260 be renewed in accordance with the established rules and  
261 regulations of the State Department of Education.

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

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

279 (f) **Special License - Transitional Bilingual Education.**  
280 Beginning July 1, 2003, the commission shall grant special  
281 licenses to teachers of transitional bilingual education who  
282 possess such qualifications as are prescribed in this section.  
283 Teachers of transitional bilingual education shall be compensated  
284 by local school boards at not less than one (1) step on the  
285 regular salary schedule applicable to permanent teachers licensed  
286 under this section. The commission shall grant special licenses  
287 to teachers of transitional bilingual education who present the  
288 commission with satisfactory evidence that they (i) possess a  
289 speaking and reading ability in a language, other than English, in



290 which bilingual education is offered and communicative skills in  
291 English; (ii) are in good health and sound moral character; (iii)  
292 possess a bachelor's degree or an associate's degree in teacher  
293 education from an accredited institution of higher education; (iv)  
294 meet such requirements as to courses of study, semester hours  
295 therein, experience and training as may be required by the  
296 commission; and (v) are legally present in the United States and  
297 possess legal authorization for employment. A teacher of  
298 transitional bilingual education serving under a special license  
299 shall be under an exemption from standard licensure if he achieves  
300 the requisite qualifications therefor. Two (2) years of service  
301 by a teacher of transitional bilingual education under such an  
302 exemption shall be credited to the teacher in acquiring a Standard  
303 Educator License. Nothing in this paragraph shall be deemed to  
304 prohibit a local school board from employing a teacher licensed in  
305 an appropriate field as approved by the State Department of  
306 Education to teach in a program in transitional bilingual  
307 education.

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

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

319 (a) **Administrator License - Nonpracticing.** Those  
320 educators holding administrative endorsement but have no  
321 administrative experience or not serving in an administrative  
322 position on January 15, 1997.



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

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

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

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

351           Beginning with the 1997-1998 school year, individuals seeking  
352 school administrator licensure under paragraph (b), (c) or (d)  
353 shall successfully complete a training program and an assessment  
354 process prescribed by the State Board of Education. Applicants  
355 seeking school administrator licensure prior to June 30, 1997, and



356 completing all requirements for provisional or standard  
357 administrator certification and who have never practiced, shall be  
358 exempt from taking the Mississippi Assessment Battery Phase I.  
359 Applicants seeking school administrator licensure during the  
360 period beginning July 1, 1997, through June 30, 1998, shall  
361 participate in the Mississippi Assessment Battery, and upon  
362 request of the applicant, the department shall reimburse the  
363 applicant for the cost of the assessment process required. After  
364 June 30, 1998, all applicants for school administrator licensure  
365 shall meet all requirements prescribed by the department under  
366 paragraph (b), (c) or (d), and the cost of the assessment process  
367 required shall be paid by the applicant.

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

372       (b) The department shall grant a nonrenewable special  
373 license to any individual who possesses a credential which is less  
374 than a standard license or certification from another state, or  
375 who possesses a standard license from another state but has less  
376 than two (2) years of full-time teaching or administration  
377 experience. Such special license shall be valid for the current  
378 school year plus one (1) additional school year to expire on June  
379 30 of the second year, not to exceed a total period of twenty-four  
380 (24) months, during which time the applicant shall be required to  
381 complete the requirements for a standard license in Mississippi.

382       (9) **Renewal and Reinstatement of Licenses.** The State Board  
383 of Education is authorized to establish rules and regulations for  
384 the renewal and reinstatement of educator and administrator  
385 licenses. Effective May 15, 1997, the valid standard license held  
386 by an educator shall be extended five (5) years beyond the  
387 expiration date of the license in order to afford the educator  
388 adequate time to fulfill new renewal requirements established



389 pursuant to this subsection. An educator completing a master of  
390 education, educational specialist or doctor of education degree in  
391 May 1997 for the purpose of upgrading the educator's license to a  
392 higher class shall be given this extension of five (5) years plus  
393 five (5) additional years for completion of a higher degree.

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

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

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

418 (b) The applicant has a physical, emotional or mental  
419 disability that renders the applicant unfit to perform the duties  
420 authorized by the license, as certified by a licensed psychologist  
421 or psychiatrist;



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

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

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

431           (f) Failing or refusing to furnish reasonable evidence  
432 of identification;

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

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

439           (12) The State Board of Education, acting on the  
440 recommendation of the commission, may revoke or suspend any  
441 teacher or administrator license for specified periods of time for  
442 one or more of the following:

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

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

449           (c) Suspension or revocation of a certificate or  
450 license by another state shall result in immediate suspension or  
451 revocation and shall continue until records in the prior state  
452 have been cleared;



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

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

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

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

467 (b) Any offense committed or attempted in any other  
468 state shall result in the same penalty as if committed or  
469 attempted in this state.

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

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



486 satisfactory to the commission of good character, good mental,  
487 emotional and physical health and such other evidence as the  
488 commission may deem necessary to establish the petitioner's  
489 rehabilitation and fitness to perform the duties authorized by the  
490 license.

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

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





519 affirmed by the chancery court, the applicant or license holder  
520 shall pay the costs of the appeal and the action of the chancery  
521 court.

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

526 (18) The granting of a license shall not be deemed a  
527 property right nor a guarantee of employment in any public school  
528 district. A license is a privilege indicating minimal eligibility  
529 for teaching in the public schools of Mississippi. This section  
530 shall in no way alter or abridge the authority of local school  
531 districts to require greater qualifications or standards of  
532 performance as a prerequisite of initial or continued employment  
533 in such districts.

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



552 provision of this chapter, the provisions of Section 93-11-157 or  
553 93-11-163, as the case may be, shall control.

554         **SECTION 2.** This act shall take effect and be in force from  
555 and after July 1, 2004.

