

By: Representative Bennett

To: Education

HOUSE BILL NO. 1166

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
 2 REVISE EDUCATOR PREPARATION PROGRAM STANDARDS FOR EDUCATOR
 3 LICENSURE FOR THE NONTRADITIONAL TEACHING ROUTE THROUGH THE TEACH
 4 MISSISSIPPI INSTITUTE; TO REPLACE THE CRITERIA REQUIREMENT FOR
 5 NCATE ACCREDITATION WITH AN ACCREDITOR FOR EDUCATION PREPARATION
 6 PROGRAMS APPROVED BY THE STATE BOARD OF EDUCATION; TO REQUIRE A
 7 TWO SEMESTER SIX-HOUR SUPERVISED INTERNSHIP TO BE COMPLETED WHILE
 8 THE TEACHER IS EMPLOYED AS A FULL-TIME TEACHER INTERN IN A LOCAL
 9 SCHOOL DISTRICT, TO PERMIT THE TEACH MISSISSIPPI INSTITUTE TO
 10 OFFER AT ANY STATE BOARD OF EDUCATION-APPROVED EPP WITH AN
 11 APPROVED TMI PROGRAM; TO REQUIRE THE EPP AND SCHOOL DISTRICT OF
 12 INTERNSHIP TO MONITOR THE PERFORMANCE OF INTERN TEACHER; TO
 13 REQUIRE APPLICANTS FOR A STANDARD LICENSE-NONTRADITIONAL ROUTE TO
 14 SUBMIT A TRANSCRIPT EVIDENCING THE COMPLETION OF 15 SEMESTER HOURS
 15 IN THE INTERNSHIP PROGRAM; AND FOR RELATED PURPOSES.

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

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

19 37-3-2. (1) There is established within the State
 20 Department of Education the Commission on Teacher and
 21 Administrator Education, Certification and Licensure and
 22 Development. It shall be the purpose and duty of the commission
 23 to make recommendations to the State Board of Education regarding
 24 standards for the certification and licensure and continuing



25 professional development of those who teach or perform tasks of an
26 educational nature in the public schools of Mississippi.

27 (2) (a) The commission shall be composed of fifteen (15)
28 qualified members. The membership of the commission shall be
29 composed of the following members to be appointed, three (3) from
30 each of the four (4) congressional districts, as such districts
31 existed on January 1, 2011, in accordance with the population
32 calculations determined by the 2010 federal decennial census,
33 including: four (4) classroom teachers; three (3) school
34 administrators; one (1) representative of schools of education of
35 public institutions of higher learning located within the state to
36 be recommended by the Board of Trustees of State Institutions of
37 Higher Learning; one (1) representative from the schools of
38 education of independent institutions of higher learning to be
39 recommended by the Board of the Mississippi Association of
40 Independent Colleges; one (1) representative from public community
41 and junior colleges located within the state to be recommended by
42 the Mississippi Community College Board; one (1) local school
43 board member; and four (4) laypersons. Three (3) members of the
44 commission, at the sole discretion of the State Board of
45 Education, shall be appointed from the state at large.

46 (b) All appointments shall be made by the State Board
47 of Education after consultation with the State Superintendent of
48 Public Education. The first appointments by the State Board of
49 Education shall be made as follows: five (5) members shall be



50 appointed for a term of one (1) year; five (5) members shall be
51 appointed for a term of two (2) years; and five (5) members shall
52 be appointed for a term of three (3) years. Thereafter, all
53 members shall be appointed for a term of four (4) years.

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

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

67 (b) An Office of Educator Misconduct Evaluations shall
68 be established within the State Department of Education to assist
69 the commission in responding to infractions and violations, and in
70 conducting hearings and enforcing the provisions of subsections
71 (11), (12), (13), (14) and (15) of this section, and violations of
72 the Mississippi Educator Code of Ethics.

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



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

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

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

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

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

90 (f) Review all existing requirements for certification
91 and licensure;

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

94 (h) Prepare reports from time to time on current
95 practices and issues in the general area of teacher education and
96 certification and licensure;



97 (i) Hold hearings concerning standards for teachers'
98 and administrators' education and certification and licensure with
99 approval of the State Board of Education;

100 (j) Hire expert consultants with approval of the State
101 Board of Education;

102 (k) Set up ad hoc committees to advise on specific
103 areas; and

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

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

121 (i) An application on a department form;



122 (ii) An official transcript of completion of a
123 teacher education program approved by the department or a
124 nationally accredited program, subject to the following:
125 Licensure to teach in Mississippi prekindergarten through
126 kindergarten classrooms shall require completion of a teacher
127 education program or a Bachelor of Science degree with child
128 development emphasis from a preparation program * * * in
129 accordance with the standards set forth by the American
130 Association of Family and Consumer Sciences (AAFCS) or by the
131 National Association for Education of Young Children (NAEYC) or by
132 the * * * national accreditor for education preparation programs
133 (EPP) approved by the State Board of Education. Licensure to
134 teach in Mississippi kindergarten, for those applicants who have
135 completed a teacher education program, and in Grade 1 through
136 Grade 4 shall require the completion of an interdisciplinary
137 program of studies. Licenses for Grades 4 through 8 shall require
138 the completion of an interdisciplinary program of studies with two
139 (2) or more areas of concentration. Licensure to teach in
140 Mississippi Grades 7 through 12 shall require a major in an
141 academic field other than education, or a combination of
142 disciplines other than education. Students preparing to teach a
143 subject shall complete a major in the respective subject
144 discipline. All applicants for standard licensure shall
145 demonstrate that such person's college preparation in those fields
146 was in accordance with the standards set forth by the * * *



147 national accreditor for educator preparation programs (EPP)
148 approved by the State Board of Education or the National
149 Association of State Directors of Teacher Education and
150 Certification (NASDTEC) or, for those applicants who have a
151 Bachelor of Science degree with child development emphasis, the
152 American Association of Family and Consumer Sciences (AAFCS).
153 Effective July 1, 2016, for initial elementary education
154 licensure, a teacher candidate must earn a passing score on a
155 rigorous test of scientifically research-based reading instruction
156 and intervention and data-based decision-making principles as
157 approved by the State Board of Education;

158 (iii) A copy of test scores evidencing
159 satisfactory completion of nationally administered examinations of
160 achievement, such as the Educational Testing Service's teacher
161 testing examinations;

162 (iv) Any other document required by the State
163 Board of Education; and

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

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



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

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

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

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

179 (i) An ACT Score of twenty-one (21) (or SAT
180 equivalent); or

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

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

186 (c) Beginning July 1, 2020, an individual who has
187 attained a passing score on the Praxis Core Academic Skills for
188 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
189 or a minimum GPA of 3.0 on coursework prior to admission to an
190 approved teacher education program and a passing score on the
191 Praxis Subject Assessment in the requested area of endorsement may
192 apply for admission to the Teach Mississippi Institute (TMI)
193 program to teach students in Grades 7 through 12 if the individual
194 meets the requirements of this paragraph (b). The State Board of



195 Education shall adopt rules requiring that teacher preparation
196 institutions which provide the Teach Mississippi Institute (TMI)
197 program for the preparation of nontraditional teachers shall meet
198 the standards and comply with the provisions of this paragraph.

199 (i) The Teach Mississippi Institute (TMI) shall
200 include an intensive eight-week, nine-semester-hour summer program
201 or a curriculum of study in which the student matriculates in the
202 fall or spring semester, which shall include, but not be limited
203 to, instruction in education, effective teaching strategies,
204 classroom management, state curriculum requirements, planning and
205 instruction, instructional methods and pedagogy, using test
206 results to improve instruction, and a * * * two (2) semester * * *
207 six-hour supervised internship to be completed while the teacher
208 is employed as a full-time teacher intern in a local school
209 district. The TMI * * * course may be * * * offered at any State
210 Board of Education-approved educator preparation program (EPP)
211 with an approved TMI program.

212 (ii) The school sponsoring the teacher intern
213 shall enter into a written agreement with the * * * EPP providing
214 the Teach Mississippi Institute (TMI) program, under terms and
215 conditions as agreed upon by the contracting parties, providing
216 that the school district shall provide teacher interns seeking a
217 nontraditional provisional teaching license with a one-year
218 internship and classroom teaching experience. The teacher intern
219 shall successfully complete the * * * two (2) semester * * *



220 six-hour intensive internship in the school district during
221 the * * * year-long teaching experience.

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

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

243 (v) An individual issued a provisional teaching
244 license under this nontraditional route shall successfully



245 complete, at a minimum, a one-year beginning teacher mentoring and
246 induction program administered by the employing school district
247 with the assistance of the State Department of Education.

248 (vi) Upon successful completion of the TMI and the
249 internship provisional license period, applicants for a Standard
250 License - Nontraditional Route shall submit to the commission a
251 transcript of successful completion of the * * * fifteen (15)
252 semester hours required in the internship program, and the
253 employing school district shall submit to the commission a
254 recommendation for standard licensure of the intern. If the
255 school district recommends licensure, the applicant shall be
256 issued a Standard License - Nontraditional Route which shall be
257 valid for a five-year period and be renewable.

258 (vii) At the discretion of the teacher preparation
259 institution, the individual shall be allowed to credit the * * *
260 fifteen (15) semester hours earned in the nontraditional teacher
261 internship program toward the graduate hours required for a Master
262 of Arts in Teacher (MAT) Degree.

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



270 * * *

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

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

290 (d) **Special License - Nonrenewable.** The State Board of
291 Education is authorized to establish rules and regulations to
292 allow those educators not meeting requirements in paragraph (a),
293 (b) or (c) of this subsection (6) to be licensed for a period of



294 not more than three (3) years, except by special approval of the
295 State Board of Education.

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

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



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

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

342 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
343 any teacher from any state meeting the federal definition of



344 highly qualified, as described in the No Child Left Behind Act,
345 must be granted a standard five-year license by the State
346 Department of Education.

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

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

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

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

365 (d) **Administrator License - Nontraditional Route.** The
366 board may establish a nontraditional route for licensing
367 administrative personnel. Such nontraditional route for
368 administrative licensure shall be available for persons holding,



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

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

384 (8) **Reciprocity.** The department shall grant a standard
385 five-year license to any individual who possesses a valid standard
386 license from another state within a period of twenty-one (21) days
387 from the date of a completed application. The issuance of a
388 license by reciprocity to a military-trained applicant, military
389 spouse or person who establishes residence in this state shall be
390 subject to the provisions of Section 73-50-1 or 73-50-2, as
391 applicable.

392 (9) **Renewal and Reinstatement of Licenses.** The State Board
393 of Education is authorized to establish rules and regulations for



394 the renewal and reinstatement of educator and administrator
395 licenses. Effective May 15, 1997, the valid standard license held
396 by an educator shall be extended five (5) years beyond the
397 expiration date of the license in order to afford the educator
398 adequate time to fulfill new renewal requirements established
399 pursuant to this subsection. An educator completing a master of
400 education, educational specialist or doctor of education degree in
401 May 1997 for the purpose of upgrading the educator's license to a
402 higher class shall be given this extension of five (5) years plus
403 five (5) additional years for completion of a higher degree. For
404 all license types with a current valid expiration date of June 30,
405 2021, the State Department of Education shall grant a one-year
406 extension to June 30, 2022. Beginning July 1, 2022, and
407 thereafter, applicants for licensure renewal shall meet all
408 requirements in effect on the date that the complete application
409 is received by the State Department of Education.

410 (10) All controversies involving the issuance, revocation,
411 suspension or any change whatsoever in the licensure of an
412 educator required to hold a license shall be initially heard in a
413 hearing de novo, by the commission or by a subcommittee
414 established by the commission and composed of commission members,
415 or by a hearing officer retained and appointed by the commission,
416 for the purpose of holding hearings. Any complaint seeking the
417 denial of issuance, revocation or suspension of a license shall be
418 by sworn affidavit filed with the Commission on Teacher and



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

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

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



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

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

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

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

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

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

467 (b) The State Board of Education, acting through the
468 commission, shall deny an application for any teacher or



469 administrator license, or immediately revoke the current teacher
470 or administrator license, for one or more of the following:

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

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

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

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

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



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

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

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

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

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

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

514 (g) The license holder served as superintendent or
515 principal in a school district during the time preceding and/or



516 that resulted in the Governor declaring a state of emergency and
517 the State Board of Education appointing a conservator;

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

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

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

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

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



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

548 (14) (a) A person whose license has been suspended or
549 surrendered on any grounds except criminal grounds may petition
550 for reinstatement of the license after one (1) year from the date
551 of suspension or surrender, or after one-half (1/2) of the
552 suspended or surrendered time has lapsed, whichever is greater. A
553 person whose license has been suspended or revoked on any grounds
554 or violations under subsection (12) of this section may be
555 reinstated automatically or approved for a reinstatement hearing,
556 upon submission of a written request to the commission. A license
557 suspended, revoked or surrendered on criminal grounds may be
558 reinstated upon petition to the commission filed after expiration
559 of the sentence and parole or probationary period imposed upon
560 conviction. A revoked, suspended or surrendered license may be
561 reinstated upon satisfactory showing of evidence of
562 rehabilitation. The commission shall require all who petition for
563 reinstatement to furnish evidence satisfactory to the commission
564 of good character, good mental, emotional and physical health and
565 such other evidence as the commission may deem necessary to



566 establish the petitioner's rehabilitation and fitness to perform
567 the duties authorized by the license.

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

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

586 (16) An appeal from the action of the State Board of
587 Education in denying an application, revoking or suspending a
588 license or otherwise disciplining any person under the provisions
589 of this section shall be filed in the Chancery Court of the First
590 Judicial District of Hinds County, Mississippi, on the record



591 made, including a verbatim transcript of the testimony at the
592 hearing. The appeal shall be filed within thirty (30) days after
593 notification of the action of the board is mailed or served and
594 the proceedings in chancery court shall be conducted as other
595 matters coming before the court. The appeal shall be perfected
596 upon filing notice of the appeal and by the prepayment of all
597 costs, including the cost of preparation of the record of the
598 proceedings by the State Board of Education, and the filing of a
599 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
600 if the action of the board be affirmed by the chancery court, the
601 applicant or license holder shall pay the costs of the appeal and
602 the action of the chancery court.

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

607 (18) The granting of a license shall not be deemed a
608 property right nor a guarantee of employment in any public school
609 district. A license is a privilege indicating minimal eligibility
610 for teaching in the public school districts of Mississippi. This
611 section shall in no way alter or abridge the authority of local
612 school districts to require greater qualifications or standards of
613 performance as a prerequisite of initial or continued employment
614 in such districts.



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

635 **SECTION 2.** This act shall take effect and be in force from
636 and after July 1, 2022.

