

By: Representatives Williams-Barnes, Stamps

To: Education

HOUSE BILL NO. 1217

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 REMOVE THE OPTION FOR A 21 ACT SCORE (OR SAT EQUIVALENT)  
3 REQUIREMENT FOR ENTRY INTO AN APPROVED TEACHER EDUCATION PROGRAM  
4 FOR LICENSURE; AND FOR RELATED PURPOSES.

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

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

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

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



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

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

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



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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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



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



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

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

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

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

154 \* \* \*

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

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

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

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

164 \* \* \*



165 ( \* \* \*i) Achieve a qualifying passing score on  
166 the Praxis Core Academic Skills for Educators examination as  
167 established by the State Board of Education; or

168 ( \* \* \*ii) A minimum GPA of 3.0 on coursework  
169 prior to admission to an approved teacher education program.

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

183 (i) The Teach Mississippi Institute (TMI) shall  
184 include an intensive eight-week, nine-semester-hour summer program  
185 or a curriculum of study in which the student matriculates in the  
186 fall or spring semester, which shall include, but not be limited  
187 to, instruction in education, effective teaching strategies,  
188 classroom management, state curriculum requirements, planning and  
189 instruction, instructional methods and pedagogy, using test





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

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

208           (iii) Upon completion of the nine-semester-hour  
209 TMI or the fall or spring semester option, the individual shall  
210 submit his transcript to the commission for provisional licensure  
211 of the intern teacher, and the intern teacher shall be issued a  
212 provisional teaching license by the commission, which will allow  
213 the individual to legally serve as a teacher while the person  
214 completes a nontraditional teacher preparation internship program.



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

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

234 (vi) Upon successful completion of the TMI and the  
235 internship provisional license period, applicants for a Standard  
236 License - Nontraditional Route shall submit to the commission a  
237 transcript of successful completion of the twelve (12) semester  
238 hours required in the internship program, and the employing school  
239 district shall submit to the commission a recommendation for



240 standard licensure of the intern. If the school district  
241 recommends licensure, the applicant shall be issued a Standard  
242 License - Nontraditional Route which shall be valid for a  
243 five-year period and be renewable.

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

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

256 Implementation of the TMI program provided for under this  
257 paragraph (b) shall be contingent upon the availability of funds  
258 appropriated specifically for such purpose by the Legislature.  
259 Such implementation of the TMI program may not be deemed to  
260 prohibit the State Board of Education from developing and  
261 implementing additional alternative route teacher licensure  
262 programs, as deemed appropriate by the board. The emergency  
263 certification program in effect prior to July 1, 2002, shall  
264 remain in effect.



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

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

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



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

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



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

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

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



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

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

347 (a) **Administrator License - Nonpracticing.** Those  
348 educators holding administrative endorsement but having no  
349 administrative experience or not serving in an administrative  
350 position on January 15, 1997.

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

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

359 (d) **Administrator License - Nontraditional Route.** The  
360 board may establish a nontraditional route for licensing  
361 administrative personnel. Such nontraditional route for  
362 administrative licensure shall be available for persons holding,  
363 but not limited to, a master of business administration degree, a



364 master of public administration degree, a master of public  
365 planning and policy degree or a doctor of jurisprudence degree  
366 from an accredited college or university, with five (5) years of  
367 administrative or supervisory experience. Successful completion  
368 of the requirements of alternate route licensure for  
369 administrators shall qualify the person for a standard  
370 administrator license.

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

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

386 (9) **Renewal and Reinstatement of Licenses.** The State Board  
387 of Education is authorized to establish rules and regulations for  
388 the renewal and reinstatement of educator and administrator





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

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



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

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

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



438                   (ii) The applicant has a physical, emotional or  
439 mental disability that renders the applicant unfit to perform the  
440 duties authorized by the license, as certified by a licensed  
441 psychologist or psychiatrist;

442                   (iii) The applicant is actively addicted to or  
443 actively dependent on alcohol or other habit-forming drugs or is a  
444 habitual user of narcotics, barbiturates, amphetamines,  
445 hallucinogens or other drugs having similar effect, at the time of  
446 application for a license;

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

449                   (v) Failing or refusing to furnish reasonable  
450 evidence of identification;

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

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

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



463 administrator license, or immediately revoke the current teacher  
464 or administrator license, for one or more of the following:

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

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

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

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

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



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

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

492 (c) Suspension or revocation of a certificate or  
493 license by another state shall result in immediate suspension or  
494 revocation and shall continue until records in the prior state  
495 have been cleared;

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

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

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

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



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

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

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

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

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

532 (b) Any offense committed or attempted in any other  
533 state shall result in the same penalty as if committed or  
534 attempted in this state.



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

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



560 establish the petitioner's rehabilitation and fitness to perform  
561 the duties authorized by the license.

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

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

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





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

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

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



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

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

