MISSISSIPPI LEGISLATURE
By: Representative Currie

REGULAR SESSION 2017
To: Education; Revenue and Expenditure General Bills

HOUSE BILL NO. 930

AN ACT TO CODIFY NEW SECTION 37-3-2.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OFFICE OF EDUCATOR STANDARDS AND LICENSURE WITHIN THE STATE DEPARTMENT OF EDUCATION; TO PROVIDE FOR THE APPOINTMENT OF THE DIRECTOR OF THE OFFICE OF EDUCATOR STANDARDS AND LICENSURE, WHO SHALL REPORT DIRECTLY TO THE STATE SUPERINTENDENT OF PUBLIC EDUCATION AND THE STATE BOARD OF EDUCATION; TO REQUIRE THE OFFICE TO ESTABLISH STANDARDS FOR EDUCATOR PREPARATION PROGRAMS AND FOR THE ISSUANCE AND RENEWAL OF EDUCATOR LICENSES; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT RELATING TO THE ISSUANCE OF EDUCATOR LICENSES IN ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE OFFICE OF EDUCATOR STANDARDS AND LICENSURE; TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. The following shall be codified as Section 37-3-2.1, Mississippi Code of 1972:

37-3-2.1. (1) The State Board of Education and State Superintendent of Public Education shall establish within the State Department of Education a special unit at the division level called the Office of Educator Standards and Licensure. The Director of the Office of Educator Standards and Licensure shall hold a position comparable to a deputy superintendent and shall be...
appointed by the State Board of Education with the advice and consent of the Senate. The director shall serve at the will and pleasure of the State Board of Education and may employ necessary professional, administrative and clerical staff. The Director of the Office of Educator Standards and Licensure shall provide all reports to the Legislature, Governor, Commission on School Accreditation and State Board of Education and respond to any inquiries for information.

(2) The Office of Educator Standards and Licensure is responsible for establishing and maintaining standards for the review and approval of all educator preparation programs, including public, nonpublic, nontraditional and out-of-state providers, as well as establishing and maintaining standards for educator license and renewal. The Office of Educator Standards and Licensure shall provide information, recommendations and an annual report to the Legislature and Governor.

(3) In addition, the Office of Educator Standards and Licensure shall have the following specific duties and responsibilities:

(a) Monitoring performance of educator preparation programs graduates based on established measures, as determined by the Office of Educator Standards and Licensure;

(b) Conducting systematic and consistent reviews to evaluate and approve all educator preparation programs based on standards and performance assessment of graduates and, when
indicated, withdrawing approval of programs that do not meet standards set by the Office of Educator Standards and Licensure or whose graduates do not perform according to criteria set by the Office of Educator Standards and Licensure;

(c) Establishing and developing guidelines for a purposeful internship experience for pre-service candidates through a seamless and effective system involving educator preparation programs, school district partners and classroom mentors;

(d) Ensuring a uniform and efficient process for issuing, renewing, revoking, suspending, or refusing to issue or renew educator licenses;

(e) Establishing and maintaining a consistent and transparent data dashboard that includes all aspects of educator preparation and licensure;

(f) Producing The Annual Review of Mississippi Educator Preparation Providers; and

(g) Approving reasonable fees for the issuance, reissuance and renewal of licenses, as recommended by the Director of the Office of Educator Standards and Licensure's fee-based operating budget.

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

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

(2) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each congressional district: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term
of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

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

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

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of * * * subsections (11), (12), (13), (14) and (15) * * * of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:
(a) **Recommend** standards and criteria **to** the **Office of Educator Standards and Licensure** for all educator preparation programs in the state;

(b) Recommend to the **Office of Educator Standards and Licensure** standards for initial teacher **licensure** in all fields;

(c) **Recommend** to the **Office of Educator Standards and Licensure** standards for the renewal of teacher licenses in all fields;

(d) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations **to the Office of Educator Standards and Licensure** for their use;

(e) Review all existing requirements for **licensure**;

(f) Prepare reports **to be submitted** to the **Office of Educator Standards and Licensure** from time to time on current practices and issues in the general area of teacher education and **licensure**;

(g) Set up ad hoc committees to advise on specific areas; and

(h) Perform such other functions as may fall within **the commission's general charge** **which may be**
delegated to them by the State Board of Education or Office of Educator Standards and Licensure.

(6) (a) **Standard License – Approved Program Route.** An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the **Office of Educator Standards and Licensure** shall be granted a standard five-year license by the State Department of Education.

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

Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the **Office of Educator Standards and Licensure** or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited
by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction.
and intervention and data-based decision-making principles as approved by the Office of Educator Standards and Licensure; (iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations; (iv) Any other document required by the Office of Educator Standards and Licensure; and (v) From and after September 30, 2015, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program:

1. Twenty-one (21) ACT equivalent or achieve the nationally recommended passing score on the Praxis Core Academic Skills for Educators examination; and

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

(b) **Standard License - Nontraditional Teaching Route.** From and after September 30, 2015, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria:
(i) Twenty-one (21) ACT equivalent or achieve the nationally recommended passing score on the Praxis Core Academic Skills for Educators examination; and

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

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

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

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

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

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

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

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

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

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

Implementation of the TMI program provided for under this
paragraph (b) shall be contingent upon the availability of funds
appropriated specifically for such purpose by the Legislature.
Such implementation of the TMI program may not be deemed to
prohibit the *** Office of Educator Standards and Licensure from
developing and implementing additional alternative route teacher
licensure programs, as deemed appropriate by the *** office.
The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

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

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

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

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

(f) **Special License - Transitional Bilingual Education.**
Beginning July 1, 2003, the **State Department of Education**
shall grant special licenses to teachers of transitional bilingual
education who possess such qualifications as are prescribed in
this section. Teachers of transitional bilingual education shall
be compensated by local school boards at not less than one (1)
step on the regular salary schedule applicable to permanent
teachers licensed under this section. The **department** shall
grant special licenses to teachers of transitional bilingual
education who present the **department** with satisfactory
evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the **Office of Educator Standards and Licensure**; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

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

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

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

(a) **Administrator License - Nonpracticing.** Those
educators holding administrative endorsement but having no
administrative experience or not serving in an administrative

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

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

The Office of Educator Standards and Licensure may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the Office of Educator Standards and Licensure. All applicants for school administrator licensure shall meet all requirements prescribed by the Office of Educator Standards and Licensure under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. (a) The department shall grant a standard license to any individual who possesses a valid standard license from another state and meets minimum Mississippi license requirements or equivalent requirements established by the Office of Educator Standards and Licensure. The
issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

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

(9) Renewal and Reinstatement of Licenses. The * * * Office of Educator Standards and Licensure is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree.
(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission or its subcommittee shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the committee or its subcommittee. An appeal to the State Board of Education shall be on the record previously made before the commission or its subcommittee unless otherwise provided by rules and regulations adopted by the board. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the committee or its subcommittee. The decision of the State Board of Education shall be final.

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

(a) Lack of qualifications which are prescribed by law or regulations adopted by the * * * Office of Educator Standards and Licensure;
(b) The applicant has a physical, emotional or mental
disability that renders the applicant unfit to perform the duties
authorized by the license, as certified by a licensed psychologist
or psychiatrist;

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

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

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

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

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

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

(i) Probation or post-release supervision for a felony or sex offense conviction, as defined by federal or state law, shall result in the immediate denial of licensure application until expiration of the probationary or post-release supervision period.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, censure, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

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

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

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

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

(e) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense, as defined by federal or state law, shall result in immediate suspension or revocation;

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

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

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

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

(j) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24;
(k) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(l) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(m) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

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

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

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

(14) (a) A person whose license has been revoked or
surrendered on any grounds except criminal grounds may petition
for reinstatement of the license after one (1) year from the date
of revocation or surrender, or after one-half (1/2) of the revoked
or surrendered time has lapsed, whichever is greater. A person
whose license has been suspended on any grounds or violations
under subsection (12) of this section may be reinstated
automatically or approved for a reinstatement hearing, upon
submission of a written request to the commission. A license
suspended, revoked or surrendered on criminal grounds may be
reinstated upon petition to the commission filed after expiration
of the sentence and parole or probationary period imposed upon
conviction. A revoked, suspended or surrendered license may be
reinstated upon satisfactory showing of evidence of
rehabilitation. The commission shall require all who petition for
reinstatement to furnish evidence satisfactory to the commission
of good character, good mental, emotional and physical health and
such other evidence as the commission may deem necessary to
establish the petitioner's rehabilitation and fitness to perform
the duties authorized by the license.

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

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the **Office of Educator Standards and Licensure**, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other
matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars ($200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

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

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

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

SECTION 3. Section 37-3-89, Mississippi Code of 1972, is
amended as follows:

37-3-89. The State Board of Education, acting through
the * * * Office of Educator Standards and Licensure, shall
require each educator preparation program in the state, as a
condition for approval, to include a course or courses on school
discipline or classroom management as a required part of the
teacher education program. All school discipline or classroom
management courses offered by a teacher education program shall be approved by the Office of Educator Standards and Licensure.

SECTION 4. This act shall take effect and be in force from and after July 1, 2017.