

By: Senator(s) DeBar, Barnett, Butler,
Horhn, Jackson (11th), Jordan, Moran, Norwood

To: Education

SENATE BILL NO. 2511

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 REVISE LICENSURE QUALIFICATIONS AND REQUIREMENTS; AND FOR RELATED
3 PURPOSES.

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

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

7 37-3-2. (1) There is established within the State
8 Department of Education the Commission on Teacher and
9 Administrator Education, Certification and Licensure and
10 Development. It shall be the purpose and duty of the commission
11 to make recommendations to the State Board of Education regarding
12 standards for the certification and licensure and continuing
13 professional development of those who teach or perform tasks of an
14 educational nature in the public schools of Mississippi.

15 (2) (a) The commission shall be composed of fifteen (15)
16 qualified members. The membership of the commission shall be
17 composed of the following members to be appointed, three (3) from
18 each of the four (4) congressional districts, as such districts



19 existed on January 1, 2011, in accordance with the population
20 calculations determined by the 2010 federal decennial census,
21 including: four (4) classroom teachers; three (3) school
22 administrators; one (1) representative of schools of education of
23 public institutions of higher learning located within the state to
24 be recommended by the Board of Trustees of State Institutions of
25 Higher Learning; one (1) representative from the schools of
26 education of independent institutions of higher learning to be
27 recommended by the Board of the Mississippi Association of
28 Independent Colleges; one (1) representative from public community
29 and junior colleges located within the state to be recommended by
30 the Mississippi Community College Board; one (1) local school
31 board member; and four (4) laypersons. Three (3) members of the
32 commission, at the sole discretion of the State Board of
33 Education, shall be appointed from the state at large.

34 (b) All appointments shall be made by the State Board
35 of Education after consultation with the State Superintendent of
36 Public Education. The first appointments by the State Board of
37 Education shall be made as follows: five (5) members shall be
38 appointed for a term of one (1) year; five (5) members shall be
39 appointed for a term of two (2) years; and five (5) members shall
40 be appointed for a term of three (3) years. Thereafter, all
41 members shall be appointed for a term of four (4) years.

42 (3) The State Board of Education when making appointments
43 shall designate a chairman. The commission shall meet at least



44 once every two (2) months or more often if needed. Members of the
45 commission shall be compensated at a rate of per diem as
46 authorized by Section 25-3-69 and be reimbursed for actual and
47 necessary expenses as authorized by Section 25-3-41.

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

55 (b) An Office of Educator Misconduct Evaluations shall
56 be established within the State Department of Education to assist
57 the commission in responding to infractions and violations, and in
58 conducting hearings and enforcing the provisions of subsections
59 (11), (12), (13), (14) and (15) of this section, and violations of
60 the Mississippi Educator Code of Ethics.

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

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

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



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

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

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

78 (f) Review all existing requirements for certification
79 and licensure;

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

82 (h) Prepare reports from time to time on current
83 practices and issues in the general area of teacher education and
84 certification and licensure;

85 (i) Hold hearings concerning standards for teachers'
86 and administrators' education and certification and licensure with
87 approval of the State Board of Education;

88 (j) Hire expert consultants with approval of the State
89 Board of Education;

90 (k) Set up ad hoc committees to advise on specific
91 areas; and



92 (1) Perform such other functions as may fall within
93 their general charge and which may be delegated to them by the
94 State Board of Education.

95 (6) (a) **Standard License - Approved Program Route.** An
96 educator entering the school system of Mississippi for the first
97 time and meeting all requirements as established by the State
98 Board of Education shall be granted a standard five-year license.
99 Persons who possess two (2) years of classroom experience as an
100 assistant teacher or who have taught for one (1) year in an
101 accredited public or private school shall be allowed to fulfill
102 student teaching requirements under the supervision of a qualified
103 participating teacher approved by an accredited college of
104 education. The local school district in which the assistant
105 teacher is employed shall compensate such assistant teachers at
106 the required salary level during the period of time such
107 individual is completing student teaching requirements.
108 Applicants for a standard license shall submit to the department:

- 109 (i) An application on a department form;
110 (ii) An official transcript of completion of a
111 teacher education program approved by the department or a
112 nationally accredited program, subject to the following:
113 Licensure to teach in Mississippi prekindergarten through
114 kindergarten classrooms shall require completion of a teacher
115 education program or a Bachelor of Science degree with child
116 development emphasis from a program accredited by the American



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



141 and intervention and data-based decision-making principles as
142 approved by the State Board of Education;

143 (iii) A copy of test scores evidencing
144 satisfactory completion of nationally administered examinations of
145 achievement, such as the Educational Testing Service's teacher
146 testing examinations;

147 (iv) Any other document required by the State
148 Board of Education; and

149 (v) From and after * * * July 1, 2020, no teacher
150 candidate shall be licensed to teach in Mississippi who did not
151 meet the following criteria for entrance into an approved teacher
152 education program:

153 1. An ACT Score of twenty-one (21) * * * (or
154 SAT equivalent); or

155 2. Achieve * * * a qualifying passing score
156 on the Praxis Core Academic Skills for Educators examination as
157 established by the State Board of Education; * * * or

158 3. A minimum GPA of 3.0 on coursework prior
159 to admission to an approved teacher education program.

160 * * *

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

162 From and after * * * July 1, 2020, no teacher candidate shall be
163 licensed to teach in Mississippi under the alternate route who did
164 not meet the following criteria:



165 (i) An ACT Score of twenty-one (21) * * * (or SAT
166 equivalent); or

167 (ii) Achieve * * * a qualifying passing score on
168 the Praxis Core Academic Skills for Educators examination as
169 established by the State Board of Education; * * * or

170 (iii) A minimum GPA of 3.0 on coursework prior to
171 admission to an approved teacher education program.

172 * * *

173 Beginning * * * July 1, 2020, an individual who has attained
174 a passing score on the Praxis * * * Core Academic Skills for
175 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
176 or a minimum GPA of 3.0 on coursework prior to admission to an
177 approved teacher education program and a passing score on the
178 Praxis * * * Subject Assessment in the requested area of
179 endorsement may apply for admission to the Teach Mississippi
180 Institute (TMI) program to teach students in Grades 7 through 12
181 if the individual meets the requirements of this paragraph (b).
182 The State Board of Education shall adopt rules requiring that
183 teacher preparation institutions which provide the Teach
184 Mississippi Institute (TMI) program for the preparation of
185 nontraditional teachers shall meet the standards and comply with
186 the provisions of this paragraph.

187 (i) The Teach Mississippi Institute (TMI) shall
188 include an intensive eight-week, nine-semester-hour summer program
189 or a curriculum of study in which the student matriculates in the



190 fall or spring semester, which shall include, but not be limited
191 to, instruction in education, effective teaching strategies,
192 classroom management, state curriculum requirements, planning and
193 instruction, instructional methods and pedagogy, using test
194 results to improve instruction, and a one (1) semester three-hour
195 supervised internship to be completed while the teacher is
196 employed as a full-time teacher intern in a local school district.
197 The TMI shall be implemented on a pilot program basis, with
198 courses to be offered at up to four (4) locations in the state,
199 with one (1) TMI site to be located in each of the three (3)
200 Mississippi Supreme Court districts.

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

212 (iii) Upon completion of the nine-semester-hour
213 TMI or the fall or spring semester option, the individual shall
214 submit his transcript to the commission for provisional licensure



215 of the intern teacher, and the intern teacher shall be issued a
216 provisional teaching license by the commission, which will allow
217 the individual to legally serve as a teacher while the person
218 completes a nontraditional teacher preparation internship program.

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

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

238 (vi) Upon successful completion of the TMI and the
239 internship provisional license period, applicants for a Standard



240 License - Nontraditional Route shall submit to the commission a
241 transcript of successful completion of the twelve (12) semester
242 hours required in the internship program, and the employing school
243 district shall submit to the commission a recommendation for
244 standard licensure of the intern. If the school district
245 recommends licensure, the applicant shall be issued a Standard
246 License - Nontraditional Route which shall be valid for a
247 five-year period and be renewable.

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

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

260 Implementation of the TMI program provided for under this
261 paragraph (b) shall be contingent upon the availability of funds
262 appropriated specifically for such purpose by the Legislature.
263 Such implementation of the TMI program may not be deemed to
264 prohibit the State Board of Education from developing and



265 implementing additional alternative route teacher licensure
266 programs, as deemed appropriate by the board. The emergency
267 certification program in effect prior to July 1, 2002, shall
268 remain in effect.

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

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

288 (d) **Special License - Nonrenewable.** The State Board of
289 Education is authorized to establish rules and regulations to



290 allow those educators not meeting requirements in paragraph (a),
291 (b) or (c) of this subsection (6) to be licensed for a period of
292 not more than three (3) years, except by special approval of the
293 State Board of Education.

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

305 (f) **Special License - Transitional Bilingual Education.**
306 Beginning July 1, 2003, the commission shall grant special
307 licenses to teachers of transitional bilingual education who
308 possess such qualifications as are prescribed in this section.
309 Teachers of transitional bilingual education shall be compensated
310 by local school boards at not less than one (1) step on the
311 regular salary schedule applicable to permanent teachers licensed
312 under this section. The commission shall grant special licenses
313 to teachers of transitional bilingual education who present the
314 commission with satisfactory evidence that they (i) possess a



315 speaking and reading ability in a language, other than English, in
316 which bilingual education is offered and communicative skills in
317 English; (ii) are in good health and sound moral character; (iii)
318 possess a bachelor's degree or an associate's degree in teacher
319 education from an accredited institution of higher education; (iv)
320 meet such requirements as to courses of study, semester hours
321 therein, experience and training as may be required by the
322 commission; and (v) are legally present in the United States and
323 possess legal authorization for employment. A teacher of
324 transitional bilingual education serving under a special license
325 shall be under an exemption from standard licensure if he achieves
326 the requisite qualifications therefor. Two (2) years of service
327 by a teacher of transitional bilingual education under such an
328 exemption shall be credited to the teacher in acquiring a Standard
329 Educator License. Nothing in this paragraph shall be deemed to
330 prohibit a local school board from employing a teacher licensed in
331 an appropriate field as approved by the State Department of
332 Education to teach in a program in transitional bilingual
333 education.

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



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

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

351 (a) **Administrator License - Nonpracticing.** Those
352 educators holding administrative endorsement but having no
353 administrative experience or not serving in an administrative
354 position on January 15, 1997.

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

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

363 (d) **Administrator License - Nontraditional Route.** The
364 board may establish a nontraditional route for licensing



365 administrative personnel. Such nontraditional route for
366 administrative licensure shall be available for persons holding,
367 but not limited to, a master of business administration degree, a
368 master of public administration degree, a master of public
369 planning and policy degree or a doctor of jurisprudence degree
370 from an accredited college or university, with five (5) years of
371 administrative or supervisory experience. Successful completion
372 of the requirements of alternate route licensure for
373 administrators shall qualify the person for a standard
374 administrator license.

375 Individuals seeking school administrator licensure under
376 paragraph (b), (c) or (d) shall successfully complete a training
377 program and an assessment process prescribed by the State Board of
378 Education. All applicants for school administrator licensure
379 shall meet all requirements prescribed by the department under
380 paragraph (b), (c) or (d), and the cost of the assessment process
381 required shall be paid by the applicant.

382 (8) **Reciprocity.** (a) The department shall grant a standard
383 license to any individual who possesses a valid standard license
384 from another state and meets minimum Mississippi license
385 requirements or equivalent requirements as determined by the State
386 Board of Education. The issuance of a license by reciprocity to a
387 military-trained applicant or military spouse shall be subject to
388 the provisions of Section 73-50-1.



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

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

409 (10) All controversies involving the issuance, revocation,
410 suspension or any change whatsoever in the licensure of an
411 educator required to hold a license shall be initially heard in a
412 hearing de novo, by the commission or by a subcommittee
413 established by the commission and composed of commission members,



414 or by a hearing officer retained and appointed by the commission,
415 for the purpose of holding hearings. Any complaint seeking the
416 denial of issuance, revocation or suspension of a license shall be
417 by sworn affidavit filed with the Commission on Teacher and
418 Administrator Education, Certification and Licensure and
419 Development. The decision thereon by the commission, its
420 subcommittee or hearing officer, shall be final, unless the
421 aggrieved party shall appeal to the State Board of Education,
422 within ten (10) days, of the decision of the commission, its
423 subcommittee or hearing officer. An appeal to the State Board of
424 Education shall be perfected upon filing a notice of the appeal
425 and by the prepayment of the costs of the preparation of the
426 record of proceedings by the commission, its subcommittee or
427 hearing officer. An appeal shall be on the record previously made
428 before the commission, its subcommittee or hearing officer, unless
429 otherwise provided by rules and regulations adopted by the board.
430 The decision of the commission, its subcommittee or hearing
431 officer shall not be disturbed on appeal if supported by
432 substantial evidence, was not arbitrary or capricious, within the
433 authority of the commission, and did not violate some statutory or
434 constitutional right. The State Board of Education in its
435 authority may reverse, or remand with instructions, the decision
436 of the commission, its subcommittee or hearing officer. The
437 decision of the State Board of Education shall be final.



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

441 (i) Lack of qualifications which are prescribed by
442 law or regulations adopted by the State Board of Education;

443 (ii) The applicant has a physical, emotional or
444 mental disability that renders the applicant unfit to perform the
445 duties authorized by the license, as certified by a licensed
446 psychologist or psychiatrist;

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

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

454 (v) Failing or refusing to furnish reasonable
455 evidence of identification;

456 (vi) The applicant has been convicted, has pled
457 guilty or entered a plea of nolo contendere to a felony, as
458 defined by federal or state law. For purposes of this
459 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
460 a plea of guilty, entry of a plea of nolo contendere, or entry of
461 an order granting pretrial or judicial diversion;



462 (vii) The applicant or licensee is on probation or
463 post-release supervision for a felony or conviction, as defined by
464 federal or state law. However, this disqualification expires upon
465 the end of the probationary or post-release supervision period.

466 (b) The State Board of Education, acting through the
467 commission, shall deny an application for any teacher or
468 administrator license, or immediately revoke the current teacher
469 or administrator license, for one or more of the following:

470 (i) If the applicant or licensee has been
471 convicted, has pled guilty or entered a plea of nolo contendere to
472 a sex offense as defined by federal or state law. For purposes of
473 this subparagraph (i) of this paragraph (b), a "guilty plea"
474 includes a plea of guilty, entry of a plea of nolo contendere, or
475 entry of an order granting pretrial or judicial diversion;

476 (ii) The applicant or licensee is on probation or
477 post-release supervision for a sex offense conviction, as defined
478 by federal or state law;

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

482 (iv) The license holder has failed to report
483 sexual involvement of a school employee with a student as required
484 by Section 97-5-24.

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



487 administrator license for specified periods of time or may place
488 on probation, reprimand a licensee, or take other disciplinary
489 action with regard to any license issued under this chapter for
490 one or more of the following:

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

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

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

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

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



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

513 (g) The license holder served as superintendent or
514 principal in a school district during the time preceding and/or
515 that resulted in the Governor declaring a state of emergency and
516 the State Board of Education appointing a conservator;

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

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

525 For purposes of this subsection, probation shall be defined
526 as a length of time determined by the commission, its subcommittee
527 or hearing officer, and based on the severity of the offense in
528 which the license holder shall meet certain requirements as
529 prescribed by the commission, its subcommittee or hearing officer.
530 Failure to complete the requirements in the time specified shall
531 result in immediate suspension of the license for one (1) year.

532 (13) (a) Dismissal or suspension of a licensed employee by
533 a local school board pursuant to Section 37-9-59 may result in the
534 suspension or revocation of a license for a length of time which



535 shall be determined by the commission and based upon the severity
536 of the offense.

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

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

547 (14) (a) A person whose license has been suspended or
548 surrendered on any grounds except criminal grounds may petition
549 for reinstatement of the license after one (1) year from the date
550 of suspension or surrender, or after one-half (1/2) of the
551 suspended or surrendered time has lapsed, whichever is greater. A
552 person whose license has been suspended or revoked on any grounds
553 or violations under subsection (12) of this section may be
554 reinstated automatically or approved for a reinstatement hearing,
555 upon submission of a written request to the commission. A license
556 suspended, revoked or surrendered on criminal grounds may be
557 reinstated upon petition to the commission filed after expiration
558 of the sentence and parole or probationary period imposed upon
559 conviction. A revoked, suspended or surrendered license may be



560 reinstated upon satisfactory showing of evidence of
561 rehabilitation. The commission shall require all who petition for
562 reinstatement to furnish evidence satisfactory to the commission
563 of good character, good mental, emotional and physical health and
564 such other evidence as the commission may deem necessary to
565 establish the petitioner's rehabilitation and fitness to perform
566 the duties authorized by the license.

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

571 (15) Reporting procedures and hearing procedures for dealing
572 with infractions under this section shall be promulgated by the
573 commission, subject to the approval of the State Board of
574 Education. The revocation or suspension of a license shall be
575 effected at the time indicated on the notice of suspension or
576 revocation. The commission shall immediately notify the
577 superintendent of the school district or school board where the
578 teacher or administrator is employed of any disciplinary action
579 and also notify the teacher or administrator of such revocation or
580 suspension and shall maintain records of action taken. The State
581 Board of Education may reverse or remand with instructions any
582 decision of the commission, its subcommittee or hearing officer
583 regarding a petition for reinstatement of a license, and any such
584 decision of the State Board of Education shall be final.



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

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

606 (18) The granting of a license shall not be deemed a
607 property right nor a guarantee of employment in any public school
608 district. A license is a privilege indicating minimal eligibility
609 for teaching in the public school districts of Mississippi. This



610 section shall in no way alter or abridge the authority of local
611 school districts to require greater qualifications or standards of
612 performance as a prerequisite of initial or continued employment
613 in such districts.

614 (19) In addition to the reasons specified in subsections
615 (12) and (13) of this section, the board shall be authorized to
616 suspend the license of any licensee for being out of compliance
617 with an order for support, as defined in Section 93-11-153. The
618 procedure for suspension of a license for being out of compliance
619 with an order for support, and the procedure for the reissuance or
620 reinstatement of a license suspended for that purpose, and the
621 payment of any fees for the reissuance or reinstatement of a
622 license suspended for that purpose, shall be governed by Section
623 93-11-157 or 93-11-163, as the case may be. Actions taken by the
624 board in suspending a license when required by Section 93-11-157
625 or 93-11-163 are not actions from which an appeal may be taken
626 under this section. Any appeal of a license suspension that is
627 required by Section 93-11-157 or 93-11-163 shall be taken in
628 accordance with the appeal procedure specified in Section
629 93-11-157 or 93-11-163, as the case may be, rather than the
630 procedure specified in this section. If there is any conflict
631 between any provision of Section 93-11-157 or 93-11-163 and any
632 provision of this chapter, the provisions of Section 93-11-157 or
633 93-11-163, as the case may be, shall control.



634 **SECTION 2.** This act shall take effect and be in force from
635 and after July 1, 2020.

