

By: Senator(s) Chaney, King, Little, Butler, Harden To: Education

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2308

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE PROCEDURE FOR REINSTATEMENT OF A TEACHER'S LICENSE
3 WHICH HAS VOLUNTARILY BEEN SURRENDERED AND TO CLARIFY THAT A
4 TEACHER'S LICENSE REVOKED FOR CRIMINAL OFFENSES MAY ONLY BE
5 REINSTATED AFTER EXPIRATION OF THE SENTENCE OR PROBATION; TO
6 REDUCE THE PERIOD OF REQUIRED TEACHING OR ADMINISTRATOR EXPERIENCE
7 TO OBTAIN A LICENSE BY RECIPROCITY; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

94 student teaching requirements under the supervision of a qualified  
95 participating teacher approved by an accredited college of  
96 education. The local school district in which the assistant  
97 teacher is employed shall compensate such assistant teachers at  
98 the required salary level during the period of time such  
99 individual is completing student teaching requirements.

100 Applicants for a standard license shall submit to the department:

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

127 Education and Certification (NASDTEC) or, for those applicants who  
128 have a bachelor of science degree with child development emphasis,  
129 the American Association of Family and Consumer Sciences (AAFCS);

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

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

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

137 Beginning January 1, 2003, an individual who possesses at least a  
138 bachelor's degree from a nationally or regionally accredited  
139 institution of higher learning, who has a passing score on the  
140 Praxis I Basic Skills and Praxis II Specialty Area Test in the  
141 requested area of endorsement may apply for the Teach Mississippi  
142 Institute (TMI) program to teach students in Grades 7 through 12  
143 if the individual meets the requirements of this paragraph (b).

144 The State Board of Education shall adopt rules requiring that  
145 teacher preparation institutions which provide the Teach  
146 Mississippi Institute (TMI) program for the preparation of  
147 nontraditional teachers shall meet the standards and comply with  
148 the provisions of this paragraph.

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

160 site to be located in each of the three (3) Mississippi Supreme  
161 Court districts.

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

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

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

192 nontraditional teacher preparation internship program, the  
193 individual shall not be approved for a standard license.

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

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

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

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

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

224 Such implementation of the TMI program may not be deemed to  
225 prohibit the State Board of Education from developing and  
226 implementing additional alternative route teacher licensure  
227 programs, as deemed appropriate by the board. The emergency  
228 certification program in effect prior to July 1, 2002, shall  
229 remain in effect.

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

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

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



257 be renewed in accordance with the established rules and  
258 regulations of the State Department of Education.

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

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

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

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

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

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

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

320 (b) **Administrator License - Entry Level.** Those  
321 educators holding administrative endorsement and having met the  
322 department's qualifications to be eligible for employment in a

323 Mississippi school district. Administrator license - entry level  
324 shall be issued for a five-year period and shall be nonrenewable.

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

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

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

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

356 Applicants seeking school administrator licensure during the  
357 period beginning July 1, 1997, through June 30, 1998, shall  
358 participate in the Mississippi Assessment Battery, and upon  
359 request of the applicant, the department shall reimburse the  
360 applicant for the cost of the assessment process required. After  
361 June 30, 1998, all applicants for school administrator licensure  
362 shall meet all requirements prescribed by the department under  
363 paragraph (b), (c) or (d), and the cost of the assessment process  
364 required shall be paid by the applicant.

365       (8) **Reciprocity.** (a) The department shall grant a standard  
366 license to any individual who possesses a valid standard license  
367 from another state and has a minimum of one (1) year of full-time  
368 teaching or administrator experience.

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

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

389 higher class shall be given this extension of five (5) years plus  
390 five (5) additional years for completion of a higher degree.

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

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

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

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

419 (c) The applicant is actively addicted to or actively  
420 dependent on alcohol or other habit-forming drugs or is a habitual  
421 user of narcotics, barbiturates, amphetamines, hallucinogens, or

422 other drugs having similar effect, at the time of application for  
423 a license;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

486 such other evidence as the commission may deem necessary to  
487 establish the petitioner's rehabilitation and fitness to perform  
488 the duties authorized by the license.

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

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



518 shall pay the costs of the appeal and the action of the chancery  
519 court.

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

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

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

550 provision of this chapter, the provisions of Section 93-11-157 or  
551 93-11-163, as the case may be, shall control.

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