

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

13 **SECTION 1.** Section 37-3-2, Mississippi Code of 1972, as
14 amended by House Bill No. 1263, 2021 Regular Session, is amended
15 as follows:

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

24 (2) (a) The commission shall be composed of fifteen (15)
25 qualified members. The membership of the commission shall be
26 composed of the following members to be appointed, three (3) from



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

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



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

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

64 (b) An Office of Educator Misconduct Evaluations shall
65 be established within the State Department of Education to assist
66 the commission in responding to infractions and violations, and in
67 conducting hearings and enforcing the provisions of subsections
68 (11), (12), (13), (14) and (15) of this section, and violations of
69 the Mississippi Educator Code of Ethics.

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

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

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



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

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

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

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

87 (f) Review all existing requirements for certification
88 and licensure;

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

91 (h) Prepare reports from time to time on current
92 practices and issues in the general area of teacher education and
93 certification and licensure;

94 (i) Hold hearings concerning standards for teachers'
95 and administrators' education and certification and licensure with
96 approval of the State Board of Education;

97 (j) Hire expert consultants with approval of the State
98 Board of Education;

99 (k) Set up ad hoc committees to advise on specific
100 areas; and



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

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

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



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



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

152 (iii) A copy of test scores evidencing
153 satisfactory completion of nationally administered examinations of
154 achievement, such as the Educational Testing Service's teacher
155 testing examinations;

156 (iv) Any other document required by the State
157 Board of Education; and

158 (v) From and after July 1, 2020, no teacher
159 candidate shall be licensed to teach in Mississippi who did not
160 meet the following criteria for entrance into an approved teacher
161 education program:

162 1. An ACT Score of twenty-one (21) (or SAT
163 equivalent); or

164 2. Achieve a qualifying passing score on the
165 Praxis Core Academic Skills for Educators examination as
166 established by the State Board of Education; or

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

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

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

173 (i) An ACT Score of twenty-one (21) (or SAT
174 equivalent); or



175 (ii) Achieve a qualifying passing score on the
176 Praxis Core Academic Skills for Educators examination as
177 established by the State Board of Education; or

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

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

193 (i) The Teach Mississippi Institute (TMI) shall
194 include an intensive eight-week, nine-semester-hour summer program
195 or a curriculum of study in which the student matriculates in the
196 fall or spring semester, which shall include, but not be limited
197 to, instruction in education, effective teaching strategies,
198 classroom management, state curriculum requirements, planning and
199 instruction, instructional methods and pedagogy, using test



200 results to improve instruction, and a one (1) semester three-hour
201 supervised internship to be completed while the teacher is
202 employed as a full-time teacher intern in a local school district.
203 The TMI shall be implemented on a pilot program basis, with
204 courses to be offered at up to four (4) locations in the state,
205 with one (1) TMI site to be located in each of the three (3)
206 Mississippi Supreme Court districts.

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

218 (iii) Upon completion of the nine-semester-hour
219 TMI or the fall or spring semester option, the individual shall
220 submit his transcript to the commission for provisional licensure
221 of the intern teacher, and the intern teacher shall be issued a
222 provisional teaching license by the commission, which will allow
223 the individual to legally serve as a teacher while the person
224 completes a nontraditional teacher preparation internship program.



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

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

244 (vi) Upon successful completion of the TMI and the
245 internship provisional license period, applicants for a Standard
246 License - Nontraditional Route shall submit to the commission a
247 transcript of successful completion of the twelve (12) semester
248 hours required in the internship program, and the employing school
249 district shall submit to the commission a recommendation for



250 standard licensure of the intern. If the school district
251 recommends licensure, the applicant shall be issued a Standard
252 License - Nontraditional Route which shall be valid for a
253 five-year period and be renewable.

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

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

266 Implementation of the TMI program provided for under this
267 paragraph (b) shall be contingent upon the availability of funds
268 appropriated specifically for such purpose by the Legislature.
269 Such implementation of the TMI program may not be deemed to
270 prohibit the State Board of Education from developing and
271 implementing additional alternative route teacher licensure
272 programs, as deemed appropriate by the board. The emergency
273 certification program in effect prior to July 1, 2002, shall
274 remain in effect.



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

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

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



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

311 (f) **Special License - Transitional Bilingual Education.**
312 Beginning July 1, 2003, the commission shall grant special
313 licenses to teachers of transitional bilingual education who
314 possess such qualifications as are prescribed in this section.
315 Teachers of transitional bilingual education shall be compensated
316 by local school boards at not less than one (1) step on the
317 regular salary schedule applicable to permanent teachers licensed
318 under this section. The commission shall grant special licenses
319 to teachers of transitional bilingual education who present the
320 commission with satisfactory evidence that they (i) possess a
321 speaking and reading ability in a language, other than English, in
322 which bilingual education is offered and communicative skills in
323 English; (ii) are in good health and sound moral character; (iii)
324 possess a bachelor's degree or an associate's degree in teacher



325 education from an accredited institution of higher education; (iv)
326 meet such requirements as to courses of study, semester hours
327 therein, experience and training as may be required by the
328 commission; and (v) are legally present in the United States and
329 possess legal authorization for employment. A teacher of
330 transitional bilingual education serving under a special license
331 shall be under an exemption from standard licensure if he achieves
332 the requisite qualifications therefor. Two (2) years of service
333 by a teacher of transitional bilingual education under such an
334 exemption shall be credited to the teacher in acquiring a Standard
335 Educator License. Nothing in this paragraph shall be deemed to
336 prohibit a local school board from employing a teacher licensed in
337 an appropriate field as approved by the State Department of
338 Education to teach in a program in transitional bilingual
339 education.

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

346 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
347 any teacher from any state meeting the federal definition of
348 highly qualified, as described in the No Child Left Behind Act,



349 must be granted a standard five-year license by the State
350 Department of Education.

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

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

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

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

369 (d) **Administrator License - Nontraditional Route.** The
370 board may establish a nontraditional route for licensing
371 administrative personnel. Such nontraditional route for
372 administrative licensure shall be available for persons holding,
373 but not limited to, a master of business administration degree, a



374 master of public administration degree, a master of public
375 planning and policy degree or a doctor of jurisprudence degree
376 from an accredited college or university, with five (5) years of
377 administrative or supervisory experience. Successful completion
378 of the requirements of alternate route licensure for
379 administrators shall qualify the person for a standard
380 administrator license.

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

388 (8) **Reciprocity. * * ***~~—(a) The department shall grant a~~
389 standard five-year license to any individual who possesses a valid
390 standard license from another state * * *~~and meets minimum~~
391 ~~Mississippi license requirements or equivalent requirements as~~
392 ~~determined by the State Board of Education~~ within a period of
393 twenty-one (21) days from the date of a completed application.
394 The issuance of a license by reciprocity to a military-trained
395 applicant, military spouse or person who establishes residence in
396 this state shall be subject to the provisions of Section 73-50-1
397 or 73-50-2, as applicable.



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

406 (9) **Renewal and Reinstatement of Licenses.** The State Board
407 of Education is authorized to establish rules and regulations for
408 the renewal and reinstatement of educator and administrator
409 licenses. Effective May 15, 1997, the valid standard license held
410 by an educator shall be extended five (5) years beyond the
411 expiration date of the license in order to afford the educator
412 adequate time to fulfill new renewal requirements established
413 pursuant to this subsection. An educator completing a master of
414 education, educational specialist or doctor of education degree in
415 May 1997 for the purpose of upgrading the educator's license to a
416 higher class shall be given this extension of five (5) years plus
417 five (5) additional years for completion of a higher degree. For
418 all license types with a current valid expiration date of June 30,
419 2021, the State Department of Education shall grant a one-year
420 extension to June 30, 2022. Beginning July 1, 2022, and
421 thereafter, applicants for licensure renewal shall meet all



422 requirements in effect on the date that the complete application
423 is received by the State Department of Education.

424 (10) All controversies involving the issuance, revocation,
425 suspension or any change whatsoever in the licensure of an
426 educator required to hold a license shall be initially heard in a
427 hearing de novo, by the commission or by a subcommittee
428 established by the commission and composed of commission members,
429 or by a hearing officer retained and appointed by the commission,
430 for the purpose of holding hearings. Any complaint seeking the
431 denial of issuance, revocation or suspension of a license shall be
432 by sworn affidavit filed with the Commission on Teacher and
433 Administrator Education, Certification and Licensure and
434 Development. The decision thereon by the commission, its
435 subcommittee or hearing officer, shall be final, unless the
436 aggrieved party shall appeal to the State Board of Education,
437 within ten (10) days, of the decision of the commission, its
438 subcommittee or hearing officer. An appeal to the State Board of
439 Education shall be perfected upon filing a notice of the appeal
440 and by the prepayment of the costs of the preparation of the
441 record of proceedings by the commission, its subcommittee or
442 hearing officer. An appeal shall be on the record previously made
443 before the commission, its subcommittee or hearing officer, unless
444 otherwise provided by rules and regulations adopted by the board.
445 The decision of the commission, its subcommittee or hearing
446 officer shall not be disturbed on appeal if supported by



447 substantial evidence, was not arbitrary or capricious, within the
448 authority of the commission, and did not violate some statutory or
449 constitutional right. The State Board of Education in its
450 authority may reverse, or remand with instructions, the decision
451 of the commission, its subcommittee or hearing officer. The
452 decision of the State Board of Education shall be final.

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

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

458 (ii) The applicant has a physical, emotional or
459 mental disability that renders the applicant unfit to perform the
460 duties authorized by the license, as certified by a licensed
461 psychologist or psychiatrist;

462 (iii) The applicant is actively addicted to or
463 actively dependent on alcohol or other habit-forming drugs or is a
464 habitual user of narcotics, barbiturates, amphetamines,
465 hallucinogens or other drugs having similar effect, at the time of
466 application for a license;

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

469 (v) Failing or refusing to furnish reasonable
470 evidence of identification;



471 (vi) The applicant has been convicted, has pled
472 guilty or entered a plea of nolo contendere to a felony, as
473 defined by federal or state law. For purposes of this
474 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
475 a plea of guilty, entry of a plea of nolo contendere, or entry of
476 an order granting pretrial or judicial diversion;

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

481 (b) The State Board of Education, acting through the
482 commission, shall deny an application for any teacher or
483 administrator license, or immediately revoke the current teacher
484 or administrator license, for one or more of the following:

485 (i) If the applicant or licensee has been
486 convicted, has pled guilty or entered a plea of nolo contendere to
487 a sex offense as defined by federal or state law. For purposes of
488 this subparagraph (i) of this paragraph (b), a "guilty plea"
489 includes a plea of guilty, entry of a plea of nolo contendere, or
490 entry of an order granting pretrial or judicial diversion;

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



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

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

500 (12) The State Board of Education, acting through the
501 commission, may revoke, suspend or refuse to renew any teacher or
502 administrator license for specified periods of time or may place
503 on probation, reprimand a licensee, or take other disciplinary
504 action with regard to any license issued under this chapter for
505 one or more of the following:

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

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

512 (c) Suspension or revocation of a certificate or
513 license by another state shall result in immediate suspension or
514 revocation and shall continue until records in the prior state
515 have been cleared;

516 (d) The license holder has been convicted, has pled
517 guilty or entered a plea of nolo contendere to a felony, as
518 defined by federal or state law. For purposes of this paragraph,



519 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
520 contendere, or entry of an order granting pretrial or judicial
521 diversion;

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

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

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

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

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

540 For purposes of this subsection, probation shall be defined
541 as a length of time determined by the commission, its subcommittee
542 or hearing officer, and based on the severity of the offense in
543 which the license holder shall meet certain requirements as



544 prescribed by the commission, its subcommittee or hearing officer.
545 Failure to complete the requirements in the time specified shall
546 result in immediate suspension of the license for one (1) year.

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

552 (b) Any offense committed or attempted in any other
553 state shall result in the same penalty as if committed or
554 attempted in this state.

555 (c) A person may voluntarily surrender a license. The
556 surrender of such license may result in the commission
557 recommending any of the above penalties without the necessity of a
558 hearing. However, any such license which has voluntarily been
559 surrendered by a licensed employee may only be reinstated by a
560 majority vote of all members of the commission present at the
561 meeting called for such purpose.

562 (14) (a) A person whose license has been suspended or
563 surrendered on any grounds except criminal grounds may petition
564 for reinstatement of the license after one (1) year from the date
565 of suspension or surrender, or after one-half (1/2) of the
566 suspended or surrendered time has lapsed, whichever is greater. A
567 person whose license has been suspended or revoked on any grounds
568 or violations under subsection (12) of this section may be



569 reinstated automatically or approved for a reinstatement hearing,
570 upon submission of a written request to the commission. A license
571 suspended, revoked or surrendered on criminal grounds may be
572 reinstated upon petition to the commission filed after expiration
573 of the sentence and parole or probationary period imposed upon
574 conviction. A revoked, suspended or surrendered license may be
575 reinstated upon satisfactory showing of evidence of
576 rehabilitation. The commission shall require all who petition for
577 reinstatement to furnish evidence satisfactory to the commission
578 of good character, good mental, emotional and physical health and
579 such other evidence as the commission may deem necessary to
580 establish the petitioner's rehabilitation and fitness to perform
581 the duties authorized by the license.

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

586 (15) Reporting procedures and hearing procedures for dealing
587 with infractions under this section shall be promulgated by the
588 commission, subject to the approval of the State Board of
589 Education. The revocation or suspension of a license shall be
590 effected at the time indicated on the notice of suspension or
591 revocation. The commission shall immediately notify the
592 superintendent of the school district or school board where the
593 teacher or administrator is employed of any disciplinary action



594 and also notify the teacher or administrator of such revocation or
595 suspension and shall maintain records of action taken. The State
596 Board of Education may reverse or remand with instructions any
597 decision of the commission, its subcommittee or hearing officer
598 regarding a petition for reinstatement of a license, and any such
599 decision of the State Board of Education shall be final.

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

617 (17) All such programs, rules, regulations, standards and
618 criteria recommended or authorized by the commission shall become



619 effective upon approval by the State Board of Education as
620 designated by appropriate orders entered upon the minutes thereof.

621 (18) The granting of a license shall not be deemed a
622 property right nor a guarantee of employment in any public school
623 district. A license is a privilege indicating minimal eligibility
624 for teaching in the public school districts of Mississippi. This
625 section shall in no way alter or abridge the authority of local
626 school districts to require greater qualifications or standards of
627 performance as a prerequisite of initial or continued employment
628 in such districts.

629 (19) In addition to the reasons specified in subsections
630 (12) and (13) of this section, the board shall be authorized to
631 suspend the license of any licensee for being out of compliance
632 with an order for support, as defined in Section 93-11-153. The
633 procedure for suspension of a license for being out of compliance
634 with an order for support, and the procedure for the reissuance or
635 reinstatement of a license suspended for that purpose, and the
636 payment of any fees for the reissuance or reinstatement of a
637 license suspended for that purpose, shall be governed by Section
638 93-11-157 or 93-11-163, as the case may be. Actions taken by the
639 board in suspending a license when required by Section 93-11-157
640 or 93-11-163 are not actions from which an appeal may be taken
641 under this section. Any appeal of a license suspension that is
642 required by Section 93-11-157 or 93-11-163 shall be taken in
643 accordance with the appeal procedure specified in Section



644 93-11-157 or 93-11-163, as the case may be, rather than the
645 procedure specified in this section. If there is any conflict
646 between any provision of Section 93-11-157 or 93-11-163 and any
647 provision of this chapter, the provisions of Section 93-11-157 or
648 93-11-163, as the case may be, shall control.

649 **SECTION 2.** This act shall take effect and be in force from
650 and after July 1, 2021.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, AS
2 AMENDED BY HOUSE BILL NO. 1263, 2021 REGULAR SESSION, TO PROVIDE
3 THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES WITHIN A
4 PERIOD OF 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION TO
5 TEACHERS IF THEY POSSESS A VALID STANDARD LICENSE FROM ANOTHER
6 STATE; TO PROVIDE THAT FOR ALL LICENSE TYPES WITH A CURRENT VALID
7 EXPIRATION DATE OF JUNE 30, 2021, THE DEPARTMENT OF EDUCATION
8 SHALL GRANT A ONE-YEAR EXTENSION TO JUNE 30, 2022; TO PROVIDE THAT
9 BEGINNING JULY 1, 2022, AND THEREAFTER, APPLICANTS FOR LICENSURE
10 RENEWAL SHALL MEET ALL REQUIREMENTS IN EFFECT ON THE DATE THAT THE
11 COMPLETE APPLICATION IS RECEIVED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

X (SIGNED)
DeBar

X (SIGNED)
Bennett

X (SIGNED)
Hill

X (SIGNED)
McCarty

X (SIGNED)
Norwood

X (SIGNED)
Ladner

