

By: Representative Paden

To: Education;
Appropriations

HOUSE BILL NO. 174

1 AN ACT TO CREATE THE MISSISSIPPI DELTA ALTERNATIVE TEACHER
2 LICENSURE PILOT PROGRAM FOR THE PURPOSE OF ESTABLISHING AN
3 ALTERNATIVE TEACHER LICENSURE ROUTE FOR QUALIFIED PERSONS TO TEACH
4 IN SCHOOL DISTRICTS LOCATED IN THE MISSISSIPPI DELTA REGION; TO
5 SPECIFY THOSE COUNTIES CONSIDERED PART OF THE DELTA REGION; TO
6 AUTHORIZE A TEACHER LICENSED THROUGH THE PILOT PROGRAM TO
7 PARTICIPATE IN OTHER TEACHER RECRUITMENT PROGRAMS FOR WHICH THE
8 INDIVIDUAL QUALIFIES; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF
9 1972, TO CREATE THE MISSISSIPPI DELTA ALTERNATIVE TEACHER LICENSE
10 AND TO AUTHORIZE ITS ISSUANCE BEGINNING JULY 1, 2019; TO PRESCRIBE
11 THE REQUIREMENTS FOR THE MISSISSIPPI DELTA ALTERNATIVE TEACHER
12 LICENSE AND TO LIMIT ITS USAGE TO SCHOOL DISTRICTS LOCATED IN THE
13 MISSISSIPPI DELTA REGION WHICH SUBMIT A WRITTEN REQUEST TO THE
14 STATE DEPARTMENT OF EDUCATION FOR APPROVAL TO EMPLOY PERSONS SO
15 LICENSED; TO REQUIRE EACH AFFECTED SCHOOL DISTRICT TO PROVIDE A
16 MINIMUM OF FIFTY ADDITIONAL HOURS OF PROFESSIONAL DEVELOPMENT TO
17 HOLDERS OF THE ALTERNATIVE TEACHER LICENSE DURING THE FIRST THREE
18 YEARS OF EMPLOYMENT WITH THE SCHOOL DISTRICT; TO REQUIRE THE
19 AFFECTED SCHOOL DISTRICT TO ASSIGN A VETERAN ON-SITE MENTOR
20 TEACHER TO THE ALTERNATIVE TEACHER LICENSE HOLDER DURING THE FIRST
21 TWO YEARS OF EMPLOYMENT; TO AMEND SECTIONS 37-159-1, 37-159-5
22 THROUGH 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH
23 ARE THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998," TO
24 DELETE THE REPEALER ON THOSE SECTIONS; AND FOR RELATED PURPOSES.

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

26 **SECTION 1.** (1) There is created the Mississippi Delta
27 Alternative Teacher Licensure Pilot Program within the State
28 Department of Education for the purpose of establishing and
29 implementing an alternative route to teacher licensure for



30 qualified persons employed in school districts located in the
31 Mississippi Delta Region. In creating the pilot program, it is
32 the goal of the Legislature to help alleviate the critical
33 shortage of licensed teachers in the region of the state most
34 seriously affected. The purpose of the pilot program is to
35 attract individuals, particularly those who are already residents
36 of the Mississippi Delta Region, to the field of education by
37 creating an alternative to traditional teacher licensure routes
38 which emphasizes professional development and mentoring as a means
39 to strengthen the skills of teachers licensed through the
40 alternative route. In establishing the pilot program, the
41 department shall bring together representatives of the Commission
42 on Teacher and Administrator Education, Certification and
43 Licensure and Development, the University Assisted Teacher
44 Recruitment and Retention Program, the Mississippi Teacher Center,
45 the teacher education programs at Delta State University and
46 Mississippi Valley State University and administrators employed by
47 school districts located in the Mississippi Delta Region to
48 collaborate on the promotion and implementation of the program in
49 order to achieve maximum utilization of the alternative teacher
50 licensure route by qualified individuals.

51 (2) For purposes of the pilot program established under this
52 section, the Mississippi Delta Region is comprised of the
53 following counties in the State of Mississippi: Bolivar, Carroll,
54 Coahoma, Holmes, Humphreys, Issaquena, Leflore, Panola, Quitman,



55 Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington and
56 Yazoo.

57 (3) A teacher licensed through the Mississippi Delta
58 Alternative Teacher Licensure Pilot Program may participate in any
59 other teacher recruitment and retention program or programs for
60 which the individual qualifies, including, but not limited to, the
61 William F. Winter Teacher Forgivable Loan Program, the Mississippi
62 Employer-Assisted Housing Teacher Shortage Program and other
63 programs available under the Mississippi Critical Teacher Shortage
64 Act of 1998.

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

67 37-3-2. (1) There is established within the State
68 Department of Education the Commission on Teacher and
69 Administrator Education, Certification and Licensure and
70 Development. It shall be the purpose and duty of the commission
71 to make recommendations to the State Board of Education regarding
72 standards for the certification and licensure and continuing
73 professional development of those who teach or perform tasks of an
74 educational nature in the public schools of Mississippi.

75 (2) The commission shall be composed of fifteen (15)
76 qualified members. The membership of the commission shall be
77 composed of the following members to be appointed, three (3) from
78 each congressional district: four (4) classroom teachers; three
79 (3) school administrators; one (1) representative of schools of



80 education of institutions of higher learning located within the
81 state to be recommended by the Board of Trustees of State
82 Institutions of Higher Learning; one (1) representative from the
83 schools of education of independent institutions of higher
84 learning to be recommended by the Board of the Mississippi
85 Association of Independent Colleges; one (1) representative from
86 public community and junior colleges located within the state to
87 be recommended by the Mississippi Community College Board; one (1)
88 local school board member; and four (4) laypersons. All
89 appointments shall be made by the State Board of Education after
90 consultation with the State Superintendent of Public Education.
91 The first appointments by the State Board of Education shall be
92 made as follows: five (5) members shall be appointed for a term
93 of one (1) year; five (5) members shall be appointed for a term of
94 two (2) years; and five (5) members shall be appointed for a term
95 of three (3) years. Thereafter, all members shall be appointed
96 for a term of four (4) years.

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

103 (4) (a) An appropriate staff member of the State Department
104 of Education shall be designated and assigned by the State



105 Superintendent of Public Education to serve as executive secretary
106 and coordinator for the commission. No less than two (2) other
107 appropriate staff members of the State Department of Education
108 shall be designated and assigned by the State Superintendent of
109 Public Education to serve on the staff of the commission.

110 (b) An Office of Educator Misconduct Evaluations shall
111 be established within the State Department of Education to assist
112 the commission in responding to infractions and violations, and in
113 conducting hearings and enforcing the provisions of subsections
114 (11), (12), (13), (14) and (15) of this section, and violations of
115 the Mississippi Educator Code of Ethics.

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

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

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

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

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



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

133 (f) Review all existing requirements for certification
134 and licensure;

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

137 (h) Prepare reports from time to time on current
138 practices and issues in the general area of teacher education and
139 certification and licensure;

140 (i) Hold hearings concerning standards for teachers'
141 and administrators' education and certification and licensure with
142 approval of the State Board of Education;

143 (j) Hire expert consultants with approval of the State
144 Board of Education;

145 (k) Set up ad hoc committees to advise on specific
146 areas; and

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

150 (6) (a) **Standard License - Approved Program Route.** An
151 educator entering the school system of Mississippi for the first
152 time and meeting all requirements as established by the State
153 Board of Education shall be granted a standard five-year license.
154 Persons who possess two (2) years of classroom experience as an



155 assistant teacher or who have taught for one (1) year in an
156 accredited public or private school shall be allowed to fulfill
157 student teaching requirements under the supervision of a qualified
158 participating teacher approved by an accredited college of
159 education. The local school district in which the assistant
160 teacher is employed shall compensate such assistant teachers at
161 the required salary level during the period of time such
162 individual is completing student teaching requirements.

163 Applicants for a standard license shall submit to the department:

164 (i) An application on a department form;

165 (ii) An official transcript of completion of a
166 teacher education program approved by the department or a
167 nationally accredited program, subject to the following:

168 Licensure to teach in Mississippi prekindergarten through
169 kindergarten classrooms shall require completion of a teacher
170 education program or a Bachelor of Science degree with child
171 development emphasis from a program accredited by the American
172 Association of Family and Consumer Sciences (AAFCS) or by the
173 National Association for Education of Young Children (NAEYC) or by
174 the National Council for Accreditation of Teacher Education
175 (NCATE). Licensure to teach in Mississippi kindergarten, for
176 those applicants who have completed a teacher education program,
177 and in Grade 1 through Grade 4 shall require the completion of an
178 interdisciplinary program of studies. Licenses for Grades 4
179 through 8 shall require the completion of an interdisciplinary



180 program of studies with two (2) or more areas of concentration.
181 Licensure to teach in Mississippi Grades 7 through 12 shall
182 require a major in an academic field other than education, or a
183 combination of disciplines other than education. Students
184 preparing to teach a subject shall complete a major in the
185 respective subject discipline. All applicants for standard
186 licensure shall demonstrate that such person's college preparation
187 in those fields was in accordance with the standards set forth by
188 the National Council for Accreditation of Teacher Education
189 (NCATE) or the National Association of State Directors of Teacher
190 Education and Certification (NASDTEC) or, for those applicants who
191 have a Bachelor of Science degree with child development emphasis,
192 the American Association of Family and Consumer Sciences (AAFCS).
193 Effective July 1, 2016, for initial elementary education
194 licensure, a teacher candidate must earn a passing score on a
195 rigorous test of scientifically research-based reading instruction
196 and intervention and data-based decision-making principles as
197 approved by the State Board of Education;

198 (iii) A copy of test scores evidencing
199 satisfactory completion of nationally administered examinations of
200 achievement, such as the Educational Testing Service's teacher
201 testing examinations;

202 (iv) Any other document required by the State
203 Board of Education; and



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

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

211 2. No less than 2.75 GPA on pre-major
212 coursework of the institution's approved teacher education program
213 provided that the accepted cohort of candidates meets or exceeds a
214 3.0 GPA on pre-major coursework.

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

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

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

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



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

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



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

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

270 (iv) During the semester of internship in the
271 school district, the teacher preparation institution shall monitor
272 the performance of the intern teacher. The school district that
273 employs the provisional teacher shall supervise the provisional
274 teacher during the teacher's intern year of employment under a
275 nontraditional provisional license, and shall, in consultation
276 with the teacher intern's mentor at the school district of



277 employment, submit to the commission a comprehensive evaluation of
278 the teacher's performance sixty (60) days prior to the expiration
279 of the nontraditional provisional license. If the comprehensive
280 evaluation establishes that the provisional teacher intern's
281 performance fails to meet the standards of the approved
282 nontraditional teacher preparation internship program, the
283 individual shall not be approved for a standard license.

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

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

299 (vii) At the discretion of the teacher preparation
300 institution, the individual shall be allowed to credit the twelve
301 (12) semester hours earned in the nontraditional teacher



302 internship program toward the graduate hours required for a Master
303 of Arts in Teacher (MAT) Degree.

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

311 Implementation of the TMI program provided for under this
312 paragraph (b) shall be contingent upon the availability of funds
313 appropriated specifically for such purpose by the Legislature.
314 Such implementation of the TMI program may not be deemed to
315 prohibit the State Board of Education from developing and
316 implementing additional alternative route teacher licensure
317 programs, as deemed appropriate by the board. The emergency
318 certification program in effect prior to July 1, 2002, shall
319 remain in effect.

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



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

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

345 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
346 person may teach for a maximum of three (3) periods per teaching
347 day in a public school district or a nonpublic school
348 accredited/approved by the state. Such person shall submit to the
349 department a transcript or record of his education and experience
350 which substantiates his preparation for the subject to be taught



351 and shall meet other qualifications specified by the commission
352 and approved by the State Board of Education. In no case shall
353 any local school board hire nonlicensed personnel as authorized
354 under this paragraph in excess of five percent (5%) of the total
355 number of licensed personnel in any single school.

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

357 Beginning July 1, 2003, the commission shall grant special
358 licenses to teachers of transitional bilingual education who
359 possess such qualifications as are prescribed in this section.
360 Teachers of transitional bilingual education shall be compensated
361 by local school boards at not less than one (1) step on the
362 regular salary schedule applicable to permanent teachers licensed
363 under this section. The commission shall grant special licenses
364 to teachers of transitional bilingual education who present the
365 commission with satisfactory evidence that they (i) possess a
366 speaking and reading ability in a language, other than English, in
367 which bilingual education is offered and communicative skills in
368 English; (ii) are in good health and sound moral character; (iii)
369 possess a bachelor's degree or an associate's degree in teacher
370 education from an accredited institution of higher education; (iv)
371 meet such requirements as to courses of study, semester hours
372 therein, experience and training as may be required by the
373 commission; and (v) are legally present in the United States and
374 possess legal authorization for employment. A teacher of
375 transitional bilingual education serving under a special license



376 shall be under an exemption from standard licensure if he achieves
377 the requisite qualifications therefor. Two (2) years of service
378 by a teacher of transitional bilingual education under such an
379 exemption shall be credited to the teacher in acquiring a Standard
380 Educator License. Nothing in this paragraph shall be deemed to
381 prohibit a local school board from employing a teacher licensed in
382 an appropriate field as approved by the State Department of
383 Education to teach in a program in transitional bilingual
384 education.

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

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

396 (i) **Mississippi Delta Alternative Teacher License.**
397 Beginning July 1, 2019, the commission shall grant Mississippi
398 Delta alternative teacher licenses to educators who successfully
399 meet one (1) of the following qualifications:



400 (i) Earned a twenty-one (21) ACT equivalent and
401 achieved the nationally recommended score on the Praxis Core
402 Academic Skills for Educators examination, or earned an eighteen
403 (18) ACT equivalent while maintaining no less than a 2.75 GPA on
404 content coursework in the area of certification, which serves as
405 an alternate to a passing Praxis Core examination score; or

406 (ii) Achieved the nationally recommended passing
407 score on all but one (1) developmental area of the Praxis Core and
408 Praxis II examinations; or

409 (iii) Submission and approval by the commission of
410 a portfolio and video based on the Teacher Growth Rubric, which
411 serves as an alternative to achieving the nationally recommended
412 passing score on the Praxis II examination.

413 The Mississippi Delta alternative teacher license may be used
414 only in a school district located in the Mississippi Delta Region,
415 as described under Section 1 of this act, which makes a formal
416 written request to the State Department of Education for approval
417 of the employment of teachers holding the alternative license at
418 the conclusion of each academic term. As a condition of being
419 approved, the school district must agree to provide holders of the
420 Mississippi Delta alternative teacher license with no less than
421 fifty (50) hours of professional development in addition to the
422 professional development requirements for educators holding a
423 standard license, which additional hours must be completed during
424 a license holder's first three (3) years of employment with the



425 school district. The school district shall assign a veteran
426 on-site mentor teacher to the Mississippi Delta alternative
427 teacher license holder, who must be compensated for mentoring
428 services in the manner provided under Section 37-9-211.

429 A Mississippi Delta alternative teacher license issued under
430 this paragraph is valid for such period of time as may be
431 established by the State Board of Education and may be renewed in
432 accordance with rules and regulations established by the State
433 Board of Education.

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

440 (a) **Administrator License - Nonpracticing.** Those
441 educators holding administrative endorsement but having no
442 administrative experience or not serving in an administrative
443 position on January 15, 1997.

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



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

452 (d) **Administrator License - Nontraditional Route.** The
453 board may establish a nontraditional route for licensing
454 administrative personnel. Such nontraditional route for
455 administrative licensure shall be available for persons holding,
456 but not limited to, a master of business administration degree, a
457 master of public administration degree, a master of public
458 planning and policy degree or a doctor of jurisprudence degree
459 from an accredited college or university, with five (5) years of
460 administrative or supervisory experience. Successful completion
461 of the requirements of alternate route licensure for
462 administrators shall qualify the person for a standard
463 administrator license.

464 Individuals seeking school administrator licensure under
465 paragraph (b), (c) or (d) shall successfully complete a training
466 program and an assessment process prescribed by the State Board of
467 Education. All applicants for school administrator licensure
468 shall meet all requirements prescribed by the department under
469 paragraph (b), (c) or (d), and the cost of the assessment process
470 required shall be paid by the applicant.

471 (8) **Reciprocity.** (a) The department shall grant a standard
472 license to any individual who possesses a valid standard license
473 from another state and meets minimum Mississippi license



474 requirements or equivalent requirements as determined by the State
475 Board of Education. The issuance of a license by reciprocity to a
476 military-trained applicant or military spouse shall be subject to
477 the provisions of Section 73-50-1.

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

486 (9) **Renewal and Reinstatement of Licenses.** The State Board
487 of Education is authorized to establish rules and regulations for
488 the renewal and reinstatement of educator and administrator
489 licenses. Effective May 15, 1997, the valid standard license held
490 by an educator shall be extended five (5) years beyond the
491 expiration date of the license in order to afford the educator
492 adequate time to fulfill new renewal requirements established
493 pursuant to this subsection. An educator completing a master of
494 education, educational specialist or doctor of education degree in
495 May 1997 for the purpose of upgrading the educator's license to a
496 higher class shall be given this extension of five (5) years plus
497 five (5) additional years for completion of a higher degree.



498 (10) All controversies involving the issuance, revocation,
499 suspension or any change whatsoever in the licensure of an
500 educator required to hold a license shall be initially heard in a
501 hearing de novo, by the commission or by a subcommittee
502 established by the commission and composed of commission members
503 for the purpose of holding hearings. Any complaint seeking the
504 denial of issuance, revocation or suspension of a license shall be
505 by sworn affidavit filed with the Commission on Teacher and
506 Administrator Education, Certification and Licensure and
507 Development. The decision thereon by the commission or its
508 subcommittee shall be final, unless the aggrieved party shall
509 appeal to the State Board of Education, within ten (10) days, of
510 the decision of the committee or its subcommittee. An appeal to
511 the State Board of Education shall be on the record previously
512 made before the commission or its subcommittee unless otherwise
513 provided by rules and regulations adopted by the board. The State
514 Board of Education in its authority may reverse, or remand with
515 instructions, the decision of the committee or its subcommittee.
516 The decision of the State Board of Education shall be final.

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

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



522 (b) The applicant has a physical, emotional or mental
523 disability that renders the applicant unfit to perform the duties
524 authorized by the license, as certified by a licensed psychologist
525 or psychiatrist;

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

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

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

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

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

543 (h) The applicant has been convicted, has pled guilty
544 or entered a plea of nolo contendere to a sex offense as defined
545 by federal or state law. For purposes of this paragraph (h) and
546 paragraph (g) of this subsection, a "guilty plea" includes a plea



547 of guilty, entry of a plea of nolo contendere, or entry of an
548 order granting pretrial or judicial diversion; or

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

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

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

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

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

570 (d) The license holder has been convicted, has pled
571 guilty or entered a plea of nolo contendere to a felony, as



572 defined by federal or state law. For purposes of this paragraph,
573 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
574 contendere, or entry of an order granting pretrial or judicial
575 diversion;

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

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

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

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

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

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



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

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

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

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

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

617 (c) A person may voluntarily surrender a license. The
618 surrender of such license may result in the commission
619 recommending any of the above penalties without the necessity of a
620 hearing. However, any such license which has voluntarily been
621 surrendered by a licensed employee may only be reinstated by a



622 majority vote of all members of the commission present at the
623 meeting called for such purpose.

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

644 (b) A person whose license expires while under
645 investigation by the Office of Educator Misconduct for an alleged



646 violation may not be reinstated without a hearing before the
647 commission if required based on the results of the investigation.

648 (15) Reporting procedures and hearing procedures for dealing
649 with infractions under this section shall be promulgated by the
650 commission, subject to the approval of the State Board of
651 Education. The revocation or suspension of a license shall be
652 effected at the time indicated on the notice of suspension or
653 revocation. The commission shall immediately notify the
654 superintendent of the school district or school board where the
655 teacher or administrator is employed of any disciplinary action
656 and also notify the teacher or administrator of such revocation or
657 suspension and shall maintain records of action taken. The State
658 Board of Education may reverse or remand with instructions any
659 decision of the commission regarding a petition for reinstatement
660 of a license, and any such decision of the State Board of
661 Education shall be final.

662 (16) An appeal from the action of the State Board of
663 Education in denying an application, revoking or suspending a
664 license or otherwise disciplining any person under the provisions
665 of this section shall be filed in the Chancery Court of the First
666 Judicial District of Hinds County, Mississippi, on the record
667 made, including a verbatim transcript of the testimony at the
668 hearing. The appeal shall be filed within thirty (30) days after
669 notification of the action of the board is mailed or served and
670 the proceedings in chancery court shall be conducted as other



671 matters coming before the court. The appeal shall be perfected
672 upon filing notice of the appeal and by the prepayment of all
673 costs, including the cost of preparation of the record of the
674 proceedings by the State Board of Education, and the filing of a
675 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
676 if the action of the board be affirmed by the chancery court, the
677 applicant or license holder shall pay the costs of the appeal and
678 the action of the chancery court.

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

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

691 (19) In addition to the reasons specified in subsections
692 (12) and (13) of this section, the board shall be authorized to
693 suspend the license of any licensee for being out of compliance
694 with an order for support, as defined in Section 93-11-153. The
695 procedure for suspension of a license for being out of compliance



696 with an order for support, and the procedure for the reissuance or
697 reinstatement of a license suspended for that purpose, and the
698 payment of any fees for the reissuance or reinstatement of a
699 license suspended for that purpose, shall be governed by Section
700 93-11-157 or 93-11-163, as the case may be. Actions taken by the
701 board in suspending a license when required by Section 93-11-157
702 or 93-11-163 are not actions from which an appeal may be taken
703 under this section. Any appeal of a license suspension that is
704 required by Section 93-11-157 or 93-11-163 shall be taken in
705 accordance with the appeal procedure specified in Section
706 93-11-157 or 93-11-163, as the case may be, rather than the
707 procedure specified in this section. If there is any conflict
708 between any provision of Section 93-11-157 or 93-11-163 and any
709 provision of this chapter, the provisions of Section 93-11-157 or
710 93-11-163, as the case may be, shall control.

711 **SECTION 3.** Section 37-159-1, Mississippi Code of 1972, is
712 amended as follows:

713 37-159-1. This act [Laws of 1998, Chapter 544] shall be
714 known and may be cited as the "Mississippi Critical Teacher
715 Shortage Act of 1998."

716 * * *

717 **SECTION 4.** Section 37-159-5, Mississippi Code of 1972, is
718 amended as follows:

719 37-159-5. The State Board of Education shall prescribe rules
720 and regulations which, subject to available appropriations, allow



721 for reimbursement to the state licensed teachers, from both in
722 state and out of state, who enter into a contract for employment
723 in a school district situated within a geographical area of the
724 state where there exists a critical shortage of teachers, as
725 designated by the State Board of Education, for the expense of
726 moving when the employment necessitates the relocation of the
727 teacher to a different geographical area than that in which the
728 teacher resides before entering into such contract. In order to
729 be eligible for the reimbursement, the teacher must apply to the
730 local district and the district must obtain the prior approval
731 from the department for reimbursement before the relocation
732 occurs. If the reimbursement is approved, the department shall
733 provide funds to the school district to reimburse the teacher an
734 amount not to exceed One Thousand Dollars (\$1,000.00) for the
735 documented actual expenses incurred in the course of relocating,
736 including the expense of any professional moving company or
737 persons employed to assist with the move, rented moving vehicles
738 or equipment, mileage in the amount authorized for state employees
739 under Section 25-3-41 if the teacher used his personal vehicle or
740 vehicles for the move, meals and such other expenses associated
741 with the relocation in accordance with the department's
742 established rules and regulations. No teacher may be reimbursed
743 for moving expenses under this section on more than one (1)
744 occasion.



745 Nothing in this section shall be construed to require the
746 actual residence to which the teacher relocates to be within the
747 boundaries of the school district which has executed a contract
748 for employment with the teacher or within the boundaries of the
749 area designated by the State Board of Education as the critical
750 teacher shortage area in order for the teacher to be eligible for
751 reimbursement for his moving expenses. However, teachers must
752 relocate within the boundaries of the State of Mississippi.

753 * * *

754 **SECTION 5.** Section 37-159-7, Mississippi Code of 1972, is
755 amended as follows:

756 37-159-7. The school board of any school district situated
757 within a geographical area of the state where there exists a
758 critical shortage of teachers, as designated by the State Board of
759 Education, in its discretion, may reimburse persons who interview
760 for employment as a licensed teacher with the district for the
761 mileage and other actual expenses incurred in the course of travel
762 to and from the interview by such persons at the rate authorized
763 for county and municipal employees under Section 25-3-41. Any
764 reimbursement by a school board under this section shall be paid
765 from nonminimum education program funds.

766 * * *

767 **SECTION 6.** Section 37-159-9, Mississippi Code of 1972, is
768 amended as follows:



769 37-159-9. (1) There is established the University Assisted
770 Teacher Recruitment and Retention Grant Program within the State
771 Department of Education. The purposes of the program shall be to
772 attract additional qualified teachers to those geographical areas
773 of the state where there exists a critical shortage of teachers
774 and to retain the qualified teachers already serving as licensed
775 teachers in geographical critical teacher shortage areas by making
776 available scholarships to persons working towards a Master of
777 Education degree or an Educational Specialist degree at an
778 institution of higher learning whose teacher education program is
779 approved by the State Board of Education.

780 (2) Any institution of higher learning in the State of
781 Mississippi which offers a Master of Education degree or an
782 Educational Specialist degree may apply to the department for
783 participation in the program. As part of the program,
784 participating institutions shall collaborate with the Mississippi
785 Teacher Center to identify, recruit and place teacher education
786 graduates, from both within the state and out of state, in school
787 districts situated within those areas of the state where there
788 exists a critical shortage of teachers, as designated by the State
789 Board of Education.

790 (3) The State Department of Education shall provide funds to
791 participating institutions of higher learning for the purpose of
792 awarding scholarships to qualified persons pursuing a Master of
793 Education degree or an Educational Specialist degree at such



794 institutions while rendering service to the state as a licensed
795 teacher in a school district in a geographical area of the state
796 where there exists a critical shortage of teachers, as approved by
797 the State Board of Education. The financial scholarship shall be
798 applied to the total cost for tuition, books, materials and fees
799 at the institution in which the student is enrolled, not to exceed
800 an amount equal to the highest total cost of tuition, books,
801 materials and fees assessed by a state institution of higher
802 learning during that school year. Teachers who relocate within
803 Mississippi from out of state in order to participate in the
804 program shall be classified as residents of the state for tuition
805 purposes.

806 (4) Students awarded financial scholarships under the
807 University Assisted Teacher Recruitment and Retention Grant
808 Program may receive such awards for a maximum of four (4) school
809 years; however, the maximum number of awards which may be made
810 shall not exceed the length of time required to complete the
811 number of academic hours necessary to obtain a Master of Education
812 degree or an Educational Specialist degree. Financial
813 scholarships under the program shall not be based upon an
814 applicant's eligibility for financial aid.

815 (5) Persons relocating to a geographical area of the state
816 where there exists a critical shortage of teachers, as approved by
817 the State Board of Education, to participate in the University
818 Assisted Teacher Recruitment and Retention Grant Program shall be



819 eligible for reimbursement for their moving expenses to the
820 critical teacher shortage area from the State Board of Education.
821 The State Board of Education shall promulgate rules and
822 regulations necessary for the administration of the relocation
823 expense reimbursement component of the University Assisted Teacher
824 Recruitment and Retention Grant Program.

825 (6) Subject to the availability of funds, the State Board of
826 Education may provide for professional development and support
827 services as may be necessary for the retention of teachers
828 participating in the program in those geographical areas of the
829 state where there exists a critical shortage of teachers.

830 (7) Any person participating in the program who fails to
831 complete a program of study that will enable that person to obtain
832 a Master of Education degree or Educational Specialist degree
833 shall become liable immediately to the State Board of Education
834 for the sum of all awards made to that person under the program,
835 plus interest accruing at the current Stafford Loan rate at the
836 time the person abrogates his participation in the program.

837 (8) As a condition for participation in the program, a
838 teacher shall agree to employment as a licensed teacher in a
839 school district located in a geographical area of the state where
840 there exists a critical shortage of teachers, as designated by the
841 State Board of Education, for a period of not less than three (3)
842 years, which shall include those years of service rendered while
843 obtaining the Master of Education degree or Educational Specialist



844 degree. However, for any person who obtained a baccalaureate
845 degree in education with a financial scholarship under the
846 Critical Needs Teacher Scholarship Program and who entered the
847 University Assisted Teacher Recruitment and Retention Grant
848 Program before rendering service as a teacher, the period of
849 employment for the purposes of this subsection shall be two (2)
850 years, in addition to the employment commitment required under the
851 Critical Needs Teacher Scholarship Program. Service rendered by a
852 participant as a licensed teacher in a school district in a
853 geographical critical teacher shortage area before that teacher
854 becomes a participant in the program may not be considered to
855 fulfill the employment commitment required under this subsection.
856 Any person failing to comply with this employment commitment in
857 any required school year shall immediately be in breach of
858 contract and become liable immediately to the State Department of
859 Education for the sum of all scholarships awarded and relocation
860 expenses granted to that person, less one-third (1/3) of the
861 amount of that sum for each year that service was rendered, or for
862 those persons whose required period of employment is two (2)
863 years, less one-half (1/2) of the amount of that sum for each year
864 that service was rendered, plus interest accruing at the current
865 Stafford Loan rate at the time the breach occurs, except in the
866 case of a deferral for cause by the State Board of Education when
867 there is no employment position immediately available upon the
868 teacher's obtaining of the Master of Education degree or



869 Educational Specialist degree. After the period of such deferral,
870 the person shall begin or resume the required teaching duties or
871 shall become liable to the board under this subsection. If a
872 claim for repayment under this subsection is placed in the hands
873 of an attorney for collection after default, then the obligor
874 shall be liable for an additional amount equal to a reasonable
875 attorney's fee.

876 (9) All funds received by the State Department of Education
877 from the repayment of scholarship awards and relocation expenses
878 by program participants shall be deposited in the Mississippi
879 Critical Teacher Shortage Fund.

880 (10) The State Board of Education shall promulgate rules and
881 regulations necessary for the proper administration of the
882 University Assisted Teacher Recruitment and Retention Grant
883 Program.

884 * * *

885 **SECTION 7.** Section 37-159-11, Mississippi Code of 1972, is
886 amended as follows:

887 37-159-11. (1) There is established the Mississippi
888 Employer-Assisted Housing Teacher Program, which shall be a
889 special home loan program for eligible licensed teachers who
890 render service to the state in a geographical area of the state
891 where there exists a critical shortage of teachers, as designated
892 by the State Board of Education. The home loan program shall be
893 administered by the State Department of Education in conjunction



894 with the Federal National Mortgage Association (Fannie Mae). The
895 department may contract with one or more public or private
896 entities to provide assistance in implementing and administering
897 the program. The State Board of Education shall adopt rules and
898 regulations regarding the implementation and administration of the
899 program.

900 (2) Participation in the loan program shall be available to
901 any licensed teacher who renders service in a geographical area of
902 the state where there exists a critical shortage of teachers, as
903 designated by the State Board of Education. Any person who
904 receives a loan under the program shall be required to purchase a
905 house and reside in a county in which the school district for
906 which the teacher is rendering service, or any portion of the
907 school district, is located. The maximum amount of a loan that
908 may be made under the program to any person shall be Six Thousand
909 Dollars (\$6,000.00).

910 (3) Any loan made under the program to a person who actually
911 renders service as a teacher in a geographical area of the state
912 where there exists a critical shortage of teachers, as designated
913 by the State Board of Education, shall be converted to an
914 interest-free grant on the basis of one (1) year's service for
915 one-third (1/3) of the amount of the loan. Any person who does
916 not render three (3) years' service as a teacher in a geographical
917 area of the state where there exists a critical shortage of
918 teachers, as designated by the State Board of Education, shall be



919 liable to the State Department of Education for one-third (1/3) of
920 the amount of the loan for each year that he does not render such
921 service, plus interest accruing at the current Stafford Loan rate
922 at the time the person discontinues his service. If a claim for
923 repayment under this subsection is placed in the hands of an
924 attorney for collection, the obligor shall be liable for an
925 additional amount equal to a reasonable attorney's fee.

926 (4) All funds received by the State Department of Education
927 as repayment of loans by program participants shall be deposited
928 in the Mississippi Critical Teacher Shortage Fund.

929 * * *

930 **SECTION 8.** Section 37-159-13, Mississippi Code of 1972, is
931 amended as follows:

932 37-159-13. (1) There is established a pilot program to
933 provide for the construction of rental housing units for teachers
934 in the West Tallahatchie School District, which pilot program
935 shall be administered by the State Department of Education. The
936 department may contract with one or more public or private
937 entities to provide assistance in implementing and administering
938 the program. The State Board of Education shall adopt rules and
939 regulations regarding the implementation and administration of the
940 program.

941 (2) The West Tallahatchie School District shall receive
942 proposals from developers for the construction of the rental
943 housing units, and submit its recommendation to the State



944 Department of Education about which developer should construct the
945 units. The department shall make the final determination about
946 the developer that will construct the units.

947 (3) After selection of the developer, the department shall
948 loan the developer not more than Two Hundred Thousand Dollars
949 (\$200,000.00) for construction of the units. The interest rate on
950 the loan shall be equal to one percent (1%) below the discount
951 rate at the Federal Reserve Bank in the Federal Reserve district
952 in which the school district is located, and the loan shall be
953 repaid in not more than fifteen (15) years, as determined by the
954 department. All funds received by the department as repayment of
955 the principal and interest of the loan shall be deposited in the
956 Mississippi Critical Teacher Shortage Fund. If a claim against
957 the developer for repayment is placed in the hands of an attorney
958 for collection, the obligor shall be liable for an additional
959 amount equal to a reasonable attorney's fee.

960 (4) The developer shall operate the rental housing units.
961 For a period of ten (10) years or until such time as the loan to
962 the developer is repaid, whichever is longer, the priority for
963 residence in the units shall be given first to teachers employed
964 by the school district, then to other licensed school district
965 employees, and then to any other school district employees.

966 * * *

967 **SECTION 9.** Section 37-159-17, Mississippi Code of 1972, is
968 amended as follows:



969 37-159-17. There is established in the State Treasury a
970 special fund to be designated the "Mississippi Critical Teacher
971 Shortage Fund," into which shall be deposited those funds
972 appropriated by the Legislature, and any other funds that may be
973 made available, for the purpose of implementing the programs
974 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9
975 through 37-159-13. Money in the fund at the end of a fiscal year
976 shall not lapse into the General Fund, and interest earned on any
977 amounts deposited into the fund shall be credited to the special
978 fund.

979 * * *

980 **SECTION 10.** This act shall take effect and be in force from
981 and after July 1, 2019.

