

By: Senator(s) Clarke

To: Education

SENATE BILL NO. 2458

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT PERSONS POSSESSING A BACHELOR'S DEGREE AND A  
 3 PROFESSIONAL LICENSE ISSUED BY AN AGENCY OF THE STATE OF  
 4 MISSISSIPPI SHALL BE LICENSED BY THE STATE DEPARTMENT OF EDUCATION  
 5 TO TEACH ON AN EXPERT CITIZEN BASIS AND SHALL BE ALLOWED TO TEACH  
 6 ANY COURSE IN GRADES 9-12 WITHOUT RESTRICTION; AND FOR RELATED  
 7 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, 2004, an individual who has a passing score  
138 on the Praxis I Basic Skills and Praxis II Specialty Area Test in  
139 the requested area of endorsement may apply for the Teach  
140 Mississippi Institute (TMI) program to teach students in Grades 7  
141 through 12 if the individual meets the requirements of this  
142 paragraph (b). The State Board of Education shall adopt rules  
143 requiring that teacher preparation institutions which provide the  
144 Teach Mississippi Institute (TMI) program for the preparation of  
145 nontraditional teachers shall meet the standards and comply with  
146 the provisions of this paragraph.

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

159 with one (1) TMI site to be located in each of the three (3)  
160 Mississippi Supreme Court districts.

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

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

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

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

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

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

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

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

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

223 Such implementation of the TMI program may not be deemed to

224 prohibit the State Board of Education from developing and  
225 implementing additional alternative route teacher licensure  
226 programs, as deemed appropriate by the board. The emergency  
227 certification program in effect prior to July 1, 2002, shall  
228 remain in effect.

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

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

245 (c) **Special License - Expert Citizen. \* \* \*** The State  
246 Department of Education, in accordance with rules and regulations  
247 established by the State Board of Education, shall grant an \* \* \*  
248 expert citizen-teacher license to local business or other  
249 professional personnel possessing a Bachelor's Degree and a  
250 professional license issued by an agency of the State of  
251 Mississippi to teach in a public school or nonpublic school  
252 accredited or approved by the state. Such person may begin  
253 teaching upon his employment by the local school board and  
254 licensure by the Mississippi Department of Education, and shall be  
255 authorized to teach any course in Grades 9-12 at any time during  
256 the school day without restriction. The board shall adopt rules



257 and regulations to administer the expert citizen-teacher license.  
258 A Special License - Expert Citizen may be renewed in accordance  
259 with the established rules and regulations of the State Department  
260 of Education.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

485 rehabilitation. The commission shall require all who petition for  
486 reinstatement to furnish evidence satisfactory to the commission  
487 of good character, good mental, emotional and physical health and  
488 such other evidence as the commission may deem necessary to  
489 establish the petitioner's rehabilitation and fitness to perform  
490 the duties authorized by the license.

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

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



518 Dollars (\$200.00) conditioned that if the action of the board be  
519 affirmed by the chancery court, the applicant or license holder  
520 shall pay the costs of the appeal and the action of the chancery  
521 court.

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

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

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

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

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