

By: Representative Scott

To: Education

HOUSE BILL NO. 1269

1 AN ACT TO REQUIRE EACH PUBLIC SCHOOL STUDENT TO PREPARE AN
2 INTERIM NEXT-STEP PLAN SETTING FORTH THE COURSEWORK REMAINING FOR
3 THE GRADES UNTIL THE STUDENT'S GRADUATION; TO PRESCRIBE CERTAIN
4 COURSES THAT STUDENTS MUST COMPLETE FOR GRADUATION; TO AUTHORIZE
5 STUDENTS TO EARN A MISSISSIPPI DIPLOMA OF EXCELLENCE BY COMPLETING
6 A MORE INTENSE CURRICULUM; TO AUTHORIZE SCHOOL DISTRICTS TO
7 PROVIDE FOR PRE-APPRENTICESHIP PROGRAMS THAT ARE INDUSTRY TAUGHT
8 OR GUIDED FOR QUALIFIED HIGH SCHOOL STUDENTS; TO PROVIDE FOR THE
9 APPROVAL OF PRE-APPRENTICESHIP PROGRAMS, PROVIDERS AND INDUSTRY
10 INSTRUCTORS; TO EXEMPT INDUSTRY INSTRUCTORS FROM TEACHER LICENSURE
11 PROVISIONS; TO BRING FORWARD SECTION 37-3-2, MISSISSIPPI CODE OF
12 1972, WHICH PRESCRIBES REQUIREMENTS FOR TEACHER LICENSURE, FOR
13 PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** (1) At the end of Grades 8 through 11, each
16 student in the public schools shall prepare an interim next-step
17 plan that sets forth the coursework for the grades remaining until
18 high school graduation. Each year's plan shall explain any
19 differences from previous interim next-step plans, shall be filed
20 with the principal of the student's high school and shall be
21 signed by the student, the student's parent and the student's
22 guidance counselor or other school official charged with
23 coursework planning for the student.

24 (2) Each student must complete a final next-step plan during
25 the senior year and prior to graduation. The plan shall be filed
26 with the principal of the student's high school and shall be
27 signed by the student, the student's parent and the student's
28 guidance counselor or other school official charged with
29 coursework planning for the student.

30 (3) An individualized education program that meets the
31 requirements of subsections (1) and (2) of this section and that



32 meets all applicable transition and procedural requirements of the
33 federal Individuals with Disabilities Education Act for a student
34 with a disability shall satisfy the next-step plan requirements of
35 this section for that student.

36 (4) A local school board shall ensure that each high school
37 student has the opportunity to develop a next-step plan based on
38 reports of college and workplace readiness assessments, as
39 available, and other factors and is reasonably informed about:

40 (a) Curricular and course options, including honors or
41 advanced placement courses, dual-credit courses, distance learning
42 courses, career clusters, pre-apprenticeship programs or
43 remediation programs that the college and workplace readiness
44 assessments indicate to be appropriate;

45 (b) Opportunities available that lead to different
46 post-high-school options; and

47 (c) Alternative opportunities available if the student
48 does not finish a planned curriculum.

49 (5) The secretary shall:

50 (a) Establish specific accountability standards for
51 administrators, counselors, teachers and school district staff to
52 ensure that every student has the opportunity to develop a
53 next-step plan;

54 (b) Promulgate rules for accredited private schools in
55 order to ensure substantial compliance with this section;

56 (c) Monitor compliance with the requirements of this
57 section; and

58 (d) Compile such information as is necessary to
59 evaluate the success of next-step plans and report annually, by
60 December 15, to the Education Committees of the House and Senate
61 and the Governor.

62 (6) Successful completion of a minimum of twenty-three (23)
63 units aligned to the state academic content and performance



64 standards shall be required for graduation. These units shall be
65 as follows:

66 (a) Four (4) units in English, with major
67 emphasis on grammar and literature;

68 (b) Three (3) units in mathematics, at least one (1) of
69 which is equivalent to the Algebra 1 level or higher;

70 (c) Two (2) units in science, one (1) of which shall
71 have a laboratory component; however, with students entering Grade
72 9 beginning in the 2006-2007 school year, three (3) units in
73 science shall be required, one (1) of which shall have a
74 laboratory component;

75 (d) Three (3) units in social science, which shall
76 include United States history and geography, world history and
77 geography and government and economics;

78 (e) One (1) unit in physical education;

79 (f) One (1) unit in communication skills or business
80 education, with a major emphasis on writing and speaking and that
81 may include a language other than English;

82 (g) One-half (1/2) unit in Mississippi History for
83 students entering Grade 9 beginning in the 2006-2007
84 school year; and

85 (h) Nine (9) elective units and seven and one-half
86 (7-1/2) elective units for students entering Grade 9 in the
87 2006-2007 school year that meet department content and performance
88 standards. Student service learning shall be offered as an
89 elective. Financial literacy shall be offered as an elective.
90 Pre-apprenticeship programs may be offered as electives.

91 (7) For students entering Grade 9 beginning in the 2011-2012
92 school year, at least one (1) of the units required for graduation
93 shall be earned as an advanced placement or honors course, a
94 dual-credit course offered in cooperation with an institution of
95 higher education or a distance learning course.



96 (8) The department shall establish a procedure for students
97 to be awarded credit through completion of specified career
98 technical education courses for certain graduation requirements.

99 (9) Successful completion of the requirements of the
100 Mississippi diploma of excellence shall be required for graduation
101 for students entering Grade 9 beginning in the 2011-2012 school
102 year. Successful completion of a minimum of twenty-four (24)
103 units aligned to the state academic content and performance
104 standards shall be required to earn a Mississippi diploma of
105 excellence. These units shall be as follows:

106 (a) Four (4) units in English, with major emphasis on
107 grammar, nonfiction writing and literature;

108 (b) Four (4) units in mathematics, of which one (1)
109 shall be the equivalent to or higher than the level of Algebra 2,
110 unless the parent submitted written, signed permission for the
111 student to complete a lesser mathematics unit;

112 (c) Three (3) units in science, two (2) of which
113 shall have a laboratory component;

114 (d) Three and one-half (3-1/2) units in social science,
115 which shall include United States history and geography, world
116 history and geography and government and economics, and one-half
117 (1/2) unit of Mississippi History;

118 (e) One (1) unit in physical education;

119 (f) One (1) unit in one (1) of the following: a career
120 cluster course, workplace readiness or a language other than
121 English; and

122 (g) Seven and one-half (7-1/2) elective units that
123 meet department content and performance standards. Student
124 service learning shall be offered as an elective. Financial
125 literacy shall be offered as an elective. Pre-apprenticeship
126 programs may be offered as electives.

127 (10) Final examinations shall be administered to all
128 students in all classes offered for credit.



129 (11) Until July 1, 2011, a student who has not passed a
130 state graduation examination in the subject areas of reading,
131 English, mathematics, writing, science and social science shall
132 not receive a high school diploma. The state graduation
133 examination on social science shall include a section on the
134 Constitution of the United States and the Mississippi Constitution
135 of 1890. If a student exits from the school system at the end of
136 Grade 12 without having passed a state graduation examination, the
137 student shall receive an appropriate state certificate indicating
138 the number of credits earned and the grade completed. If within
139 five (5) years after a student exits from the school system the
140 student takes and passes the state graduation examination, the
141 student may receive a high school diploma.

142 (12) Beginning with the 2011-2012 school year, a student
143 shall not receive a Mississippi diploma of excellence if the
144 student has not demonstrated competence in the subject areas of
145 mathematics, reading and language arts, writing, social studies
146 and science, including a section on the Constitution of the United
147 States and the Mississippi Constitution of 1890, based on a
148 standards-based assessment or assessments or a portfolio of
149 standards-based indicators established by the State Board of
150 Education by rule. The standards-based assessments required may
151 also serve as the assessment required for high school graduation.
152 If a student exits from the school system at the end of Grade 12
153 without having satisfied the requirements of this subsection, the
154 student shall receive an appropriate state certificate indicating
155 the number of credits earned and the grade
156 completed. If within five (5) years after a student exits from
157 the school system the student satisfies the requirement of this
158 subsection, the student may receive a Mississippi diploma of
159 excellence.



160 (13) As used in this section, the following words and
161 phrases have the meanings ascribed in this section unless the
162 context requires otherwise:

163 (a) "Final next-step plan" means a next-step plan that
164 shows that the student has committed or intends to commit in the
165 near future to a four-year college or university, a two-year
166 college, a trade or vocational program, an internship or
167 apprenticeship, military service or a job.

168 (b) "Interim next-step plan" means an annual next-step
169 plan in which the student specifies post-high-school goals and
170 sets forth the coursework that will allow the student to achieve
171 those goals.

172 (c) "Next-step plan" means an annual personal written
173 plan of studies developed by a student in a public school in
174 consultation with the student's parent and school counselor or
175 other school official charged with coursework planning for the
176 student that includes one or more of the following:

- 177 (i) Advanced placement or honors courses;
178 (ii) Dual-credit courses offered in cooperation
179 with an institution of higher education;
180 (iii) Distance learning courses;
181 (iv) Career-technical courses; and
182 (v) Pre-apprenticeship programs.

183 (14) The State Board of Education may adopt a policy to
184 provide for administrative interpretations to clarify curricular
185 and testing statutes.

186 **SECTION 2.** (1) As used in this section, the following
187 words and phrases have the meanings ascribed in this section
188 unless the context requires otherwise:

189 (a) "Apprenticeable trade" means a skilled trade that
190 possesses the following characteristics:



191 (i) It is customarily learned in a practical way
192 through a structured, systematic program of on-the-job supervised
193 training;

194 (ii) It is clearly identified and commonly
195 recognized throughout an industry;

196 (iii) It involves manual, mechanical or technical
197 skills and knowledge that require a minimum of two thousand
198 (2,000) hours of on-the-job work experience; and

199 (iv) It requires related instruction to supplement
200 on-the-job training.

201 (b) "Apprenticeship" means a formal educational method
202 for training a person in a skilled trade that combines supervised
203 employment with classroom study.

204 (c) "Course of instruction" means an organized and
205 systematic program of study designed to provide the pre-apprentice
206 with knowledge of the theoretical subjects related to one or more
207 specific apprenticeable trades and that meets
208 apprenticeship-related instruction requirements. "Course of
209 instruction" may include hands-on training but does not include
210 on-the-job training.

211 (d) "Industry instructor" means a person who is:

212 (i) Working or has worked in an apprenticeable
213 trade for the number of years required by established industry
214 practices of the particular trade to be an industry-recognized
215 expert in the trade; or

216 (ii) A career-technical faculty member at a public
217 post-secondary educational institution.

218 (e) "Local school board" includes the governing body of
219 any charter school that may be established after the effective
220 date of this act.

221 (f) "Pre-apprentice" means a public school student who
222 is enrolled in a pre-apprenticeship program.



223 (g) "Pre-apprenticeship program" means a local school
224 board-approved course of instruction offered through a provider
225 that results, upon satisfactory completion of the program, in a
226 certificate of completion that is acceptable to an apprenticeship
227 training program registered with the apprenticeship council.

228 (h) "Provider" means a registered apprenticeship
229 program, an employer of an apprenticeable trade, a union, a trade
230 association, a post-secondary educational institution or other
231 person approved by the local school board to provide a
232 pre-apprenticeship program.

233 (2) Any school district or charter school may allow
234 pre-apprenticeship programs to be offered to qualified students in
235 Grades 11 and 12. The local school board shall approve only
236 providers and pre-apprenticeship programs, including courses of
237 instruction and industry instructors, that meet apprenticeship
238 requirements of the apprenticeship council or the apprenticeship
239 requirements of an appropriate nationally recognized trade
240 organization. Pre-apprenticeship programs shall meet department
241 content and performance standards and shall be provided at no cost
242 to students.

243 (3) A person may apply to the local school board to become a
244 provider by submitting an application in the form prescribed by
245 the local school board. The application must include:

246 (a) The pre-apprenticeship program to be offered by the
247 provider, including the course of instruction and the provision of
248 tools, supplies and textbooks that will be provided by the
249 pre-apprenticeship program;

250 (b) A description of the way in which a
251 pre-apprentice's coursework and program participation will be
252 evaluated and reported as grades to the high school;

253 (c) A description of the qualifications for
254 pre-apprentices, the way in which students will be recruited and
255 accepted into the pre-apprenticeship program and the circumstances



256 under which a pre-apprentice may be dismissed from the
257 pre-apprenticeship program;

258 (d) The names and qualifications of the
259 pre-apprenticeship program's industry instructors;

260 (e) A description of the location where the
261 pre-apprenticeship program will be conducted; and

262 (f) Any other information the local school board deems
263 necessary to determine the fitness of the applicant to deliver a
264 pre-apprenticeship program and the appropriateness of the program
265 in achieving school district goals.

266 (4) In approving an application, the local school board
267 shall include its approvals of the provider, the
268 pre-apprenticeship program and the industry instructors. If a
269 single applicant proposes to offer more than one (1)
270 pre-apprenticeship program, each program and its industry
271 instructors shall be approved by the local school board.

272 (5) Pre-apprenticeship programs shall be designed so that
273 pre-apprentices may earn elective credits toward high school
274 graduation and meet requirements for apprenticeship-related
275 supplemental instruction or post-secondary education course
276 credits. Pre-apprenticeship programs shall be offered during the
277 school day whenever possible. Programs may be conducted at:
278 industry locations, including union halls or other industry
279 training facilities; at existing school facilities, if available;
280 or at any other location approved by the local school board.

281 (6) To qualify for a pre-apprenticeship program, a student
282 must:

283 (a) Be at least sixteen (16) years of age;

284 (b) Be in Grade 11 or 12;

285 (c) Have at least the number of electives required for
286 the pre-apprenticeship program applied for and commit those
287 electives to the program; and



288 (d) Meet other requirements of the pre-apprenticeship
289 program approved by the local school board.

290 (7) Once a provider and pre-apprenticeship program have been
291 approved, the provider shall recruit students and accept and
292 retain or dismiss them as provided in the provider's approved
293 application.

294 (8) Once accepted into a pre-apprenticeship program, a
295 student may withdraw only with the approval of the high school
296 principal.

297 (9) If a provider wishes to cease its pre-apprenticeship
298 program, it shall notify the local school board, the
299 superintendent and the principals of the pre-apprentices' high
300 schools. The notification shall include a plan for the
301 continuation of the pre-apprenticeship program of the
302 pre-apprentices currently enrolled in the provider's program.

303 **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, is
304 brought forward as follows:

305 37-3-2. (1) There is established within the State
306 Department of Education the Commission on Teacher and
307 Administrator Education, Certification and Licensure and
308 Development. It shall be the purpose and duty of the commission
309 to make recommendations to the State Board of Education regarding
310 standards for the certification and licensure and continuing
311 professional development of those who teach or perform tasks of an
312 educational nature in the public schools of Mississippi.

313 (2) The commission shall be composed of fifteen (15)
314 qualified members. The membership of the commission shall be
315 composed of the following members to be appointed, three (3) from
316 each congressional district: four (4) classroom teachers; three
317 (3) school administrators; one (1) representative of schools of
318 education of institutions of higher learning located within the
319 state to be recommended by the Board of Trustees of State
320 Institutions of Higher Learning; one (1) representative from the



321 schools of education of independent institutions of higher
322 learning to be recommended by the Board of the Mississippi
323 Association of Independent Colleges; one (1) representative from
324 public community and junior colleges located within the state to
325 be recommended by the State Board for Community and Junior
326 Colleges; one (1) local school board member; and four (4)
327 laypersons. All appointments shall be made by the State Board of
328 Education after consultation with the State Superintendent of
329 Public Education. The first appointments by the State Board of
330 Education shall be made as follows: five (5) members shall be
331 appointed for a term of one (1) year; five (5) members shall be
332 appointed for a term of two (2) years; and five (5) members shall
333 be appointed for a term of three (3) years. Thereafter, all
334 members shall be appointed for a term of four (4) years.

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

341 (4) An appropriate staff member of the State Department of
342 Education shall be designated and assigned by the State
343 Superintendent of Public Education to serve as executive secretary
344 and coordinator for the commission. No less than two (2) other
345 appropriate staff members of the State Department of Education
346 shall be designated and assigned by the State Superintendent of
347 Public Education to serve on the staff of the commission.

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

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



352 (b) Recommend to the State Board of Education each year
353 approval or disapproval of each educator preparation program in
354 the state;

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

358 (d) Establish, subject to the approval of the State
359 Board of Education, standards for the renewal of teacher licenses
360 in all fields;

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

364 (f) Review all existing requirements for certification
365 and licensure;

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

368 (h) Prepare reports from time to time on current
369 practices and issues in the general area of teacher education and
370 certification and licensure;

371 (i) Hold hearings concerning standards for teachers'
372 and administrators' education and certification and licensure with
373 approval of the State Board of Education;

374 (j) Hire expert consultants with approval of the State
375 Board of Education;

376 (k) Set up ad hoc committees to advise on specific
377 areas; and

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

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



385 Persons who possess two (2) years of classroom experience as an
386 assistant teacher or who have taught for one (1) year in an
387 accredited public or private school shall be allowed to fulfill
388 student teaching requirements under the supervision of a qualified
389 participating teacher approved by an accredited college of
390 education. The local school district in which the assistant
391 teacher is employed shall compensate such assistant teachers at
392 the required salary level during the period of time such
393 individual is completing student teaching requirements.

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

- 395 (i) An application on a department form;
- 396 (ii) An official transcript of completion of a
397 teacher education program approved by the department or a
398 nationally accredited program, subject to the following:
399 Licensure to teach in Mississippi prekindergarten through
400 kindergarten classrooms shall require completion of a teacher
401 education program or a bachelor of science degree with child
402 development emphasis from a program accredited by the American
403 Association of Family and Consumer Sciences (AAFCS) or by the
404 National Association for Education of Young Children (NAEYC) or by
405 the National Council for Accreditation of Teacher Education
406 (NCATE). Licensure to teach in Mississippi kindergarten, for
407 those applicants who have completed a teacher education program,
408 and in Grade 1 through Grade 4 shall require the completion of an
409 interdisciplinary program of studies. Licenses for Grades 4
410 through 8 shall require the completion of an interdisciplinary
411 program of studies with two (2) or more areas of concentration.
412 Licensure to teach in Mississippi Grades 7 through 12 shall
413 require a major in an academic field other than education, or a
414 combination of disciplines other than education. Students
415 preparing to teach a subject shall complete a major in the
416 respective subject discipline. All applicants for standard
417 licensure shall demonstrate that such person's college preparation



418 in those fields was in accordance with the standards set forth by
419 the National Council for Accreditation of Teacher Education
420 (NCATE) or the National Association of State Directors of Teacher
421 Education and Certification (NASDTEC) or, for those applicants who
422 have a bachelor of science degree with child development emphasis,
423 the American Association of Family and Consumer Sciences (AAFCS);

424 (iii) A copy of test scores evidencing
425 satisfactory completion of nationally administered examinations of
426 achievement, such as the Educational Testing Service's teacher
427 testing examinations; and

428 (iv) Any other document required by the State
429 Board of Education.

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

431 Beginning January 1, 2004, an individual who has a passing score
432 on the Praxis I Basic Skills and Praxis II Specialty Area Test in
433 the requested area of endorsement may apply for the Teach
434 Mississippi Institute (TMI) program to teach students in Grades 7
435 through 12 if the individual meets the requirements of this
436 paragraph (b). The State Board of Education shall adopt rules
437 requiring that teacher preparation institutions which provide the
438 Teach Mississippi Institute (TMI) program for the preparation of
439 nontraditional teachers shall meet the standards and comply with
440 the provisions of this paragraph.

441 (i) The Teach Mississippi Institute (TMI) shall
442 include an intensive eight-week, nine-semester-hour summer program
443 or a curriculum of study in which the student matriculates in the
444 fall or spring semester, which shall include, but not be limited
445 to, instruction in education, effective teaching strategies,
446 classroom management, state curriculum requirements, planning and
447 instruction, instructional methods and pedagogy, using test
448 results to improve instruction, and a one (1) semester three-hour
449 supervised internship to be completed while the teacher is
450 employed as a full-time teacher intern in a local school district.



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

455 (ii) The school sponsoring the teacher intern
456 shall enter into a written agreement with the institution
457 providing the Teach Mississippi Institute (TMI) program, under
458 terms and conditions as agreed upon by the contracting parties,
459 providing that the school district shall provide teacher interns
460 seeking a nontraditional provisional teaching license with a
461 one-year classroom teaching experience. The teacher intern shall
462 successfully complete the one (1) semester three-hour intensive
463 internship in the school district during the semester immediately
464 following successful completion of the TMI and prior to the end of
465 the one-year classroom teaching experience.

466 (iii) Upon completion of the nine-semester-hour
467 TMI or the fall or spring semester option, the individual shall
468 submit his transcript to the commission for provisional licensure
469 of the intern teacher, and the intern teacher shall be issued a
470 provisional teaching license by the commission, which will allow
471 the individual to legally serve as a teacher while the person
472 completes a nontraditional teacher preparation internship program.

473 (iv) During the semester of internship in the
474 school district, the teacher preparation institution shall monitor
475 the performance of the intern teacher. The school district that
476 employs the provisional teacher shall supervise the provisional
477 teacher during the teacher's intern year of employment under a
478 nontraditional provisional license, and shall, in consultation
479 with the teacher intern's mentor at the school district of
480 employment, submit to the commission a comprehensive evaluation of
481 the teacher's performance sixty (60) days prior to the expiration
482 of the nontraditional provisional license. If the comprehensive
483 evaluation establishes that the provisional teacher intern's



484 performance fails to meet the standards of the approved
485 nontraditional teacher preparation internship program, the
486 individual shall not be approved for a standard license.

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

492 (vi) Upon successful completion of the TMI and the
493 internship provisional license period, applicants for a Standard
494 License - Nontraditional Route shall submit to the commission a
495 transcript of successful completion of the twelve (12) semester
496 hours required in the internship program, and the employing school
497 district shall submit to the commission a recommendation for
498 standard licensure of the intern. If the school district
499 recommends licensure, the applicant shall be issued a Standard
500 License - Nontraditional Route which shall be valid for a
501 five-year period and be renewable.

502 (vii) At the discretion of the teacher preparation
503 institution, the individual shall be allowed to credit the twelve
504 (12) semester hours earned in the nontraditional teacher
505 internship program toward the graduate hours required for a Master
506 of Arts in Teacher (MAT) Degree.

507 (viii) The local school district in which the
508 nontraditional teacher intern or provisional licensee is employed
509 shall compensate such teacher interns at Step 1 of the required
510 salary level during the period of time such individual is
511 completing teacher internship requirements and shall compensate
512 such Standard License - Nontraditional Route teachers at Step 3 of
513 the required salary level when they complete license requirements.

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



517 Such implementation of the TMI program may not be deemed to
518 prohibit the State Board of Education from developing and
519 implementing additional alternative route teacher licensure
520 programs, as deemed appropriate by the board. The emergency
521 certification program in effect prior to July 1, 2002, shall
522 remain in effect.

523 The State Department of Education shall compile and report,
524 in consultation with the commission, information relating to
525 nontraditional teacher preparation internship programs, including
526 the number of programs available and geographic areas in which
527 they are available, the number of individuals who apply for and
528 possess a nontraditional conditional license, the subject areas in
529 which individuals who possess nontraditional conditional licenses
530 are teaching and where they are teaching, and shall submit its
531 findings and recommendations to the legislative committees on
532 education by December 1, 2004.

533 A Standard License - Approved Program Route shall be issued
534 for a five-year period, and may be renewed. Recognizing teaching
535 as a profession, a hiring preference shall be granted to persons
536 holding a Standard License - Approved Program Route or Standard
537 License - Nontraditional Teaching Route over persons holding any
538 other license.

539 (c) **Special License - Expert Citizen.** In order to
540 allow a school district to offer specialized or technical courses,
541 the State Department of Education, in accordance with rules and
542 regulations established by the State Board of Education, may grant
543 a one-year expert citizen-teacher license to local business or
544 other professional personnel to teach in a public school or
545 nonpublic school accredited or approved by the state. Such person
546 may begin teaching upon his employment by the local school board
547 and licensure by the Mississippi Department of Education. The
548 board shall adopt rules and regulations to administer the expert
549 citizen-teacher license. A Special License - Expert Citizen may



550 be renewed in accordance with the established rules and
551 regulations of the State Department of Education.

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

558 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
559 person may teach for a maximum of three (3) periods per teaching
560 day in a public school or a nonpublic school accredited/approved
561 by the state. Such person shall submit to the department a
562 transcript or record of his education and experience which
563 substantiates his preparation for the subject to be taught and
564 shall meet other qualifications specified by the commission and
565 approved by the State Board of Education. In no case shall any
566 local school board hire nonlicensed personnel as authorized under
567 this paragraph in excess of five percent (5%) of the total number
568 of licensed personnel in any single school.

569 (f) **Special License - Transitional Bilingual Education.**
570 Beginning July 1, 2003, the commission shall grant special
571 licenses to teachers of transitional bilingual education who
572 possess such qualifications as are prescribed in this section.
573 Teachers of transitional bilingual education shall be compensated
574 by local school boards at not less than one (1) step on the
575 regular salary schedule applicable to permanent teachers licensed
576 under this section. The commission shall grant special licenses
577 to teachers of transitional bilingual education who present the
578 commission with satisfactory evidence that they (i) possess a
579 speaking and reading ability in a language, other than English, in
580 which bilingual education is offered and communicative skills in
581 English; (ii) are in good health and sound moral character; (iii)
582 possess a bachelor's degree or an associate's degree in teacher



583 education from an accredited institution of higher education; (iv)
584 meet such requirements as to courses of study, semester hours
585 therein, experience and training as may be required by the
586 commission; and (v) are legally present in the United States and
587 possess legal authorization for employment. A teacher of
588 transitional bilingual education serving under a special license
589 shall be under an exemption from standard licensure if he achieves
590 the requisite qualifications therefor. Two (2) years of service
591 by a teacher of transitional bilingual education under such an
592 exemption shall be credited to the teacher in acquiring a Standard
593 Educator License. Nothing in this paragraph shall be deemed to
594 prohibit a local school board from employing a teacher licensed in
595 an appropriate field as approved by the State Department of
596 Education to teach in a program in transitional bilingual
597 education.

598 (g) In the event any school district meets the highest
599 accreditation standards as defined by the State Board of Education
600 in the accountability system, the State Board of Education, in its
601 discretion, may exempt such school district from any restrictions
602 in paragraph (e) relating to the employment of nonlicensed
603 teaching personnel.

604 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
605 any teacher from any state meeting the federal definition of
606 highly qualified, as described in the No Child Left Behind Act,
607 must be granted a standard five-year license by the State
608 Department of Education.

609 (7) **Administrator License.** The State Board of Education is
610 authorized to establish rules and regulations and to administer
611 the licensure process of the school administrators in the State of
612 Mississippi. There will be four (4) categories of administrator
613 licensure with exceptions only through special approval of the
614 State Board of Education.



615 (a) **Administrator License - Nonpracticing.** Those
616 educators holding administrative endorsement but having no
617 administrative experience or not serving in an administrative
618 position on January 15, 1997.

619 (b) **Administrator License - Entry Level.** Those
620 educators holding administrative endorsement and having met the
621 department's qualifications to be eligible for employment in a
622 Mississippi school district. Administrator License - Entry Level
623 shall be issued for a five-year period and shall be nonrenewable.

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

627 (d) **Administrator License - Nontraditional Route.** The
628 board may establish a nontraditional route for licensing
629 administrative personnel. Such nontraditional route for
630 administrative licensure shall be available for persons holding,
631 but not limited to, a master of business administration degree, a
632 master of public administration degree, a master of public
633 planning and policy degree or a doctor of jurisprudence degree
634 from an accredited college or university, with five (5) years of
635 administrative or supervisory experience. Successful completion
636 of the requirements of alternate route licensure for
637 administrators shall qualify the person for a standard
638 administrator license.

639 The State Department of Education shall compile and report,
640 in consultation with the commission, information relating to
641 nontraditional administrator preparation internship programs,
642 including the number of programs available and geographic areas in
643 which they are available, the number of individuals who apply for
644 and possess a nontraditional conditional license and where they
645 are employed, and shall submit its findings and recommendations to
646 the legislative committees on education by December 1, 2004.



647 Beginning with the 1997-1998 school year, individuals seeking
648 school administrator licensure under paragraph (b), (c) or (d)
649 shall successfully complete a training program and an assessment
650 process prescribed by the State Board of Education. Applicants
651 seeking school administrator licensure prior to June 30, 1997, and
652 completing all requirements for provisional or standard
653 administrator certification and who have never practiced, shall be
654 exempt from taking the Mississippi Assessment Battery Phase I.
655 Applicants seeking school administrator licensure during the
656 period beginning July 1, 1997, through June 30, 1998, shall
657 participate in the Mississippi Assessment Battery, and upon
658 request of the applicant, the department shall reimburse the
659 applicant for the cost of the assessment process required. After
660 June 30, 1998, all applicants for school administrator licensure
661 shall meet all requirements prescribed by the department under
662 paragraph (b), (c) or (d), and the cost of the assessment process
663 required shall be paid by the applicant.

664 (8) **Reciprocity.** (a) The department shall grant a standard
665 license to any individual who possesses a valid standard license
666 from another state.

667 (b) The department shall grant a nonrenewable special
668 license to any individual who possesses a credential which is less
669 than a standard license or certification from another state. Such
670 special license shall be valid for the current school year plus
671 one (1) additional school year to expire on June 30 of the second
672 year, not to exceed a total period of twenty-four (24) months,
673 during which time the applicant shall be required to complete the
674 requirements for a standard license in Mississippi.

675 (9) **Renewal and Reinstatement of Licenses.** The State Board
676 of Education is authorized to establish rules and regulations for
677 the renewal and reinstatement of educator and administrator
678 licenses. Effective May 15, 1997, the valid standard license held
679 by an educator shall be extended five (5) years beyond the



680 expiration date of the license in order to afford the educator
681 adequate time to fulfill new renewal requirements established
682 pursuant to this subsection. An educator completing a master of
683 education, educational specialist or doctor of education degree in
684 May 1997 for the purpose of upgrading the educator's license to a
685 higher class shall be given this extension of five (5) years plus
686 five (5) additional years for completion of a higher degree.

687 (10) All controversies involving the issuance, revocation,
688 suspension or any change whatsoever in the licensure of an
689 educator required to hold a license shall be initially heard in a
690 hearing de novo, by the commission or by a subcommittee
691 established by the commission and composed of commission members
692 for the purpose of holding hearings. Any complaint seeking the
693 denial of issuance, revocation or suspension of a license shall be
694 by sworn affidavit filed with the Commission of Teacher and
695 Administrator Education, Certification and Licensure and
696 Development. The decision thereon by the commission or its
697 subcommittee shall be final, unless the aggrieved party shall
698 appeal to the State Board of Education, within ten (10) days, of
699 the decision of the committee or its subcommittee. An appeal to
700 the State Board of Education shall be on the record previously
701 made before the commission or its subcommittee unless otherwise
702 provided by rules and regulations adopted by the board. The State
703 Board of Education in its authority may reverse, or remand with
704 instructions, the decision of the committee or its subcommittee.
705 The decision of the State Board of Education shall be final.

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

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

711 (b) The applicant has a physical, emotional or mental
712 disability that renders the applicant unfit to perform the duties



713 authorized by the license, as certified by a licensed psychologist
714 or psychiatrist;

715 (c) The applicant is actively addicted to or actively
716 dependent on alcohol or other habit-forming drugs or is a habitual
717 user of narcotics, barbiturates, amphetamines, hallucinogens or
718 other drugs having similar effect, at the time of application for
719 a license;

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

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

724 (f) Failing or refusing to furnish reasonable evidence
725 of identification;

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

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

732 (12) The State Board of Education, acting on the
733 recommendation of the commission, may revoke or suspend any
734 teacher or administrator license for specified periods of time for
735 one or more of the following:

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

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

742 (c) Suspension or revocation of a certificate or
743 license by another state shall result in immediate suspension or
744 revocation and shall continue until records in the prior state
745 have been cleared;



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

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

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

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

760 (b) Any offense committed or attempted in any other
761 state shall result in the same penalty as if committed or
762 attempted in this state.

763 (c) A person may voluntarily surrender a license. The
764 surrender of such license may result in the commission
765 recommending any of the above penalties without the necessity of a
766 hearing. However, any such license which has voluntarily been
767 surrendered by a licensed employee may only be reinstated by a
768 majority vote of all members of the commission present at the
769 meeting called for such purpose.

770 (14) A person whose license has been suspended on any
771 grounds except criminal grounds may petition for reinstatement of
772 the license after one (1) year from the date of suspension, or
773 after one-half (1/2) of the suspended time has lapsed, whichever
774 is greater. A license suspended or revoked on the criminal
775 grounds may be reinstated upon petition to the commission filed
776 after expiration of the sentence and parole or probationary period
777 imposed upon conviction. A revoked, suspended or surrendered
778 license may be reinstated upon satisfactory showing of evidence of



779 rehabilitation. The commission shall require all who petition for
780 reinstatement to furnish evidence satisfactory to the commission
781 of good character, good mental, emotional and physical health and
782 such other evidence as the commission may deem necessary to
783 establish the petitioner's rehabilitation and fitness to perform
784 the duties authorized by the license.

785 (15) Reporting procedures and hearing procedures for dealing
786 with infractions under this section shall be promulgated by the
787 commission, subject to the approval of the State Board of
788 Education. The revocation or suspension of a license shall be
789 effected at the time indicated on the notice of suspension or
790 revocation. The commission shall immediately notify the
791 superintendent of the school district or school board where the
792 teacher or administrator is employed of any disciplinary action
793 and also notify the teacher or administrator of such revocation or
794 suspension and shall maintain records of action taken. The State
795 Board of Education may reverse or remand with instructions any
796 decision of the commission regarding a petition for reinstatement
797 of a license, and any such decision of the State Board of
798 Education shall be final.

799 (16) An appeal from the action of the State Board of
800 Education in denying an application, revoking or suspending a
801 license or otherwise disciplining any person under the provisions
802 of this section shall be filed in the Chancery Court of the First
803 Judicial District of Hinds County on the record made, including a
804 verbatim transcript of the testimony at the hearing. The appeal
805 shall be filed within thirty (30) days after notification of the
806 action of the board is mailed or served and the proceedings in
807 chancery court shall be conducted as other matters coming before
808 the court. The appeal shall be perfected upon filing notice of
809 the appeal and by the prepayment of all costs, including the cost
810 of preparation of the record of the proceedings by the State Board
811 of Education, and the filing of a bond in the sum of Two Hundred



812 Dollars (\$200.00) conditioned that if the action of the board be
813 affirmed by the chancery court, the applicant or license holder
814 shall pay the costs of the appeal and the action of the chancery
815 court.

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

820 (18) The granting of a license shall not be deemed a
821 property right nor a guarantee of employment in any public school
822 district. A license is a privilege indicating minimal eligibility
823 for teaching in the public schools of Mississippi. This section
824 shall in no way alter or abridge the authority of local school
825 districts to require greater qualifications or standards of
826 performance as a prerequisite of initial or continued employment
827 in such districts.

828 (19) In addition to the reasons specified in subsections
829 (12) and (13) of this section, the board shall be authorized to
830 suspend the license of any licensee for being out of compliance
831 with an order for support, as defined in Section 93-11-153. The
832 procedure for suspension of a license for being out of compliance
833 with an order for support, and the procedure for the reissuance or
834 reinstatement of a license suspended for that purpose, and the
835 payment of any fees for the reissuance or reinstatement of a
836 license suspended for that purpose, shall be governed by Section
837 93-11-157 or 93-11-163, as the case may be. Actions taken by the
838 board in suspending a license when required by Section 93-11-157
839 or 93-11-163 are not actions from which an appeal may be taken
840 under this section. Any appeal of a license suspension that is
841 required by Section 93-11-157 or 93-11-163 shall be taken in
842 accordance with the appeal procedure specified in Section
843 93-11-157 or 93-11-163, as the case may be, rather than the
844 procedure specified in this section. If there is any conflict



845 between any provision of Section 93-11-157 or 93-11-163 and any
846 provision of this chapter, the provisions of Section 93-11-157 or
847 93-11-163, as the case may be, shall control.

848 **SECTION 4.** This act shall take effect and be in force from
849 and after July 1, 2010.

