

By: Representatives Gunn, Miles, Stamps

To: Workforce Development

HOUSE BILL NO. 1388

1 AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL
2 EDUCATION REFORM" ACT; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE
3 OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE
4 STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS
5 ASSESSMENT, WHICH SHALL BE WEIGHTED IN THE SAME PERCENTAGE AS THE
6 STANDARD ACT ASSESSMENT; TO REQUIRE THE OFFICE OF WORKFORCE
7 DEVELOPMENT TO PILOT A CAREER COACHING PROGRAM TO SUPPORT MIDDLE
8 SCHOOL AND HIGH SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND
9 CONNECTED TO CAREER AVENUES WITHIN AND BEYOND THE CLASSROOM
10 SETTING; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EDUCATION TO
11 WORK IN CONJUNCTION WITH THE MISSISSIPPI COMMUNITY COLLEGE BOARD
12 TO ENSURE ALIGNMENT OF CAREER AND TECHNICAL EDUCATION COURSES
13 ACROSS THE PUBLIC SCHOOL SYSTEM AND COMMUNITY COLLEGE SYSTEM,
14 WHICH INCLUDES DUAL ENROLLMENT COURSES; TO REQUIRE THE STATE
15 WORKFORCE INVESTMENT BOARD TO CREATE A SINGLE LIST OF NATIONALLY
16 RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI
17 ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR
18 CERTAIN REIMBURSEMENTS; TO AMEND SECTION 37-153-15, MISSISSIPPI
19 CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFYING INDUSTRY
20 CERTIFICATION"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO
21 WORK IN PARTNERSHIP WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION
22 AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM
23 INVENTORY AND RETURN ON INVESTMENT ANALYSIS OF WORKFORCE
24 DEVELOPMENT PROGRAMS IN THE STATE; TO REQUIRE THE OFFICE OF
25 WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG
26 K-12 EDUCATION, EMPLOYERS AND INDUSTRY AND POSTSECONDARY EDUCATION
27 TO COMPLETE CERTAIN OBJECTIVES; TO AMEND SECTION 37-16-3,
28 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIFORM STATEWIDE
29 TESTING PROGRAM SHALL PROVIDE FOR THE ADMINISTRATION OF THE ACT
30 WORKKEYS ASSESSMENT, OR A CAREER-READINESS ASSESSMENT DEEMED
31 APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN
32 COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY
33 STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH
34 INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT



35 IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO
36 AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE
37 STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING MIDDLE
38 SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL
39 EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE
40 CERTAIN STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE
41 THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE
42 ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR
43 ELEVENTH GRADE; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN
44 CAREER TECHNICAL EDUCATION PATHWAYS; TO AMEND SECTION 37-3-2,
45 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER
46 PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE
47 OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT
48 CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER
49 LICENSE FROM ONE YEAR TO FIVE YEARS; TO BRING FORWARD SECTIONS
50 37-15-38 AND 37-71-11, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE
51 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

53 **SECTION 1.** The provisions of this act shall be known and may
54 be cited as the "Comprehensive Career and Technical Education
55 Reform" or "CCATER" Act.

56 **SECTION 2.** (1) The Office of Workforce Development shall
57 pilot a career coaching program to support middle schools and high
58 schools as students are exposed, prepared and connected to career
59 avenues within and beyond the classroom setting. Through strong
60 partnerships with economic and business leaders, paired with
61 viable relationships with school districts, the career coaches
62 shall target the alignment of students' strengths with intentional
63 academic and work-based learning in pursuit of meaningful
64 professional employment.

65 (2) The Office of Workforce Development, working through the
66 Department of Employment Security as fiscal agent, shall establish
67 rules and regulations to operate the career coaching program,
68 which may include granting funds to eligible recipients such as



69 state agencies, regional workforce entities and other nonprofits,
70 to hire coaches. The Office of Workforce Development shall
71 establish criteria for coaches and shall work with partner
72 organizations to identify candidates and measure outcomes.

73 **SECTION 3.** The Mississippi Department of Education shall
74 work in conjunction with the Mississippi Community College Board
75 to ensure alignment of career technical education courses across
76 the public school system and community college system. This
77 alignment shall include career technical education dual-credit
78 courses that lead to high-demand, high-skill and high-wage
79 occupations meeting the needs of local business and industry. If
80 a community college chooses not to participate in the dual credit
81 program, eligible high school students may enroll in dual credit
82 courses at another participating community college within the
83 state.

84 **SECTION 4.** The State Workforce Investment Board, by and
85 through the Office of Workforce Development, shall create, in
86 consultation with the Mississippi Department of Education, the
87 Mississippi Community College Board, the Mississippi State
88 University Research and Curriculum Unit and other appropriate
89 business and industry stakeholders, a single list of nationally
90 recognized industry certifications for use in the Mississippi
91 statewide accountability system, in diploma endorsement
92 requirements and for reimbursement under Section 37-153-15.



93 **SECTION 5.** Section 37-153-15, Mississippi Code of 1972, is
94 amended as follows:

95 37-153-15. (1) As used in this chapter:

96 (a) The words "industry certification" mean a voluntary
97 process through which students are assessed by an independent,
98 third-party certifying entity using predetermined standards for
99 knowledge, skills and competencies, resulting in the award of a
100 credential that is nationally recognized and must be at least one

101 (1) of the following:

102 (i) Within an industry that addresses a critical
103 local, regional or statewide economic need;

104 (ii) Linked to an occupation that is included in
105 the State Department of Employment Security's occupations in
106 high-demand list; or

107 (iii) Linked to an occupation that is identified
108 as emerging.

109 (b) The words "qualifying industry certification" mean
110 an industry certification that is linked to an occupation with
111 wages of at least seventy percent (70%) of the * * * median state
112 income unless the industry certification is stackable to another
113 postsecondary or professional credential which is linked to an
114 occupation which meets the wage criterion.

115 (2) The State Workforce Investment Board shall provide the
116 State Board of Education annually with a list of qualifying
117 industry certifications. If the occupations identified in the



118 list are not substantially the same as those occupations
119 identified in the prior year, the State Board of Education shall
120 provide reasonable notice of the changes to school districts.

121 (3) Beginning in fiscal year 2019-2020 and subject to
122 available funding, the Department of Education shall pay a career
123 and technical education incentive grant to the public school for
124 each student enrolled in the public school who earns a qualifying
125 industry certification. The amount per student for the career and
126 technical education incentive grant shall be Six Hundred Dollars
127 (\$600.00). If the statewide sum of the career and technical
128 education incentive grants awarded pursuant to this section
129 exceeds the amount of available funds appropriated for the grants,
130 the grants per student shall be reduced proportionately to cover
131 all eligible grants under this section. Any costs accrued during
132 one (1) fiscal year may be claimed and reimbursed in the following
133 fiscal year.

134 (4) The grants may be used for qualifying industry
135 certification examination fees, professional development for
136 teachers in career and technical education programs under this
137 section, student instructional support for programs that lead to
138 qualifying industry certifications, or to increase access to
139 qualifying industry certifications. Any grants awarded under this
140 section may not be used to supplant funds provided for the basic
141 operation of the career and technical education programs.



142 (5) On or before July 1 of each year, the Department of
143 Education shall submit a report to the Governor, the Lieutenant
144 Governor, the Speaker of the House of Representatives, the
145 Chairmen of the House and Senate Education Committees, the
146 Chairman of the House Workforce Development Committee and the
147 Chairman of the Senate Labor Committee on the following:

148 (a) The number of students who enrolled in a career and
149 technical education course or program that leads to a qualifying
150 industry certification.

151 (b) The number of students who earned a qualifying
152 industry certification by certification.

153 (c) The amount of career and technical education
154 incentive grants awarded by the school.

155 (d) The amount of career and technical education
156 incentive grants awarded per student.

157 (e) Aggregated demographic data on the students who
158 earned a qualifying industry certification, including the
159 qualifying industry certifications earned by rural and urban
160 students.

161 **SECTION 6.** (1) The Office of Workforce Development shall
162 work in partnership with the Mississippi Department of Education
163 and the Mississippi Community College Board to complete a program
164 inventory and return on investment analysis of workforce programs
165 and career technical education programs in both the K-12 and
166 community college system, with the expectation that results will



167 be used in conjunction with labor market analysis information and
168 other relevant data to adjust program offerings to best meet the
169 future needs of Mississippi business and industry and to provide
170 high-demand, high-skill and high-wage pathways.

171 (2) The Office of Workforce Development shall develop
172 cross-sector partnerships among K-12 education, employers and
173 industry, and postsecondary education to meet at least quarterly
174 or more often as the industry needs require to complete the
175 following objectives:

176 (a) The state's career technical education programs
177 emphasize high-demand, high-skill and high-wage pathways, as
178 determined by state and regional labor market data, and aligned
179 with the current and projected state economic priorities.

180 (b) Employers and industry are consulted and help lead
181 the development of career technical education program standards,
182 curricula, instructional strategies and industry-valued
183 credentials.

184 (c) Career technical education programs feature
185 experiential learning opportunities such as internships,
186 externships, apprenticeships or other work-based learning
187 opportunities.

188 (d) Career technical education programs are linked to
189 postsecondary courses and credential programs and provide a
190 seamless transition to a postsecondary credential.



191 (e) The state shall annually publish and promote a list
192 of industry-recognized certifications relevant to specific career
193 technical education pathways and linked to high-demand, high-skill
194 and high-wage pathways.

195 (f) Career technical education programs shall be
196 annually reviewed to ensure that offerings do not lead to dead-end
197 pathways, develop new offerings to meet industry needs and
198 strengthen existing offerings.

199 (g) Career technical education programs shall be
200 reviewed annually to ensure student participation and success
201 rates, including career technical education concentrators and
202 students earning industry-recognized credentials. This review
203 shall also include an examination of student participation and
204 success by demographics to ensure equitable access and completion
205 by all students.

206 (h) Best practices in cross-sector partnerships are
207 developed and shared across the state.

208 **SECTION 7.** Section 37-17-6, Mississippi Code of 1972, is
209 amended as follows:

210 37-17-6. (1) The State Board of Education, acting through
211 the Commission on School Accreditation, shall establish and
212 implement a permanent performance-based accreditation system, and
213 all noncharter public elementary and secondary schools shall be
214 accredited under this system.



215 (2) No later than June 30, 1995, the State Board of
216 Education, acting through the Commission on School Accreditation,
217 shall require school districts to provide school classroom space
218 that is air-conditioned as a minimum requirement for
219 accreditation.

220 (3) (a) Beginning with the 1994-1995 school year, the State
221 Board of Education, acting through the Commission on School
222 Accreditation, shall require that school districts employ
223 certified school librarians according to the following formula:

224	Number of Students	Number of Certified
225	Per School Library	School Librarians
226	0 - 499 Students	1/2 Full-time Equivalent
227		Certified Librarian
228	500 or More Students	1 Full-time Certified
229		Librarian

230 (b) The State Board of Education, however, may increase
231 the number of positions beyond the above requirements.

232 (c) The assignment of certified school librarians to
233 the particular schools shall be at the discretion of the local
234 school district. No individual shall be employed as a certified
235 school librarian without appropriate training and certification as
236 a school librarian by the State Department of Education.

237 (d) School librarians in the district shall spend at
238 least fifty percent (50%) of direct work time in a school library



239 and shall devote no more than one-fourth (1/4) of the workday to
240 administrative activities that are library related.

241 (e) Nothing in this subsection shall prohibit any
242 school district from employing more certified school librarians
243 than are provided for in this section.

244 (f) Any additional millage levied to fund school
245 librarians required for accreditation under this subsection shall
246 be included in the tax increase limitation set forth in Sections
247 37-57-105 and 37-57-107 and shall not be deemed a new program for
248 purposes of the limitation.

249 (4) On or before December 31, 2002, the State Board of
250 Education shall implement the performance-based accreditation
251 system for school districts and for individual noncharter public
252 schools which shall include the following:

253 (a) High expectations for students and high standards
254 for all schools, with a focus on the basic curriculum;

255 (b) Strong accountability for results with appropriate
256 local flexibility for local implementation;

257 (c) A process to implement accountability at both the
258 school district level and the school level;

259 (d) Individual schools shall be held accountable for
260 student growth and performance;

261 (e) Set annual performance standards for each of the
262 schools of the state and measure the performance of each school
263 against itself through the standard that has been set for it;



264 (f) A determination of which schools exceed their
265 standards and a plan for providing recognition and rewards to
266 those schools;

267 (g) A determination of which schools are failing to
268 meet their standards and a determination of the appropriate role
269 of the State Board of Education and the State Department of
270 Education in providing assistance and initiating possible
271 intervention. A failing district is a district that fails to meet
272 both the absolute student achievement standards and the rate of
273 annual growth expectation standards as set by the State Board of
274 Education for two (2) consecutive years. The State Board of
275 Education shall establish the level of benchmarks by which
276 absolute student achievement and growth expectations shall be
277 assessed. In setting the benchmarks for school districts, the
278 State Board of Education may also take into account such factors
279 as graduation rates, dropout rates, completion rates, the extent
280 to which the school or district employs qualified teachers in
281 every classroom, and any other factors deemed appropriate by the
282 State Board of Education. The State Board of Education, acting
283 through the State Department of Education, shall apply a simple
284 "A," "B," "C," "D" and "F" designation to the current school and
285 school district statewide accountability performance
286 classification labels beginning with the State Accountability
287 Results for the 2011-2012 school year and following, and in the
288 school, district and state report cards required under state and



289 federal law. Under the new designations, a school or school
290 district that has earned a "Star" rating shall be designated an
291 "A" school or school district; a school or school district that
292 has earned a "High-Performing" rating shall be designated a "B"
293 school or school district; a school or school district that has
294 earned a "Successful" rating shall be designated a "C" school or
295 school district; a school or school district that has earned an
296 "Academic Watch" rating shall be designated a "D" school or school
297 district; a school or school district that has earned a
298 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
299 be designated an "F" school or school district. Effective with
300 the implementation of any new curriculum and assessment standards,
301 the State Board of Education, acting through the State Department
302 of Education, is further authorized and directed to change the
303 school and school district accreditation rating system to a simple
304 "A," "B," "C," "D," and "F" designation based on a combination of
305 student achievement scores and student growth as measured by the
306 statewide testing programs developed by the State Board of
307 Education pursuant to Chapter 16, Title 37, Mississippi Code of
308 1972. In any statute or regulation containing the former
309 accreditation designations, the new designations shall be
310 applicable;

311 (h) Development of a comprehensive student assessment
312 system to implement these requirements; and



313 (i) The State Board of Education may, based on a
314 written request that contains specific reasons for requesting a
315 waiver from the school districts affected by Hurricane Katrina of
316 2005, hold harmless school districts from assignment of district
317 and school level accountability ratings for the 2005-2006 school
318 year. The State Board of Education upon finding an extreme
319 hardship in the school district may grant the request. It is the
320 intent of the Legislature that all school districts maintain the
321 highest possible academic standards and instructional programs in
322 all schools as required by law and the State Board of Education.

323 (5) (a) Effective with the 2013-2014 school year, the State
324 Department of Education, acting through the Mississippi Commission
325 on School Accreditation, shall revise and implement a single "A"
326 through "F" school and school district accountability system
327 complying with applicable federal and state requirements in order
328 to reach the following educational goals:

329 (i) To mobilize resources and supplies to ensure
330 that all students exit third grade reading on grade level by 2015;

331 (ii) To reduce the student dropout rate to
332 thirteen percent (13%) by 2015; and

333 (iii) To have sixty percent (60%) of students
334 scoring proficient and advanced on the assessments of the Common
335 Core State Standards by 2016 with incremental increases of three
336 percent (3%) each year thereafter.



337 (b) The State Department of Education shall combine the
338 state school and school district accountability system with the
339 federal system in order to have a single system.

340 (c) The State Department of Education shall establish
341 five (5) performance categories ("A," "B," "C," "D" and "F") for
342 the accountability system based on the following criteria:

343 (i) Student Achievement: the percent of students
344 proficient and advanced on the current state assessments;

345 (ii) Individual student growth: the percent of
346 students making one (1) year's progress in one (1) year's time on
347 the state assessment, with an emphasis on the progress of the
348 lowest twenty-five percent (25%) of students in the school or
349 district;

350 (iii) Four-year graduation rate: the percent of
351 students graduating with a standard high school diploma in four
352 (4) years, as defined by federal regulations;

353 (iv) Categories shall identify schools as Reward
354 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
355 at least five percent (5%) of schools in the state are not graded
356 as "F" schools, the lowest five percent (5%) of school grade point
357 designees will be identified as Priority schools. If at least ten
358 percent (10%) of schools in the state are not graded as "D"
359 schools, the lowest ten percent (10%) of school grade point
360 designees will be identified as Focus schools;



361 (v) The State Department of Education shall
362 discontinue the use of Star School, High-Performing, Successful,
363 Academic Watch, Low-Performing, At-Risk of Failing and Failing
364 school accountability designations;

365 (vi) The system shall include the federally
366 compliant four-year graduation rate in school and school district
367 accountability system calculations. Graduation rate will apply to
368 high school and school district accountability ratings as a
369 compensatory component. The system shall discontinue the use of
370 the High School Completer Index (HSCI);

371 (vii) The school and school district
372 accountability system shall incorporate a standards-based growth
373 model, in order to support improvement of individual student
374 learning;

375 (viii) The State Department of Education shall
376 discontinue the use of the Quality Distribution Index (QDI);

377 (ix) The State Department of Education shall
378 determine feeder patterns of schools that do not earn a school
379 grade because the grades and subjects taught at the school do not
380 have statewide standardized assessments needed to calculate a
381 school grade. Upon determination of the feeder pattern, the
382 department shall notify schools and school districts prior to the
383 release of the school grades beginning in 2013. Feeder schools
384 will be assigned the accountability designation of the school to
385 which they provide students;



386 (x) Standards for student, school and school
387 district performance will be increased when student proficiency is
388 at a seventy-five percent (75%) and/or when sixty-five percent
389 (65%) of the schools and/or school districts are earning a grade
390 of "B" or higher, in order to raise the standard on performance
391 after targets are met.

392 (xi) The system shall include student performance
393 on the administration of the ACT WorkKeys Assessment, or a
394 career-readiness assessment deemed appropriate by the Mississippi
395 Department of Education working in coordination with the Office of
396 Workforce Development.

397 (6) Nothing in this section shall be deemed to require a
398 nonpublic school that receives no local, state or federal funds
399 for support to become accredited by the State Board of Education.

400 (7) The State Board of Education shall create an
401 accreditation audit unit under the Commission on School
402 Accreditation to determine whether schools are complying with
403 accreditation standards.

404 (8) The State Board of Education shall be specifically
405 authorized and empowered to withhold adequate education program
406 fund allocations, whichever is applicable, to any public school
407 district for failure to timely report student, school personnel
408 and fiscal data necessary to meet state and/or federal
409 requirements.

410 (9) [Deleted]



411 (10) The State Board of Education shall establish, for those
412 school districts failing to meet accreditation standards, a
413 program of development to be complied with in order to receive
414 state funds, except as otherwise provided in subsection (15) of
415 this section when the Governor has declared a state of emergency
416 in a school district or as otherwise provided in Section 206,
417 Mississippi Constitution of 1890. The state board, in
418 establishing these standards, shall provide for notice to schools
419 and sufficient time and aid to enable schools to attempt to meet
420 these standards, unless procedures under subsection (15) of this
421 section have been invoked.

422 (11) Beginning July 1, 1998, the State Board of Education
423 shall be charged with the implementation of the program of
424 development in each applicable school district as follows:

425 (a) Develop an impairment report for each district
426 failing to meet accreditation standards in conjunction with school
427 district officials;

428 (b) Notify any applicable school district failing to
429 meet accreditation standards that it is on probation until
430 corrective actions are taken or until the deficiencies have been
431 removed. The local school district shall develop a corrective
432 action plan to improve its deficiencies. For district academic
433 deficiencies, the corrective action plan for each such school
434 district shall be based upon a complete analysis of the following:
435 student test data, student grades, student attendance reports,



436 student dropout data, existence and other relevant data. The
437 corrective action plan shall describe the specific measures to be
438 taken by the particular school district and school to improve:
439 (i) instruction; (ii) curriculum; (iii) professional development;
440 (iv) personnel and classroom organization; (v) student incentives
441 for performance; (vi) process deficiencies; and (vii) reporting to
442 the local school board, parents and the community. The corrective
443 action plan shall describe the specific individuals responsible
444 for implementing each component of the recommendation and how each
445 will be evaluated. All corrective action plans shall be provided
446 to the State Board of Education as may be required. The decision
447 of the State Board of Education establishing the probationary
448 period of time shall be final;

449 (c) Offer, during the probationary period, technical
450 assistance to the school district in making corrective actions.
451 Beginning July 1, 1998, subject to the availability of funds, the
452 State Department of Education shall provide technical and/or
453 financial assistance to all such school districts in order to
454 implement each measure identified in that district's corrective
455 action plan through professional development and on-site
456 assistance. Each such school district shall apply for and utilize
457 all available federal funding in order to support its corrective
458 action plan in addition to state funds made available under this
459 paragraph;



460 (d) Assign department personnel or contract, in its
461 discretion, with the institutions of higher learning or other
462 appropriate private entities with experience in the academic,
463 finance and other operational functions of schools to assist
464 school districts;

465 (e) Provide for publication of public notice at least
466 one time during the probationary period, in a newspaper published
467 within the jurisdiction of the school district failing to meet
468 accreditation standards, or if no newspaper is published therein,
469 then in a newspaper having a general circulation therein. The
470 publication shall include the following: declaration of school
471 system's status as being on probation; all details relating to the
472 impairment report; and other information as the State Board of
473 Education deems appropriate. Public notices issued under this
474 section shall be subject to Section 13-3-31 and not contrary to
475 other laws regarding newspaper publication.

476 (12) (a) If the recommendations for corrective action are
477 not taken by the local school district or if the deficiencies are
478 not removed by the end of the probationary period, the Commission
479 on School Accreditation shall conduct a hearing to allow the
480 affected school district to present evidence or other reasons why
481 its accreditation should not be withdrawn. Additionally, if the
482 local school district violates accreditation standards that have
483 been determined by the policies and procedures of the State Board
484 of Education to be a basis for withdrawal of school district's



485 accreditation without a probationary period, the Commission on
486 School Accreditation shall conduct a hearing to allow the affected
487 school district to present evidence or other reasons why its
488 accreditation should not be withdrawn. After its consideration of
489 the results of the hearing, the Commission on School Accreditation
490 shall be authorized, with the approval of the State Board of
491 Education, to withdraw the accreditation of a public school
492 district, and issue a request to the Governor that a state of
493 emergency be declared in that district.

494 (b) If the State Board of Education and the Commission
495 on School Accreditation determine that an extreme emergency
496 situation exists in a school district that jeopardizes the safety,
497 security or educational interests of the children enrolled in the
498 schools in that district and that emergency situation is believed
499 to be related to a serious violation or violations of
500 accreditation standards or state or federal law, or when a school
501 district meets the State Board of Education's definition of a
502 failing school district for two (2) consecutive full school years,
503 or if more than fifty percent (50%) of the schools within the
504 school district are designated as Schools At-Risk in any one (1)
505 year, the State Board of Education may request the Governor to
506 declare a state of emergency in that school district. For
507 purposes of this paragraph, the declarations of a state of
508 emergency shall not be limited to those instances when a school
509 district's impairments are related to a lack of financial



510 resources, but also shall include serious failure to meet minimum
511 academic standards, as evidenced by a continued pattern of poor
512 student performance.

513 (c) Whenever the Governor declares a state of emergency
514 in a school district in response to a request made under paragraph
515 (a) or (b) of this subsection, the State Board of Education may
516 take one or more of the following actions:

517 (i) Declare a state of emergency, under which some
518 or all of state funds can be escrowed except as otherwise provided
519 in Section 206, Constitution of 1890, until the board determines
520 corrective actions are being taken or the deficiencies have been
521 removed, or that the needs of students warrant the release of
522 funds. The funds may be released from escrow for any program
523 which the board determines to have been restored to standard even
524 though the state of emergency may not as yet be terminated for the
525 district as a whole;

526 (ii) Override any decision of the local school
527 board or superintendent of education, or both, concerning the
528 management and operation of the school district, or initiate and
529 make decisions concerning the management and operation of the
530 school district;

531 (iii) Assign an interim superintendent, or in its
532 discretion, contract with a private entity with experience in the
533 academic, finance and other operational functions of schools and



534 school districts, who will have those powers and duties prescribed
535 in subsection (15) of this section;

536 (iv) Grant transfers to students who attend this
537 school district so that they may attend other accredited schools
538 or districts in a manner that is not in violation of state or
539 federal law;

540 (v) For states of emergency declared under
541 paragraph (a) only, if the accreditation deficiencies are related
542 to the fact that the school district is too small, with too few
543 resources, to meet the required standards and if another school
544 district is willing to accept those students, abolish that
545 district and assign that territory to another school district or
546 districts. If the school district has proposed a voluntary
547 consolidation with another school district or districts, then if
548 the State Board of Education finds that it is in the best interest
549 of the pupils of the district for the consolidation to proceed,
550 the voluntary consolidation shall have priority over any such
551 assignment of territory by the State Board of Education;

552 (vi) For states of emergency declared under
553 paragraph (b) only, reduce local supplements paid to school
554 district employees, including, but not limited to, instructional
555 personnel, assistant teachers and extracurricular activities
556 personnel, if the district's impairment is related to a lack of
557 financial resources, but only to an extent that will result in the



558 salaries being comparable to districts similarly situated, as
559 determined by the State Board of Education;

560 (vii) For states of emergency declared under
561 paragraph (b) only, the State Board of Education may take any
562 action as prescribed in Section 37-17-13.

563 (d) At the time that satisfactory corrective action has
564 been taken in a school district in which a state of emergency has
565 been declared, the State Board of Education may request the
566 Governor to declare that the state of emergency no longer exists
567 in the district.

568 (e) The parent or legal guardian of a school-age child
569 who is enrolled in a school district whose accreditation has been
570 withdrawn by the Commission on School Accreditation and without
571 approval of that school district may file a petition in writing to
572 a school district accredited by the Commission on School
573 Accreditation for a legal transfer. The school district
574 accredited by the Commission on School Accreditation may grant the
575 transfer according to the procedures of Section 37-15-31(1)(b).
576 In the event the accreditation of the student's home district is
577 restored after a transfer has been approved, the student may
578 continue to attend the transferee school district. The per-pupil
579 amount of the adequate education program allotment, including the
580 collective "add-on program" costs for the student's home school
581 district shall be transferred monthly to the school district



582 accredited by the Commission on School Accreditation that has
583 granted the transfer of the school-age child.

584 (f) Upon the declaration of a state of emergency for
585 any school district in which the Governor has previously declared
586 a state of emergency, the State Board of Education may either:

587 (i) Place the school district into district
588 transformation, in which the school district shall remain until it
589 has fulfilled all conditions related to district transformation.
590 If the district was assigned an accreditation rating of "D" or "F"
591 when placed into district transformation, the district shall be
592 eligible to return to local control when the school district has
593 attained a "C" rating or higher for five (5) consecutive years,
594 unless the State Board of Education determines that the district
595 is eligible to return to local control in less than the five-year
596 period;

597 (ii) Abolish the school district and
598 administratively consolidate the school district with one or more
599 existing school districts;

600 (iii) Reduce the size of the district and
601 administratively consolidate parts of the district, as determined
602 by the State Board of Education. However, no school district
603 which is not in district transformation shall be required to
604 accept additional territory over the objection of the district; or

605 (iv) Require the school district to develop and
606 implement a district improvement plan with prescriptive guidance



607 and support from the State Department of Education, with the goal
608 of helping the district improve student achievement. Failure of
609 the school board, superintendent and school district staff to
610 implement the plan with fidelity and participate in the activities
611 provided as support by the department shall result in the school
612 district retaining its eligibility for district transformation.

613 (g) There is established a Mississippi Recovery School
614 District within the State Department of Education under the
615 supervision of a deputy superintendent appointed by the State
616 Superintendent of Public Education, who is subject to the approval
617 by the State Board of Education. The Mississippi Recovery School
618 District shall provide leadership and oversight of all school
619 districts that are subject to district transformation status, as
620 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,
621 and shall have all the authority granted under these two (2)
622 chapters. The Mississippi Department of Education, with the
623 approval of the State Board of Education, shall develop policies
624 for the operation and management of the Mississippi Recovery
625 School District. The deputy state superintendent is responsible
626 for the Mississippi Recovery School District and shall be
627 authorized to oversee the administration of the Mississippi
628 Recovery School District, oversee the interim superintendent
629 assigned by the State Board of Education to a local school
630 district, hear appeals that would normally be filed by students,
631 parents or employees and heard by a local school board, which



632 hearings on appeal shall be conducted in a prompt and timely
633 manner in the school district from which the appeal originated in
634 order to ensure the ability of appellants, other parties and
635 witnesses to appeal without undue burden of travel costs or loss
636 of time from work, and perform other related duties as assigned by
637 the State Superintendent of Public Education. The deputy state
638 superintendent is responsible for the Mississippi Recovery School
639 District and shall determine, based on rigorous professional
640 qualifications set by the State Board of Education, the
641 appropriate individuals to be engaged to be interim
642 superintendents and financial advisors, if applicable, of all
643 school districts subject to district transformation status. After
644 State Board of Education approval, these individuals shall be
645 deemed independent contractors.

646 (13) Upon the declaration of a state of emergency in a
647 school district under subsection (12) of this section, the
648 Commission on School Accreditation shall be responsible for public
649 notice at least once a week for at least three (3) consecutive
650 weeks in a newspaper published within the jurisdiction of the
651 school district failing to meet accreditation standards, or if no
652 newspaper is published therein, then in a newspaper having a
653 general circulation therein. The size of the notice shall be no
654 smaller than one-fourth (1/4) of a standard newspaper page and
655 shall be printed in bold print. If an interim superintendent has
656 been appointed for the school district, the notice shall begin as



657 follows: "By authority of Section 37-17-6, Mississippi Code of
658 1972, as amended, adopted by the Mississippi Legislature during
659 the 1991 Regular Session, this school district (name of school
660 district) is hereby placed under the jurisdiction of the State
661 Department of Education acting through its appointed interim
662 superintendent (name of interim superintendent)."

663 The notice also shall include, in the discretion of the State
664 Board of Education, any or all details relating to the school
665 district's emergency status, including the declaration of a state
666 of emergency in the school district and a description of the
667 district's impairment deficiencies, conditions of any district
668 transformation status and corrective actions recommended and being
669 taken. Public notices issued under this section shall be subject
670 to Section 13-3-31 and not contrary to other laws regarding
671 newspaper publication.

672 Upon termination of the state of emergency in a school
673 district, the Commission on School Accreditation shall cause
674 notice to be published in the school district in the same manner
675 provided in this section, to include any or all details relating
676 to the corrective action taken in the school district that
677 resulted in the termination of the state of emergency.

678 (14) The State Board of Education or the Commission on
679 School Accreditation shall have the authority to require school
680 districts to produce the necessary reports, correspondence,



681 financial statements, and any other documents and information
682 necessary to fulfill the requirements of this section.

683 Nothing in this section shall be construed to grant any
684 individual, corporation, board or interim superintendent the
685 authority to levy taxes except in accordance with presently
686 existing statutory provisions.

687 (15) (a) Whenever the Governor declares a state of
688 emergency in a school district in response to a request made under
689 subsection (12) of this section, the State Board of Education, in
690 its discretion, may assign an interim superintendent to the school
691 district, or in its discretion, may contract with an appropriate
692 private entity with experience in the academic, finance and other
693 operational functions of schools and school districts, who will be
694 responsible for the administration, management and operation of
695 the school district, including, but not limited to, the following
696 activities:

697 (i) Approving or disapproving all financial
698 obligations of the district, including, but not limited to, the
699 employment, termination, nonrenewal and reassignment of all
700 licensed and nonlicensed personnel, contractual agreements and
701 purchase orders, and approving or disapproving all claim dockets
702 and the issuance of checks; in approving or disapproving
703 employment contracts of superintendents, assistant superintendents
704 or principals, the interim superintendent shall not be required to



705 comply with the time limitations prescribed in Sections 37-9-15
706 and 37-9-105;

707 (ii) Supervising the day-to-day activities of the
708 district's staff, including reassigning the duties and
709 responsibilities of personnel in a manner which, in the
710 determination of the interim superintendent, will best suit the
711 needs of the district;

712 (iii) Reviewing the district's total financial
713 obligations and operations and making recommendations to the
714 district for cost savings, including, but not limited to,
715 reassigning the duties and responsibilities of staff;

716 (iv) Attending all meetings of the district's
717 school board and administrative staff;

718 (v) Approving or disapproving all athletic, band
719 and other extracurricular activities and any matters related to
720 those activities;

721 (vi) Maintaining a detailed account of
722 recommendations made to the district and actions taken in response
723 to those recommendations;

724 (vii) Reporting periodically to the State Board of
725 Education on the progress or lack of progress being made in the
726 district to improve the district's impairments during the state of
727 emergency; and

728 (viii) Appointing a parent advisory committee,
729 comprised of parents of students in the school district that may



730 make recommendations to the interim superintendent concerning the
731 administration, management and operation of the school district.

732 The cost of the salary of the interim superintendent and any
733 other actual and necessary costs related to district
734 transformation status paid by the State Department of Education
735 shall be reimbursed by the local school district from funds other
736 than adequate education program funds. The department shall
737 submit an itemized statement to the superintendent of the local
738 school district for reimbursement purposes, and any unpaid balance
739 may be withheld from the district's adequate education program
740 funds.

741 At the time that the Governor, in accordance with the request
742 of the State Board of Education, declares that the state of
743 emergency no longer exists in a school district, the powers and
744 responsibilities of the interim superintendent assigned to the
745 district shall cease.

746 (b) In order to provide loans to school districts under
747 a state of emergency or in district transformation status that
748 have impairments related to a lack of financial resources, the
749 School District Emergency Assistance Fund is created as a special
750 fund in the State Treasury into which monies may be transferred or
751 appropriated by the Legislature from any available public
752 education funds. Funds in the School District Emergency
753 Assistance Fund up to a maximum balance of Three Million Dollars
754 (\$3,000,000.00) annually shall not lapse but shall be available



755 for expenditure in subsequent years subject to approval of the
756 State Board of Education. Any amount in the fund in excess of
757 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
758 year shall lapse into the State General Fund or the Education
759 Enhancement Fund, depending on the source of the fund.

760 The State Board of Education may loan monies from the School
761 District Emergency Assistance Fund to a school district that is
762 under a state of emergency or in district transformation status,
763 in those amounts, as determined by the board, that are necessary
764 to correct the district's impairments related to a lack of
765 financial resources. The loans shall be evidenced by an agreement
766 between the school district and the State Board of Education and
767 shall be repayable in principal, without necessity of interest, to
768 the School District Emergency Assistance Fund by the school
769 district from any allowable funds that are available. The total
770 amount loaned to the district shall be due and payable within five
771 (5) years after the impairments related to a lack of financial
772 resources are corrected. If a school district fails to make
773 payments on the loan in accordance with the terms of the agreement
774 between the district and the State Board of Education, the State
775 Department of Education, in accordance with rules and regulations
776 established by the State Board of Education, may withhold that
777 district's adequate education program funds in an amount and
778 manner that will effectuate repayment consistent with the terms of



779 the agreement; the funds withheld by the department shall be
780 deposited into the School District Emergency Assistance Fund.

781 The State Board of Education shall develop a protocol that
782 will outline the performance standards and requisite timeline
783 deemed necessary for extreme emergency measures. If the State
784 Board of Education determines that an extreme emergency exists,
785 simultaneous with the powers exercised in this subsection, it
786 shall take immediate action against all parties responsible for
787 the affected school districts having been determined to be in an
788 extreme emergency. The action shall include, but not be limited
789 to, initiating civil actions to recover funds and criminal actions
790 to account for criminal activity. Any funds recovered by the
791 State Auditor or the State Board of Education from the surety
792 bonds of school officials or from any civil action brought under
793 this subsection shall be applied toward the repayment of any loan
794 made to a school district hereunder.

795 (16) If a majority of the membership of the school board of
796 any school district resigns from office, the State Board of
797 Education shall be authorized to assign an interim superintendent,
798 who shall be responsible for the administration, management and
799 operation of the school district until the time as new board
800 members are selected or the Governor declares a state of emergency
801 in that school district under subsection (12), whichever occurs
802 first. In that case, the State Board of Education, acting through
803 the interim superintendent, shall have all powers which were held



804 by the previously existing school board, and may take any action
805 as prescribed in Section 37-17-13 and/or one or more of the
806 actions authorized in this section.

807 (17) (a) If the Governor declares a state of emergency in a
808 school district, the State Board of Education may take all such
809 action pertaining to that school district as is authorized under
810 subsection (12) or (15) of this section, including the appointment
811 of an interim superintendent. The State Board of Education shall
812 also have the authority to issue a written request with
813 documentation to the Governor asking that the office of the
814 superintendent of the school district be subject to recall. If
815 the Governor declares that the office of the superintendent of the
816 school district is subject to recall, the local school board or
817 the county election commission, as the case may be, shall take the
818 following action:

819 (i) If the office of superintendent is an elected
820 office, in those years in which there is no general election, the
821 name shall be submitted by the State Board of Education to the
822 county election commission, and the county election commission
823 shall submit the question at a special election to the voters
824 eligible to vote for the office of superintendent within the
825 county, and the special election shall be held within sixty (60)
826 days from notification by the State Board of Education. The
827 ballot shall read substantially as follows:



828 "Shall County Superintendent of Education _____ (here the
829 name of the superintendent shall be inserted) of the _____
830 (here the title of the school district shall be inserted) be
831 retained in office? Yes _____ No _____"

832 If a majority of those voting on the question votes against
833 retaining the superintendent in office, a vacancy shall exist
834 which shall be filled in the manner provided by law; otherwise,
835 the superintendent shall remain in office for the term of that
836 office, and at the expiration of the term shall be eligible for
837 qualification and election to another term or terms.

838 (ii) If the office of superintendent is an
839 appointive office, the name of the superintendent shall be
840 submitted by the president of the local school board at the next
841 regular meeting of the school board for retention in office or
842 dismissal from office. If a majority of the school board voting
843 on the question vote against retaining the superintendent in
844 office, a vacancy shall exist which shall be filled as provided by
845 law, otherwise the superintendent shall remain in office for the
846 duration of his employment contract.

847 (b) The State Board of Education may issue a written
848 request with documentation to the Governor asking that the
849 membership of the school board of the school district shall be
850 subject to recall. Whenever the Governor declares that the
851 membership of the school board is subject to recall, the county



852 election commission or the local governing authorities, as the
853 case may be, shall take the following action:

854 (i) If the members of the local school board are
855 elected to office, in those years in which the specific member's
856 office is not up for election, the name of the school board member
857 shall be submitted by the State Board of Education to the county
858 election commission, and the county election commission at a
859 special election shall submit the question to the voters eligible
860 to vote for the particular member's office within the county or
861 school district, as the case may be, and the special election
862 shall be held within sixty (60) days from notification by the
863 State Board of Education. The ballot shall read substantially as
864 follows:

865 "Members of the _____ (here the title of the school
866 district shall be inserted) School Board who are not up for
867 election this year are subject to recall because of the school
868 district's failure to meet critical accountability standards as
869 defined in the letter of notification to the Governor from the
870 State Board of Education. Shall the member of the school board
871 representing this area, _____ (here the name of the school
872 board member holding the office shall be inserted), be retained in
873 office? Yes _____ No _____"

874 If a majority of those voting on the question vote against
875 retaining the member of the school board in office, a vacancy in
876 that board member's office shall exist, which shall be filled in



877 the manner provided by law; otherwise, the school board member
878 shall remain in office for the term of that office, and at the
879 expiration of the term of office, the member shall be eligible for
880 qualification and election to another term or terms of office.
881 However, if a majority of the school board members are recalled in
882 the special election, the Governor shall authorize the board of
883 supervisors of the county in which the school district is situated
884 to appoint members to fill the offices of the members recalled.
885 The board of supervisors shall make those appointments in the
886 manner provided by law for filling vacancies on the school board,
887 and the appointed members shall serve until the office is filled
888 at the next regular special election or general election.

889 (ii) If the local school board is an appointed
890 school board, the name of all school board members shall be
891 submitted as a collective board by the president of the municipal
892 or county governing authority, as the case may be, at the next
893 regular meeting of the governing authority for retention in office
894 or dismissal from office. If a majority of the governing
895 authority voting on the question vote against retaining the board
896 in office, a vacancy shall exist in each school board member's
897 office, which shall be filled as provided by law; otherwise, the
898 members of the appointed school board shall remain in office for
899 the duration of their term of appointment, and those members may
900 be reappointed.



901 (iii) If the local school board is comprised of
902 both elected and appointed members, the elected members shall be
903 subject to recall in the manner provided in subparagraph (i) of
904 this paragraph (b), and the appointed members shall be subject to
905 recall in the manner provided in subparagraph (ii).

906 (18) Beginning with the school district audits conducted for
907 the 1997-1998 fiscal year, the State Board of Education, acting
908 through the Commission on School Accreditation, shall require each
909 school district to comply with standards established by the State
910 Department of Audit for the verification of fixed assets and the
911 auditing of fixed assets records as a minimum requirement for
912 accreditation.

913 (19) Before December 1, 1999, the State Board of Education
914 shall recommend a program to the Education Committees of the House
915 of Representatives and the Senate for identifying and rewarding
916 public schools that improve or are high performing. The program
917 shall be described by the board in a written report, which shall
918 include criteria and a process through which improving schools and
919 high-performing schools will be identified and rewarded.

920 The State Superintendent of Public Education and the State
921 Board of Education also shall develop a comprehensive
922 accountability plan to ensure that local school boards,
923 superintendents, principals and teachers are held accountable for
924 student achievement. A written report on the accountability plan
925 shall be submitted to the Education Committees of both houses of



926 the Legislature before December 1, 1999, with any necessary
927 legislative recommendations.

928 (20) Before January 1, 2008, the State Board of Education
929 shall evaluate and submit a recommendation to the Education
930 Committees of the House of Representatives and the Senate on
931 inclusion of graduation rate and dropout rate in the school level
932 accountability system.

933 (21) If a local school district is determined as failing and
934 placed into district transformation status for reasons authorized
935 by the provisions of this section, the interim superintendent
936 appointed to the district shall, within forty-five (45) days after
937 being appointed, present a detailed and structured corrective
938 action plan to move the local school district out of district
939 transformation status to the deputy superintendent. A copy of the
940 interim superintendent's corrective action plan shall also be
941 filed with the State Board of Education.

942 **SECTION 8.** Section 37-3-2, Mississippi Code of 1972, is
943 amended as follows:

944 37-3-2. (1) There is established within the State
945 Department of Education the Commission on Teacher and
946 Administrator Education, Certification and Licensure and
947 Development. It shall be the purpose and duty of the commission
948 to make recommendations to the State Board of Education regarding
949 standards for the certification and licensure and continuing



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

952 (2) (a) The commission shall be composed of fifteen (15)
953 qualified members. The membership of the commission shall be
954 composed of the following members to be appointed, three (3) from
955 each of the four (4) congressional districts, as such districts
956 existed on January 1, 2011, in accordance with the population
957 calculations determined by the 2010 federal decennial census,
958 including: four (4) classroom teachers; three (3) school
959 administrators; one (1) representative of schools of education of
960 public institutions of higher learning located within the state to
961 be recommended by the Board of Trustees of State Institutions of
962 Higher Learning; one (1) representative from the schools of
963 education of independent institutions of higher learning to be
964 recommended by the Board of the Mississippi Association of
965 Independent Colleges; one (1) representative from public community
966 and junior colleges located within the state to be recommended by
967 the Mississippi Community College Board; one (1) local school
968 board member; and four (4) laypersons. Three (3) members of the
969 commission, at the sole discretion of the State Board of
970 Education, shall be appointed from the state at large.

971 (b) All appointments shall be made by the State Board
972 of Education after consultation with the State Superintendent of
973 Public Education. The first appointments by the State Board of
974 Education shall be made as follows: five (5) members shall be



975 appointed for a term of one (1) year; five (5) members shall be
976 appointed for a term of two (2) years; and five (5) members shall
977 be appointed for a term of three (3) years. Thereafter, all
978 members shall be appointed for a term of four (4) years.

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

985 (4) (a) An appropriate staff member of the State Department
986 of Education shall be designated and assigned by the State
987 Superintendent of Public Education to serve as executive secretary
988 and coordinator for the commission. No less than two (2) other
989 appropriate staff members of the State Department of Education
990 shall be designated and assigned by the State Superintendent of
991 Public Education to serve on the staff of the commission.

992 (b) An Office of Educator Misconduct Evaluations shall
993 be established within the State Department of Education to assist
994 the commission in responding to infractions and violations, and in
995 conducting hearings and enforcing the provisions of subsections
996 (11), (12), (13), (14) and (15) of this section, and violations of
997 the Mississippi Educator Code of Ethics.

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



999 (a) Set standards and criteria, subject to the approval
1000 of the State Board of Education, for all educator preparation
1001 programs in the state;

1002 (b) Recommend to the State Board of Education each year
1003 approval or disapproval of each educator preparation program in
1004 the state, subject to a process and schedule determined by the
1005 State Board of Education;

1006 (c) Establish, subject to the approval of the State
1007 Board of Education, standards for initial teacher certification
1008 and licensure in all fields;

1009 (d) Establish, subject to the approval of the State
1010 Board of Education, standards for the renewal of teacher licenses
1011 in all fields;

1012 (e) Review and evaluate objective measures of teacher
1013 performance, such as test scores, which may form part of the
1014 licensure process, and to make recommendations for their use;

1015 (f) Review all existing requirements for certification
1016 and licensure;

1017 (g) Consult with groups whose work may be affected by
1018 the commission's decisions;

1019 (h) Prepare reports from time to time on current
1020 practices and issues in the general area of teacher education and
1021 certification and licensure;



1022 (i) Hold hearings concerning standards for teachers'
1023 and administrators' education and certification and licensure with
1024 approval of the State Board of Education;

1025 (j) Hire expert consultants with approval of the State
1026 Board of Education;

1027 (k) Set up ad hoc committees to advise on specific
1028 areas; and

1029 (l) Perform such other functions as may fall within
1030 their general charge and which may be delegated to them by the
1031 State Board of Education.

1032 (6) (a) **Standard License - Approved Program Route.** An
1033 educator entering the school system of Mississippi for the first
1034 time and meeting all requirements as established by the State
1035 Board of Education shall be granted a standard five-year license.
1036 Persons who possess two (2) years of classroom experience as an
1037 assistant teacher or who have taught for one (1) year in an
1038 accredited public or private school shall be allowed to fulfill
1039 student teaching requirements under the supervision of a qualified
1040 participating teacher approved by an accredited college of
1041 education. The local school district in which the assistant
1042 teacher is employed shall compensate such assistant teachers at
1043 the required salary level during the period of time such
1044 individual is completing student teaching requirements.

1045 Applicants for a standard license shall submit to the department:

1046 (i) An application on a department form;



1047 (ii) An official transcript of completion of a
1048 teacher education program approved by the department or a
1049 nationally accredited program, subject to the following:
1050 Licensure to teach in Mississippi prekindergarten through
1051 kindergarten classrooms shall require completion of a teacher
1052 education program or a Bachelor of Science degree with child
1053 development emphasis from a program accredited by the American
1054 Association of Family and Consumer Sciences (AAFCS) or by the
1055 National Association for Education of Young Children (NAEYC) or by
1056 the National Council for Accreditation of Teacher Education
1057 (NCATE). Licensure to teach in Mississippi kindergarten, for
1058 those applicants who have completed a teacher education program,
1059 and in Grade 1 through Grade 4 shall require the completion of an
1060 interdisciplinary program of studies. Licenses for Grades 4
1061 through 8 shall require the completion of an interdisciplinary
1062 program of studies with two (2) or more areas of concentration.
1063 Licensure to teach in Mississippi Grades 7 through 12 shall
1064 require a major in an academic field other than education, or a
1065 combination of disciplines other than education. Students
1066 preparing to teach a subject shall complete a major in the
1067 respective subject discipline. All applicants for standard
1068 licensure shall demonstrate that such person's college preparation
1069 in those fields was in accordance with the standards set forth by
1070 the National Council for Accreditation of Teacher Education
1071 (NCATE) or the National Association of State Directors of Teacher



1072 Education and Certification (NASDTEC) or, for those applicants who
1073 have a Bachelor of Science degree with child development emphasis,
1074 the American Association of Family and Consumer Sciences (AAFCS).
1075 Effective July 1, 2016, for initial elementary education
1076 licensure, a teacher candidate must earn a passing score on a
1077 rigorous test of scientifically research-based reading instruction
1078 and intervention and data-based decision-making principles as
1079 approved by the State Board of Education;

1080 (iii) A copy of test scores evidencing
1081 satisfactory completion of nationally administered examinations of
1082 achievement, such as the Educational Testing Service's teacher
1083 testing examinations;

1084 (iv) Any other document required by the State
1085 Board of Education; and

1086 (v) From and after July 1, 2020, no teacher
1087 candidate shall be licensed to teach in Mississippi who did not
1088 meet the following criteria for entrance into an approved teacher
1089 education program:

1090 1. An ACT Score of twenty-one (21) (or SAT
1091 equivalent); or

1092 2. Achieve a qualifying passing score on the
1093 Praxis Core Academic Skills for Educators examination as
1094 established by the State Board of Education; or

1095 3. A minimum GPA of 3.0 on coursework prior
1096 to admission to an approved teacher education program.



1097 (b) (i) **Standard License - Nontraditional Teaching**

1098 **Route.** From and after July 1, 2020, no teacher candidate shall be
1099 licensed to teach in Mississippi under the alternate route who did
1100 not meet the following criteria:

1101 * * *1. An ACT Score of twenty-one (21) (or
1102 SAT equivalent); or

1103 * * *2. Achieve a qualifying passing score
1104 on the Praxis Core Academic Skills for Educators examination as
1105 established by the State Board of Education; or

1106 * * *3. A minimum GPA of 3.0 on coursework
1107 prior to admission to an approved teacher education program.

1108 (ii) Beginning July 1, 2020, an individual who has
1109 attained a passing score on the Praxis Core Academic Skills for
1110 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
1111 or a minimum GPA of 3.0 on coursework prior to admission to an
1112 approved teacher education program and a passing score on the
1113 Praxis Subject Assessment in the requested area of endorsement may
1114 apply for admission to the Teach Mississippi Institute (TMI)
1115 program to teach students in Grades 7 through 12 if the individual
1116 meets the requirements of this paragraph (b). The State Board of
1117 Education shall adopt rules requiring that teacher preparation
1118 institutions which provide the Teach Mississippi Institute (TMI)
1119 program for the preparation of nontraditional teachers shall meet
1120 the standards and comply with the provisions of this paragraph.



1121 * * *1. The Teach Mississippi Institute
1122 (TMI) shall include an intensive eight-week, nine-semester-hour
1123 summer program or a curriculum of study in which the student
1124 matriculates in the fall or spring semester, which shall include,
1125 but not be limited to, instruction in education, effective
1126 teaching strategies, classroom management, state curriculum
1127 requirements, planning and instruction, instructional methods and
1128 pedagogy, using test results to improve instruction, and a one (1)
1129 semester three-hour supervised internship to be completed while
1130 the teacher is employed as a full-time teacher intern in a local
1131 school district. The TMI shall be implemented on a pilot program
1132 basis, with courses to be offered at up to four (4) locations in
1133 the state, with one (1) TMI site to be located in each of the
1134 three (3) Mississippi Supreme Court districts.

1135 * * *2. The school sponsoring the teacher
1136 intern shall enter into a written agreement with the institution
1137 providing the Teach Mississippi Institute (TMI) program, under
1138 terms and conditions as agreed upon by the contracting parties,
1139 providing that the school district shall provide teacher interns
1140 seeking a nontraditional provisional teaching license with a
1141 one-year classroom teaching experience. The teacher intern shall
1142 successfully complete the one (1) semester three-hour intensive
1143 internship in the school district during the semester immediately
1144 following successful completion of the TMI and prior to the end of
1145 the one-year classroom teaching experience.



1146 * * *3. Upon completion of the
1147 nine-semester-hour TMI or the fall or spring semester option, the
1148 individual shall submit his transcript to the commission for
1149 provisional licensure of the intern teacher, and the intern
1150 teacher shall be issued a provisional teaching license by the
1151 commission, which will allow the individual to legally serve as a
1152 teacher while the person completes a nontraditional teacher
1153 preparation internship program.

1154 * * *4. During the semester of internship in
1155 the school district, the teacher preparation institution shall
1156 monitor the performance of the intern teacher. The school
1157 district that employs the provisional teacher shall supervise the
1158 provisional teacher during the teacher's intern year of employment
1159 under a nontraditional provisional license, and shall, in
1160 consultation with the teacher intern's mentor at the school
1161 district of employment, submit to the commission a comprehensive
1162 evaluation of the teacher's performance sixty (60) days prior to
1163 the expiration of the nontraditional provisional license. If the
1164 comprehensive evaluation establishes that the provisional teacher
1165 intern's performance fails to meet the standards of the approved
1166 nontraditional teacher preparation internship program, the
1167 individual shall not be approved for a standard license.

1168 * * *5. An individual issued a provisional
1169 teaching license under this nontraditional route shall
1170 successfully complete, at a minimum, a one-year beginning teacher



1171 mentoring and induction program administered by the employing
1172 school district with the assistance of the State Department of
1173 Education.

1174 * * *6. Upon successful completion of the
1175 TMI and the internship provisional license period, applicants for
1176 a Standard License - Nontraditional Route shall submit to the
1177 commission a transcript of successful completion of the twelve
1178 (12) semester hours required in the internship program, and the
1179 employing school district shall submit to the commission a
1180 recommendation for standard licensure of the intern. If the
1181 school district recommends licensure, the applicant shall be
1182 issued a Standard License - Nontraditional Route which shall be
1183 valid for a five-year period and be renewable.

1184 * * *7. At the discretion of the teacher
1185 preparation institution, the individual shall be allowed to credit
1186 the twelve (12) semester hours earned in the nontraditional
1187 teacher internship program toward the graduate hours required for
1188 a Master of Arts in Teacher (MAT) Degree.

1189 * * *8. The local school district in which
1190 the nontraditional teacher intern or provisional licensee is
1191 employed shall compensate such teacher interns at Step 1 of the
1192 required salary level during the period of time such individual is
1193 completing teacher internship requirements and shall compensate
1194 such Standard License - Nontraditional Route teachers at Step 3 of
1195 the required salary level when they complete license requirements.



1196 (iii) Implementation of the TMI program provided
1197 for under this paragraph (b) shall be contingent upon the
1198 availability of funds appropriated specifically for such purpose
1199 by the Legislature. Such implementation of the TMI program may
1200 not be deemed to prohibit the State Board of Education from
1201 developing and implementing additional alternative route teacher
1202 licensure programs, as deemed appropriate by the board. The
1203 emergency certification program in effect prior to July 1, 2002,
1204 shall remain in effect.

1205 (iv) A Standard License - Approved Program Route
1206 shall be issued for a five-year period, and may be renewed.
1207 Recognizing teaching as a profession, a hiring preference shall be
1208 granted to persons holding a Standard License - Approved Program
1209 Route or Standard License - Nontraditional Teaching Route over
1210 persons holding any other license.

1211 (c) **Special License - Expert Citizen.** In order to
1212 allow a school district to offer specialized or technical courses,
1213 the State Department of Education, in accordance with rules and
1214 regulations established by the State Board of Education, may grant
1215 a * * * five-year expert citizen-teacher license to local business
1216 or other professional personnel to teach in a public school or
1217 nonpublic school accredited or approved by the state. Such person
1218 shall be required to have a high school diploma, an
1219 industry-recognized certification related to the subject area in
1220 which they are teaching and a minimum of five (5) years of



1221 relevant experience but shall not be required to hold an associate
1222 or bachelor's degree, provided that he or she possesses the
1223 minimum qualifications required for his or her profession, and may
1224 begin teaching upon his employment by the local school board and
1225 licensure by the Mississippi Department of Education. If a school
1226 board hires a career technical education pathway instructor who
1227 does not have an industry certification in his or her area of
1228 expertise but does have the required experience, the school board
1229 shall spread their decision on the minutes at their next meeting
1230 and provide a detailed explanation for why they hired the
1231 instructor. Such instructor shall present the minutes of the
1232 school board to the State Department of Education when he or she
1233 applies for an expert citizen license. The board shall adopt
1234 rules and regulations to administer the expert citizen-teacher
1235 license. A Special License - Expert Citizen may be renewed in
1236 accordance with the established rules and regulations of the State
1237 Department of Education.

1238 (d) **Special License - Nonrenewable.** The State Board of
1239 Education is authorized to establish rules and regulations to
1240 allow those educators not meeting requirements in paragraph (a),
1241 (b) or (c) of this subsection (6) to be licensed for a period of
1242 not more than three (3) years, except by special approval of the
1243 State Board of Education.

1244 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
1245 person may teach for a maximum of three (3) periods per teaching



1246 day in a public school district or a nonpublic school
1247 accredited/approved by the state. Such person shall submit to the
1248 department a transcript or record of his education and experience
1249 which substantiates his preparation for the subject to be taught
1250 and shall meet other qualifications specified by the commission
1251 and approved by the State Board of Education. In no case shall
1252 any local school board hire nonlicensed personnel as authorized
1253 under this paragraph in excess of five percent (5%) of the total
1254 number of licensed personnel in any single school.

1255 (f) **Special License - Transitional Bilingual Education.**

1256 Beginning July 1, 2003, the commission shall grant special
1257 licenses to teachers of transitional bilingual education who
1258 possess such qualifications as are prescribed in this section.
1259 Teachers of transitional bilingual education shall be compensated
1260 by local school boards at not less than one (1) step on the
1261 regular salary schedule applicable to permanent teachers licensed
1262 under this section. The commission shall grant special licenses
1263 to teachers of transitional bilingual education who present the
1264 commission with satisfactory evidence that they (i) possess a
1265 speaking and reading ability in a language, other than English, in
1266 which bilingual education is offered and communicative skills in
1267 English; (ii) are in good health and sound moral character; (iii)
1268 possess a bachelor's degree or an associate's degree in teacher
1269 education from an accredited institution of higher education; (iv)
1270 meet such requirements as to courses of study, semester hours



1271 therein, experience and training as may be required by the
1272 commission; and (v) are legally present in the United States and
1273 possess legal authorization for employment. A teacher of
1274 transitional bilingual education serving under a special license
1275 shall be under an exemption from standard licensure if he achieves
1276 the requisite qualifications therefor. Two (2) years of service
1277 by a teacher of transitional bilingual education under such an
1278 exemption shall be credited to the teacher in acquiring a Standard
1279 Educator License. Nothing in this paragraph shall be deemed to
1280 prohibit a local school board from employing a teacher licensed in
1281 an appropriate field as approved by the State Department of
1282 Education to teach in a program in transitional bilingual
1283 education.

1284 (g) In the event any school district meets the highest
1285 accreditation standards as defined by the State Board of Education
1286 in the accountability system, the State Board of Education, in its
1287 discretion, may exempt such school district from any restrictions
1288 in paragraph (e) relating to the employment of nonlicensed
1289 teaching personnel.

1290 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
1291 any teacher from any state meeting the federal definition of
1292 highly qualified, as described in the No Child Left Behind Act,
1293 must be granted a standard five-year license by the State
1294 Department of Education.



1295 (7) **Administrator License.** The State Board of Education is
1296 authorized to establish rules and regulations and to administer
1297 the licensure process of the school administrators in the State of
1298 Mississippi. There will be four (4) categories of administrator
1299 licensure with exceptions only through special approval of the
1300 State Board of Education.

1301 (a) **Administrator License - Nonpracticing.** Those
1302 educators holding administrative endorsement but having no
1303 administrative experience or not serving in an administrative
1304 position on January 15, 1997.

1305 (b) **Administrator License - Entry Level.** Those
1306 educators holding administrative endorsement and having met the
1307 department's qualifications to be eligible for employment in a
1308 Mississippi school district. Administrator License - Entry Level
1309 shall be issued for a five-year period and shall be nonrenewable.

1310 (c) **Standard Administrator License - Career Level.** An
1311 administrator who has met all the requirements of the department
1312 for standard administrator licensure.

1313 (d) **Administrator License - Nontraditional Route.** The
1314 board may establish a nontraditional route for licensing
1315 administrative personnel. Such nontraditional route for
1316 administrative licensure shall be available for persons holding,
1317 but not limited to, a master of business administration degree, a
1318 master of public administration degree, a master of public
1319 planning and policy degree or a doctor of jurisprudence degree



1320 from an accredited college or university, with five (5) years of
1321 administrative or supervisory experience. Successful completion
1322 of the requirements of alternate route licensure for
1323 administrators shall qualify the person for a standard
1324 administrator license.

1325 Individuals seeking school administrator licensure under
1326 paragraph (b), (c) or (d) shall successfully complete a training
1327 program and an assessment process prescribed by the State Board of
1328 Education. All applicants for school administrator licensure
1329 shall meet all requirements prescribed by the department under
1330 paragraph (b), (c) or (d), and the cost of the assessment process
1331 required shall be paid by the applicant.

1332 (8) **Reciprocity.** The department shall grant a standard
1333 five-year license to any individual who possesses a valid standard
1334 license from another state within a period of twenty-one (21) days
1335 from the date of a completed application. The issuance of a
1336 license by reciprocity to a military-trained applicant, military
1337 spouse or person who establishes residence in this state shall be
1338 subject to the provisions of Section 73-50-1 or 73-50-2, as
1339 applicable.

1340 (9) **Renewal and Reinstatement of Licenses.** The State Board
1341 of Education is authorized to establish rules and regulations for
1342 the renewal and reinstatement of educator and administrator
1343 licenses. Effective May 15, 1997, the valid standard license held
1344 by an educator shall be extended five (5) years beyond the



1345 expiration date of the license in order to afford the educator
1346 adequate time to fulfill new renewal requirements established
1347 pursuant to this subsection. An educator completing a master of
1348 education, educational specialist or doctor of education degree in
1349 May 1997 for the purpose of upgrading the educator's license to a
1350 higher class shall be given this extension of five (5) years plus
1351 five (5) additional years for completion of a higher degree. For
1352 all license types with a current valid expiration date of June 30,
1353 2021, the State Department of Education shall grant a one-year
1354 extension to June 30, 2022. Beginning July 1, 2022, and
1355 thereafter, applicants for licensure renewal shall meet all
1356 requirements in effect on the date that the complete application
1357 is received by the State Department of Education.

1358 (10) All controversies involving the issuance, revocation,
1359 suspension or any change whatsoever in the licensure of an
1360 educator required to hold a license shall be initially heard in a
1361 hearing de novo, by the commission or by a subcommittee
1362 established by the commission and composed of commission members,
1363 or by a hearing officer retained and appointed by the commission,
1364 for the purpose of holding hearings. Any complaint seeking the
1365 denial of issuance, revocation or suspension of a license shall be
1366 by sworn affidavit filed with the Commission on Teacher and
1367 Administrator Education, Certification and Licensure and
1368 Development. The decision thereon by the commission, its
1369 subcommittee or hearing officer, shall be final, unless the



1370 aggrieved party shall appeal to the State Board of Education,
1371 within ten (10) days, of the decision of the commission, its
1372 subcommittee or hearing officer. An appeal to the State Board of
1373 Education shall be perfected upon filing a notice of the appeal
1374 and by the prepayment of the costs of the preparation of the
1375 record of proceedings by the commission, its subcommittee or
1376 hearing officer. An appeal shall be on the record previously made
1377 before the commission, its subcommittee or hearing officer, unless
1378 otherwise provided by rules and regulations adopted by the board.
1379 The decision of the commission, its subcommittee or hearing
1380 officer shall not be disturbed on appeal if supported by
1381 substantial evidence, was not arbitrary or capricious, within the
1382 authority of the commission, and did not violate some statutory or
1383 constitutional right. The State Board of Education in its
1384 authority may reverse, or remand with instructions, the decision
1385 of the commission, its subcommittee or hearing officer. The
1386 decision of the State Board of Education shall be final.

1387 (11) (a) The State Board of Education, acting through the
1388 commission, may deny an application for any teacher or
1389 administrator license for one or more of the following:

1390 (i) Lack of qualifications which are prescribed by
1391 law or regulations adopted by the State Board of Education;

1392 (ii) The applicant has a physical, emotional or
1393 mental disability that renders the applicant unfit to perform the



1394 duties authorized by the license, as certified by a licensed
1395 psychologist or psychiatrist;

1396 (iii) The applicant is actively addicted to or
1397 actively dependent on alcohol or other habit-forming drugs or is a
1398 habitual user of narcotics, barbiturates, amphetamines,
1399 hallucinogens or other drugs having similar effect, at the time of
1400 application for a license;

1401 (iv) Fraud or deceit committed by the applicant in
1402 securing or attempting to secure such certification and license;

1403 (v) Failing or refusing to furnish reasonable
1404 evidence of identification;

1405 (vi) The applicant has been convicted, has pled
1406 guilty or entered a plea of nolo contendere to a felony, as
1407 defined by federal or state law. For purposes of this
1408 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
1409 a plea of guilty, entry of a plea of nolo contendere, or entry of
1410 an order granting pretrial or judicial diversion;

1411 (vii) The applicant or licensee is on probation or
1412 post-release supervision for a felony or conviction, as defined by
1413 federal or state law. However, this disqualification expires upon
1414 the end of the probationary or post-release supervision period.

1415 (b) The State Board of Education, acting through the
1416 commission, shall deny an application for any teacher or
1417 administrator license, or immediately revoke the current teacher
1418 or administrator license, for one or more of the following:



1419 (i) If the applicant or licensee has been
1420 convicted, has pled guilty or entered a plea of nolo contendere to
1421 a sex offense as defined by federal or state law. For purposes of
1422 this subparagraph (i) of this paragraph (b), a "guilty plea"
1423 includes a plea of guilty, entry of a plea of nolo contendere, or
1424 entry of an order granting pretrial or judicial diversion;

1425 (ii) The applicant or licensee is on probation or
1426 post-release supervision for a sex offense conviction, as defined
1427 by federal or state law;

1428 (iii) The license holder has fondled a student as
1429 described in Section 97-5-23, or had any type of sexual
1430 involvement with a student as described in Section 97-3-95; or

1431 (iv) The license holder has failed to report
1432 sexual involvement of a school employee with a student as required
1433 by Section 97-5-24.

1434 (12) The State Board of Education, acting through the
1435 commission, may revoke, suspend or refuse to renew any teacher or
1436 administrator license for specified periods of time or may place
1437 on probation, reprimand a licensee, or take other disciplinary
1438 action with regard to any license issued under this chapter for
1439 one or more of the following:

1440 (a) Breach of contract or abandonment of employment may
1441 result in the suspension of the license for one (1) school year as
1442 provided in Section 37-9-57;



1443 (b) Obtaining a license by fraudulent means shall
1444 result in immediate suspension and continued suspension for one
1445 (1) year after correction is made;

1446 (c) Suspension or revocation of a certificate or
1447 license by another state shall result in immediate suspension or
1448 revocation and shall continue until records in the prior state
1449 have been cleared;

1450 (d) The license holder has been convicted, has pled
1451 guilty or entered a plea of nolo contendere to a felony, as
1452 defined by federal or state law. For purposes of this paragraph,
1453 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
1454 contendere, or entry of an order granting pretrial or judicial
1455 diversion;

1456 (e) The license holder knowingly and willfully
1457 committing any of the acts affecting validity of mandatory uniform
1458 test results as provided in Section 37-16-4(1);

1459 (f) The license holder has engaged in unethical conduct
1460 relating to an educator/student relationship as identified by the
1461 State Board of Education in its rules;

1462 (g) The license holder served as superintendent or
1463 principal in a school district during the time preceding and/or
1464 that resulted in the Governor declaring a state of emergency and
1465 the State Board of Education appointing a conservator;

1466 (h) The license holder submitted a false certification
1467 to the State Department of Education that a statewide test was



1468 administered in strict accordance with the Requirements of the
1469 Mississippi Statewide Assessment System; or

1470 (i) The license holder has failed to comply with the
1471 Procedures for Reporting Infractions as promulgated by the
1472 commission and approved by the State Board of Education pursuant
1473 to subsection (15) of this section.

1474 For purposes of this subsection, probation shall be defined
1475 as a length of time determined by the commission, its subcommittee
1476 or hearing officer, and based on the severity of the offense in
1477 which the license holder shall meet certain requirements as
1478 prescribed by the commission, its subcommittee or hearing officer.
1479 Failure to complete the requirements in the time specified shall
1480 result in immediate suspension of the license for one (1) year.

1481 (13) (a) Dismissal or suspension of a licensed employee by
1482 a local school board pursuant to Section 37-9-59 may result in the
1483 suspension or revocation of a license for a length of time which
1484 shall be determined by the commission and based upon the severity
1485 of the offense.

1486 (b) Any offense committed or attempted in any other
1487 state shall result in the same penalty as if committed or
1488 attempted in this state.

1489 (c) A person may voluntarily surrender a license. The
1490 surrender of such license may result in the commission
1491 recommending any of the above penalties without the necessity of a
1492 hearing. However, any such license which has voluntarily been



1493 surrendered by a licensed employee may only be reinstated by a
1494 majority vote of all members of the commission present at the
1495 meeting called for such purpose.

1496 (14) (a) A person whose license has been suspended or
1497 surrendered on any grounds except criminal grounds may petition
1498 for reinstatement of the license after one (1) year from the date
1499 of suspension or surrender, or after one-half (1/2) of the
1500 suspended or surrendered time has lapsed, whichever is greater. A
1501 person whose license has been suspended or revoked on any grounds
1502 or violations under subsection (12) of this section may be
1503 reinstated automatically or approved for a reinstatement hearing,
1504 upon submission of a written request to the commission. A license
1505 suspended, revoked or surrendered on criminal grounds may be
1506 reinstated upon petition to the commission filed after expiration
1507 of the sentence and parole or probationary period imposed upon
1508 conviction. A revoked, suspended or surrendered license may be
1509 reinstated upon satisfactory showing of evidence of
1510 rehabilitation. The commission shall require all who petition for
1511 reinstatement to furnish evidence satisfactory to the commission
1512 of good character, good mental, emotional and physical health and
1513 such other evidence as the commission may deem necessary to
1514 establish the petitioner's rehabilitation and fitness to perform
1515 the duties authorized by the license.

1516 (b) A person whose license expires while under
1517 investigation by the Office of Educator Misconduct for an alleged



1518 violation may not be reinstated without a hearing before the
1519 commission if required based on the results of the investigation.

1520 (15) Reporting procedures and hearing procedures for dealing
1521 with infractions under this section shall be promulgated by the
1522 commission, subject to the approval of the State Board of
1523 Education. The revocation or suspension of a license shall be
1524 effected at the time indicated on the notice of suspension or
1525 revocation. The commission shall immediately notify the
1526 superintendent of the school district or school board where the
1527 teacher or administrator is employed of any disciplinary action
1528 and also notify the teacher or administrator of such revocation or
1529 suspension and shall maintain records of action taken. The State
1530 Board of Education may reverse or remand with instructions any
1531 decision of the commission, its subcommittee or hearing officer
1532 regarding a petition for reinstatement of a license, and any such
1533 decision of the State Board of Education shall be final.

1534 (16) An appeal from the action of the State Board of
1535 Education in denying an application, revoking or suspending a
1536 license or otherwise disciplining any person under the provisions
1537 of this section shall be filed in the Chancery Court of the First
1538 Judicial District of Hinds County, Mississippi, on the record
1539 made, including a verbatim transcript of the testimony at the
1540 hearing. The appeal shall be filed within thirty (30) days after
1541 notification of the action of the board is mailed or served and
1542 the proceedings in chancery court shall be conducted as other



1543 matters coming before the court. The appeal shall be perfected
1544 upon filing notice of the appeal and by the prepayment of all
1545 costs, including the cost of preparation of the record of the
1546 proceedings by the State Board of Education, and the filing of a
1547 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
1548 if the action of the board be affirmed by the chancery court, the
1549 applicant or license holder shall pay the costs of the appeal and
1550 the action of the chancery court.

1551 (17) All such programs, rules, regulations, standards and
1552 criteria recommended or authorized by the commission shall become
1553 effective upon approval by the State Board of Education as
1554 designated by appropriate orders entered upon the minutes thereof.

1555 (18) The granting of a license shall not be deemed a
1556 property right nor a guarantee of employment in any public school
1557 district. A license is a privilege indicating minimal eligibility
1558 for teaching in the public school districts of Mississippi. This
1559 section shall in no way alter or abridge the authority of local
1560 school districts to require greater qualifications or standards of
1561 performance as a prerequisite of initial or continued employment
1562 in such districts.

1563 (19) In addition to the reasons specified in subsections
1564 (12) and (13) of this section, the board shall be authorized to
1565 suspend the license of any licensee for being out of compliance
1566 with an order for support, as defined in Section 93-11-153. The
1567 procedure for suspension of a license for being out of compliance



1568 with an order for support, and the procedure for the reissuance or
1569 reinstatement of a license suspended for that purpose, and the
1570 payment of any fees for the reissuance or reinstatement of a
1571 license suspended for that purpose, shall be governed by Section
1572 93-11-157 or 93-11-163, as the case may be. Actions taken by the
1573 board in suspending a license when required by Section 93-11-157
1574 or 93-11-163 are not actions from which an appeal may be taken
1575 under this section. Any appeal of a license suspension that is
1576 required by Section 93-11-157 or 93-11-163 shall be taken in
1577 accordance with the appeal procedure specified in Section
1578 93-11-157 or 93-11-163, as the case may be, rather than the
1579 procedure specified in this section. If there is any conflict
1580 between any provision of Section 93-11-157 or 93-11-163 and any
1581 provision of this chapter, the provisions of Section 93-11-157 or
1582 93-11-163, as the case may be, shall control.

1583 **SECTION 9.** Section 37-16-3, Mississippi Code of 1972, is
1584 amended as follows:

1585 37-16-3. (1) The State Department of Education is directed
1586 to implement a program of statewide assessment testing which shall
1587 provide for the improvement of the operation and management of the
1588 public schools. The statewide program shall be timed, as far as
1589 possible, so as not to conflict with ongoing district assessment
1590 programs. As part of the program, the department shall:

1591 (a) Establish, with the approval of the State Board of
1592 Education, minimum performance standards related to the goals for



1593 education contained in the state's plan including, but not limited
1594 to, basic skills in reading, writing and mathematics. The minimum
1595 performance standards shall be approved by April 1 in each year
1596 they are established.

1597 (b) Conduct a uniform statewide testing program in
1598 grades deemed appropriate in the public schools, including charter
1599 schools, which shall provide for the administration of the ACT
1600 WorkKeys Assessment, or a career-readiness assessment deemed
1601 appropriate by the Mississippi Department of Education working in
1602 coordination with the Office of Workforce Development, to any
1603 students electing to take the assessment. Each individual school
1604 district shall determine whether the assessment is administered in
1605 the ninth, tenth, eleventh or twelfth grade. The program may test
1606 skill areas, basic skills and high school course content.

1607 (c) Monitor the results of the assessment program and,
1608 at any time the composite student performance of a school or basic
1609 program is found to be below the established minimum standards,
1610 notify the district superintendent or the governing board of the
1611 charter school, as the case may be, the school principal and the
1612 school advisory committee or other existing parent group of the
1613 situation within thirty (30) days of its determination. The
1614 department shall further provide technical assistance to a school
1615 district in the identification of the causes of this deficiency
1616 and shall recommend courses of action for its correction.



1617 (d) Provide technical assistance to the school
1618 districts, when requested, in the development of student
1619 performance standards in addition to the established minimum
1620 statewide standards.

1621 (e) Issue security procedure regulations providing for
1622 the security and integrity of the tests that are administered
1623 under the basic skills assessment program.

1624 (f) In case of an allegation of a testing irregularity
1625 that prompts a need for an investigation by the Department of
1626 Education, the department may, in its discretion, take complete
1627 control of the statewide test administration in a school district
1628 or any part thereof, including, but not limited to, obtaining
1629 control of the test booklets and answer documents. In the case of
1630 any verified testing irregularity that jeopardized the security
1631 and integrity of the test(s), validity or the accuracy of the test
1632 results, the cost of the investigation and any other actual and
1633 necessary costs related to the investigation paid by the
1634 Department of Education shall be reimbursed by the local school
1635 district from funds other than federal funds, Mississippi Adequate
1636 Education Program funds, or any other state funds within six (6)
1637 months from the date of notice by the department to the school
1638 district to make reimbursement to the department.

1639 (2) Uniform basic skills tests shall be completed by each
1640 student in the appropriate grade. These tests shall be
1641 administered in such a manner as to preserve the integrity and



1642 validity of the assessment. In the event of excused or unexcused
1643 student absences, make-up tests shall be given. The school
1644 superintendent of every school district in the state and the
1645 principal of each charter school shall annually certify to the
1646 State Department of Education that each student enrolled in the
1647 appropriate grade has completed the required basic skills
1648 assessment test for his or her grade in a valid test
1649 administration.

1650 (3) Within five (5) days of completing the administration of
1651 a statewide test, the principal of the school where the test was
1652 administered shall certify under oath to the State Department of
1653 Education that the statewide test was administered in strict
1654 accordance with the Requirements of the Mississippi Statewide
1655 Assessment System as adopted by the State Board of Education. The
1656 principal's sworn certification shall be set forth on a form
1657 developed and approved by the Department of Education. If,
1658 following the administration of a statewide test, the principal
1659 has reason to believe that the test was not administered in strict
1660 accordance with the Requirements of the Mississippi Statewide
1661 Assessment System as adopted by the State Board of Education, the
1662 principal shall submit a sworn certification to the Department of
1663 Education setting forth all information known or believed by the
1664 principal about all potential violations of the Requirements of
1665 the Mississippi Statewide Assessment System as adopted by the
1666 State Board of Education. The submission of false information or



1667 false certification to the Department of Education by any licensed
1668 educator may result in licensure disciplinary action pursuant to
1669 Section 37-3-2 and criminal prosecution pursuant to Section
1670 37-16-4.

1671 **SECTION 10.** Section 37-16-17, Mississippi Code of 1972, is
1672 amended as follows:

1673 37-16-17. (1) Purpose. (a) The purpose of this section is
1674 to create a quality option in Mississippi's high schools for
1675 students not wishing to pursue a baccalaureate degree, which shall
1676 consist of challenging academic courses and modern
1677 career-technical studies. The goal for students pursuing the
1678 career * * * technical education pathways is to graduate from high
1679 school with a standard diploma and credit toward a community
1680 college certification in a career-technical field. These students
1681 also shall be encouraged to take the national assessment in the
1682 career-technical field in which they become certified.

1683 (b) The State Board of Education shall develop and
1684 adopt course and curriculum requirements for career * * *
1685 technical education pathways offered by local public school boards
1686 in accordance with this section. The Mississippi Community
1687 College Board and the State Board of Education jointly shall
1688 determine course and curriculum requirements for the career * * *
1689 technical education pathways. The State Board of Education shall
1690 require school districts to provide notice to all incoming middle
1691 school students and junior high students of the career technical



1692 education pathways offered by local school boards. Such notice
1693 shall include the career technical education pathways available,
1694 the course requirements of each pathway, how to enroll in the
1695 pathway and any other necessary information as determined by the
1696 State Board of Education.

1697 (2) * * * Career technical education pathway; description;
1698 curriculum. (a) A career * * * technical education pathway shall
1699 provide a student with greater technical skill and a strong
1700 academic core and shall be offered to each high school student
1701 enrolled in a public school district. The career * * * technical
1702 education pathway shall be linked to postsecondary options and
1703 shall prepare students to pursue either a degree or certification
1704 from a postsecondary institution, an industry-based training or
1705 certification, an apprenticeship, the military, or immediate
1706 entrance into a career field. The career * * * technical
1707 education pathway shall be designed primarily for those students
1708 who are not college bound and shall provide them with alternatives
1709 to entrance into a four-year university or college after high
1710 school graduation.

1711 (b) Students pursuing a career * * * technical
1712 education pathway shall be afforded the opportunity to dually
1713 enroll in a community or technical college or to participate in a
1714 business internship or work-study program, when such opportunities
1715 are available and appropriate.



1716 (c) Each public school district shall offer a
1717 career * * * technical education pathway approved by the State
1718 Board of Education.

1719 (d) Students in a career * * * technical education
1720 pathway shall complete an academic core of courses and a career
1721 and technical sequence of courses.

1722 (e) Students pursuing a career technical education
1723 pathway must complete the * * * twenty-four (24) course unit
1724 requirements for * * * a regular high school diploma, which may
1725 include, but not be limited to * * * the following course content:

1726 * * *

- 1727 (i) English I;
- 1728 (ii) English II;
- 1729 (iii) Technical writing;
- 1730 (iv) Computer programming;
- 1731 (v) Algebra I;
- 1732 (vi) Personal Finance;
- 1733 (vii) Advanced technical mathematics;
- 1734 (viii) Computer science;
- 1735 (ix) Biology;
- 1736 (x) Earth and Space Science;
- 1737 (xi) U.S. History;
- 1738 (xii) Mississippi Studies/U.S. Government;
- 1739 (xiii) Health;
- 1740 (xiv) Physical Education;



1741 (xv) Soft skills, which include, but are not
1742 limited to, social graces, communication abilities, language
1743 skills, personal habits, cognitive or emotional empathy, time
1744 management, teamwork and leadership traits;

1745 (xvi) Career technical education pathway courses;
1746 and

1747 (xvii) Integrated technology.

1748 Academic courses within the career * * * technical education
1749 pathway of the standard diploma shall provide the knowledge and
1750 skill necessary for proficiency on the state subject area tests.

1751 (f) The courses provided in paragraph (e) of this
1752 subsection may be tailored to the individual needs of the school
1753 district as long as the amendments align with the basic course
1754 requirements of paragraph (e).

1755 (3) Nothing in this section shall disallow the development
1756 of a dual enrollment program with a technical college so long as
1757 an individual school district, with approval from the State
1758 Department of Education, agrees to implement such a program in
1759 connection with a technical college and the agreement is also
1760 approved by the proprietary school's commission.

1761 * * *

1762 **SECTION 11.** Section 37-15-38, Mississippi Code of 1972, is
1763 brought forward as follows:



1764 37-15-38. (1) The following phrases have the meanings
1765 ascribed in this section unless the context clearly requires
1766 otherwise:

1767 (a) A dual enrolled student is a student who is
1768 enrolled in a community or junior college or state institution of
1769 higher learning while enrolled in high school.

1770 (b) A dual credit student is a student who is enrolled
1771 in a community or junior college or state institution of higher
1772 learning while enrolled in high school and who is receiving high
1773 school and college credit for postsecondary coursework.

1774 (2) A local school board, the Board of Trustees of State
1775 Institutions of Higher Learning and the Mississippi Community
1776 College Board shall establish a dual enrollment system under which
1777 students in the school district who meet the prescribed criteria
1778 of this section may be enrolled in a postsecondary institution in
1779 Mississippi while they are still in school.

1780 (3) **Dual credit eligibility.** Before credits earned by a
1781 qualified high school student from a community or junior college
1782 or state institution of higher learning may be transferred to the
1783 student's home school district, the student must be properly
1784 enrolled in a dual enrollment program.

1785 (4) **Admission criteria for dual enrollment in community and**
1786 **junior college or university programs.** The Mississippi Community
1787 College Board and the Board of Trustees of State Institutions of
1788 Higher Learning may recommend to the State Board of Education



1789 admission criteria for dual enrollment programs under which high
1790 school students may enroll at a community or junior college or
1791 university while they are still attending high school and enrolled
1792 in high school courses. Students may be admitted to enroll in
1793 community or junior college courses under the dual enrollment
1794 programs if they meet that individual institution's stated dual
1795 enrollment admission requirements.

1796 (5) **Tuition and cost responsibility.** Tuition and costs for
1797 university-level courses and community and junior college courses
1798 offered under a dual enrollment program may be paid for by the
1799 postsecondary institution, the local school district, the parents
1800 or legal guardians of the student, or by grants, foundations or
1801 other private or public sources. Payment for tuition and any
1802 other costs must be made directly to the credit-granting
1803 institution.

1804 (6) **Transportation responsibility.** Any transportation
1805 required by a student to participate in the dual enrollment
1806 program is the responsibility of the parent, custodian or legal
1807 guardian of the student. Transportation costs may be paid from
1808 any available public or private sources, including the local
1809 school district.

1810 (7) **School district average daily attendance credit.** When
1811 dually enrolled, the student may be counted, for adequate
1812 education program funding purposes, in the average daily



1813 attendance of the public school district in which the student
1814 attends high school.

1815 (8) **High school student transcript transfer requirements.**

1816 Grades and college credits earned by a student admitted to a dual
1817 credit program must be recorded on the high school student record
1818 and on the college transcript at the university or community or
1819 junior college where the student attends classes. The transcript
1820 of the university or community or junior college coursework may be
1821 released to another institution or applied toward college
1822 graduation requirements.

1823 (9) **Determining factor of prerequisites for dual enrollment**

1824 **courses.** Each university and community or junior college
1825 participating in a dual enrollment program shall determine course
1826 prerequisites. Course prerequisites shall be the same for dual
1827 enrolled students as for regularly enrolled students at that
1828 university or community or junior college.

1829 (10) **Process for determining articulation of curriculum**
1830 **between high school, university, and community and junior college**

1831 **courses.** All dual credit courses must meet the standards
1832 established at the postsecondary level. Postsecondary level
1833 developmental courses may not be considered as meeting the
1834 requirements of the dual credit program. Dual credit memorandum
1835 of understandings must be established between each postsecondary
1836 institution and the school district implementing a dual credit
1837 program.



1838 (11) [Deleted]

1839 (12) **Eligible courses for dual credit programs.** Courses
1840 eligible for dual credit include, but are not necessarily limited
1841 to, foreign languages, advanced math courses, advanced science
1842 courses, performing arts, advanced business and technology, and
1843 career and technical courses. Distance Learning Collaborative
1844 Program courses approved under Section 37-67-1 shall be fully
1845 eligible for dual credit. All courses being considered for dual
1846 credit must receive unconditional approval from the superintendent
1847 of the local school district and the chief instructional officer
1848 at the participating community or junior college or university in
1849 order for college credit to be awarded. A university or community
1850 or junior college shall make the final decision on what courses
1851 are eligible for semester hour credits.

1852 (13) **High school Carnegie unit equivalency.** One (1)
1853 three-hour university or community or junior college course is
1854 equal to one (1) high school Carnegie unit.

1855 (14) **Course alignment.** The universities, community and
1856 junior colleges and the State Department of Education shall
1857 periodically review their respective policies and assess the place
1858 of dual credit courses within the context of their traditional
1859 offerings.

1860 (15) **Maximum dual credits allowed.** It is the intent of the
1861 dual enrollment program to make it possible for every eligible
1862 student who desires to earn a semester's worth of college credit



1863 in high school to do so. A qualified dually enrolled high school
1864 student must be allowed to earn an unlimited number of college or
1865 university credits for dual credit.

1866 (16) **Dual credit program allowances.** A student may be
1867 granted credit delivered through the following means:

1868 (a) Examination preparation taught at a high school by
1869 a qualified teacher. A student may receive credit at the
1870 secondary level after completion of an approved course and passing
1871 the standard examination, such as an Advanced Placement or
1872 International Baccalaureate course through which a high school
1873 student is allowed CLEP credit by making a three (3) or higher on
1874 the end-of-course examination.

1875 (b) College or university courses taught at a high
1876 school or designated postsecondary site by a qualified teacher who
1877 is an employee of the school district and approved as an
1878 instructor by the collaborating college or university.

1879 (c) College or university courses taught at a college,
1880 university or high school by an instructor employed by the college
1881 or university and approved by the collaborating school district.

1882 (d) Online courses of any public university, community
1883 or junior college in Mississippi.

1884 (17) **Qualifications of dual credit instructors.** A dual
1885 credit academic instructor must meet the requirements set forth by
1886 the regional accrediting association (Southern Association of
1887 College and Schools). University and community and junior college



1888 personnel have the sole authority in the selection of dual credit
1889 instructors.

1890 A dual credit career and technical education instructor must
1891 meet the requirements set forth by the Mississippi Community
1892 College Board in the qualifications manual for postsecondary
1893 career and technical personnel.

1894 (18) **Guidance on local agreements.** The Chief Academic
1895 Officer of the State Board of Trustees of State Institutions of
1896 Higher Learning and the Chief Instructional Officers of the
1897 Mississippi Community College Board and the State Department of
1898 Education, working collaboratively, shall develop a template to be
1899 used by the individual community and junior colleges and
1900 institutions of higher learning for consistent implementation of
1901 the dual enrollment program throughout the State of Mississippi.

1902 (19) **Mississippi Works Dual Enrollment-Dual Credit Option.**
1903 A local school board and the local community colleges board shall
1904 establish a Mississippi Works Dual Enrollment-Dual Credit Option
1905 Program under which potential or recent student dropouts may
1906 dually enroll in their home school and a local community college
1907 in a dual credit program consisting of high school completion
1908 coursework and a community college credential, certificate or
1909 degree program. Students completing the dual enrollment-credit
1910 option may obtain their high school diploma while obtaining a
1911 community college credential, certificate or degree. The
1912 Mississippi Department of Employment Security shall assist



1913 students who have successfully completed the Mississippi Works
1914 Dual Enrollment-Dual Credit Option in securing a job upon the
1915 application of the student or the participating school or
1916 community college. The Mississippi Works Dual Enrollment-Dual
1917 Credit Option Program will be implemented statewide in the
1918 2012-2013 school year and thereafter. The State Board of
1919 Education, local school board and the local community college
1920 board shall establish criteria for the Dual Enrollment-Dual Credit
1921 Program. Students enrolled in the program will not be eligible to
1922 participate in interscholastic sports or other extracurricular
1923 activities at the home school district. Tuition and costs for
1924 community college courses offered under the Dual Enrollment-Dual
1925 Credit Program shall not be charged to the student, parents or
1926 legal guardians. When dually enrolled, the student shall be
1927 counted for adequate education program funding purposes, in the
1928 average daily attendance of the public school district in which
1929 the student attends high school, as provided in Section
1930 37-151-7(1) (a). Any transportation required by the student to
1931 participate in the Dual Enrollment-Dual Credit Program is the
1932 responsibility of the parent or legal guardian of the student, and
1933 transportation costs may be paid from any available public or
1934 private sources, including the local school district. Grades and
1935 college credits earned by a student admitted to this Dual
1936 Enrollment-Dual Credit Program shall be recorded on the high
1937 school student record and on the college transcript at the



1938 community college and high school where the student attends
1939 classes. The transcript of the community college coursework may
1940 be released to another institution or applied toward college
1941 graduation requirements. Any course that is required for subject
1942 area testing as a requirement for graduation from a public school
1943 in Mississippi is eligible for dual credit, and courses eligible
1944 for dual credit shall also include career, technical and degree
1945 program courses. All courses eligible for dual credit shall be
1946 approved by the superintendent of the local school district and
1947 the chief instructional officer at the participating community
1948 college in order for college credit to be awarded. A community
1949 college shall make the final decision on what courses are eligible
1950 for semester hour credits and the local school superintendent,
1951 subject to approval by the Mississippi Department of Education,
1952 shall make the final decision on the transfer of college courses
1953 credited to the student's high school transcript.

1954 **SECTION 12.** Section 37-71-11, Mississippi Code of 1972, is
1955 brought forward as follows:

1956 37-71-11. (1) Beginning with July 1, 2020, a licensing
1957 authority shall grant a license to any student applicant who
1958 participates in an alternative learning course, program or
1959 opportunity or apprenticeship program, and who meets the following
1960 criteria:

1961 (a) Completed an apprenticeship in the licensed
1962 occupation or profession;



1963 (b) Attained a satisfactory industry certification
1964 score on the WorkKeys assessment, if such assessment is a required
1965 component of the alternative course or apprenticeship;

1966 (c) Passed an examination, if one is deemed to be
1967 necessary by the licensing authority; and

1968 (d) Paid any fees deemed necessary by the licensing
1969 authority.

1970 (2) Licensing authorities shall establish a passing score
1971 for their respective examinations which shall not exceed the
1972 passing score that is required under the standard licensing
1973 processes. If the relevant licensing authority or provision of
1974 law does not require an examination for the standard licensing
1975 process for an occupation, no examination may be required for
1976 applicants who complete an apprenticeship in that occupation.

1977 (3) Licensing authorities shall establish a licensing fee,
1978 which shall not exceed the licensing fee that is required under
1979 the standard licensing processes. If the relevant licensing
1980 authority or state does not require a fee for the standard
1981 licensing process for an occupation, no fee can be required for
1982 applicants who complete an apprenticeship in that occupation.

1983 (4) Except as otherwise required by federal law,
1984 apprenticeships for an occupation shall not be required to exceed
1985 the number of hours required by the relevant licensing authority
1986 or statute for that occupation.



1987 (5) Licensing authorities shall adopt necessary rules for
1988 the implementation of this section.

1989 **SECTION 13.** This act shall take effect and be in force from
1990 and after July 1, 2022.

