

By: Senator(s) Chaney

To: Education

SENATE BILL NO. 2198

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972,
 2 RELATING TO TEACHER AND ADMINISTRATOR LICENSURE, TO CLARIFY TERMS
 3 OF OFFICE OF THE MEMBERS OF THE COMMISSION ON TEACHER AND
 4 ADMINISTRATOR LICENSURE, TO CLARIFY THAT THE STATE BOARD OF
 5 EDUCATION CAN AFFIRM THE DECISION OF THE COMMISSION ON ANY APPEAL,
 6 TO ADD "PHYSICIAN" TO THE PROVISION FOR CERTIFICATION OF A
 7 PHYSICAL DISABILITY OF AN APPLICANT, TO ADD LICENSURE SURRENDER
 8 AND CERTAIN VIOLATIONS OR ADMINISTRATIVE ACTION IN ANOTHER STATE
 9 AS A BASIS FOR TEACHER/ADMINISTRATOR LICENSE DENIAL, SUSPENSION OR
 10 REVOCATION; AND FOR RELATED PURPOSES.

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

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

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

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

32 Association of Independent Colleges; one (1) representative from
33 public community and junior colleges located within the state to
34 be recommended by the State Board for Community and Junior
35 Colleges; one (1) local school board member; and four (4) lay
36 persons. All appointments shall be made by the State Board of
37 Education after consultation with the State Superintendent of
38 Public Education. The first appointments by the State Board of
39 Education shall be made as follows: five (5) members shall be
40 appointed for a term of one (1) year; five (5) members shall be
41 appointed for a term of two (2) years; and five (5) members shall
42 be appointed for a term of three (3) years. Thereafter, all
43 members shall be appointed for a term of four (4) years. From and
44 after July 1, 2006, all terms of appointment shall begin on July 1
45 and expire on June 30. An appointment to fill a vacancy which
46 arises for reasons other than by expiration of a term of office
47 shall be for the unexpired term only.

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

54 (4) An appropriate staff member of the State Department of
55 Education shall be designated and assigned by the State
56 Superintendent of Public Education to serve as executive secretary
57 and coordinator for the commission. No less than two (2) other
58 appropriate staff members of the State Department of Education
59 shall be designated and assigned by the State Superintendent of
60 Public Education to serve on the staff of the commission.

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

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

65 (b) Recommend to the State Board of Education each year
66 approval or disapproval of each educator preparation program in
67 the state;

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

71 (d) Establish, subject to the approval of the State
72 Board of Education, standards for the renewal of teacher licenses
73 in all fields;

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

77 (f) Review all existing requirements for certification
78 and licensure;

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

81 (h) Prepare reports from time to time on current
82 practices and issues in the general area of teacher education and
83 certification and licensure;

84 (i) Hold hearings concerning standards for teachers'
85 and administrators' education and certification and licensure with
86 approval of the State Board of Education;

87 (j) Hire expert consultants with approval of the State
88 Board of Education;

89 (k) Set up ad hoc committees to advise on specific
90 areas; and

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

94 (6) (a) **Standard License - Approved Program Route.** An
95 educator entering the school system of Mississippi for the first
96 time and meeting all requirements as established by the State
97 Board of Education shall be granted a standard five-year license.

98 Persons who possess two (2) years of classroom experience as an
99 assistant teacher or who have taught for one (1) year in an
100 accredited public or private school shall be allowed to fulfill
101 student teaching requirements under the supervision of a qualified
102 participating teacher approved by an accredited college of
103 education. The local school district in which the assistant
104 teacher is employed shall compensate such assistant teachers at
105 the required salary level during the period of time such
106 individual is completing student teaching requirements.

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

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

131 in those fields was in accordance with the standards set forth by
132 the National Council for Accreditation of Teacher Education
133 (NCATE) or the National Association of State Directors of Teacher
134 Education and Certification (NASDTEC) or, for those applicants who
135 have a bachelor of science degree with child development emphasis,
136 the American Association of Family and Consumer Sciences (AAFCS);

137 (iii) A copy of test scores evidencing
138 satisfactory completion of nationally administered examinations of
139 achievement, such as the Educational Testing Service's teacher
140 testing examinations; and

141 (iv) Any other document required by the State
142 Board of Education.

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

144 Beginning January 1, 2004, an individual who has a passing score
145 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
146 the requested area of endorsement may apply for the Teach
147 Mississippi Institute (TMI) program to teach students in Grades 7
148 through 12 if the individual meets the requirements of this
149 paragraph (b). The State Board of Education shall adopt rules
150 requiring that teacher preparation institutions which provide the
151 Teach Mississippi Institute (TMI) program for the preparation of
152 nontraditional teachers shall meet the standards and comply with
153 the provisions of this paragraph.

154 (i) The Teach Mississippi Institute (TMI) shall
155 include an intensive eight-week, nine-semester-hour summer program
156 or a curriculum of study in which the student matriculates in the
157 fall or spring semester, which shall include, but not be limited
158 to, instruction in education, effective teaching strategies,
159 classroom management, state curriculum requirements, planning and
160 instruction, instructional methods and pedagogy, using test
161 results to improve instruction, and a one (1) semester three-hour
162 supervised internship to be completed while the teacher is
163 employed as a full-time teacher intern in a local school district.

164 The TMI shall be implemented on a pilot program basis, with
165 courses to be offered at up to four (4) locations in the state,
166 with one (1) TMI site to be located in each of the three (3)
167 Mississippi Supreme Court districts.

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

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

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

197 performance fails to meet the standards of the approved
198 nontraditional teacher preparation internship program, the
199 individual shall not be approved for a standard license.

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

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

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

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

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

230 Such implementation of the TMI program may not be deemed to
231 prohibit the State Board of Education from developing and
232 implementing additional alternative route teacher licensure
233 programs, as deemed appropriate by the board. The emergency
234 certification program in effect prior to July 1, 2002, shall
235 remain in effect.

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

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

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

263 be renewed in accordance with the established rules and
264 regulations of the State Department of Education.

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

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

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

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

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

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

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

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

329 Mississippi school district. Administrator License - Entry Level
330 shall be issued for a five-year period and shall be nonrenewable.

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

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

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

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

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

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

375 (b) The department shall grant a nonrenewable special
376 license to any individual who possesses a credential which is less
377 than a standard license or certification from another state, or
378 who possesses a standard license from another state but has less
379 than two (2) years of full-time teaching or administration
380 experience. Such special license shall be valid for the current
381 school year plus one (1) additional school year to expire on June
382 30 of the second year, not to exceed a total period of twenty-four
383 (24) months, during which time the applicant shall be required to
384 complete the requirements for a standard license in Mississippi.

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

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

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

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

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

422 (b) The applicant has a physical, emotional or mental
423 disability that renders the applicant unfit to perform the duties
424 authorized by the license, as certified by a licensed physician,
425 psychologist or psychiatrist;

426 (c) The applicant is actively addicted to or actively
427 dependent on alcohol or other habit-forming drugs or is a habitual

428 user of narcotics, barbiturates, amphetamines, hallucinogens or
429 other drugs having similar effect, at the time of application for
430 a license;

431 (d) Revocation, suspension or surrender of an
432 applicant's certificate or license in another state or the refusal
433 of a licensing authority of another state or jurisdiction to issue
434 or renew an educator or administrator license or certificate;

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

437 (f) Failing or refusing to furnish reasonable evidence
438 of identification;

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

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

445 (12) The State Board of Education, acting on the
446 recommendation of the commission, may revoke or suspend any
447 teacher or administrator license for specified periods of time for
448 one or more of the following:

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

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

455 (c) Suspension, revocation or surrender of a
456 certificate or license in another state or the refusal of a
457 licensing authority of another state or jurisdiction to issue or
458 renew an educator license or certificate shall result in immediate
459 suspension or revocation and shall continue until records in the
460 prior state have been cleared;

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

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

467 (f) The license holder knowingly and willfully
468 committing any of the acts affecting validity of mandatory uniform
469 test results as provided in Section 37-16-4(1); or

470 (g) The license holder has a physical, emotional or
471 mental disability that renders the license holder unfit to perform
472 the duties authorized by the license, as certified by a licensed
473 physician, psychologist or psychiatrist; or

474 (h) The license holder is actively addicted to or
475 actively dependent on alcohol or other habit-forming drugs or is a
476 habitual user of narcotics, barbiturates, amphetamines,
477 hallucinogens or other drugs having similar effect.

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

483 (b) Any offense committed or attempted in any other
484 state shall result in the same penalty as if committed or
485 attempted in this state.

486 (c) A person may voluntarily surrender a license. The
487 surrender of such license may result in the commission
488 recommending any of the above penalties without the necessity of a
489 hearing. However, any such license which has voluntarily been
490 surrendered by a licensed employee may only be reinstated by a
491 majority vote of all members of the commission present at the
492 meeting called for such purpose.

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

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

522 (16) An appeal from the action of the State Board of
523 Education in denying an application, revoking or suspending a
524 license or otherwise disciplining any person under the provisions
525 of this section shall be filed in the Chancery Court of the First

526 Judicial District of Hinds County on the record made, including a
527 verbatim transcript of the testimony at the hearing. The appeal
528 shall be filed within thirty (30) days after notification of the
529 action of the board is mailed or served and the proceedings in
530 chancery court shall be conducted as other matters coming before
531 the court. The appeal shall be perfected upon filing notice of
532 the appeal and by the prepayment of all costs, including the cost
533 of preparation of the record of the proceedings by the State Board
534 of Education, and the filing of a bond in the sum of Two Hundred
535 Dollars (\$200.00) conditioned that if the action of the board be
536 affirmed by the chancery court, the applicant or license holder
537 shall pay the costs of the appeal and the action of the chancery
538 court.

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

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

551 (19) In addition to the reasons specified in subsections
552 (12) and (13) of this section, the board shall be authorized to
553 suspend the license of any licensee for being out of compliance
554 with an order for support, as defined in Section 93-11-153. The
555 procedure for suspension of a license for being out of compliance
556 with an order for support, and the procedure for the reissuance or
557 reinstatement of a license suspended for that purpose, and the
558 payment of any fees for the reissuance or reinstatement of a

559 license suspended for that purpose, shall be governed by Section
560 93-11-157 or 93-11-163, as the case may be. Actions taken by the
561 board in suspending a license when required by Section 93-11-157
562 or 93-11-163 are not actions from which an appeal may be taken
563 under this section. Any appeal of a license suspension that is
564 required by Section 93-11-157 or 93-11-163 shall be taken in
565 accordance with the appeal procedure specified in Section
566 93-11-157 or 93-11-163, as the case may be, rather than the
567 procedure specified in this section. If there is any conflict
568 between any provision of Section 93-11-157 or 93-11-163 and any
569 provision of this chapter, the provisions of Section 93-11-157 or
570 93-11-163, as the case may be, shall control.

571 **SECTION 2.** This act shall take effect and be in force from
572 and after July 1, 2006.