

By: Senator(s) Tollison, Burton, Butler  
(36th), Horhn, Jackson (11th), Jones, Jordan

To: Education

SENATE BILL NO. 2572  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-177-7, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO  
3 CONDUCT A READING INTERVENTION PILOT PROGRAM IN ONE OR MORE "C"  
4 LEVEL OR LOW-PERFORMING SCHOOL DISTRICTS; TO ESTABLISH A  
5 KINDERGARTEN READINESS ASSESSMENT PROGRAM IN THE STATE DEPARTMENT  
6 OF EDUCATION; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972,  
7 TO PRESCRIBE CERTAIN EDUCATION REQUIREMENTS FOR INITIAL ELEMENTARY  
8 EDUCATION LICENSURE EFFECTIVE JULY 1, 2016; TO ESTABLISH A MIDDLE  
9 SCHOOL DROPOUT PREVENTION PILOT PROGRAM IN CERTAIN "D" AND "F"  
10 RATED SCHOOL DISTRICTS SELECTED BY THE STATE BOARD OF EDUCATION;  
11 TO REQUIRE THAT THE EDUCATIONAL SERVICES IN THE PILOT PROGRAM BE  
12 PROVIDED BY A NONPROFIT OR FOR-PROFIT EDUCATIONAL ENTITY APPROVED  
13 BY THE BOARD; TO REQUIRE THE LOCAL SCHOOL BOARD OF THE SELECTED  
14 DISTRICTS TO REPORT ENROLLMENT TO THE STATE DEPARTMENT OF  
15 EDUCATION; TO PRESCRIBE THE MINIMUM NECESSARY REQUIREMENTS OF THE  
16 PILOT PROGRAMS, ITS OBJECTIVES AND THE EDUCATION PARTNER SELECTED  
17 BY THE STATE BOARD OF EDUCATION TO PROVIDE THE SERVICES; TO  
18 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT AN  
19 ALTERNATIVE STUDENT PERFORMANCE ACCOUNTABILITY METHOD TO EVALUATE  
20 THE PERFORMANCE AND EFFECTIVENESS OF PILOT PROGRAM SCHOOL  
21 DISTRICTS; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Section 37-177-7, Mississippi Code of 1972, is  
24 amended as follows:

25 37-177-7. The State Department of Education shall:

26 (a) Select schools most in need for the leading  
27 intervention program and create criteria for selection for



28 participation based on number and percentages of students scoring  
29 in the lowest two (2) achievement levels on state-adopted yearly  
30 reading assessments, screening results, and other relevant  
31 data; \* \* \*

32 (b) Assign a supervisory position within each school to  
33 be responsible for the faithful implementation of the Reading  
34 Intervention Program \* \* \*; and

35 (c) Beginning with the 2014-2015 school year, the  
36 Mississippi Department of Education shall conduct a pilot program  
37 with willing "C" level or low-performing districts and/or schools  
38 in a geographically concise region. The pilot shall focus on the  
39 use of data coaches to improve reading and literacy, to determine  
40 the effectiveness of intense data-focused professional  
41 development, provide expert support in literacy and early reading  
42 instruction but it shall not necessarily be limited to literacy.  
43 Data coaches should be experts in both pedagogy and data analysis  
44 who facilitate professional learning community meetings, and  
45 provide observation and feedback, to help teachers and district  
46 leaders build skills in using data to inform instruction. The  
47 department is authorized to contract with a private sector  
48 provider to implement the pilot and work in partnership with a  
49 four-year institution of higher learning that has a center for  
50 literacy instruction to develop and implement the pilot. The  
51 department shall also work in consultation with the Reading Panel  
52 regarding the development and implementation of the pilot program.



53           **SECTION 2.** (1) There is hereby established the  
54 "Kindergarten Readiness Assessment Program," authorizing the  
55 Mississippi Department of Education to establish a common  
56 statewide Kindergarten readiness assessment, the purpose of which  
57 is to provide teachers, administrators and parents baseline data  
58 on students at the beginning of their Kindergarten year. It is  
59 the intent of the Legislature, in establishing this program, to  
60 ensure that the Mississippi Department of Education shall:

61                   (a) Select a readiness assessment that provides data on  
62 each Kindergarten student's performance to inform deployment of  
63 resources and instructional supports;

64                   (b) Establish a policy to ensure each student's parent  
65 or guardian is informed of the student's performance on the  
66 assessment;

67                   (c) Establish a policy to ensure that districts report  
68 results to the State Superintendent of Education; and

69                   (d) Require this assessment be given to all students  
70 enrolled in a public Kindergarten in Mississippi.

71           (2) The Kindergarten readiness assessment may be given prior  
72 to the beginning of Kindergarten or during the first thirty (30)  
73 days of the Kindergarten year.

74           **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, as  
75 amended by Senate Bill No. 2575, 2014 Regular Session, is amended  
76 as follows:



77           37-3-2. (1) There is established within the State  
78 Department of Education the Commission on Teacher and  
79 Administrator Education, Certification and Licensure and  
80 Development. It shall be the purpose and duty of the commission  
81 to make recommendations to the State Board of Education regarding  
82 standards for the certification and licensure and continuing  
83 professional development of those who teach or perform tasks of an  
84 educational nature in the public schools of Mississippi.

85           (2) The commission shall be composed of fifteen (15)  
86 qualified members. The membership of the commission shall be  
87 composed of the following members to be appointed, three (3) from  
88 each congressional district: four (4) classroom teachers; three  
89 (3) school administrators; one (1) representative of schools of  
90 education of institutions of higher learning located within the  
91 state to be recommended by the Board of Trustees of State  
92 Institutions of Higher Learning; one (1) representative from the  
93 schools of education of independent institutions of higher  
94 learning to be recommended by the Board of the Mississippi  
95 Association of Independent Colleges; one (1) representative from  
96 public community and junior colleges located within the state to  
97 be recommended by the State Board for Community and Junior  
98 Colleges; one (1) local school board member; and four (4)  
99 laypersons. All appointments shall be made by the State Board of  
100 Education after consultation with the State Superintendent of  
101 Public Education. The first appointments by the State Board of



102 Education shall be made as follows: five (5) members shall be  
103 appointed for a term of one (1) year; five (5) members shall be  
104 appointed for a term of two (2) years; and five (5) members shall  
105 be appointed for a term of three (3) years. Thereafter, all  
106 members shall be appointed for a term of four (4) years.

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

113 (4) (a) An appropriate staff member of the State Department  
114 of Education shall be designated and assigned by the State  
115 Superintendent of Public Education to serve as executive secretary  
116 and coordinator for the commission. No less than two (2) other  
117 appropriate staff members of the State Department of Education  
118 shall be designated and assigned by the State Superintendent of  
119 Public Education to serve on the staff of the commission.

120 (b) An Office of Educator Misconduct Evaluations shall  
121 be established within the State Department of Education to assist  
122 the commission in responding to infractions and violations, and in  
123 conducting hearings and enforcing the provisions of Section  
124 37-3-2(11), (12), (13), (14) and (15), Mississippi Code of 1972,  
125 and violations of the Mississippi Educator Code of Ethics.

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



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

130           (b) Recommend to the State Board of Education each year  
131 approval or disapproval of each educator preparation program in  
132 the state, subject to a process and schedule determined by the  
133 State Board of Education;

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

137           (d) Establish, subject to the approval of the State  
138 Board of Education, standards for the renewal of teacher licenses  
139 in all fields;

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

143           (f) Review all existing requirements for certification  
144 and licensure;

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

147           (h) Prepare reports from time to time on current  
148 practices and issues in the general area of teacher education and  
149 certification and licensure;



150 (i) Hold hearings concerning standards for teachers'  
151 and administrators' education and certification and licensure with  
152 approval of the State Board of Education;

153 (j) Hire expert consultants with approval of the State  
154 Board of Education;

155 (k) Set up ad hoc committees to advise on specific  
156 areas; and

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

160 (6) (a) **Standard License - Approved Program Route.** An  
161 educator entering the school system of Mississippi for the first  
162 time and meeting all requirements as established by the State  
163 Board of Education shall be granted a standard five-year license.  
164 Persons who possess two (2) years of classroom experience as an  
165 assistant teacher or who have taught for one (1) year in an  
166 accredited public or private school shall be allowed to fulfill  
167 student teaching requirements under the supervision of a qualified  
168 participating teacher approved by an accredited college of  
169 education. The local school district in which the assistant  
170 teacher is employed shall compensate such assistant teachers at  
171 the required salary level during the period of time such  
172 individual is completing student teaching requirements.  
173 Applicants for a standard license shall submit to the department:

174 (i) An application on a department form;



175 (ii) An official transcript of completion of a  
176 teacher education program approved by the department or a  
177 nationally accredited program, subject to the following:  
178 Licensure to teach in Mississippi prekindergarten through  
179 kindergarten classrooms shall require completion of a teacher  
180 education program or a Bachelor of Science degree with child  
181 development emphasis from a program accredited by the American  
182 Association of Family and Consumer Sciences (AAFCS) or by the  
183 National Association for Education of Young Children (NAEYC) or by  
184 the National Council for Accreditation of Teacher Education  
185 (NCATE). Licensure to teach in Mississippi kindergarten, for  
186 those applicants who have completed a teacher education program,  
187 and in Grade 1 through Grade 4 shall require the completion of an  
188 interdisciplinary program of studies. Licenses for Grades 4  
189 through 8 shall require the completion of an interdisciplinary  
190 program of studies with two (2) or more areas of concentration.  
191 Licensure to teach in Mississippi Grades 7 through 12 shall  
192 require a major in an academic field other than education, or a  
193 combination of disciplines other than education. Students  
194 preparing to teach a subject shall complete a major in the  
195 respective subject discipline. All applicants for standard  
196 licensure shall demonstrate that such person's college preparation  
197 in those fields was in accordance with the standards set forth by  
198 the National Council for Accreditation of Teacher Education  
199 (NCATE) or the National Association of State Directors of Teacher





200 Education and Certification (NASDTEC) or, for those applicants who  
201 have a Bachelor of Science degree with child development emphasis,  
202 the American Association of Family and Consumer Sciences  
203 (AAFCS) \* \* \*. Effective July 1, 2016, for initial elementary  
204 education licensure, a teacher candidate must earn a passing score  
205 on a rigorous test of scientifically research-based reading  
206 instruction and intervention and data-based decision-making  
207 principles as approved by the State Board of Education;

208 (iii) A copy of test scores evidencing  
209 satisfactory completion of nationally administered examinations of  
210 achievement, such as the Educational Testing Service's teacher  
211 testing examinations;

212 (iv) Any other document required by the State  
213 Board of Education; and

214 (v) From and after September 30, 2015, no teacher  
215 candidate shall be licensed to teach in Mississippi who did not  
216 meet the following criteria for entrance into an approved teacher  
217 education program:

218 1. 21 ACT equivalent or achieve the  
219 nationally recommended passing score on the Praxis Core Academic  
220 Skills for Educators examination; and

221 2. No less than 2.75 GPA on pre-major  
222 coursework of the institution's approved teacher education program  
223 provided that the accepted cohort of candidates meets or exceeds a  
224 3.0 GPA on pre-major coursework.



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

226 From and after September 30, 2015, no teacher candidate shall be  
227 licensed to teach in Mississippi under the alternate route who did  
228 not meet the following criteria:

229 (i) 21 ACT equivalent or achieve the nationally  
230 recommended passing score on the Praxis Core Academic Skills for  
231 Educators examination; and

232 (ii) No less than 2.75 GPA on content coursework  
233 in the requested area of certification or passing Praxis II scores  
234 at or above the national recommended score provided that the  
235 accepted cohort of candidates of the institution's teacher  
236 education program meets or exceeds a 3.0 GPA on pre-major  
237 coursework.

238 Beginning January 1, 2004, an individual who has a passing  
239 score on the Praxis I Basic Skills and Praxis II Specialty Area  
240 Test in the requested area of endorsement may apply for the Teach  
241 Mississippi Institute (TMI) program to teach students in Grades 7  
242 through 12 if the individual meets the requirements of this  
243 paragraph (b). The State Board of Education shall adopt rules  
244 requiring that teacher preparation institutions which provide the  
245 Teach Mississippi Institute (TMI) program for the preparation of  
246 nontraditional teachers shall meet the standards and comply with  
247 the provisions of this paragraph.

248 (i) The Teach Mississippi Institute (TMI) shall  
249 include an intensive eight-week, nine-semester-hour summer program



250 or a curriculum of study in which the student matriculates in the  
251 fall or spring semester, which shall include, but not be limited  
252 to, instruction in education, effective teaching strategies,  
253 classroom management, state curriculum requirements, planning and  
254 instruction, instructional methods and pedagogy, using test  
255 results to improve instruction, and a one (1) semester three-hour  
256 supervised internship to be completed while the teacher is  
257 employed as a full-time teacher intern in a local school district.  
258 The TMI shall be implemented on a pilot program basis, with  
259 courses to be offered at up to four (4) locations in the state,  
260 with one (1) TMI site to be located in each of the three (3)  
261 Mississippi Supreme Court districts.

262 (ii) The school sponsoring the teacher intern  
263 shall enter into a written agreement with the institution  
264 providing the Teach Mississippi Institute (TMI) program, under  
265 terms and conditions as agreed upon by the contracting parties,  
266 providing that the school district shall provide teacher interns  
267 seeking a nontraditional provisional teaching license with a  
268 one-year classroom teaching experience. The teacher intern shall  
269 successfully complete the one (1) semester three-hour intensive  
270 internship in the school district during the semester immediately  
271 following successful completion of the TMI and prior to the end of  
272 the one-year classroom teaching experience.

273 (iii) Upon completion of the nine-semester-hour  
274 TMI or the fall or spring semester option, the individual shall



275 submit his transcript to the commission for provisional licensure  
276 of the intern teacher, and the intern teacher shall be issued a  
277 provisional teaching license by the commission, which will allow  
278 the individual to legally serve as a teacher while the person  
279 completes a nontraditional teacher preparation internship program.

280 (iv) During the semester of internship in the  
281 school district, the teacher preparation institution shall monitor  
282 the performance of the intern teacher. The school district that  
283 employs the provisional teacher shall supervise the provisional  
284 teacher during the teacher's intern year of employment under a  
285 nontraditional provisional license, and shall, in consultation  
286 with the teacher intern's mentor at the school district of  
287 employment, submit to the commission a comprehensive evaluation of  
288 the teacher's performance sixty (60) days prior to the expiration  
289 of the nontraditional provisional license. If the comprehensive  
290 evaluation establishes that the provisional teacher intern's  
291 performance fails to meet the standards of the approved  
292 nontraditional teacher preparation internship program, the  
293 individual shall not be approved for a standard license.

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



299                   (vi) Upon successful completion of the TMI and the  
300 internship provisional license period, applicants for a Standard  
301 License - Nontraditional Route shall submit to the commission a  
302 transcript of successful completion of the twelve (12) semester  
303 hours required in the internship program, and the employing school  
304 district shall submit to the commission a recommendation for  
305 standard licensure of the intern. If the school district  
306 recommends licensure, the applicant shall be issued a Standard  
307 License - Nontraditional Route which shall be valid for a  
308 five-year period and be renewable.

309                   (vii) At the discretion of the teacher preparation  
310 institution, the individual shall be allowed to credit the twelve  
311 (12) semester hours earned in the nontraditional teacher  
312 internship program toward the graduate hours required for a Master  
313 of Arts in Teacher (MAT) Degree.

314                   (viii) The local school district in which the  
315 nontraditional teacher intern or provisional licensee is employed  
316 shall compensate such teacher interns at Step 1 of the required  
317 salary level during the period of time such individual is  
318 completing teacher internship requirements and shall compensate  
319 such Standard License - Nontraditional Route teachers at Step 3 of  
320 the required salary level when they complete license requirements.

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



324 Such implementation of the TMI program may not be deemed to  
325 prohibit the State Board of Education from developing and  
326 implementing additional alternative route teacher licensure  
327 programs, as deemed appropriate by the board. The emergency  
328 certification program in effect prior to July 1, 2002, shall  
329 remain in effect.

330 A Standard License - Approved Program Route shall be issued  
331 for a five-year period, and may be renewed. Recognizing teaching  
332 as a profession, a hiring preference shall be granted to persons  
333 holding a Standard License - Approved Program Route or Standard  
334 License - Nontraditional Teaching Route over persons holding any  
335 other license.

336 (c) **Special License - Expert Citizen.** In order to  
337 allow a school district to offer specialized or technical courses,  
338 the State Department of Education, in accordance with rules and  
339 regulations established by the State Board of Education, may grant  
340 a one-year expert citizen-teacher license to local business or  
341 other professional personnel to teach in a public school or  
342 nonpublic school accredited or approved by the state. Such person  
343 may begin teaching upon his employment by the local school board  
344 and licensure by the Mississippi Department of Education. The  
345 board shall adopt rules and regulations to administer the expert  
346 citizen-teacher license. A Special License - Expert Citizen may  
347 be renewed in accordance with the established rules and  
348 regulations of the State Department of Education.



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

355           (e) **Nonlicensed Teaching Personnel.** A nonlicensed  
356 person may teach for a maximum of three (3) periods per teaching  
357 day in a public school district or a nonpublic school  
358 accredited/approved by the state. Such person shall submit to the  
359 department a transcript or record of his education and experience  
360 which substantiates his preparation for the subject to be taught  
361 and shall meet other qualifications specified by the commission  
362 and approved by the State Board of Education. In no case shall  
363 any local school board hire nonlicensed personnel as authorized  
364 under this paragraph in excess of five percent (5%) of the total  
365 number of licensed personnel in any single school.

366           (f) **Special License - Transitional Bilingual Education.**  
367 Beginning July 1, 2003, the commission shall grant special  
368 licenses to teachers of transitional bilingual education who  
369 possess such qualifications as are prescribed in this section.  
370 Teachers of transitional bilingual education shall be compensated  
371 by local school boards at not less than one (1) step on the  
372 regular salary schedule applicable to permanent teachers licensed  
373 under this section. The commission shall grant special licenses



374 to teachers of transitional bilingual education who present the  
375 commission with satisfactory evidence that they (i) possess a  
376 speaking and reading ability in a language, other than English, in  
377 which bilingual education is offered and communicative skills in  
378 English; (ii) are in good health and sound moral character; (iii)  
379 possess a bachelor's degree or an associate's degree in teacher  
380 education from an accredited institution of higher education; (iv)  
381 meet such requirements as to courses of study, semester hours  
382 therein, experience and training as may be required by the  
383 commission; and (v) are legally present in the United States and  
384 possess legal authorization for employment. A teacher of  
385 transitional bilingual education serving under a special license  
386 shall be under an exemption from standard licensure if he achieves  
387 the requisite qualifications therefor. Two (2) years of service  
388 by a teacher of transitional bilingual education under such an  
389 exemption shall be credited to the teacher in acquiring a Standard  
390 Educator License. Nothing in this paragraph shall be deemed to  
391 prohibit a local school board from employing a teacher licensed in  
392 an appropriate field as approved by the State Department of  
393 Education to teach in a program in transitional bilingual  
394 education.

395 (g) In the event any school district meets the highest  
396 accreditation standards as defined by the State Board of Education  
397 in the accountability system, the State Board of Education, in its  
398 discretion, may exempt such school district from any restrictions





399 in paragraph (e) relating to the employment of nonlicensed  
400 teaching personnel.

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

406 (7) **Administrator License.** The State Board of Education is  
407 authorized to establish rules and regulations and to administer  
408 the licensure process of the school administrators in the State of  
409 Mississippi. There will be four (4) categories of administrator  
410 licensure with exceptions only through special approval of the  
411 State Board of Education.

412 (a) **Administrator License - Nonpracticing.** Those  
413 educators holding administrative endorsement but having no  
414 administrative experience or not serving in an administrative  
415 position on January 15, 1997.

416 (b) **Administrator License - Entry Level.** Those  
417 educators holding administrative endorsement and having met the  
418 department's qualifications to be eligible for employment in a  
419 Mississippi school district. Administrator License - Entry Level  
420 shall be issued for a five-year period and shall be nonrenewable.

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



424 (d) **Administrator License - Nontraditional Route.** The  
425 board may establish a nontraditional route for licensing  
426 administrative personnel. Such nontraditional route for  
427 administrative licensure shall be available for persons holding,  
428 but not limited to, a master of business administration degree, a  
429 master of public administration degree, a master of public  
430 planning and policy degree or a doctor of jurisprudence degree  
431 from an accredited college or university, with five (5) years of  
432 administrative or supervisory experience. Successful completion  
433 of the requirements of alternate route licensure for  
434 administrators shall qualify the person for a standard  
435 administrator license.

436 Individuals seeking school administrator licensure under  
437 paragraph (b), (c) or (d) shall successfully complete a training  
438 program and an assessment process prescribed by the State Board of  
439 Education. All applicants for school administrator licensure  
440 shall meet all requirements prescribed by the department under  
441 paragraph (b), (c) or (d), and the cost of the assessment process  
442 required shall be paid by the applicant.

443 (8) **Reciprocity.** (a) The department shall grant a standard  
444 license to any individual who possesses a valid standard license  
445 from another state and meets minimum Mississippi license  
446 requirements or equivalent requirements as determined by the State  
447 Board of Education. The issuance of a license by reciprocity to a



448 military-trained applicant or military spouse shall be subject to  
449 the provisions of Section 73-50-1.

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

458 (9) **Renewal and Reinstatement of Licenses.** The State Board  
459 of Education is authorized to establish rules and regulations for  
460 the renewal and reinstatement of educator and administrator  
461 licenses. Effective May 15, 1997, the valid standard license held  
462 by an educator shall be extended five (5) years beyond the  
463 expiration date of the license in order to afford the educator  
464 adequate time to fulfill new renewal requirements established  
465 pursuant to this subsection. An educator completing a master of  
466 education, educational specialist or doctor of education degree in  
467 May 1997 for the purpose of upgrading the educator's license to a  
468 higher class shall be given this extension of five (5) years plus  
469 five (5) additional years for completion of a higher degree.

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



473 hearing de novo, by the commission or by a subcommittee  
474 established by the commission and composed of commission members  
475 for the purpose of holding hearings. Any complaint seeking the  
476 denial of issuance, revocation or suspension of a license shall be  
477 by sworn affidavit filed with the Commission of Teacher and  
478 Administrator Education, Certification and Licensure and  
479 Development. The decision thereon by the commission or its  
480 subcommittee shall be final, unless the aggrieved party shall  
481 appeal to the State Board of Education, within ten (10) days, of  
482 the decision of the committee or its subcommittee. An appeal to  
483 the State Board of Education shall be on the record previously  
484 made before the commission or its subcommittee unless otherwise  
485 provided by rules and regulations adopted by the board. The State  
486 Board of Education in its authority may reverse, or remand with  
487 instructions, the decision of the committee or its subcommittee.  
488 The decision of the State Board of Education shall be final.

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

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

494 (b) The applicant has a physical, emotional or mental  
495 disability that renders the applicant unfit to perform the duties  
496 authorized by the license, as certified by a licensed psychologist  
497 or psychiatrist;



498 (c) The applicant is actively addicted to or actively  
499 dependent on alcohol or other habit-forming drugs or is a habitual  
500 user of narcotics, barbiturates, amphetamines, hallucinogens or  
501 other drugs having similar effect, at the time of application for  
502 a license;

503 (d) Revocation, suspension or surrender of an  
504 applicant's certificate or license by another state shall result  
505 in immediate denial of licensure until such time that the records  
506 predicated the revocation, suspension or surrender in the prior  
507 state have been cleared;

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

510 (f) Failing or refusing to furnish reasonable evidence  
511 of identification;

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

515 (h) The applicant has been convicted, has pled guilty  
516 or entered a plea of nolo contendere to a sex offense as defined  
517 by federal or state law. For purposes of this paragraph (h) and  
518 paragraph (g) of this subsection, a "guilty plea" includes a plea  
519 of guilty, entry of a plea of nolo contendere, or entry of an  
520 order granting pretrial or judicial diversion; or

521 (i) Probation or post-release supervision for a felony  
522 or sex offense conviction, as defined by federal or state law,



523 shall result in the immediate denial of licensure application  
524 until expiration of the probationary or post-release supervision  
525 period.

526 (12) The State Board of Education, acting on the  
527 recommendation of the commission, may revoke or suspend any  
528 teacher or administrator license for specified periods of time for  
529 one or more of the following:

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

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

536 (c) Suspension or revocation of a certificate or  
537 license by another state shall result in immediate suspension or  
538 revocation and shall continue until records in the prior state  
539 have been cleared;

540 (d) The license holder has been convicted, has pled  
541 guilty or entered a plea of nolo contendere to a felony, as  
542 defined by federal or state law. For purposes of this paragraph,  
543 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
544 contendere, or entry of an order granting pretrial or judicial  
545 diversion;

546 (e) The license holder has been convicted, has pled  
547 guilty or entered a plea of nolo contendere to a sex offense, as



548 defined by federal or state law, shall result in immediate  
549 suspension or revocation;

550 (f) The license holder has received probation or  
551 post-release supervision for a felony or sex offense conviction,  
552 as defined by federal or state law, which shall result in  
553 immediate suspension or revocation until expiration of the  
554 probationary or post-release supervision period;

555 (g) The license holder knowingly and willfully  
556 committing any of the acts affecting validity of mandatory uniform  
557 test results as provided in Section 37-16-4(1);

558 (h) The license holder has engaged in unethical conduct  
559 relating to an educator/student relationship as identified by the  
560 State Board of Education in its rules;

561 (i) The license holder has fondled a student as  
562 described in Section 97-5-23, or had any type of sexual  
563 involvement with a student as described in Section 97-3-95; or

564 (j) The license holder has failed to report sexual  
565 involvement of a school employee with a student as required by  
566 Section 97-5-24.

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



572 (b) Any offense committed or attempted in any other  
573 state shall result in the same penalty as if committed or  
574 attempted in this state.

575 (c) A person may voluntarily surrender a license. The  
576 surrender of such license may result in the commission  
577 recommending any of the above penalties without the necessity of a  
578 hearing. However, any such license which has voluntarily been  
579 surrendered by a licensed employee may only be reinstated by a  
580 majority vote of all members of the commission present at the  
581 meeting called for such purpose.

582 (14) (a) A person whose license has been revoked or  
583 surrendered on any grounds except criminal grounds may petition  
584 for reinstatement of the license after one (1) year from the date  
585 of revocation or surrender, or after one-half (1/2) of the revoked  
586 or surrendered time has lapsed, whichever is greater. A person  
587 whose license has been suspended on any grounds or violations  
588 under subsection (12) of this section may be reinstated  
589 automatically or approved for a reinstatement hearing, upon  
590 submission of a written request to the commission. A license  
591 suspended, revoked or surrendered on criminal grounds may be  
592 reinstated upon petition to the commission filed after expiration  
593 of the sentence and parole or probationary period imposed upon  
594 conviction. A revoked, suspended or surrendered license may be  
595 reinstated upon satisfactory showing of evidence of  
596 rehabilitation. The commission shall require all who petition for





597 reinstatement to furnish evidence satisfactory to the commission  
598 of good character, good mental, emotional and physical health and  
599 such other evidence as the commission may deem necessary to  
600 establish the petitioner's rehabilitation and fitness to perform  
601 the duties authorized by the license.

602 (b) A person whose license expires while under  
603 investigation by the Office of Educator Misconduct for an alleged  
604 violation may not be reinstated without a hearing before the  
605 commission if required based on the results of the investigation.

606 (15) Reporting procedures and hearing procedures for dealing  
607 with infractions under this section shall be promulgated by the  
608 commission, subject to the approval of the State Board of  
609 Education. The revocation or suspension of a license shall be  
610 effected at the time indicated on the notice of suspension or  
611 revocation. The commission shall immediately notify the  
612 superintendent of the school district or school board where the  
613 teacher or administrator is employed of any disciplinary action  
614 and also notify the teacher or administrator of such revocation or  
615 suspension and shall maintain records of action taken. The State  
616 Board of Education may reverse or remand with instructions any  
617 decision of the commission regarding a petition for reinstatement  
618 of a license, and any such decision of the State Board of  
619 Education shall be final.

620 (16) An appeal from the action of the State Board of  
621 Education in denying an application, revoking or suspending a



622 license or otherwise disciplining any person under the provisions  
623 of this section shall be filed in the Chancery Court of the First  
624 Judicial District of Hinds County, Mississippi, on the record  
625 made, including a verbatim transcript of the testimony at the  
626 hearing. The appeal shall be filed within thirty (30) days after  
627 notification of the action of the board is mailed or served and  
628 the proceedings in chancery court shall be conducted as other  
629 matters coming before the court. The appeal shall be perfected  
630 upon filing notice of the appeal and by the prepayment of all  
631 costs, including the cost of preparation of the record of the  
632 proceedings by the State Board of Education, and the filing of a  
633 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
634 if the action of the board be affirmed by the chancery court, the  
635 applicant or license holder shall pay the costs of the appeal and  
636 the action of the chancery court.

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

641 (18) The granting of a license shall not be deemed a  
642 property right nor a guarantee of employment in any public school  
643 district. A license is a privilege indicating minimal eligibility  
644 for teaching in the public school districts of Mississippi. This  
645 section shall in no way alter or abridge the authority of local  
646 school districts to require greater qualifications or standards of



647 performance as a prerequisite of initial or continued employment  
648 in such districts.

649 (19) In addition to the reasons specified in subsections  
650 (12) and (13) of this section, the board shall be authorized to  
651 suspend the license of any licensee for being out of compliance  
652 with an order for support, as defined in Section 93-11-153. The  
653 procedure for suspension of a license for being out of compliance  
654 with an order for support, and the procedure for the reissuance or  
655 reinstatement of a license suspended for that purpose, and the  
656 payment of any fees for the reissuance or reinstatement of a  
657 license suspended for that purpose, shall be governed by Section  
658 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
659 board in suspending a license when required by Section 93-11-157  
660 or 93-11-163 are not actions from which an appeal may be taken  
661 under this section. Any appeal of a license suspension that is  
662 required by Section 93-11-157 or 93-11-163 shall be taken in  
663 accordance with the appeal procedure specified in Section  
664 93-11-157 or 93-11-163, as the case may be, rather than the  
665 procedure specified in this section. If there is any conflict  
666 between any provision of Section 93-11-157 or 93-11-163 and any  
667 provision of this chapter, the provisions of Section 93-11-157 or  
668 93-11-163, as the case may be, shall control.

669 **SECTION 4.** (1) The State Board of Education shall implement  
670 a Middle School Dropout Prevention and Recovery Pilot Program in  
671 select "D" and "F" rated school districts selected by the State



672 Board of Education. The purpose of the pilot program is to  
673 reengage students and increase the graduation rates in Mississippi  
674 through an educational program that provides vocational  
675 technology, flexible scheduling and a blended learning environment  
676 with individualized and self-paced learning options.

677 (2) Under the pilot program, the educational services and  
678 programming shall be provided by an education partner that is a  
679 nonprofit or for-profit entity approved by the State Board of  
680 Education. The local school board of the districts selected to  
681 participate in the pilot program shall be responsible for  
682 reporting enrollment to the State Department of Education, working  
683 with the education partner to align graduation requirements. The  
684 participating schools district shall be accredited by the Southern  
685 Association of Colleges and Schools as an indicator of quality  
686 instructional programming.

687 (3) The pilot program shall provide at least the following:

688 (a) Facilities that are easily accessible to the  
689 students being served;

690 (b) Flexible scheduling, including at least two (2)  
691 different program schedules;

692 (c) Differentiated instruction that shall include  
693 individualized, group and online instructional components;

694 (d) The capacity for assessing, recording and  
695 responding to the students' academic progress on a daily basis



696 using assessments that are aligned with state and local standards  
697 and requirements;

698 (e) A focus on serving a defined population of at-risk  
699 students who have dropped out or are likely to drop out of school  
700 in the foreseeable future without some type of intervention;

701 (f) Support services, including social workers and  
702 crisis intervention professionals who are trained to assist  
703 students in removing barriers to attending school and graduating;

704 (g) Vocational technology and other instructional  
705 models that are self-paced and mastery-based; and

706 (h) Individualized graduation plans to guide students  
707 to graduation with a standard high school diploma.

708 (4) Before the State Board of Education approves an  
709 applicant as an education partner, the applicant must demonstrate  
710 the following:

711 (a) A history providing dropout recovery services to  
712 high school students in public schools;

713 (b) At least two (2) years of relevant experience  
714 operating and providing services to brick-and-mortar public  
715 schools;

716 (c) At least two (2) years of relevant experience  
717 providing comprehensive online learning or vocational technology  
718 programs;

719 (d) Relevant experience serving diverse student  
720 populations, including socioeconomically disadvantaged students;



721 (e) An explanation of the steps taken by the applicant  
722 to ensure that its proposed instructional content is aligned with  
723 state standards;

724 (f) A plan for the recruitment and hiring of  
725 state-certified teachers, including hiring criteria;

726 (g) A plan for the recruitment and hiring of qualified  
727 administrators, including hiring criteria;

728 (h) A detailed description of the applicant's plan to  
729 work with the participating local school districts and the State  
730 Board of Education to identify students who need to be served, to  
731 reengage those students, and to provide alternative education  
732 options for students at risk of dropping out. Students at risk of  
733 dropping out from their current schools may be transferred into  
734 the pilot program; and

735 (i) An operational plan that includes the following:

736 (i) The number and physical location of proposed  
737 sites and a list of the equipment required;

738 (ii) A proposed program calendar and daily  
739 schedule and an explanation of how the calendar and schedule meet  
740 the needs of prospective students. The schedule must include at  
741 least four (4) hours per school day of on-site learning at a  
742 physical location;

743 (iii) The student-to-teacher ratio;

744 (iv) A description of each of the instructional  
745 methods to be used and number of hours per day for each method;



746 (v) A plan for differentiated instruction that  
747 must include individualized, group, and online instructional  
748 components;

749 (vi) Capacity for assessing, recording, and  
750 responding to students' academic progress on a daily basis using  
751 standard assessments;

752 (vii) A detailed one-year budget;

753 (viii) A system of competency-based credit; and

754 (ix) A plan for aggregation and reporting of  
755 student performance data and reporting of financial activity.

756 (5) (a) The State Board of Education shall develop and  
757 implement an alternative student performance accountability method  
758 to evaluate the performance and effectiveness of pilot program  
759 school districts that solely provide dropout prevention services  
760 and dropout recovery programs to at-risk students who have dropped  
761 out of or are likely to drop out of their base high school. Data  
762 and student results collected and compiled from the pilot program  
763 districts shall inform the State Board of Education in developing  
764 an alternative accountability method to apply statewide and in  
765 evaluating the success of the pilot program as a whole.

766 (b) The alternative accountability method shall only  
767 measure academic growth of students who have been continuously  
768 enrolled for a period of one hundred twenty (120) days. Students  
769 shall be assessed by pre-testing and post-testing at the beginning  
770 and end of the one hundred twenty-day enrollment period to measure



771 student growth and shall apply beginning with the 2014-2015 school  
772 year.

773           **SECTION 5.** This act shall take effect and be in force from  
774 and after July 1, 2014.

