

By: Senator(s) Hill

To: Education

SENATE BILL NO. 2208

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 PRESCRIBE ALTERNATIVE QUALIFICATIONS FOR LOCAL SCHOOL
3 SUPERINTENDENT LICENSURE UNDER THE NONTRADITIONAL ROUTE AND BY
4 RECIPROCITY; AND FOR RELATED PURPOSES.

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

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

8 37-3-2. (1) There is established within the State
9 Department of Education the Commission on Teacher and
10 Administrator Education, Certification and Licensure and
11 Development. It shall be the purpose and duty of the commission
12 to make recommendations to the State Board of Education regarding
13 standards for the certification and licensure and continuing
14 professional development of those who teach or perform tasks of an
15 educational nature in the public schools of Mississippi.

16 (2) The commission shall be composed of fifteen (15)
17 qualified members. The membership of the commission shall be
18 composed of the following members to be appointed, three (3) from
19 each congressional district: four (4) classroom teachers; three



20 (3) school administrators; one (1) representative of schools of
21 education of institutions of higher learning located within the
22 state to be recommended by the Board of Trustees of State
23 Institutions of Higher Learning; one (1) representative from the
24 schools of education of independent institutions of higher
25 learning to be recommended by the Board of the Mississippi
26 Association of Independent Colleges; one (1) representative from
27 public community and junior colleges located within the state to
28 be recommended by the Mississippi Community College Board; one (1)
29 local school board member; and four (4) laypersons. All
30 appointments shall be made by the State Board of Education after
31 consultation with the State Superintendent of Public Education.
32 The first appointments by the State Board of Education shall be
33 made as follows: five (5) members shall be appointed for a term
34 of one (1) year; five (5) members shall be appointed for a term of
35 two (2) years; and five (5) members shall be appointed for a term
36 of three (3) years. Thereafter, all members shall be appointed
37 for a term of four (4) years.

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



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

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

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

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

61 (b) Recommend to the State Board of Education each year
62 approval or disapproval of each educator preparation program in
63 the state, subject to a process and schedule determined by the
64 State Board of Education;

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



68 (d) Establish, subject to the approval of the State
69 Board of Education, standards for the renewal of teacher licenses
70 in all fields;

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

74 (f) Review all existing requirements for certification
75 and licensure;

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

78 (h) Prepare reports from time to time on current
79 practices and issues in the general area of teacher education and
80 certification and licensure;

81 (i) Hold hearings concerning standards for teachers'
82 and administrators' education and certification and licensure with
83 approval of the State Board of Education;

84 (j) Hire expert consultants with approval of the State
85 Board of Education;

86 (k) Set up ad hoc committees to advise on specific
87 areas; and

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

91 (6) (a) **Standard License - Approved Program Route.** An
92 educator entering the school system of Mississippi for the first



93 time and meeting all requirements as established by the State
94 Board of Education shall be granted a standard five-year license.
95 Persons who possess two (2) years of classroom experience as an
96 assistant teacher or who have taught for one (1) year in an
97 accredited public or private school shall be allowed to fulfill
98 student teaching requirements under the supervision of a qualified
99 participating teacher approved by an accredited college of
100 education. The local school district in which the assistant
101 teacher is employed shall compensate such assistant teachers at
102 the required salary level during the period of time such
103 individual is completing student teaching requirements.
104 Applicants for a standard license shall submit to the department:
105 (i) An application on a department form;
106 (ii) An official transcript of completion of a
107 teacher education program approved by the department or a
108 nationally accredited program, subject to the following:
109 Licensure to teach in Mississippi prekindergarten through
110 kindergarten classrooms shall require completion of a teacher
111 education program or a Bachelor of Science degree with child
112 development emphasis from a program accredited by the American
113 Association of Family and Consumer Sciences (AAFCS) or by the
114 National Association for Education of Young Children (NAEYC) or by
115 the National Council for Accreditation of Teacher Education
116 (NCATE). Licensure to teach in Mississippi kindergarten, for
117 those applicants who have completed a teacher education program,



118 and in Grade 1 through Grade 4 shall require the completion of an
119 interdisciplinary program of studies. Licenses for Grades 4
120 through 8 shall require the completion of an interdisciplinary
121 program of studies with two (2) or more areas of concentration.
122 Licensure to teach in Mississippi Grades 7 through 12 shall
123 require a major in an academic field other than education, or a
124 combination of disciplines other than education. Students
125 preparing to teach a subject shall complete a major in the
126 respective subject discipline. All applicants for standard
127 licensure shall demonstrate that such person's college preparation
128 in those fields was in accordance with the standards set forth by
129 the National Council for Accreditation of Teacher Education
130 (NCATE) or the National Association of State Directors of Teacher
131 Education and Certification (NASDTEC) or, for those applicants who
132 have a Bachelor of Science degree with child development emphasis,
133 the American Association of Family and Consumer Sciences (AAFCS).
134 Effective July 1, 2016, for initial elementary education
135 licensure, a teacher candidate must earn a passing score on a
136 rigorous test of scientifically research-based reading instruction
137 and intervention and data-based decision-making principles as
138 approved by the State Board of Education;

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



143 (iv) Any other document required by the State
144 Board of Education; and

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

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

152 2. No less than 2.75 GPA on pre-major
153 coursework of the institution's approved teacher education program
154 provided that the accepted cohort of candidates meets or exceeds a
155 3.0 GPA on pre-major coursework.

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

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

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

163 (ii) No less than 2.75 GPA on content coursework
164 in the requested area of certification or passing Praxis II scores
165 at or above the national recommended score provided that the
166 accepted cohort of candidates of the institution's teacher



167 education program meets or exceeds a 3.0 GPA on pre-major
168 coursework.

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

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



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

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

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

211 (iv) During the semester of internship in the
212 school district, the teacher preparation institution shall monitor
213 the performance of the intern teacher. The school district that
214 employs the provisional teacher shall supervise the provisional
215 teacher during the teacher's intern year of employment under a



216 nontraditional provisional license, and shall, in consultation
217 with the teacher intern's mentor at the school district of
218 employment, submit to the commission a comprehensive evaluation of
219 the teacher's performance sixty (60) days prior to the expiration
220 of the nontraditional provisional license. If the comprehensive
221 evaluation establishes that the provisional teacher intern's
222 performance fails to meet the standards of the approved
223 nontraditional teacher preparation internship program, the
224 individual shall not be approved for a standard license.

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

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



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

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

252 Implementation of the TMI program provided for under this
253 paragraph (b) shall be contingent upon the availability of funds
254 appropriated specifically for such purpose by the Legislature.
255 Such implementation of the TMI program may not be deemed to
256 prohibit the State Board of Education from developing and
257 implementing additional alternative route teacher licensure
258 programs, as deemed appropriate by the board. The emergency
259 certification program in effect prior to July 1, 2002, shall
260 remain in effect.

261 A Standard License - Approved Program Route shall be issued
262 for a five-year period, and may be renewed. Recognizing teaching
263 as a profession, a hiring preference shall be granted to persons
264 holding a Standard License - Approved Program Route or Standard



265 License - Nontraditional Teaching Route over persons holding any
266 other license.

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

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

286 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
287 person may teach for a maximum of three (3) periods per teaching
288 day in a public school district or a nonpublic school
289 accredited/approved by the state. Such person shall submit to the



290 department a transcript or record of his education and experience
291 which substantiates his preparation for the subject to be taught
292 and shall meet other qualifications specified by the commission
293 and approved by the State Board of Education. In no case shall
294 any local school board hire nonlicensed personnel as authorized
295 under this paragraph in excess of five percent (5%) of the total
296 number of licensed personnel in any single school.

297 (f) **Special License - Transitional Bilingual Education.**

298 Beginning July 1, 2003, the commission shall grant special
299 licenses to teachers of transitional bilingual education who
300 possess such qualifications as are prescribed in this section.
301 Teachers of transitional bilingual education shall be compensated
302 by local school boards at not less than one (1) step on the
303 regular salary schedule applicable to permanent teachers licensed
304 under this section. The commission shall grant special licenses
305 to teachers of transitional bilingual education who present the
306 commission with satisfactory evidence that they (i) possess a
307 speaking and reading ability in a language, other than English, in
308 which bilingual education is offered and communicative skills in
309 English; (ii) are in good health and sound moral character; (iii)
310 possess a bachelor's degree or an associate's degree in teacher
311 education from an accredited institution of higher education; (iv)
312 meet such requirements as to courses of study, semester hours
313 therein, experience and training as may be required by the
314 commission; and (v) are legally present in the United States and



315 possess legal authorization for employment. A teacher of
316 transitional bilingual education serving under a special license
317 shall be under an exemption from standard licensure if he achieves
318 the requisite qualifications therefor. Two (2) years of service
319 by a teacher of transitional bilingual education under such an
320 exemption shall be credited to the teacher in acquiring a Standard
321 Educator License. Nothing in this paragraph shall be deemed to
322 prohibit a local school board from employing a teacher licensed in
323 an appropriate field as approved by the State Department of
324 Education to teach in a program in transitional bilingual
325 education.

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

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

337 (7) **Administrator License.** The State Board of Education is
338 authorized to establish rules and regulations and to administer
339 the licensure process of the school administrators in the State of



340 Mississippi. There will be four (4) categories of administrator
341 licensure with exceptions only through special approval of the
342 State Board of Education.

343 (a) **Administrator License - Nonpracticing.** Those
344 educators holding administrative endorsement but having no
345 administrative experience or not serving in an administrative
346 position on January 15, 1997.

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

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

355 (d) **Administrator License - Nontraditional Route.** The
356 board may establish a nontraditional route for licensing
357 administrative personnel. Such nontraditional route for
358 administrative licensure shall be available for persons holding,
359 but not limited to, (i) a master of business administration
360 degree, a master of public administration degree, a master of
361 public planning and policy degree or a doctor of jurisprudence
362 degree from an accredited college or university, with five (5)
363 years of administrative or supervisory experience, or (ii) a
364 master's degree in any subject area from an accredited college or



365 university, with ten (10) years of administrative, senior
366 management or supervisory experience. Successful completion of
367 the requirements of alternate route licensure for administrators
368 shall qualify the person for a standard administrator license.

369 Individuals seeking school administrator licensure under
370 paragraph (b), (c) or (d) shall successfully complete a training
371 program and an assessment process prescribed by the State Board of
372 Education. All applicants for school administrator licensure
373 shall meet all requirements prescribed by the department under
374 paragraph (b), (c) or (d), and the cost of the assessment process
375 required shall be paid by the applicant.

376 (8) **Reciprocity.** (a) The department shall grant a standard
377 license to any individual who possesses a valid standard license
378 from another state and meets minimum Mississippi license
379 requirements or equivalent requirements as determined by the State
380 Board of Education. The department shall grant a license to
381 Mississippi Community or State Institutions of Higher Learning
382 administrators with at least five (5) years of administrative
383 experience. The issuance of a license by reciprocity to a
384 military-trained applicant or military spouse shall be subject to
385 the provisions of Section 73-50-1.

386 (b) The department shall grant a nonrenewable special
387 license to any individual who possesses a credential which is less
388 than a standard license or certification from another state. Such
389 special license shall be valid for the current school year plus



390 one (1) additional school year to expire on June 30 of the second
391 year, not to exceed a total period of twenty-four (24) months,
392 during which time the applicant shall be required to complete the
393 requirements for a standard license in Mississippi.

394 (9) **Renewal and Reinstatement of Licenses.** The State Board
395 of Education is authorized to establish rules and regulations for
396 the renewal and reinstatement of educator and administrator
397 licenses. Effective May 15, 1997, the valid standard license held
398 by an educator shall be extended five (5) years beyond the
399 expiration date of the license in order to afford the educator
400 adequate time to fulfill new renewal requirements established
401 pursuant to this subsection. An educator completing a master of
402 education, educational specialist or doctor of education degree in
403 May 1997 for the purpose of upgrading the educator's license to a
404 higher class shall be given this extension of five (5) years plus
405 five (5) additional years for completion of a higher degree.

406 (10) All controversies involving the issuance, revocation,
407 suspension or any change whatsoever in the licensure of an
408 educator required to hold a license shall be initially heard in a
409 hearing de novo, by the commission or by a subcommittee
410 established by the commission and composed of commission members
411 for the purpose of holding hearings. Any complaint seeking the
412 denial of issuance, revocation or suspension of a license shall be
413 by sworn affidavit filed with the Commission on Teacher and
414 Administrator Education, Certification and Licensure and



415 Development. The decision thereon by the commission or its
416 subcommittee shall be final, unless the aggrieved party shall
417 appeal to the State Board of Education, within ten (10) days, of
418 the decision of the committee or its subcommittee. An appeal to
419 the State Board of Education shall be on the record previously
420 made before the commission or its subcommittee unless otherwise
421 provided by rules and regulations adopted by the board. The State
422 Board of Education in its authority may reverse, or remand with
423 instructions, the decision of the committee or its subcommittee.
424 The decision of the State Board of Education shall be final.

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

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

430 (b) The applicant has a physical, emotional or mental
431 disability that renders the applicant unfit to perform the duties
432 authorized by the license, as certified by a licensed psychologist
433 or psychiatrist;

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



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

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

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

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

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

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

462 (12) The State Board of Education, acting through the
463 commission, may revoke, suspend or refuse to renew any teacher or



464 administrator license for specified periods of time or may place
465 on probation, censure, reprimand a licensee, or take other
466 disciplinary action with regard to any license issued under this
467 chapter for one or more of the following:

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

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

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

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

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



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

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

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

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

502 (j) The license holder has failed to report sexual
503 involvement of a school employee with a student as required by
504 Section 97-5-24;

505 (k) The license holder served as superintendent or
506 principal in a school district during the time preceding and/or
507 that resulted in the Governor declaring a state of emergency and
508 the State Board of Education appointing a conservator;

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



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

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

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

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

532 (14) (a) A person whose license has been revoked or
533 surrendered on any grounds except criminal grounds may petition
534 for reinstatement of the license after one (1) year from the date
535 of revocation or surrender, or after one-half (1/2) of the revoked
536 or surrendered time has lapsed, whichever is greater. A person
537 whose license has been suspended on any grounds or violations



538 under subsection (12) of this section may be reinstated
539 automatically or approved for a reinstatement hearing, upon
540 submission of a written request to the commission. A license
541 suspended, revoked or surrendered on criminal grounds may be
542 reinstated upon petition to the commission filed after expiration
543 of the sentence and parole or probationary period imposed upon
544 conviction. A revoked, suspended or surrendered license may be
545 reinstated upon satisfactory showing of evidence of
546 rehabilitation. The commission shall require all who petition for
547 reinstatement to furnish evidence satisfactory to the commission
548 of good character, good mental, emotional and physical health and
549 such other evidence as the commission may deem necessary to
550 establish the petitioner's rehabilitation and fitness to perform
551 the duties authorized by the license.

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

556 (15) Reporting procedures and hearing procedures for dealing
557 with infractions under this section shall be promulgated by the
558 commission, subject to the approval of the State Board of
559 Education. The revocation or suspension of a license shall be
560 effected at the time indicated on the notice of suspension or
561 revocation. The commission shall immediately notify the
562 superintendent of the school district or school board where the



563 teacher or administrator is employed of any disciplinary action
564 and also notify the teacher or administrator of such revocation or
565 suspension and shall maintain records of action taken. The State
566 Board of Education may reverse or remand with instructions any
567 decision of the commission regarding a petition for reinstatement
568 of a license, and any such decision of the State Board of
569 Education shall be final.

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



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

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

599 (19) In addition to the reasons specified in subsections
600 (12) and (13) of this section, the board shall be authorized to
601 suspend the license of any licensee for being out of compliance
602 with an order for support, as defined in Section 93-11-153. The
603 procedure for suspension of a license for being out of compliance
604 with an order for support, and the procedure for the reissuance or
605 reinstatement of a license suspended for that purpose, and the
606 payment of any fees for the reissuance or reinstatement of a
607 license suspended for that purpose, shall be governed by Section
608 93-11-157 or 93-11-163, as the case may be. Actions taken by the
609 board in suspending a license when required by Section 93-11-157
610 or 93-11-163 are not actions from which an appeal may be taken
611 under this section. Any appeal of a license suspension that is



612 required by Section 93-11-157 or 93-11-163 shall be taken in
613 accordance with the appeal procedure specified in Section
614 93-11-157 or 93-11-163, as the case may be, rather than the
615 procedure specified in this section. If there is any conflict
616 between any provision of Section 93-11-157 or 93-11-163 and any
617 provision of this chapter, the provisions of Section 93-11-157 or
618 93-11-163, as the case may be, shall control.

619 **SECTION 2.** This act shall take effect and be in force from
620 and after July 1, 2017.

