

By: Senator(s) White

To: Education

SENATE BILL NO. 2036

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, 2004, an individual who has a passing score
137 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
138 the requested area of endorsement may apply for the Teach
139 Mississippi Institute (TMI) program to teach students in Grades 7
140 through 12 if the individual meets the requirements of this
141 paragraph (b). The State Board of Education shall adopt rules
142 requiring that teacher preparation institutions which provide the
143 Teach Mississippi Institute (TMI) program for the preparation of
144 nontraditional teachers shall meet the standards and comply with
145 the provisions of this paragraph.

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

160 (ii) The school sponsoring the teacher intern
161 shall enter into a written agreement with the institution

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

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

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

192 (v) An individual issued a provisional teaching
193 license under this nontraditional route shall successfully
194 complete, at a minimum, a one-year beginning teacher mentoring and

195 induction program administered by the employing school district
196 with the assistance of the State Department of Education.

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

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

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

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

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

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

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

257 (d) **Special License - Nonrenewable.** The State Board of
258 Education is authorized to establish rules and regulations to
259 allow those educators not meeting requirements in subsection
260 (6)(a), (b) or (c) to be licensed for a period of not more than

261 three (3) years, except by special approval of the State Board of
262 Education.

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

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

294 shall be under an exemption from standard licensure if he achieves
295 the requisite qualifications therefor. Two (2) years of service
296 by a teacher of transitional bilingual education under such an
297 exemption shall be credited to the teacher in acquiring a Standard
298 Educator License. Nothing in this paragraph shall be deemed to
299 prohibit a local school board from employing a teacher licensed in
300 an appropriate field as approved by the State Department of
301 Education to teach in a program in transitional bilingual
302 education.

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

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

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

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

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

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

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

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

359 June 30, 1998, all applicants for school administrator licensure
360 shall meet all requirements prescribed by the department under
361 paragraph (b), (c) or (d), and the cost of the assessment process
362 required shall be paid by the applicant.

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

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

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

389 (10) All controversies involving the issuance, revocation,
390 suspension or any change whatsoever in the licensure of an
391 educator required to hold a license shall be initially heard in a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 or revoked on the criminal
505 grounds may be reinstated upon petition to the commission filed
506 after expiration of the sentence and parole or probationary period
507 imposed upon conviction. A revoked, suspended or surrendered
508 license may be reinstated upon satisfactory showing of evidence of
509 rehabilitation. The commission shall require all who petition for
510 reinstatement to furnish evidence satisfactory to the commission
511 of good character, good mental, emotional and physical health and
512 such other evidence as the commission may deem necessary to
513 establish the petitioner's rehabilitation and fitness to perform
514 the duties authorized by the 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, 2005.