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

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

SECTION 1. (1) There is established the Mississippi English Language Learners Scholarship Program for the purpose of identifying and recruiting qualified university and college students who wish to major in teaching English language learners and teach in an area of critical need in this state with a broadening student population of English language learners. The program shall be administered in the same manner and incorporated into the Critical Needs Teacher Scholarship Program. This section amends Section 37-3-2, Mississippi Code of 1972, to exempt recipients of the Mississippi English Language Learners Scholarship from the teacher candidate minimum academic requirements in an approved teacher education program for licensure eligibility.
students from the state for schooling in education with a focus on
providing instruction to the state's broadening student base of
English Language Learners.

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

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

(4) Upon completion of the bachelor's or master's program
and licensure requirements under Section 37-3-2, if the
scholarship recipient has not been previously licensed by the
State Department of Education, shall render service as a licensed
teacher in a public school district in the state considered an
area of critical need based on the population of and student
enrollment of English Language Learners throughout the state as
determined by the State Department of Education. Any person who
received two (2) annual awards, or who received fewer than two (2)
anual awards, or the equivalent of two (2) annual awards, shall
render five (5) years of services as a licensed teacher in an area of the state determined to be an area of critical need.

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

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

(6) The Board of Trustees of State Institutions of Higher Learning shall prepare and submit a report to the Legislature by January 1, 2022, outlining in detail the number of participants who have received scholarship funds under the program, the record of service provided by those recipients as they transition out of the degree program into the public school districts of this state deemed an area of critical need as described in this section, and the projection for expanding the program to include more
participants annually as determined by the need for such qualified professionals in the public school setting. Additionally, the report shall include a summary of allocations and expenditures for the administration of the program and the total amount of funds issued to recipients of scholarships from the inception of the program until such time as the report has been prepared and submitted to the Legislature.

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

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

(3) No more than ten (10) students per cohort shall be selected annually to be admitted into the program for receipt of scholarship funds beginning with the 2020-2021 academic year.
However, scholarships awarded under the program shall be provided only to students who have been accepted into a bachelor's or master's level program in elementary, secondary or special education program approved by the State Department of Education that provides instructional training as required under Section 1 of this act, in preparation of those cohort students for AA licensure by the department.

**SECTION 3.** 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 State Board of Education regarding standards for the certification and 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) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

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

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

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

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;
(f) Review all existing requirements for certification and licensure;
(g) Consult with groups whose work may be affected by the commission's decisions;
(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;
(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;
(j) Hire expert consultants with approval of the State Board of Education;
(k) Set up ad hoc committees to advise on specific areas; and
(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education.

(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 State Board of Education shall be granted a standard five-year license. 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 department 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 State Board of Education;

(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 State Board of Education; 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.

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

(b) (i) **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:

* * * 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 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 State Board of Education 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 as follows:

1. 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.
2. 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.

3. 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.

4. 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.

* * * 5. 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.

* * * 6. 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.
7. 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.

8. 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.

(iii) 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 State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

(iv) 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 State Board of Education, 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 board 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 State Department of Education.

(d) **Special License - Nonrenewable.** The State Board of Education 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 commission
and approved by the State Board of Education. 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 commission 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 commission shall grant special licenses
to teachers of transitional bilingual education who present the
commission 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
commission; 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 State Board of Education 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 position on January 15, 1997.

(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.

(d) **Administrator License - Nontraditional Route.** The board 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 State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department 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 as determined by the State Board of Education. 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 State Board of Education 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 State Board of Education;

(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 (1) 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
commission, 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 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 4. This act shall take effect and be in force from
and after July 1, 2019.