

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

To: Education

SENATE BILL NO. 2511  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 REVISE LICENSURE QUALIFICATIONS AND REQUIREMENTS; TO REQUIRE THE  
3 DEPARTMENT TO AWARD A SUPPLEMENTAL TEACHING ENDORSEMENT TO A  
4 TEACHER EMPLOYED BY THE MISSISSIPPI SCHOOL OF THE ARTS UNDER  
5 CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT TO CONSIDER THE  
6 SUBSTANCE OF AN APPLICANT'S OUT-OF-STATE DEGREE REGARDLESS OF THE  
7 TITLE OF THE DEGREE WHEN DETERMINING LICENSURE CLASS; AND FOR  
8 RELATED PURPOSES.

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

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

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

20 (2) (a) The commission shall be composed of fifteen (15)  
21 qualified members. The membership of the commission shall be



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

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



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

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

60                   (b) An Office of Educator Misconduct Evaluations shall  
61 be established within the State Department of Education to assist  
62 the commission in responding to infractions and violations, and in  
63 conducting hearings and enforcing the provisions of subsections  
64 (11), (12), (13), (14) and (15) of this section, and violations of  
65 the Mississippi Educator Code of Ethics.

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

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

70                   (b) Recommend to the State Board of Education each year  
71 approval or disapproval of each educator preparation program in



72 the state, subject to a process and schedule determined by the  
73 State Board of Education;

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

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

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

83 (f) Review all existing requirements for certification  
84 and licensure;

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

87 (h) Prepare reports from time to time on current  
88 practices and issues in the general area of teacher education and  
89 certification and licensure;

90 (i) Hold hearings concerning standards for teachers'  
91 and administrators' education and certification and licensure with  
92 approval of the State Board of Education;

93 (j) Hire expert consultants with approval of the State  
94 Board of Education;

95 (k) Set up ad hoc committees to advise on specific  
96 areas; and



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

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

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

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



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



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

148 (iii) A copy of test scores evidencing  
149 satisfactory completion of nationally administered examinations of  
150 achievement, such as the Educational Testing Service's teacher  
151 testing examinations;

152 (iv) Any other document required by the State  
153 Board of Education; and

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

158 1. An ACT Score of twenty-one (21) \* \* \* (or  
159 SAT equivalent); or

160 2. Achieve \* \* \* a qualifying passing score  
161 on the Praxis Core Academic Skills for Educators examination as  
162 established by the State Board of Education; \* \* \* or

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

165 \* \* \*

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

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



170 (i) An ACT Score of twenty-one (21) \* \* \* (or SAT  
171 equivalent); or

172 (ii) Achieve \* \* \* a qualifying passing score on  
173 the Praxis Core Academic Skills for Educators examination as  
174 established by the State Board of Education; \* \* \* or

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

177 \* \* \*

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

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





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

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

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



220 of the intern teacher, and the intern teacher shall be issued a  
221 provisional teaching license by the commission, which will allow  
222 the individual to legally serve as a teacher while the person  
223 completes a nontraditional teacher preparation internship program.

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

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

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



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

253 (vii) At the discretion of the teacher preparation  
254 institution, the individual shall be allowed to credit the twelve  
255 (12) semester hours earned in the nontraditional teacher  
256 internship program toward the graduate hours required for a Master  
257 of Arts in Teacher (MAT) Degree.

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

265 Implementation of the TMI program provided for under this  
266 paragraph (b) shall be contingent upon the availability of funds  
267 appropriated specifically for such purpose by the Legislature.  
268 Such implementation of the TMI program may not be deemed to  
269 prohibit the State Board of Education from developing and



270 implementing additional alternative route teacher licensure  
271 programs, as deemed appropriate by the board. The emergency  
272 certification program in effect prior to July 1, 2002, shall  
273 remain in effect.

274 A Standard License - Approved Program Route shall be issued  
275 for a five-year period, and may be renewed. Recognizing teaching  
276 as a profession, a hiring preference shall be granted to persons  
277 holding a Standard License - Approved Program Route or Standard  
278 License - Nontraditional Teaching Route over persons holding any  
279 other license.

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

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



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

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

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



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

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



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

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

356           (a) **Administrator License - Nonpracticing.** Those  
357 educators holding administrative endorsement but having no  
358 administrative experience or not serving in an administrative  
359 position on January 15, 1997.

360           (b) **Administrator License - Entry Level.** Those  
361 educators holding administrative endorsement and having met the  
362 department's qualifications to be eligible for employment in a  
363 Mississippi school district. Administrator License - Entry Level  
364 shall be issued for a five-year period and shall be nonrenewable.

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

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



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

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

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





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

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

414 (10) All controversies involving the issuance, revocation,  
415 suspension or any change whatsoever in the licensure of an  
416 educator required to hold a license shall be initially heard in a  
417 hearing de novo, by the commission or by a subcommittee  
418 established by the commission and composed of commission members,



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



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

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

448 (ii) The applicant has a physical, emotional or  
449 mental disability that renders the applicant unfit to perform the  
450 duties authorized by the license, as certified by a licensed  
451 psychologist or psychiatrist;

452 (iii) The applicant is actively addicted to or  
453 actively dependent on alcohol or other habit-forming drugs or is a  
454 habitual user of narcotics, barbiturates, amphetamines,  
455 hallucinogens or other drugs having similar effect, at the time of  
456 application for a license;

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

459 (v) Failing or refusing to furnish reasonable  
460 evidence of identification;

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



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

471 (b) The State Board of Education, acting through the  
472 commission, shall deny an application for any teacher or  
473 administrator license, or immediately revoke the current teacher  
474 or administrator license, for one or more of the following:

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

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

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

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

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



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

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

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

502 (c) Suspension or revocation of a certificate or  
503 license by another state shall result in immediate suspension or  
504 revocation and shall continue until records in the prior state  
505 have been cleared;

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

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



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

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

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

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

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

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



540 shall be determined by the commission and based upon the severity  
541 of the offense.

542 (b) Any offense committed or attempted in any other  
543 state shall result in the same penalty as if committed or  
544 attempted in this state.

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

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



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

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

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





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

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

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



615 section shall in no way alter or abridge the authority of local  
616 school districts to require greater qualifications or standards of  
617 performance as a prerequisite of initial or continued employment  
618 in such districts.

619 (19) In addition to the reasons specified in subsections  
620 (12) and (13) of this section, the board shall be authorized to  
621 suspend the license of any licensee for being out of compliance  
622 with an order for support, as defined in Section 93-11-153. The  
623 procedure for suspension of a license for being out of compliance  
624 with an order for support, and the procedure for the reissuance or  
625 reinstatement of a license suspended for that purpose, and the  
626 payment of any fees for the reissuance or reinstatement of a  
627 license suspended for that purpose, shall be governed by Section  
628 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
629 board in suspending a license when required by Section 93-11-157  
630 or 93-11-163 are not actions from which an appeal may be taken  
631 under this section. Any appeal of a license suspension that is  
632 required by Section 93-11-157 or 93-11-163 shall be taken in  
633 accordance with the appeal procedure specified in Section  
634 93-11-157 or 93-11-163, as the case may be, rather than the  
635 procedure specified in this section. If there is any conflict  
636 between any provision of Section 93-11-157 or 93-11-163 and any  
637 provision of this chapter, the provisions of Section 93-11-157 or  
638 93-11-163, as the case may be, shall control.



639       (20) The department shall award a supplemental teaching  
640 endorsement to a teacher employed by the Mississippi School of the  
641 Arts if the teacher has completed any combination of twenty-one  
642 (21) hours of course work in the endorsement area or in a  
643 substantially similar area of coursework, as certified by the  
644 Executive Director of the Mississippi School of the Arts, with all  
645 coursework having a grade of "C" or higher. This subsection (20)  
646 shall be in addition to the traditional consideration of  
647 supplemental teaching endorsements by the department pursuant to  
648 regulation.

649       (21) When determining licensure class, the department shall  
650 consider the substance of the coursework of an applicant's  
651 original, valid, out-of-state degree as evidenced by transcript  
652 hours and certified letters from faculty members who instruct in  
653 the degree program regardless of the title of the degree.

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

