

By: Representative Miles

To: Education;
Appropriations

HOUSE BILL NO. 22

1 AN ACT TO ESTABLISH THE MISSISSIPPI ENGLISH LANGUAGE LEARNERS
2 SCHOLARSHIP PROGRAM FOR THE PURPOSE OF RECRUITING AND EDUCATING
3 CERTAIN QUALIFIED PERSONS TO TEACH IN AN AREA OF CRITICAL NEED IN
4 THIS STATE WITH A BROADENING STUDENT POPULATION OF ENGLISH
5 LANGUAGE LEARNERS; TO RESTRICT THE RECEIPT OF SCHOLARSHIPS UNDER
6 THE PROGRAM TO RESIDENT HISPANIC OR LATINO STUDENTS ENROLLED IN OR
7 WHO HAVE BEEN ACCEPTED FOR ENROLLMENT INTO A BACHELOR'S OR
8 MASTER'S DEGREE PROGRAM OF STUDY FOR ELEMENTARY, SECONDARY OR
9 SPECIAL EDUCATION; TO PROVIDE THAT THE ANNUAL AMOUNT OF THE
10 SCHOLARSHIP AWARD SHALL BE EQUAL TO THE TOTAL COST FOR TUITION; TO
11 ESTABLISH THE TERMS OF SERVICE FOR THOSE PERSONS WHO RECEIVE A
12 SCHOLARSHIP UNDER THE PROGRAM; TO STIPULATE THE PROCESS FOR
13 REPAYMENT OF ANY AWARD AMOUNTS FOR FAILING TO COMPLETE THE PROGRAM
14 OF STUDY OR THE REQUIRED NUMBER OF YEARS OF SERVICE AS REQUIRED BY
15 RECEIPT OF A SCHOLARSHIP; TO LIMIT THE NUMBER OF STUDENTS ADMITTED
16 INTO A BACHELOR'S OR MASTER'S DEGREE PROGRAM OF STUDY FOR
17 ELEMENTARY, SECONDARY OR SPECIAL EDUCATION ELIGIBLE FOR RECEIPT OF
18 A SCHOLARSHIP UNDER THE PROGRAM TO TEN PER STUDENT COHORT; TO
19 PROVIDE THAT THE MISSISSIPPI ENGLISH LANGUAGE LEARNERS SCHOLARSHIP
20 PROGRAM SHALL BE ADMINISTERED IN THE SAME MANNER AND INCORPORATED
21 INTO THE CRITICAL NEEDS TEACHER SCHOLARSHIP PROGRAM; TO AMEND
22 SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO EXEMPT RECIPIENTS OF
23 A MISSISSIPPI ENGLISH LANGUAGE LEARNERS SCHOLARSHIP FROM THE
24 TEACHER CANDIDATE MINIMUM ACADEMIC REQUIREMENTS IN AN APPROVED
25 TEACHER EDUCATION PROGRAM FOR LICENSURE ELIGIBILITY; AND FOR
26 RELATED PURPOSES.

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

28 **SECTION 1.** (1) There is established the Mississippi English
29 Language Learners Scholarship Program for the purpose of
30 identifying and recruiting qualified university and college



31 students from the state for schooling in education with a focus on
32 providing instruction to the state's broadening student base of
33 English Language Learners.

34 (2) The receipt of a scholarship under the program shall be
35 solely limited to those students resident to the State of
36 Mississippi who are of the Hispanic or Latino ethnic origin and
37 who are enrolled in or who have been accepted for enrollment into
38 a bachelor's or master's degree program of study for elementary,
39 secondary or special education at any public or private
40 institution of higher learning within the State of Mississippi at
41 the time an application for scholarship is filed with the Board of
42 Trustees of State Institutions of Higher Learning.

43 (3) The annual amount of the scholarship award shall be
44 equal to the total cost for tuition, materials and fees at the
45 college or university in which the student is enrolled.

46 (4) Upon completion of the bachelor's or master's program
47 and licensure requirements under Section 37-3-2, if the
48 scholarship recipient has not been previously licensed by the
49 State Department of Education, shall render service as a licensed
50 teacher in a public school district in the state considered an
51 area of critical need based on the population of and student
52 enrollment of English Language Learners throughout the state as
53 determined by the State Department of Education. Any person who
54 received two (2) annual awards, or who received fewer than two (2)
55 annual awards, or the equivalent of two (2) annual awards, shall



56 render five (5) years of services as a licensed teacher in an area
57 of the state determined to be an area of critical need.

58 (5) (a) Any person failing to complete a program of study
59 which will enable that person to obtain a bachelor's or master's
60 degree in elementary, secondary or special education shall become
61 liable immediately to the Board of Trustees of State Institutions
62 of Higher Learning for the sum of all English Language Learners
63 Scholarship awards made to the person, plus interest accruing at
64 the current Stafford Loan rate at the time the person abrogates
65 his or her participation in the program.

66 (b) Any person failing to complete his or her teaching
67 obligation, as required under subsection (4) of this section,
68 shall become liable immediately to the board for the sum of all
69 scholarship awards made to the person less the corresponding
70 amount of any awards for which service has been rendered, plus
71 interest accruing at the current Stafford Loan rate at the time
72 the person discontinues his or her service.

73 (6) The Board of Trustees of State Institutions of Higher
74 Learning shall prepare and submit a report to the Legislature by
75 January 1, 2021, outlining in detail the number of participants
76 who have received scholarship funds under the program, the record
77 of service provided by those recipients as they transition out of
78 the degree program into the public school districts of this state
79 deemed an area of critical need as described in this section, and
80 the projection for expanding the program to include more



81 participants annually as determined by the need for such qualified
82 professionals in the public school setting. Additionally, the
83 report shall include a summary of allocations and expenditures for
84 the administration of the program and the total amount of funds
85 issued to recipients of scholarships from the inception of the
86 program until such time as the report has been prepared and
87 submitted to the Legislature.

88 **SECTION 2.** (1) The Mississippi English Language Learners
89 Scholarship Program shall be administered in the same manner as
90 the Critical Needs Teacher Scholarship Program, pursuant to
91 Section 37-159-3, and shall be incorporated into the Critical
92 Needs Teacher Scholarship Program for all purposes.

93 (2) Funding for the establishment and continued operation of
94 the Mississippi English Language Learners Scholarship Program
95 shall be administered by the Board of Trustees of State
96 Institutions of Higher Learning through a special fund established
97 within the Critical Needs Teacher Scholarship Program. The board
98 may accept and receive monetary gifts and donations from any
99 source, public or private, which such funds shall be deposited in
100 the special fund for the benefit of the English Language Learners
101 Scholarship Program with the Critical Needs Teacher Scholarship
102 Program.

103 (3) No more than ten (10) students per cohort shall be
104 selected annually to be admitted into the program for receipt of
105 scholarship funds beginning with the 2019-2020 academic year.



106 However, scholarships awarded under the program shall be provided
107 only to students who have been accepted into a bachelor's or
108 master's level program in elementary, secondary or special
109 education program approved by the State Department of Education
110 that provides instructional training as required under Section 1
111 of this act, in preparation of those cohort students for AA
112 licensure by the department.

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

115 37-3-2. (1) There is established within the State
116 Department of Education the Commission on Teacher and
117 Administrator Education, Certification and Licensure and
118 Development. It shall be the purpose and duty of the commission
119 to make recommendations to the State Board of Education regarding
120 standards for the certification and licensure and continuing
121 professional development of those who teach or perform tasks of an
122 educational nature in the public schools of Mississippi.

123 (2) The commission shall be composed of fifteen (15)
124 qualified members. The membership of the commission shall be
125 composed of the following members to be appointed, three (3) from
126 each congressional district: four (4) classroom teachers; three
127 (3) school administrators; one (1) representative of schools of
128 education of institutions of higher learning located within the
129 state to be recommended by the Board of Trustees of State
130 Institutions of Higher Learning; one (1) representative from the



131 schools of education of independent institutions of higher
132 learning to be recommended by the Board of the Mississippi
133 Association of Independent Colleges; one (1) representative from
134 public community and junior colleges located within the state to
135 be recommended by the Mississippi Community College Board; one (1)
136 local school board member; and four (4) laypersons. All
137 appointments shall be made by the State Board of Education after
138 consultation with the State Superintendent of Public Education.
139 The first appointments by the State Board of Education shall be
140 made as follows: five (5) members shall be appointed for a term
141 of one (1) year; five (5) members shall be appointed for a term of
142 two (2) years; and five (5) members shall be appointed for a term
143 of three (3) years. Thereafter, all members shall be appointed
144 for a term of four (4) years.

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

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



156 shall be designated and assigned by the State Superintendent of
157 Public Education to serve on the staff of the commission.

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

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

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

168 (b) Recommend to the State Board of Education each year
169 approval or disapproval of each educator preparation program in
170 the state, subject to a process and schedule determined by the
171 State Board of Education;

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

175 (d) Establish, subject to the approval of the State
176 Board of Education, standards for the renewal of teacher licenses
177 in all fields;

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



181 (f) Review all existing requirements for certification
182 and licensure;

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

185 (h) Prepare reports from time to time on current
186 practices and issues in the general area of teacher education and
187 certification and licensure;

188 (i) Hold hearings concerning standards for teachers'
189 and administrators' education and certification and licensure with
190 approval of the State Board of Education;

191 (j) Hire expert consultants with approval of the State
192 Board of Education;

193 (k) Set up ad hoc committees to advise on specific
194 areas; and

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

198 (6) (a) **Standard License - Approved Program Route.** An
199 educator entering the school system of Mississippi for the first
200 time and meeting all requirements as established by the State
201 Board of Education shall be granted a standard five-year license.
202 Persons who possess two (2) years of classroom experience as an
203 assistant teacher or who have taught for one (1) year in an
204 accredited public or private school shall be allowed to fulfill
205 student teaching requirements under the supervision of a qualified



206 participating teacher approved by an accredited college of
207 education. The local school district in which the assistant
208 teacher is employed shall compensate such assistant teachers at
209 the required salary level during the period of time such
210 individual is completing student teaching requirements.
211 Applicants for a standard license shall submit to the department:
212 (i) An application on a department form;
213 (ii) An official transcript of completion of a
214 teacher education program approved by the department or a
215 nationally accredited program, subject to the following:
216 Licensure to teach in Mississippi prekindergarten through
217 kindergarten classrooms shall require completion of a teacher
218 education program or a Bachelor of Science degree with child
219 development emphasis from a program accredited by the American
220 Association of Family and Consumer Sciences (AAFCS) or by the
221 National Association for Education of Young Children (NAEYC) or by
222 the National Council for Accreditation of Teacher Education
223 (NCATE). Licensure to teach in Mississippi kindergarten, for
224 those applicants who have completed a teacher education program,
225 and in Grade 1 through Grade 4 shall require the completion of an
226 interdisciplinary program of studies. Licenses for Grades 4
227 through 8 shall require the completion of an interdisciplinary
228 program of studies with two (2) or more areas of concentration.
229 Licensure to teach in Mississippi Grades 7 through 12 shall
230 require a major in an academic field other than education, or a



231 combination of disciplines other than education. Students
232 preparing to teach a subject shall complete a major in the
233 respective subject discipline. All applicants for standard
234 licensure shall demonstrate that such person's college preparation
235 in those fields was in accordance with the standards set forth by
236 the National Council for Accreditation of Teacher Education
237 (NCATE) or the National Association of State Directors of Teacher
238 Education and Certification (NASDTEC) or, for those applicants who
239 have a Bachelor of Science degree with child development emphasis,
240 the American Association of Family and Consumer Sciences (AAFCS).
241 Effective July 1, 2016, for initial elementary education
242 licensure, a teacher candidate must earn a passing score on a
243 rigorous test of scientifically research-based reading instruction
244 and intervention and data-based decision-making principles as
245 approved by the State Board of Education;

246 (iii) A copy of test scores evidencing
247 satisfactory completion of nationally administered examinations of
248 achievement, such as the Educational Testing Service's teacher
249 testing examinations;

250 (iv) Any other document required by the State
251 Board of Education; and

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



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

259 2. No less than 2.75 GPA on pre-major
260 coursework of the institution's approved teacher education program
261 provided that the accepted cohort of candidates meets or exceeds a
262 3.0 GPA on pre-major coursework.

263 The provisions of this subparagraph (v) shall not apply to
264 any student qualifying for a scholarship under the Mississippi
265 English Language Learners Scholarship Program established under
266 Sections 1 and 2 of this act.

267 (b) (i) **Standard License - Nontraditional Teaching**
268 **Route.** From and after September 30, 2015, no teacher candidate
269 shall be licensed to teach in Mississippi under the alternate
270 route who did not meet the following criteria:

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

274 * * * 2. No less than 2.75 GPA on content
275 coursework in the requested area of certification or passing
276 Praxis II scores at or above the national recommended score
277 provided that the accepted cohort of candidates of the
278 institution's teacher education program meets or exceeds a 3.0 GPA
279 on pre-major coursework.



280 (ii) Beginning January 1, 2004, an individual who
281 has a passing score on the Praxis I Basic Skills and Praxis II
282 Specialty Area Test in the requested area of endorsement may apply
283 for the Teach Mississippi Institute (TMI) program to teach
284 students in Grades 7 through 12 if the individual meets the
285 requirements of this paragraph (b). The State Board of Education
286 shall adopt rules requiring that teacher preparation institutions
287 which provide the Teach Mississippi Institute (TMI) program for
288 the preparation of nontraditional teachers shall meet the
289 standards and comply with the provisions of this paragraph * * *,
290 as follows:

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



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

316 * * * 3. Upon completion of the
317 nine-semester-hour TMI or the fall or spring semester option, the
318 individual shall submit his transcript to the commission for
319 provisional licensure of the intern teacher, and the intern
320 teacher shall be issued a provisional teaching license by the
321 commission, which will allow the individual to legally serve as a
322 teacher while the person completes a nontraditional teacher
323 preparation internship program.

324 * * * 4. During the semester of internship in the
325 school district, the teacher preparation institution shall monitor
326 the performance of the intern teacher. The school district that
327 employs the provisional teacher shall supervise the provisional
328 teacher during the teacher's intern year of employment under a
329 nontraditional provisional license, and shall, in consultation



330 with the teacher intern's mentor at the school district of
331 employment, submit to the commission a comprehensive evaluation of
332 the teacher's performance sixty (60) days prior to the expiration
333 of the nontraditional provisional license. If the comprehensive
334 evaluation establishes that the provisional teacher intern's
335 performance fails to meet the standards of the approved
336 nontraditional teacher preparation internship program, the
337 individual shall not be approved for a standard license.

338 * * * 5. An individual issued a provisional
339 teaching license under this nontraditional route shall
340 successfully complete, at a minimum, a one-year beginning teacher
341 mentoring and induction program administered by the employing
342 school district with the assistance of the State Department of
343 Education.

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



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

359 * * * 8. The local school district in which the
360 nontraditional teacher intern or provisional licensee is employed
361 shall compensate such teacher interns at Step 1 of the required
362 salary level during the period of time such individual is
363 completing teacher internship requirements and shall compensate
364 such Standard License - Nontraditional Route teachers at Step 3 of
365 the required salary level when they complete license requirements.

366 (iii) Implementation of the TMI program provided
367 for under this paragraph (b) shall be contingent upon the
368 availability of funds appropriated specifically for such purpose
369 by the Legislature. Such implementation of the TMI program may
370 not be deemed to prohibit the State Board of Education from
371 developing and implementing additional alternative route teacher
372 licensure programs, as deemed appropriate by the board. The
373 emergency certification program in effect prior to July 1, 2002,
374 shall remain in effect.

375 (iv) A Standard License - Approved Program Route
376 shall be issued for a five-year period, and may be renewed.
377 Recognizing teaching as a profession, a hiring preference shall be
378 granted to persons holding a Standard License - Approved Program



379 Route or Standard License - Nontraditional Teaching Route over
380 persons holding any other license.

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

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

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



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

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

412 Beginning July 1, 2003, the commission shall grant special
413 licenses to teachers of transitional bilingual education who
414 possess such qualifications as are prescribed in this section.
415 Teachers of transitional bilingual education shall be compensated
416 by local school boards at not less than one (1) step on the
417 regular salary schedule applicable to permanent teachers licensed
418 under this section. The commission shall grant special licenses
419 to teachers of transitional bilingual education who present the
420 commission with satisfactory evidence that they (i) possess a
421 speaking and reading ability in a language, other than English, in
422 which bilingual education is offered and communicative skills in
423 English; (ii) are in good health and sound moral character; (iii)
424 possess a bachelor's degree or an associate's degree in teacher
425 education from an accredited institution of higher education; (iv)
426 meet such requirements as to courses of study, semester hours
427 therein, experience and training as may be required by the
428 commission; and (v) are legally present in the United States and



429 possess legal authorization for employment. A teacher of
430 transitional bilingual education serving under a special license
431 shall be under an exemption from standard licensure if he achieves
432 the requisite qualifications therefor. Two (2) years of service
433 by a teacher of transitional bilingual education under such an
434 exemption shall be credited to the teacher in acquiring a Standard
435 Educator License. Nothing in this paragraph shall be deemed to
436 prohibit a local school board from employing a teacher licensed in
437 an appropriate field as approved by the State Department of
438 Education to teach in a program in transitional bilingual
439 education.

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

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

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



454 Mississippi. There will be four (4) categories of administrator
455 licensure with exceptions only through special approval of the
456 State Board of Education.

457 (a) **Administrator License - Nonpracticing.** Those
458 educators holding administrative endorsement but having no
459 administrative experience or not serving in an administrative
460 position on January 15, 1997.

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

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

469 (d) **Administrator License - Nontraditional Route.** The
470 board may establish a nontraditional route for licensing
471 administrative personnel. Such nontraditional route for
472 administrative licensure shall be available for persons holding,
473 but not limited to, a master of business administration degree, a
474 master of public administration degree, a master of public
475 planning and policy degree or a doctor of jurisprudence degree
476 from an accredited college or university, with five (5) years of
477 administrative or supervisory experience. Successful completion
478 of the requirements of alternate route licensure for



479 administrators shall qualify the person for a standard
480 administrator license.

481 Individuals seeking school administrator licensure under
482 paragraph (b), (c) or (d) shall successfully complete a training
483 program and an assessment process prescribed by the State Board of
484 Education. All applicants for school administrator licensure
485 shall meet all requirements prescribed by the department under
486 paragraph (b), (c) or (d), and the cost of the assessment process
487 required shall be paid by the applicant.

488 (8) **Reciprocity.** (a) The department shall grant a standard
489 license to any individual who possesses a valid standard license
490 from another state and meets minimum Mississippi license
491 requirements or equivalent requirements as determined by the State
492 Board of Education. The issuance of a license by reciprocity to a
493 military-trained applicant or military spouse shall be subject to
494 the provisions of Section 73-50-1.

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



503 (9) **Renewal and Reinstatement of Licenses.** The State Board
504 of Education is authorized to establish rules and regulations for
505 the renewal and reinstatement of educator and administrator
506 licenses. Effective May 15, 1997, the valid standard license held
507 by an educator shall be extended five (5) years beyond the
508 expiration date of the license in order to afford the educator
509 adequate time to fulfill new renewal requirements established
510 pursuant to this subsection. An educator completing a master of
511 education, educational specialist or doctor of education degree in
512 May 1997 for the purpose of upgrading the educator's license to a
513 higher class shall be given this extension of five (5) years plus
514 five (5) additional years for completion of a higher degree.

515 (10) All controversies involving the issuance, revocation,
516 suspension or any change whatsoever in the licensure of an
517 educator required to hold a license shall be initially heard in a
518 hearing de novo, by the commission or by a subcommittee
519 established by the commission and composed of commission members
520 for the purpose of holding hearings. Any complaint seeking the
521 denial of issuance, revocation or suspension of a license shall be
522 by sworn affidavit filed with the Commission on Teacher and
523 Administrator Education, Certification and Licensure and
524 Development. The decision thereon by the commission or its
525 subcommittee shall be final, unless the aggrieved party shall
526 appeal to the State Board of Education, within ten (10) days, of
527 the decision of the committee or its subcommittee. An appeal to



528 the State Board of Education shall be on the record previously
529 made before the commission or its subcommittee unless otherwise
530 provided by rules and regulations adopted by the board. The State
531 Board of Education in its authority may reverse, or remand with
532 instructions, the decision of the committee or its subcommittee.
533 The decision of the State Board of Education shall be final.

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

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

539 (b) The applicant has a physical, emotional or mental
540 disability that renders the applicant unfit to perform the duties
541 authorized by the license, as certified by a licensed psychologist
542 or psychiatrist;

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

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



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

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

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

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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

641 (14) (a) A person whose license has been revoked or
642 surrendered on any grounds except criminal grounds may petition
643 for reinstatement of the license after one (1) year from the date
644 of revocation or surrender, or after one-half (1/2) of the revoked
645 or surrendered time has lapsed, whichever is greater. A person
646 whose license has been suspended on any grounds or violations
647 under subsection (12) of this section may be reinstated
648 automatically or approved for a reinstatement hearing, upon
649 submission of a written request to the commission. A license
650 suspended, revoked or surrendered on criminal grounds may be



651 reinstated upon petition to the commission filed after expiration
652 of the sentence and parole or probationary period imposed upon
653 conviction. A revoked, suspended or surrendered license may be
654 reinstated upon satisfactory showing of evidence of
655 rehabilitation. The commission shall require all who petition for
656 reinstatement to furnish evidence satisfactory to the commission
657 of good character, good mental, emotional and physical health and
658 such other evidence as the commission may deem necessary to
659 establish the petitioner's rehabilitation and fitness to perform
660 the duties authorized by the license.

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

665 (15) Reporting procedures and hearing procedures for dealing
666 with infractions under this section shall be promulgated by the
667 commission, subject to the approval of the State Board of
668 Education. The revocation or suspension of a license shall be
669 effected at the time indicated on the notice of suspension or
670 revocation. The commission shall immediately notify the
671 superintendent of the school district or school board where the
672 teacher or administrator is employed of any disciplinary action
673 and also notify the teacher or administrator of such revocation or
674 suspension and shall maintain records of action taken. The State
675 Board of Education may reverse or remand with instructions any



676 decision of the commission regarding a petition for reinstatement
677 of a license, and any such decision of the State Board of
678 Education shall be final.

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

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



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

708 (19) In addition to the reasons specified in subsections
709 (12) and (13) of this section, the board shall be authorized to
710 suspend the license of any licensee for being out of compliance
711 with an order for support, as defined in Section 93-11-153. The
712 procedure for suspension of a license for being out of compliance
713 with an order for support, and the procedure for the reissuance or
714 reinstatement of a license suspended for that purpose, and the
715 payment of any fees for the reissuance or reinstatement of a
716 license suspended for that purpose, shall be governed by Section
717 93-11-157 or 93-11-163, as the case may be. Actions taken by the
718 board in suspending a license when required by Section 93-11-157
719 or 93-11-163 are not actions from which an appeal may be taken
720 under this section. Any appeal of a license suspension that is
721 required by Section 93-11-157 or 93-11-163 shall be taken in
722 accordance with the appeal procedure specified in Section
723 93-11-157 or 93-11-163, as the case may be, rather than the
724 procedure specified in this section. If there is any conflict



725 between any provision of Section 93-11-157 or 93-11-163 and any
726 provision of this chapter, the provisions of Section 93-11-157 or
727 93-11-163, as the case may be, shall control.

728 **SECTION 4.** This act shall take effect and be in force from
729 and after July 1, 2018.

