

By: Representatives Gunn, Miles

To: Workforce Development

HOUSE BILL NO. 1388
(As Sent to Governor)

1 AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL
2 EDUCATION REFORM ACT"; TO REQUIRE THE OFFICE OF WORKFORCE
3 DEVELOPMENT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE, TO PILOT
4 A CAREER COACHING PROGRAM TO SUPPORT MIDDLE SCHOOLS AND HIGH
5 SCHOOLS AS STUDENTS ARE EXPOSED, PREPARED AND CONNECTED TO CAREER
6 AVENUES WITHIN AND BEYOND THE CLASSROOM SETTING; TO REQUIRE THE
7 MISSISSIPPI DEPARTMENT OF EDUCATION TO WORK IN CONJUNCTION WITH
8 THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ENSURE ALIGNMENT OF
9 CAREER AND TECHNICAL EDUCATION COURSES ACROSS THE PUBLIC SCHOOL
10 SYSTEM AND COMMUNITY COLLEGE SYSTEM; TO REQUIRE THE STATE
11 WORKFORCE INVESTMENT BOARD TO CREATE A SINGLE LIST OF NATIONALLY
12 RECOGNIZED INDUSTRY CERTIFICATIONS FOR USE IN THE MISSISSIPPI
13 ACCREDITATION SYSTEM, IN DIPLOMA ENDORSEMENT REQUIREMENTS AND FOR
14 CERTAIN REIMBURSEMENTS; TO AMEND SECTION 37-153-15, MISSISSIPPI
15 CODE OF 1972, TO REVISE THE DEFINITION OF "QUALIFYING INDUSTRY
16 CERTIFICATION"; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO
17 WORK IN PARTNERSHIP WITH THE MISSISSIPPI DEPARTMENT OF EDUCATION
18 AND THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO COMPLETE A PROGRAM
19 INVENTORY AND RETURN ON INVESTMENT ANALYSIS OF WORKFORCE
20 DEVELOPMENT PROGRAMS IN THE STATE; TO REQUIRE THE OFFICE OF
21 WORKFORCE DEVELOPMENT TO DEVELOP CROSS-SECTOR PARTNERSHIPS AMONG
22 K-12 EDUCATION, EMPLOYERS AND INDUSTRY AND POSTSECONDARY EDUCATION
23 TO COMPLETE CERTAIN OBJECTIVES; TO AMEND SECTION 37-17-6,
24 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM
25 SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF A
26 CAREER-READINESS ASSESSMENT, SUCH AS, BUT NOT LIMITED TO, THE ACT
27 WORKKEYS ASSESSMENT, DEEMED APPROPRIATE BY THE MISSISSIPPI
28 DEPARTMENT OF EDUCATION WORKING IN COORDINATION WITH THE OFFICE OF
29 WORKFORCE DEVELOPMENT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE
30 OF 1972, TO PROVIDE THAT THE COMMISSION ON TEACHER AND
31 ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND
32 DEVELOPMENT WITHIN THE DEPARTMENT OF EDUCATION SHALL HAVE THE DUTY
33 OF ESTABLISHING CERTAIN STANDARDS, SUBJECT TO THE APPROVAL OF THE
34 STATE BOARD OF EDUCATION, FOR SUPPLEMENTAL ENDORSEMENTS TO THE



35 LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS; TO
36 PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL
37 NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER
38 TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE
39 EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO
40 REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND RENEW ALL
41 LICENSES AND CERTIFICATIONS OF TEACHERS AND ADMINISTRATORS WITHIN
42 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION IF THE APPLICANT
43 HAS OTHERWISE MET ALL ESTABLISHED REQUIREMENTS FOR THE LICENSE OR
44 CERTIFICATION; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972,
45 TO PROVIDE THAT THE UNIFORM STATEWIDE TESTING PROGRAM SHALL
46 PROVIDE FOR THE ADMINISTRATION OF A CAREER-READINESS ASSESSMENT,
47 SUCH AS, BUT NOT LIMITED TO, THE ACT WORKKEYS ASSESSMENT, DEEMED
48 APPROPRIATE BY THE MISSISSIPPI DEPARTMENT OF EDUCATION WORKING IN
49 COORDINATION WITH THE OFFICE OF WORKFORCE DEVELOPMENT, TO ANY
50 STUDENTS ELECTING TO TAKE THE ASSESSMENT; TO PROVIDE THAT EACH
51 INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ASSESSMENT
52 IS ADMINISTERED IN THE NINTH, TENTH, ELEVENTH OR TWELFTH GRADE; TO
53 AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REVISE THE
54 TERMINOLOGY USED FOR CAREER EDUCATION FROM "TRACK" TO "CAREER
55 TECHNICAL EDUCATION PATHWAYS"; TO PROVIDE THE CURRICULUM THAT MAY
56 BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO PROVIDE
57 THAT THE CAREER TECHNICAL EDUCATION PATHWAYS COURSES MAY BE
58 TAILORED TO THE INDIVIDUAL NEEDS OF EACH SCHOOL DISTRICT; AND FOR
59 RELATED PURPOSES.

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

61 **SECTION 1.** The provisions of this act shall be known and may
62 be cited as the "Comprehensive Career and Technical Education
63 Reform Act."

64 **SECTION 2.** (1) Subject to appropriation by the Legislature,
65 the Office of Workforce Development shall pilot a career coaching
66 program to support middle schools and high schools as students are
67 exposed, prepared and connected to career avenues within and
68 beyond the classroom setting. Through strong partnerships with
69 economic and business leaders, paired with viable relationships
70 with school districts, the career coaches shall target the
71 alignment of students' strengths with intentional academic and



72 work-based learning in pursuit of meaningful professional
73 employment.

74 (2) Subject to appropriation by the Legislature, the Office
75 of Workforce Development, working through the Department of
76 Employment Security as fiscal agent, shall establish rules and
77 regulations to operate the career coaching program, which may
78 include granting funds to eligible recipients such as state
79 agencies, regional workforce entities and other nonprofits, to
80 hire coaches. The Office of Workforce Development shall establish
81 criteria for coaches and shall work with partner organizations to
82 identify candidates and measure outcomes.

83 **SECTION 3.** The Mississippi Department of Education shall
84 work in conjunction with the Mississippi Community College Board
85 to ensure alignment of career technical education courses across
86 the public school system and community college system. If a
87 community college chooses not to participate in the dual credit
88 program or does not have certain courses available for
89 participating students, eligible high school students may enroll
90 in dual credit courses and attend such courses at the campus of
91 another participating community college within the state.

92 **SECTION 4.** The State Workforce Investment Board, by and
93 through the Office of Workforce Development, shall create, in
94 consultation with the Mississippi Department of Education, the
95 Mississippi Community College Board, the Mississippi State
96 University Research and Curriculum Unit and other appropriate



97 business and industry stakeholders, a single list of nationally
98 recognized industry certifications for use in the Mississippi
99 statewide accountability system, in diploma endorsement
100 requirements and for reimbursement under Section 37-153-15.

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

103 37-153-15. (1) As used in this chapter:

104 (a) The words "industry certification" mean a * * *
105 process through which students are assessed by an independent,
106 third-party certifying entity using predetermined standards for
107 knowledge, skills and competencies, resulting in the award of a
108 credential that is nationally recognized and must be at least one
109 (1) of the following:

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

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

115 (iii) Linked to an occupation that is identified
116 as emerging.

117 (b) The words "qualifying industry certification" mean
118 an industry certification that is linked to an occupation with
119 wages of at least seventy percent (70%) of the * * * median state
120 income unless the industry certification is stackable to another



121 postsecondary or professional credential which is linked to an
122 occupation which meets the wage criterion.

123 (2) The State Workforce Investment Board shall provide the
124 State Board of Education annually with a list of qualifying
125 industry certifications. If the occupations identified in the
126 list are not substantially the same as those occupations
127 identified in the prior year, the State Board of Education shall
128 provide reasonable notice of the changes to school districts.

129 (3) Beginning in fiscal year 2019-2020 and subject to
130 available funding, the Department of Education shall pay a career
131 and technical education incentive grant to the public school for
132 each student enrolled in the public school who earns a qualifying
133 industry certification. The amount per student for the career and
134 technical education incentive grant shall be Six Hundred Dollars
135 (\$600.00). If the statewide sum of the career and technical
136 education incentive grants awarded pursuant to this section
137 exceeds the amount of available funds appropriated for the grants,
138 the grants per student shall be reduced proportionately to cover
139 all eligible grants under this section. Any costs accrued during
140 one (1) fiscal year may be claimed and reimbursed in the following
141 fiscal year.

142 (4) The grants may be used for qualifying industry
143 certification examination fees, professional development for
144 teachers in career and technical education programs under this
145 section, student instructional support for programs that lead to



146 qualifying industry certifications, or to increase access to
147 qualifying industry certifications. Any grants awarded under this
148 section may not be used to supplant funds provided for the basic
149 operation of the career and technical education programs.

150 (5) On or before * * * October 1 of each year, the
151 Department of Education, working in collaboration with the Office
152 of Workforce Development and any other entities as necessary,
153 shall submit a report to the Governor, the Lieutenant Governor,
154 the Speaker of the House of Representatives, the Chairmen of the
155 House and Senate Education Committees, the Chairman of the House
156 Workforce Development Committee and the Chairman of the
157 Senate * * * Economic and Workforce Development Committee on the
158 following:

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

162 (b) The number of students who earned a qualifying
163 industry certification by certification.

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

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

168 (e) Aggregated demographic data on the students who
169 earned a qualifying industry certification, including the



170 qualifying industry certifications earned by rural and urban
171 students.

172 **SECTION 6.** (1) The Office of Workforce Development shall
173 work in partnership with the Mississippi Department of Education
174 and the Mississippi Community College Board to complete a program
175 inventory and return on investment analysis of workforce programs
176 and career technical education programs in both the K-12 and
177 community college system, with the expectation that results will
178 be used in conjunction with labor market analysis information and
179 other relevant data to adjust program offerings to best meet the
180 future needs of Mississippi business and industry and to provide
181 high-demand, high-skill and high-wage pathways.

182 (2) The Office of Workforce Development, in collaboration
183 with the Mississippi Community College Board, the Mississippi
184 Department of Education and the Mississippi State University
185 Research and Curriculum Unit, shall develop cross-sector
186 partnerships among K-12 education, employers and industry, and
187 postsecondary education to meet at least quarterly or more often
188 as the industry needs require to complete the following
189 objectives:

190 (a) The state's K-12 and community college career
191 technical education programs emphasize high-demand, high-skill and
192 high-wage pathways, as determined by state and regional labor
193 market data, and aligned with the current and projected state
194 economic priorities.



195 (b) Employers and industry are consulted and help lead
196 the development of K-12 and community college career technical
197 education program standards, curricula, instructional strategies
198 and industry-valued credentials.

199 (c) K-12 and community college career technical
200 education programs feature experiential learning opportunities
201 such as internships, externships, apprenticeships or other
202 work-based learning opportunities.

203 (d) K-12 career technical education programs are linked
204 to postsecondary courses and credential programs and provide a
205 seamless transition to a postsecondary credential.

206 (e) The state shall annually publish and promote a list
207 of K-12 and community college industry-recognized certifications
208 relevant to specific career technical education pathways and
209 linked to high-demand, high-skill and high-wage pathways.

210 (f) K-12 and community college career technical
211 education programs shall be annually reviewed to ensure that
212 offerings do not lead to dead-end pathways and to develop new
213 offerings to meet industry needs and strengthen existing
214 offerings.

215 (g) K-12 and community college career technical
216 education programs shall be reviewed annually to ensure student
217 participation and success rates, including career technical
218 education concentrators and students earning industry-recognized
219 credentials. This review shall also include an examination of



220 student participation and success by demographics to ensure
221 equitable access and completion by all students.

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

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

226 37-17-6. (1) The State Board of Education, acting through
227 the Commission on School Accreditation, shall establish and
228 implement a permanent performance-based accreditation system, and
229 all noncharter public elementary and secondary schools shall be
230 accredited under this system.

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

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

| 240 | Number of Students | Number of Certified |
|-----|----------------------|--------------------------|
| 241 | Per School Library | School Librarians |
| 242 | 0 - 499 Students | 1/2 Full-time Equivalent |
| 243 | | Certified Librarian |
| 244 | 500 or More Students | 1 Full-time Certified |



245 Librarian

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

248 (c) The assignment of certified school librarians to
249 the particular schools shall be at the discretion of the local
250 school district. No individual shall be employed as a certified
251 school librarian without appropriate training and certification as
252 a school librarian by the State Department of Education.

253 (d) School librarians in the district shall spend at
254 least fifty percent (50%) of direct work time in a school library
255 and shall devote no more than one-fourth (1/4) of the workday to
256 administrative activities that are library related.

257 (e) Nothing in this subsection shall prohibit any
258 school district from employing more certified school librarians
259 than are provided for in this section.

260 (f) Any additional millage levied to fund school
261 librarians required for accreditation under this subsection shall
262 be included in the tax increase limitation set forth in Sections
263 37-57-105 and 37-57-107 and shall not be deemed a new program for
264 purposes of the limitation.

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



269 (a) High expectations for students and high standards
270 for all schools, with a focus on the basic curriculum;
271 (b) Strong accountability for results with appropriate
272 local flexibility for local implementation;
273 (c) A process to implement accountability at both the
274 school district level and the school level;
275 (d) Individual schools shall be held accountable for
276 student growth and performance;
277 (e) Set annual performance standards for each of the
278 schools of the state and measure the performance of each school
279 against itself through the standard that has been set for it;
280 (f) A determination of which schools exceed their
281 standards and a plan for providing recognition and rewards to
282 those schools;
283 (g) A determination of which schools are failing to
284 meet their standards and a determination of the appropriate role
285 of the State Board of Education and the State Department of
286 Education in providing assistance and initiating possible
287 intervention. A failing district is a district that fails to meet
288 both the absolute student achievement standards and the rate of
289 annual growth expectation standards as set by the State Board of
290 Education for two (2) consecutive years. The State Board of
291 Education shall establish the level of benchmarks by which
292 absolute student achievement and growth expectations shall be
293 assessed. In setting the benchmarks for school districts, the



294 State Board of Education may also take into account such factors
295 as graduation rates, dropout rates, completion rates, the extent
296 to which the school or district employs qualified teachers in
297 every classroom, and any other factors deemed appropriate by the
298 State Board of Education. The State Board of Education, acting
299 through the State Department of Education, shall apply a simple
300 "A," "B," "C," "D" and "F" designation to the current school and
301 school district statewide accountability performance
302 classification labels beginning with the State Accountability
303 Results for the 2011-2012 school year and following, and in the
304 school, district and state report cards required under state and
305 federal law. Under the new designations, a school or school
306 district that has earned a "Star" rating shall be designated an
307 "A" school or school district; a school or school district that
308 has earned a "High-Performing" rating shall be designated a "B"
309 school or school district; a school or school district that has
310 earned a "Successful" rating shall be designated a "C" school or
311 school district; a school or school district that has earned an
312 "Academic Watch" rating shall be designated a "D" school or school
313 district; a school or school district that has earned a
314 "Low-Performing," "At-Risk of Failing" or "Failing" rating shall
315 be designated an "F" school or school district. Effective with
316 the implementation of any new curriculum and assessment standards,
317 the State Board of Education, acting through the State Department
318 of Education, is further authorized and directed to change the



319 school and school district accreditation rating system to a simple
320 "A," "B," "C," "D," and "F" designation based on a combination of
321 student achievement scores and student growth as measured by the
322 statewide testing programs developed by the State Board of
323 Education pursuant to Chapter 16, Title 37, Mississippi Code of
324 1972. In any statute or regulation containing the former
325 accreditation designations, the new designations shall be
326 applicable;

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

329 (i) The State Board of Education may, based on a
330 written request that contains specific reasons for requesting a
331 waiver from the school districts affected by Hurricane Katrina of
332 2005, hold harmless school districts from assignment of district
333 and school level accountability ratings for the 2005-2006 school
334 year. The State Board of Education upon finding an extreme
335 hardship in the school district may grant the request. It is the
336 intent of the Legislature that all school districts maintain the
337 highest possible academic standards and instructional programs in
338 all schools as required by law and the State Board of Education.

339 (5) (a) Effective with the 2013-2014 school year, the State
340 Department of Education, acting through the Mississippi Commission
341 on School Accreditation, shall revise and implement a single "A"
342 through "F" school and school district accountability system



343 complying with applicable federal and state requirements in order
344 to reach the following educational goals:

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

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

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

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

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

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

361 (ii) Individual student growth: the percent of
362 students making one (1) year's progress in one (1) year's time on
363 the state assessment, with an emphasis on the progress of the
364 lowest twenty-five percent (25%) of students in the school or
365 district;



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

369 (iv) Categories shall identify schools as Reward
370 ("A" schools), Focus ("D" schools) and Priority ("F" schools). If
371 at least five percent (5%) of schools in the state are not graded
372 as "F" schools, the lowest five percent (5%) of school grade point
373 designees will be identified as Priority schools. If at least ten
374 percent (10%) of schools in the state are not graded as "D"
375 schools, the lowest ten percent (10%) of school grade point
376 designees will be identified as Focus schools;

377 (v) The State Department of Education shall
378 discontinue the use of Star School, High-Performing, Successful,
379 Academic Watch, Low-Performing, At-Risk of Failing and Failing
380 school accountability designations;

381 (vi) The system shall include the federally
382 compliant four-year graduation rate in school and school district
383 accountability system calculations. Graduation rate will apply to
384 high school and school district accountability ratings as a
385 compensatory component. The system shall discontinue the use of
386 the High School Completer Index (HSCI);

387 (vii) The school and school district
388 accountability system shall incorporate a standards-based growth
389 model, in order to support improvement of individual student
390 learning;



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

393 (ix) The State Department of Education shall
394 determine feeder patterns of schools that do not earn a school
395 grade because the grades and subjects taught at the school do not
396 have statewide standardized assessments needed to calculate a
397 school grade. Upon determination of the feeder pattern, the
398 department shall notify schools and school districts prior to the
399 release of the school grades beginning in 2013. Feeder schools
400 will be assigned the accountability designation of the school to
401 which they provide students;

402 (x) Standards for student, school and school
403 district performance will be increased when student proficiency is
404 at a seventy-five percent (75%) and/or when sixty-five percent
405 (65%) of the schools and/or school districts are earning a grade
406 of "B" or higher, in order to raise the standard on performance
407 after targets are met * * *;

408 (xi) The system shall include student performance
409 on the administration of a career-readiness assessment, such as,
410 but not limited to, the ACT WorkKeys Assessment, deemed
411 appropriate by the Mississippi Department of Education working in
412 coordination with the Office of Workforce Development.

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



416 (7) The State Board of Education shall create an
417 accreditation audit unit under the Commission on School
418 Accreditation to determine whether schools are complying with
419 accreditation standards.

420 (8) The State Board of Education shall be specifically
421 authorized and empowered to withhold adequate education program
422 fund allocations, whichever is applicable, to any public school
423 district for failure to timely report student, school personnel
424 and fiscal data necessary to meet state and/or federal
425 requirements.

426 (9) [Deleted]

427 (10) The State Board of Education shall establish, for those
428 school districts failing to meet accreditation standards, a
429 program of development to be complied with in order to receive
430 state funds, except as otherwise provided in subsection (15) of
431 this section when the Governor has declared a state of emergency
432 in a school district or as otherwise provided in Section 206,
433 Mississippi Constitution of 1890. The state board, in
434 establishing these standards, shall provide for notice to schools
435 and sufficient time and aid to enable schools to attempt to meet
436 these standards, unless procedures under subsection (15) of this
437 section have been invoked.

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



441 (a) Develop an impairment report for each district
442 failing to meet accreditation standards in conjunction with school
443 district officials;

444 (b) Notify any applicable school district failing to
445 meet accreditation standards that it is on probation until
446 corrective actions are taken or until the deficiencies have been
447 removed. The local school district shall develop a corrective
448 action plan to improve its deficiencies. For district academic
449 deficiencies, the corrective action plan for each such school
450 district shall be based upon a complete analysis of the following:
451 student test data, student grades, student attendance reports,
452 student dropout data, existence and other relevant data. The
453 corrective action plan shall describe the specific measures to be
454 taken by the particular school district and school to improve:
455 (i) instruction; (ii) curriculum; (iii) professional development;
456 (iv) personnel and classroom organization; (v) student incentives
457 for performance; (vi) process deficiencies; and (vii) reporting to
458 the local school board, parents and the community. The corrective
459 action plan shall describe the specific individuals responsible
460 for implementing each component of the recommendation and how each
461 will be evaluated. All corrective action plans shall be provided
462 to the State Board of Education as may be required. The decision
463 of the State Board of Education establishing the probationary
464 period of time shall be final;



465 (c) Offer, during the probationary period, technical
466 assistance to the school district in making corrective actions.
467 Beginning July 1, 1998, subject to the availability of funds, the
468 State Department of Education shall provide technical and/or
469 financial assistance to all such school districts in order to
470 implement each measure identified in that district's corrective
471 action plan through professional development and on-site
472 assistance. Each such school district shall apply for and utilize
473 all available federal funding in order to support its corrective
474 action plan in addition to state funds made available under this
475 paragraph;

476 (d) Assign department personnel or contract, in its
477 discretion, with the institutions of higher learning or other
478 appropriate private entities with experience in the academic,
479 finance and other operational functions of schools to assist
480 school districts;

481 (e) Provide for publication of public notice at least
482 one time during the probationary period, in a newspaper published
483 within the jurisdiction of the school district failing to meet
484 accreditation standards, or if no newspaper is published therein,
485 then in a newspaper having a general circulation therein. The
486 publication shall include the following: declaration of school
487 system's status as being on probation; all details relating to the
488 impairment report; and other information as the State Board of
489 Education deems appropriate. Public notices issued under this



490 section shall be subject to Section 13-3-31 and not contrary to
491 other laws regarding newspaper publication.

492 (12) (a) If the recommendations for corrective action are
493 not taken by the local school district or if the deficiencies are
494 not removed by the end of the probationary period, the Commission
495 on School Accreditation shall conduct a hearing to allow the
496 affected school district to present evidence or other reasons why
497 its accreditation should not be withdrawn. Additionally, if the
498 local school district violates accreditation standards that have
499 been determined by the policies and procedures of the State Board
500 of Education to be a basis for withdrawal of school district's
501 accreditation without a probationary period, the Commission on
502 School Accreditation shall conduct a hearing to allow the affected
503 school district to present evidence or other reasons why its
504 accreditation should not be withdrawn. After its consideration of
505 the results of the hearing, the Commission on School Accreditation
506 shall be authorized, with the approval of the State Board of
507 Education, to withdraw the accreditation of a public school
508 district, and issue a request to the Governor that a state of
509 emergency be declared in that district.

510 (b) If the State Board of Education and the Commission
511 on School Accreditation determine that an extreme emergency
512 situation exists in a school district that jeopardizes the safety,
513 security or educational interests of the children enrolled in the
514 schools in that district and that emergency situation is believed



515 to be related to a serious violation or violations of
516 accreditation standards or state or federal law, or when a school
517 district meets the State Board of Education's definition of a
518 failing school district for two (2) consecutive full school years,
519 or if more than fifty percent (50%) of the schools within the
520 school district are designated as Schools At-Risk in any one (1)
521 year, the State Board of Education may request the Governor to
522 declare a state of emergency in that school district. For
523 purposes of this paragraph, the declarations of a state of
524 emergency shall not be limited to those instances when a school
525 district's impairments are related to a lack of financial
526 resources, but also shall include serious failure to meet minimum
527 academic standards, as evidenced by a continued pattern of poor
528 student performance.

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

533 (i) Declare a state of emergency, under which some
534 or all of state funds can be escrowed except as otherwise provided
535 in Section 206, Constitution of 1890, until the board determines
536 corrective actions are being taken or the deficiencies have been
537 removed, or that the needs of students warrant the release of
538 funds. The funds may be released from escrow for any program
539 which the board determines to have been restored to standard even



540 though the state of emergency may not as yet be terminated for the
541 district as a whole;

542 (ii) Override any decision of the local school
543 board or superintendent of education, or both, concerning the
544 management and operation of the school district, or initiate and
545 make decisions concerning the management and operation of the
546 school district;

547 (iii) Assign an interim superintendent, or in its
548 discretion, contract with a private entity with experience in the
549 academic, finance and other operational functions of schools and
550 school districts, who will have those powers and duties prescribed
551 in subsection (15) of this section;

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

556 (v) For states of emergency declared under
557 paragraph (a) only, if the accreditation deficiencies are related
558 to the fact that the school district is too small, with too few
559 resources, to meet the required standards and if another school
560 district is willing to accept those students, abolish that
561 district and assign that territory to another school district or
562 districts. If the school district has proposed a voluntary
563 consolidation with another school district or districts, then if
564 the State Board of Education finds that it is in the best interest



565 of the pupils of the district for the consolidation to proceed,
566 the voluntary consolidation shall have priority over any such
567 assignment of territory by the State Board of Education;

568 (vi) For states of emergency declared under
569 paragraph (b) only, reduce local supplements paid to school
570 district employees, including, but not limited to, instructional
571 personnel, assistant teachers and extracurricular activities
572 personnel, if the district's impairment is related to a lack of
573 financial resources, but only to an extent that will result in the
574 salaries being comparable to districts similarly situated, as
575 determined by the State Board of Education;

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

579 (d) At the time that satisfactory corrective action has
580 been taken in a school district in which a state of emergency has
581 been declared, the State Board of Education may request the
582 Governor to declare that the state of emergency no longer exists
583 in the district.

584 (e) The parent or legal guardian of a school-age child
585 who is enrolled in a school district whose accreditation has been
586 withdrawn by the Commission on School Accreditation and without
587 approval of that school district may file a petition in writing to
588 a school district accredited by the Commission on School
589 Accreditation for a legal transfer. The school district



590 accredited by the Commission on School Accreditation may grant the
591 transfer according to the procedures of Section 37-15-31(1)(b).
592 In the event the accreditation of the student's home district is
593 restored after a transfer has been approved, the student may
594 continue to attend the transferee school district. The per-pupil
595 amount of the adequate education program allotment, including the
596 collective "add-on program" costs for the student's home school
597 district shall be transferred monthly to the school district
598 accredited by the Commission on School Accreditation that has
599 granted the transfer of the school-age child.

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

603 (i) Place the school district into district
604 transformation, in which the school district shall remain until it
605 has fulfilled all conditions related to district transformation.
606 If the district was assigned an accreditation rating of "D" or "F"
607 when placed into district transformation, the district shall be
608 eligible to return to local control when the school district has
609 attained a "C" rating or higher for five (5) consecutive years,
610 unless the State Board of Education determines that the district
611 is eligible to return to local control in less than the five-year
612 period;



613 (ii) Abolish the school district and
614 administratively consolidate the school district with one or more
615 existing school districts;

616 (iii) Reduce the size of the district and
617 administratively consolidate parts of the district, as determined
618 by the State Board of Education. However, no school district
619 which is not in district transformation shall be required to
620 accept additional territory over the objection of the district; or

621 (iv) Require the school district to develop and
622 implement a district improvement plan with prescriptive guidance
623 and support from the State Department of Education, with the goal
624 of helping the district improve student achievement. Failure of
625 the school board, superintendent and school district staff to
626 implement the plan with fidelity and participate in the activities
627 provided as support by the department shall result in the school
628 district retaining its eligibility for district transformation.

629 (g) There is established a Mississippi Recovery School
630 District within the State Department of Education under the
631 supervision of a deputy superintendent appointed by the State
632 Superintendent of Public Education, who is subject to the approval
633 by the State Board of Education. The Mississippi Recovery School
634 District shall provide leadership and oversight of all school
635 districts that are subject to district transformation status, as
636 defined in Chapters 17 and 18, Title 37, Mississippi Code of 1972,
637 and shall have all the authority granted under these two (2)



638 chapters. The Mississippi Department of Education, with the
639 approval of the State Board of Education, shall develop policies
640 for the operation and management of the Mississippi Recovery
641 School District. The deputy state superintendent is responsible
642 for the Mississippi Recovery School District and shall be
643 authorized to oversee the administration of the Mississippi
644 Recovery School District, oversee the interim superintendent
645 assigned by the State Board of Education to a local school
646 district, hear appeals that would normally be filed by students,
647 parents or employees and heard by a local school board, which
648 hearings on appeal shall be conducted in a prompt and timely
649 manner in the school district from which the appeal originated in
650 order to ensure the ability of appellants, other parties and
651 witnesses to appeal without undue burden of travel costs or loss
652 of time from work, and perform other related duties as assigned by
653 the State Superintendent of Public Education. The deputy state
654 superintendent is responsible for the Mississippi Recovery School
655 District and shall determine, based on rigorous professional
656 qualifications set by the State Board of Education, the
657 appropriate individuals to be engaged to be interim
658 superintendents and financial advisors, if applicable, of all
659 school districts subject to district transformation status. After
660 State Board of Education approval, these individuals shall be
661 deemed independent contractors.



662 (13) Upon the declaration of a state of emergency in a
663 school district under subsection (12) of this section, the
664 Commission on School Accreditation shall be responsible for public
665 notice at least once a week for at least three (3) consecutive
666 weeks in a newspaper published within the jurisdiction of the
667 school district failing to meet accreditation standards, or if no
668 newspaper is published therein, then in a newspaper having a
669 general circulation therein. The size of the notice shall be no
670 smaller than one-fourth (1/4) of a standard newspaper page and
671 shall be printed in bold print. If an interim superintendent has
672 been appointed for the school district, the notice shall begin as
673 follows: "By authority of Section 37-17-6, Mississippi Code of
674 1972, as amended, adopted by the Mississippi Legislature during
675 the 1991 Regular Session, this school district (name of school
676 district) is hereby placed under the jurisdiction of the State
677 Department of Education acting through its appointed interim
678 superintendent (name of interim superintendent)."

679 The notice also shall include, in the discretion of the State
680 Board of Education, any or all details relating to the school
681 district's emergency status, including the declaration of a state
682 of emergency in the school district and a description of the
683 district's impairment deficiencies, conditions of any district
684 transformation status and corrective actions recommended and being
685 taken. Public notices issued under this section shall be subject



686 to Section 13-3-31 and not contrary to other laws regarding
687 newspaper publication.

688 Upon termination of the state of emergency in a school
689 district, the Commission on School Accreditation shall cause
690 notice to be published in the school district in the same manner
691 provided in this section, to include any or all details relating
692 to the corrective action taken in the school district that
693 resulted in the termination of the state of emergency.

694 (14) The State Board of Education or the Commission on
695 School Accreditation shall have the authority to require school
696 districts to produce the necessary reports, correspondence,
697 financial statements, and any other documents and information
698 necessary to fulfill the requirements of this section.

699 Nothing in this section shall be construed to grant any
700 individual, corporation, board or interim superintendent the
701 authority to levy taxes except in accordance with presently
702 existing statutory provisions.

703 (15) (a) Whenever the Governor declares a state of
704 emergency in a school district in response to a request made under
705 subsection (12) of this section, the State Board of Education, in
706 its discretion, may assign an interim superintendent to the school
707 district, or in its discretion, may contract with an appropriate
708 private entity with experience in the academic, finance and other
709 operational functions of schools and school districts, who will be
710 responsible for the administration, management and operation of



711 the school district, including, but not limited to, the following
712 activities:

713 (i) Approving or disapproving all financial
714 obligations of the district, including, but not limited to, the
715 employment, termination, nonrenewal and reassignment of all
716 licensed and nonlicensed personnel, contractual agreements and
717 purchase orders, and approving or disapproving all claim dockets
718 and the issuance of checks; in approving or disapproving
719 employment contracts of superintendents, assistant superintendents
720 or principals, the interim superintendent shall not be required to
721 comply with the time limitations prescribed in Sections 37-9-15
722 and 37-9-105;

723 (ii) Supervising the day-to-day activities of the
724 district's staff, including reassigning the duties and
725 responsibilities of personnel in a manner which, in the
726 determination of the interim superintendent, will best suit the
727 needs of the district;

728 (iii) Reviewing the district's total financial
729 obligations and operations and making recommendations to the
730 district for cost savings, including, but not limited to,
731 reassigning the duties and responsibilities of staff;

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



734 (v) Approving or disapproving all athletic, band
735 and other extracurricular activities and any matters related to
736 those activities;

737 (vi) Maintaining a detailed account of
738 recommendations made to the district and actions taken in response
739 to those recommendations;

740 (vii) Reporting periodically to the State Board of
741 Education on the progress or lack of progress being made in the
742 district to improve the district's impairments during the state of
743 emergency; and

744 (viii) Appointing a parent advisory committee,
745 comprised of parents of students in the school district that may
746 make recommendations to the interim superintendent concerning the
747 administration, management and operation of the school district.

748 The cost of the salary of the interim superintendent and any
749 other actual and necessary costs related to district
750 transformation status paid by the State Department of Education
751 shall be reimbursed by the local school district from funds other
752 than adequate education program funds. The department shall
753 submit an itemized statement to the superintendent of the local
754 school district for reimbursement purposes, and any unpaid balance
755 may be withheld from the district's adequate education program
756 funds.

757 At the time that the Governor, in accordance with the request
758 of the State Board of Education, declares that the state of



759 emergency no longer exists in a school district, the powers and
760 responsibilities of the interim superintendent assigned to the
761 district shall cease.

762 (b) In order to provide loans to school districts under
763 a state of emergency or in district transformation status that
764 have impairments related to a lack of financial resources, the
765 School District Emergency Assistance Fund is created as a special
766 fund in the State Treasury into which monies may be transferred or
767 appropriated by the Legislature from any available public
768 education funds. Funds in the School District Emergency
769 Assistance Fund up to a maximum balance of Three Million Dollars
770 (\$3,000,000.00) annually shall not lapse but shall be available
771 for expenditure in subsequent years subject to approval of the
772 State Board of Education. Any amount in the fund in excess of
773 Three Million Dollars (\$3,000,000.00) at the end of the fiscal
774 year shall lapse into the State General Fund or the Education
775 Enhancement Fund, depending on the source of the fund.

776 The State Board of Education may loan monies from the School
777 District Emergency Assistance Fund to a school district that is
778 under a state of emergency or in district transformation status,
779 in those amounts, as determined by the board, that are necessary
780 to correct the district's impairments related to a lack of
781 financial resources. The loans shall be evidenced by an agreement
782 between the school district and the State Board of Education and
783 shall be repayable in principal, without necessity of interest, to



784 the School District Emergency Assistance Fund by the school
785 district from any allowable funds that are available. The total
786 amount loaned to the district shall be due and payable within five
787 (5) years after the impairments related to a lack of financial
788 resources are corrected. If a school district fails to make
789 payments on the loan in accordance with the terms of the agreement
790 between the district and the State Board of Education, the State
791 Department of Education, in accordance with rules and regulations
792 established by the State Board of Education, may withhold that
793 district's adequate education program funds in an amount and
794 manner that will effectuate repayment consistent with the terms of
795 the agreement; the funds withheld by the department shall be
796 deposited into the School District Emergency Assistance Fund.

797 The State Board of Education shall develop a protocol that
798 will outline the performance standards and requisite timeline
799 deemed necessary for extreme emergency measures. If the State
800 Board of Education determines that an extreme emergency exists,
801 simultaneous with the powers exercised in this subsection, it
802 shall take immediate action against all parties responsible for
803 the affected school districts having been determined to be in an
804 extreme emergency. The action shall include, but not be limited
805 to, initiating civil actions to recover funds and criminal actions
806 to account for criminal activity. Any funds recovered by the
807 State Auditor or the State Board of Education from the surety
808 bonds of school officials or from any civil action brought under



809 this subsection shall be applied toward the repayment of any loan
810 made to a school district hereunder.

811 (16) If a majority of the membership of the school board of
812 any school district resigns from office, the State Board of
813 Education shall be authorized to assign an interim superintendent,
814 who shall be responsible for the administration, management and
815 operation of the school district until the time as new board
816 members are selected or the Governor declares a state of emergency
817 in that school district under subsection (12), whichever occurs
818 first. In that case, the State Board of Education, acting through
819 the interim superintendent, shall have all powers which were held
820 by the previously existing school board, and may take any action
821 as prescribed in Section 37-17-13 and/or one or more of the
822 actions authorized in this section.

823 (17) (a) If the Governor declares a state of emergency in a
824 school district, the State Board of Education may take all such
825 action pertaining to that school district as is authorized under
826 subsection (12) or (15) of this section, including the appointment
827 of an interim superintendent. The State Board of Education shall
828 also have the authority to issue a written request with
829 documentation to the Governor asking that the office of the
830 superintendent of the school district be subject to recall. If
831 the Governor declares that the office of the superintendent of the
832 school district is subject to recall, the local school board or



833 the county election commission, as the case may be, shall take the
834 following action:

835 (i) If the office of superintendent is an elected
836 office, in those years in which there is no general election, the
837 name shall be submitted by the State Board of Education to the
838 county election commission, and the county election commission
839 shall submit the question at a special election to the voters
840 eligible to vote for the office of superintendent within the
841 county, and the special election shall be held within sixty (60)
842 days from notification by the State Board of Education. The
843 ballot shall read substantially as follows:

844 "Shall County Superintendent of Education _____ (here the
845 name of the superintendent shall be inserted) of the _____
846 (here the title of the school district shall be inserted) be
847 retained in office? Yes _____ No _____"

848 If a majority of those voting on the question votes against
849 retaining the superintendent in office, a vacancy shall exist
850 which shall be filled in the manner provided by law; otherwise,
851 the superintendent shall remain in office for the term of that
852 office, and at the expiration of the term shall be eligible for
853 qualification and election to another term or terms.

854 (ii) If the office of superintendent is an
855 appointive office, the name of the superintendent shall be
856 submitted by the president of the local school board at the next
857 regular meeting of the school board for retention in office or



858 dismissal from office. If a majority of the school board voting
859 on the question vote against retaining the superintendent in
860 office, a vacancy shall exist which shall be filled as provided by
861 law, otherwise the superintendent shall remain in office for the
862 duration of his employment contract.

863 (b) The State Board of Education may issue a written
864 request with documentation to the Governor asking that the
865 membership of the school board of the school district shall be
866 subject to recall. Whenever the Governor declares that the
867 membership of the school board is subject to recall, the county
868 election commission or the local governing authorities, as the
869 case may be, shall take the following action:

870 (i) If the members of the local school board are
871 elected to office, in those years in which the specific member's
872 office is not up for election, the name of the school board member
873 shall be submitted by the State Board of Education to the county
874 election commission, and the county election commission at a
875 special election shall submit the question to the voters eligible
876 to vote for the particular member's office within the county or
877 school district, as the case may be, and the special election
878 shall be held within sixty (60) days from notification by the
879 State Board of Education. The ballot shall read substantially as
880 follows:

881 "Members of the _____ (here the title of the school
882 district shall be inserted) School Board who are not up for



883 election this year are subject to recall because of the school
884 district's failure to meet critical accountability standards as
885 defined in the letter of notification to the Governor from the
886 State Board of Education. Shall the member of the school board
887 representing this area, _____ (here the name of the school
888 board member holding the office shall be inserted), be retained in
889 office? Yes _____ No _____"

890 If a majority of those voting on the question vote against
891 retaining the member of the school board in office, a vacancy in
892 that board member's office shall exist, which shall be filled in
893 the manner provided by law; otherwise, the school board member
894 shall remain in office for the term of that office, and at the
895 expiration of the term of office, the member shall be eligible for
896 qualification and election to another term or terms of office.
897 However, if a majority of the school board members are recalled in
898 the special election, the Governor shall authorize the board of
899 supervisors of the county in which the school district is situated
900 to appoint members to fill the offices of the members recalled.
901 The board of supervisors shall make those appointments in the
902 manner provided by law for filling vacancies on the school board,
903 and the appointed members shall serve until the office is filled
904 at the next regular special election or general election.

905 (ii) If the local school board is an appointed
906 school board, the name of all school board members shall be
907 submitted as a collective board by the president of the municipal



908 or county governing authority, as the case may be, at the next
909 regular meeting of the governing authority for retention in office
910 or dismissal from office. If a majority of the governing
911 authority voting on the question vote against retaining the board
912 in office, a vacancy shall exist in each school board member's
913 office, which shall be filled as provided by law; otherwise, the
914 members of the appointed school board shall remain in office for
915 the duration of their term of appointment, and those members may
916 be reappointed.

917 (iii) If the local school board is comprised of
918 both elected and appointed members, the elected members shall be
919 subject to recall in the manner provided in subparagraph (i) of
920 this paragraph (b), and the appointed members shall be subject to
921 recall in the manner provided in subparagraph (ii).

922 (18) Beginning with the school district audits conducted for
923 the 1997-1998 fiscal year, the State Board of Education, acting
924 through the Commission on School Accreditation, shall require each
925 school district to comply with standards established by the State
926 Department of Audit for the verification of fixed assets and the
927 auditing of fixed assets records as a minimum requirement for
928 accreditation.

929 (19) Before December 1, 1999, the State Board of Education
930 shall recommend a program to the Education Committees of the House
931 of Representatives and the Senate for identifying and rewarding
932 public schools that improve or are high performing. The program



933 shall be described by the board in a written report, which shall
934 include criteria and a process through which improving schools and
935 high-performing schools will be identified and rewarded.

936 The State Superintendent of Public Education and the State
937 Board of Education also shall develop a comprehensive
938 accountability plan to ensure that local school boards,
939 superintendents, principals and teachers are held accountable for
940 student achievement. A written report on the accountability plan
941 shall be submitted to the Education Committees of both houses of
942 the Legislature before December 1, 1999, with any necessary
943 legislative recommendations.

944 (20) Before January 1, 2008, the State Board of Education
945 shall evaluate and submit a recommendation to the Education
946 Committees of the House of Representatives and the Senate on
947 inclusion of graduation rate and dropout rate in the school level
948 accountability system.

949 (21) If a local school district is determined as failing and
950 placed into district transformation status for reasons authorized
951 by the provisions of this section, the interim superintendent
952 appointed to the district shall, within forty-five (45) days after
953 being appointed, present a detailed and structured corrective
954 action plan to move the local school district out of district
955 transformation status to the deputy superintendent. A copy of the
956 interim superintendent's corrective action plan shall also be
957 filed with the State Board of Education.



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

960 37-3-2. (1) There is established within the State
961 Department of Education the Commission on Teacher and
962 Administrator Education, Certification and Licensure and
963 Development. It shall be the purpose and duty of the commission
964 to make recommendations to the State Board of Education regarding
965 standards for the certification and licensure and continuing
966 professional development of those who teach or perform tasks of an
967 educational nature in the public schools of Mississippi.

968 (2) (a) The commission shall be composed of fifteen (15)
969 qualified members. The membership of the commission shall be
970 composed of the following members to be appointed, three (3) from
971 each of the four (4) congressional districts, as such districts
972 existed on January 1, 2011, in accordance with the population
973 calculations determined by the 2010 federal decennial census,
974 including: four (4) classroom teachers; three (3) school
975 administrators; one (1) representative of schools of education of
976 public institutions of higher learning located within the state to
977 be recommended by the Board of Trustees of State Institutions of
978 Higher Learning; one (1) representative from the schools of
979 education of independent institutions of higher learning to be
980 recommended by the Board of the Mississippi Association of
981 Independent Colleges; one (1) representative from public community
982 and junior colleges located within the state to be recommended by



983 the Mississippi Community College Board; one (1) local school
984 board member; and four (4) laypersons. Three (3) members of the
985 commission, at the sole discretion of the State Board of
986 Education, shall be appointed from the state at large.

987 (b) All appointments shall be made by the State Board
988 of Education after consultation with the State Superintendent of
989 Public Education. The first appointments by the State Board of
990 Education shall be made as follows: five (5) members shall be
991 appointed for a term of one (1) year; five (5) members shall be
992 appointed for a term of two (2) years; and five (5) members shall
993 be appointed for a term of three (3) years. Thereafter, all
994 members shall be appointed for a term of four (4) years.

995 (3) The State Board of Education when making appointments
996 shall designate a chairman. The commission shall meet at least
997 once every two (2) months or more often if needed. Members of the
998 commission shall be compensated at a rate of per diem as
999 authorized by Section 25-3-69 and be reimbursed for actual and
1000 necessary expenses as authorized by Section 25-3-41.

1001 (4) (a) An appropriate staff member of the State Department
1002 of Education shall be designated and assigned by the State
1003 Superintendent of Public Education to serve as executive secretary
1004 and coordinator for the commission. No less than two (2) other
1005 appropriate staff members of the State Department of Education
1006 shall be designated and assigned by the State Superintendent of
1007 Public Education to serve on the staff of the commission.



1008 (b) An Office of Educator Misconduct Evaluations shall
1009 be established within the State Department of Education to assist
1010 the commission in responding to infractions and violations, and in
1011 conducting hearings and enforcing the provisions of subsections
1012 (11), (12), (13), (14) and (15) of this section, and violations of
1013 the Mississippi Educator Code of Ethics.

1014 (5) It shall be the duty of the commission to:

1015 (a) Set standards and criteria, subject to the approval
1016 of the State Board of Education, for all educator preparation
1017 programs in the state;

1018 (b) Recommend to the State Board of Education each year
1019 approval or disapproval of each educator preparation program in
1020 the state, subject to a process and schedule determined by the
1021 State Board of Education;

1022 (c) Establish, subject to the approval of the State
1023 Board of Education, standards for initial teacher certification
1024 and licensure in all fields;

1025 (d) Establish, subject to the approval of the State
1026 Board of Education, standards for the renewal of teacher licenses
1027 in all fields;

1028 (e) Review and evaluate objective measures of teacher
1029 performance, such as test scores, which may form part of the
1030 licensure process, and to make recommendations for their use;

1031 (f) Review all existing requirements for certification
1032 and licensure;



1033 (g) Consult with groups whose work may be affected by
1034 the commission's decisions;

1035 (h) Prepare reports from time to time on current
1036 practices and issues in the general area of teacher education and
1037 certification and licensure;

1038 (i) Hold hearings concerning standards for teachers'
1039 and administrators' education and certification and licensure with
1040 approval of the State Board of Education;

1041 (j) Hire expert consultants with approval of the State
1042 Board of Education;

1043 (k) Set up ad hoc committees to advise on specific
1044 areas; * * *

1045 (l) Perform such other functions as may fall within
1046 their general charge and which may be delegated to them by the
1047 State Board of Education * * *; and

1048 (m) Establish standards, subject to the approval of the
1049 State Board of Education, for supplemental endorsements, provided
1050 that the standards allow teachers as many options as possible to
1051 receive a supplemental endorsement, including, but not limited to,
1052 the option of taking additional coursework or earning at least the
1053 minimum qualifying score or higher on the required licensure
1054 subject assessment relevant to the endorsement area for which the
1055 licensure is sought. The subject assessment option shall not
1056 apply to certain subject areas, including, but not limited to,
1057 Early/Primary Education PreK-3, Elementary Education, or Special



1058 Education, except by special approval by the State Board of
1059 Education.

1060 (6) (a) **Standard License - Approved Program Route.** An
1061 educator entering the school system of Mississippi for the first
1062 time and meeting all requirements as established by the State
1063 Board of Education shall be granted a standard five-year license.
1064 Persons who possess two (2) years of classroom experience as an
1065 assistant teacher or who have taught for one (1) year in an
1066 accredited public or private school shall be allowed to fulfill
1067 student teaching requirements under the supervision of a qualified
1068 participating teacher approved by an accredited college of
1069 education. The local school district in which the assistant
1070 teacher is employed shall compensate such assistant teachers at
1071 the required salary level during the period of time such
1072 individual is completing student teaching requirements.

1073 Applicants for a standard license shall submit to the department:

- 1074 (i) An application on a department form;
1075 (ii) An official transcript of completion of a
1076 teacher education program approved by the department or a
1077 nationally accredited program, subject to the following:

1078 Licensure to teach in Mississippi prekindergarten through
1079 kindergarten classrooms shall require completion of a teacher
1080 education program or a Bachelor of Science degree with child
1081 development emphasis from a program accredited by the American
1082 Association of Family and Consumer Sciences (AAFCS) or by the



1083 National Association for Education of Young Children (NAEYC) or by
1084 the National Council for Accreditation of Teacher Education
1085 (NCATE). Licensure to teach in Mississippi kindergarten, for
1086 those applicants who have completed a teacher education program,
1087 and in Grade 1 through Grade 4 shall require the completion of an
1088 interdisciplinary program of studies. Licenses for Grades 4
1089 through 8 shall require the completion of an interdisciplinary
1090 program of studies with two (2) or more areas of concentration.
1091 Licensure to teach in Mississippi Grades 7 through 12 shall
1092 require a major in an academic field other than education, or a
1093 combination of disciplines other than education. Students
1094 preparing to teach a subject shall complete a major in the
1095 respective subject discipline. All applicants for standard
1096 licensure shall demonstrate that such person's college preparation
1097 in those fields was in accordance with the standards set forth by
1098 the National Council for Accreditation of Teacher Education
1099 (NCATE) or the National Association of State Directors of Teacher
1100 Education and Certification (NASDTEC) or, for those applicants who
1101 have a Bachelor of Science degree with child development emphasis,
1102 the American Association of Family and Consumer Sciences (AAFCS).
1103 Effective July 1, 2016, for initial elementary education
1104 licensure, a teacher candidate must earn a passing score on a
1105 rigorous test of scientifically research-based reading instruction
1106 and intervention and data-based decision-making principles as
1107 approved by the State Board of Education;



1108 (iii) A copy of test scores evidencing
1109 satisfactory completion of nationally administered examinations of
1110 achievement, such as the Educational Testing Service's teacher
1111 testing examinations;

1112 (iv) Any other document required by the State
1113 Board of Education; and

1114 (v) From and after July 1, 2020, no teacher
1115 candidate shall be licensed to teach in Mississippi who did not
1116 meet the following criteria for entrance into an approved teacher
1117 education program:

1118 1. An ACT Score of twenty-one (21) (or SAT
1119 equivalent); or

1120 2. Achieve a qualifying passing score on the
1121 Praxis Core Academic Skills for Educators examination as
1122 established by the State Board of Education; or

1123 3. A minimum GPA of 3.0 on coursework prior
1124 to admission to an approved teacher education program.

1125 (b) (i) **Standard License - Nontraditional Teaching**
1126 **Route.** From and after July 1, 2020, no teacher candidate shall be
1127 licensed to teach in Mississippi under the alternate route who did
1128 not meet the following criteria:

1129 * * *1. An ACT Score of twenty-one (21) (or
1130 SAT equivalent); or



1131 * * *2. Achieve a qualifying passing score
1132 on the Praxis Core Academic Skills for Educators examination as
1133 established by the State Board of Education; or

1134 * * *3. A minimum GPA of 3.0 on coursework
1135 prior to admission to an approved teacher education program.

1136 (ii) Beginning July 1, 2020, an individual who has
1137 attained a passing score on the Praxis Core Academic Skills for
1138 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)
1139 or a minimum GPA of 3.0 on coursework prior to admission to an
1140 approved teacher education program and a passing score on the
1141 Praxis Subject Assessment in the requested area of endorsement may
1142 apply for admission to the Teach Mississippi Institute (TMI)
1143 program to teach students in Grades 7 through 12 if the individual
1144 meets the requirements of this paragraph (b). The State Board of
1145 Education shall adopt rules requiring that teacher preparation
1146 institutions which provide the Teach Mississippi Institute (TMI)
1147 program for the preparation of nontraditional teachers shall meet
1148 the standards and comply with the provisions of this paragraph.

1149 * * *1. The Teach Mississippi Institute
1150 (TMI) shall include an intensive eight-week, nine-semester-hour
1151 summer program or a curriculum of study in which the student
1152 matriculates in the fall or spring semester, which shall include,
1153 but not be limited to, instruction in education, effective
1154 teaching strategies, classroom management, state curriculum
1155 requirements, planning and instruction, instructional methods and



1156 pedagogy, using test results to improve instruction, and a one (1)
1157 semester three-hour supervised internship to be completed while
1158 the teacher is employed as a full-time teacher intern in a local
1159 school district. The TMI shall be implemented on a pilot program
1160 basis, with courses to be offered at up to four (4) locations in
1161 the state, with one (1) TMI site to be located in each of the
1162 three (3) Mississippi Supreme Court districts.

1163 * * *2. The school sponsoring the teacher
1164 intern shall enter into a written agreement with the institution
1165 providing the Teach Mississippi Institute (TMI) program, under
1166 terms and conditions as agreed upon by the contracting parties,
1167 providing that the school district shall provide teacher interns
1168 seeking a nontraditional provisional teaching license with a
1169 one-year classroom teaching experience. The teacher intern shall
1170 successfully complete the one (1) semester three-hour intensive
1171 internship in the school district during the semester immediately
1172 following successful completion of the TMI and prior to the end of
1173 the one-year classroom teaching experience.

1174 * * *3. Upon completion of the
1175 nine-semester-hour TMI or the fall or spring semester option, the
1176 individual shall submit his transcript to the commission for
1177 provisional licensure of the intern teacher, and the intern
1178 teacher shall be issued a provisional teaching license by the
1179 commission, which will allow the individual to legally serve as a



1180 teacher while the person completes a nontraditional teacher
1181 preparation internship program.

1182 * * *4. During the semester of internship in
1183 the school district, the teacher preparation institution shall
1184 monitor the performance of the intern teacher. The school
1185 district that employs the provisional teacher shall supervise the
1186 provisional teacher during the teacher's intern year of employment
1187 under a nontraditional provisional license, and shall, in
1188 consultation with the teacher intern's mentor at the school
1189 district of employment, submit to the commission a comprehensive
1190 evaluation of the teacher's performance sixty (60) days prior to
1191 the expiration of the nontraditional provisional license. If the
1192 comprehensive evaluation establishes that the provisional teacher
1193 intern's performance fails to meet the standards of the approved
1194 nontraditional teacher preparation internship program, the
1195 individual shall not be approved for a standard license.

1196 * * *5. An individual issued a provisional
1197 teaching license under this nontraditional route shall
1198 successfully complete, at a minimum, a one-year beginning teacher
1199 mentoring and induction program administered by the employing
1200 school district with the assistance of the State Department of
1201 Education.

1202 * * *6. Upon successful completion of the
1203 TMI and the internship provisional license period, applicants for
1204 a Standard License - Nontraditional Route shall submit to the



1205 commission a transcript of successful completion of the twelve
1206 (12) semester hours required in the internship program, and the
1207 employing school district shall submit to the commission a
1208 recommendation for standard licensure of the intern. If the
1209 school district recommends licensure, the applicant shall be
1210 issued a Standard License - Nontraditional Route which shall be
1211 valid for a five-year period and be renewable.

1212 * * *7. At the discretion of the teacher
1213 preparation institution, the individual shall be allowed to credit
1214 the twelve (12) semester hours earned in the nontraditional
1215 teacher internship program toward the graduate hours required for
1216 a Master of Arts in Teacher (MAT) Degree.

1217 * * *8. The local school district in which
1218 the nontraditional teacher intern or provisional licensee is
1219 employed shall compensate such teacher interns at Step 1 of the
1220 required salary level during the period of time such individual is
1221 completing teacher internship requirements and shall compensate
1222 such Standard License - Nontraditional Route teachers at Step 3 of
1223 the required salary level when they complete license requirements.

1224 (iii) Implementation of the TMI program provided
1225 for under this paragraph (b) shall be contingent upon the
1226 availability of funds appropriated specifically for such purpose
1227 by the Legislature. Such implementation of the TMI program may
1228 not be deemed to prohibit the State Board of Education from
1229 developing and implementing additional alternative route teacher



1230 licensure programs, as deemed appropriate by the board. The
1231 emergency certification program in effect prior to July 1, 2002,
1232 shall remain in effect.

1233 (iv) A Standard License - Approved Program Route
1234 shall be issued for a five-year period, and may be renewed.
1235 Recognizing teaching as a profession, a hiring preference shall be
1236 granted to persons holding a Standard License - Approved Program
1237 Route or Standard License - Nontraditional Teaching Route over
1238 persons holding any other license.

1239 (c) **Special License - Expert Citizen.** In order to
1240 allow a school district to offer specialized or technical courses,
1241 the State Department of Education, in accordance with rules and
1242 regulations established by the State Board of Education, may grant
1243 a * * * five-year expert citizen-teacher license to local business
1244 or other professional personnel to teach in a public school or
1245 nonpublic school accredited or approved by the state. Such person
1246 shall be required to have a high school diploma, an
1247 industry-recognized certification related to the subject area in
1248 which they are teaching and a minimum of five (5) years of
1249 relevant experience but shall not be required to hold an associate
1250 or bachelor's degree, provided that he or she possesses the
1251 minimum qualifications required for his or her profession, and may
1252 begin teaching upon his employment by the local school board and
1253 licensure by the Mississippi Department of Education. If a school
1254 board hires a career technical education pathway instructor who



1255 does not have an industry certification in his or her area of
1256 expertise but does have the required experience, the school board
1257 shall spread their decision on the minutes at their next meeting
1258 and provide a detailed explanation for why they hired the
1259 instructor. Such instructor shall present the minutes of the
1260 school board to the State Department of Education when he or she
1261 applies for an expert citizen license. The board shall adopt
1262 rules and regulations to administer the expert citizen-teacher
1263 license. A Special License - Expert Citizen may be renewed in
1264 accordance with the established rules and regulations of the State
1265 Department of Education.

1266 (d) **Special License - Nonrenewable.** The State Board of
1267 Education is authorized to establish rules and regulations to
1268 allow those educators not meeting requirements in paragraph (a),
1269 (b) or (c) of this subsection (6) to be licensed for a period of
1270 not more than three (3) years, except by special approval of the
1271 State Board of Education.

1272 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
1273 person may teach for a maximum of three (3) periods per teaching
1274 day in a public school district or a nonpublic school
1275 accredited/approved by the state. Such person shall submit to the
1276 department a transcript or record of his education and experience
1277 which substantiates his preparation for the subject to be taught
1278 and shall meet other qualifications specified by the commission
1279 and approved by the State Board of Education. In no case shall



1280 any local school board hire nonlicensed personnel as authorized
1281 under this paragraph in excess of five percent (5%) of the total
1282 number of licensed personnel in any single school.

1283 (f) **Special License - Transitional Bilingual Education.**

1284 Beginning July 1, 2003, the commission shall grant special
1285 licenses to teachers of transitional bilingual education who
1286 possess such qualifications as are prescribed in this section.
1287 Teachers of transitional bilingual education shall be compensated
1288 by local school boards at not less than one (1) step on the
1289 regular salary schedule applicable to permanent teachers licensed
1290 under this section. The commission shall grant special licenses
1291 to teachers of transitional bilingual education who present the
1292 commission with satisfactory evidence that they (i) possess a
1293 speaking and reading ability in a language, other than English, in
1294 which bilingual education is offered and communicative skills in
1295 English; (ii) are in good health and sound moral character; (iii)
1296 possess a bachelor's degree or an associate's degree in teacher
1297 education from an accredited institution of higher education; (iv)
1298 meet such requirements as to courses of study, semester hours
1299 therein, experience and training as may be required by the
1300 commission; and (v) are legally present in the United States and
1301 possess legal authorization for employment. A teacher of
1302 transitional bilingual education serving under a special license
1303 shall be under an exemption from standard licensure if he achieves
1304 the requisite qualifications therefor. Two (2) years of service



1305 by a teacher of transitional bilingual education under such an
1306 exemption shall be credited to the teacher in acquiring a Standard
1307 Educator License. Nothing in this paragraph shall be deemed to
1308 prohibit a local school board from employing a teacher licensed in
1309 an appropriate field as approved by the State Department of
1310 Education to teach in a program in transitional bilingual
1311 education.

1312 (g) In the event any school district meets the highest
1313 accreditation standards as defined by the State Board of Education
1314 in the accountability system, the State Board of Education, in its
1315 discretion, may exempt such school district from any restrictions
1316 in paragraph (e) relating to the employment of nonlicensed
1317 teaching personnel.

1318 (h) **Highly Qualified Teachers.** Beginning July 1, 2006,
1319 any teacher from any state meeting the federal definition of
1320 highly qualified, as described in the No Child Left Behind Act,
1321 must be granted a standard five-year license by the State
1322 Department of Education.

1323 (7) **Administrator License.** The State Board of Education is
1324 authorized to establish rules and regulations and to administer
1325 the licensure process of the school administrators in the State of
1326 Mississippi. There will be four (4) categories of administrator
1327 licensure with exceptions only through special approval of the
1328 State Board of Education.



1329 (a) **Administrator License - Nonpracticing.** Those
1330 educators holding administrative endorsement but having no
1331 administrative experience or not serving in an administrative
1332 position on January 15, 1997.

1333 (b) **Administrator License - Entry Level.** Those
1334 educators holding administrative endorsement and having met the
1335 department's qualifications to be eligible for employment in a
1336 Mississippi school district. Administrator License - Entry Level
1337 shall be issued for a five-year period and shall be nonrenewable.

1338 (c) **Standard Administrator License - Career Level.** An
1339 administrator who has met all the requirements of the department
1340 for standard administrator licensure.

1341 (d) **Administrator License - Nontraditional Route.** The
1342 board may establish a nontraditional route for licensing
1343 administrative personnel. Such nontraditional route for
1344 administrative licensure shall be available for persons holding,
1345 but not limited to, a master of business administration degree, a
1346 master of public administration degree, a master of public
1347 planning and policy degree or a doctor of jurisprudence degree
1348 from an accredited college or university, with five (5) years of
1349 administrative or supervisory experience. Successful completion
1350 of the requirements of alternate route licensure for
1351 administrators shall qualify the person for a standard
1352 administrator license.



1353 Individuals seeking school administrator licensure under
1354 paragraph (b), (c) or (d) shall successfully complete a training
1355 program and an assessment process prescribed by the State Board of
1356 Education. All applicants for school administrator licensure
1357 shall meet all requirements prescribed by the department under
1358 paragraph (b), (c) or (d), and the cost of the assessment process
1359 required shall be paid by the applicant.

1360 (8) **Reciprocity.** The department shall grant a standard
1361 five-year license to any individual who possesses a valid standard
1362 license from another state, or another country or political
1363 subdivision thereof, within a period of twenty-one (21) days from
1364 the date of a completed application. The issuance of a license by
1365 reciprocity to a military-trained applicant, military spouse or
1366 person who establishes residence in this state shall be subject to
1367 the provisions of Section 73-50-1 or 73-50-2, as applicable.

1368 (9) **Renewal and Reinstatement of Licenses.** The State Board
1369 of Education is authorized to establish rules and regulations for
1370 the renewal and reinstatement of educator and administrator
1371 licenses. Effective May 15, 1997, the valid standard license held
1372 by an educator shall be extended five (5) years beyond the
1373 expiration date of the license in order to afford the educator
1374 adequate time to fulfill new renewal requirements established
1375 pursuant to this subsection. An educator completing a master of
1376 education, educational specialist or doctor of education degree in
1377 May 1997 for the purpose of upgrading the educator's license to a



1378 higher class shall be given this extension of five (5) years plus
1379 five (5) additional years for completion of a higher degree. For
1380 all license types with a current valid expiration date of June 30,
1381 2021, the State Department of Education shall grant a one-year
1382 extension to June 30, 2022. Beginning July 1, 2022, and
1383 thereafter, applicants for licensure renewal shall meet all
1384 requirements in effect on the date that the complete application
1385 is received by the State Department of Education.

1386 (10) All controversies involving the issuance, revocation,
1387 suspension or any change whatsoever in the licensure of an
1388 educator required to hold a license shall be initially heard in a
1389 hearing de novo, by the commission or by a subcommittee
1390 established by the commission and composed of commission members,
1391 or by a hearing officer retained and appointed by the commission,
1392 for the purpose of holding hearings. Any complaint seeking the
1393 denial of issuance, revocation or suspension of a license shall be
1394 by sworn affidavit filed with the Commission on Teacher and
1395 Administrator Education, Certification and Licensure and
1396 Development. The decision thereon by the commission, its
1397 subcommittee or hearing officer, shall be final, unless the
1398 aggrieved party shall appeal to the State Board of Education,
1399 within ten (10) days, of the decision of the commission, its
1400 subcommittee or hearing officer. An appeal to the State Board of
1401 Education shall be perfected upon filing a notice of the appeal
1402 and by the prepayment of the costs of the preparation of the



1403 record of proceedings by the commission, its subcommittee or
1404 hearing officer. An appeal shall be on the record previously made
1405 before the commission, its subcommittee or hearing officer, unless
1406 otherwise provided by rules and regulations adopted by the board.
1407 The decision of the commission, its subcommittee or hearing
1408 officer shall not be disturbed on appeal if supported by
1409 substantial evidence, was not arbitrary or capricious, within the
1410 authority of the commission, and did not violate some statutory or
1411 constitutional right. The State Board of Education in its
1412 authority may reverse, or remand with instructions, the decision
1413 of the commission, its subcommittee or hearing officer. The
1414 decision of the State Board of Education shall be final.

1415 (11) (a) The State Board of Education, acting through the
1416 commission, may deny an application for any teacher or
1417 administrator license for one or more of the following:

1418 (i) Lack of qualifications which are prescribed by
1419 law or regulations adopted by the State Board of Education;

1420 (ii) The applicant has a physical, emotional or
1421 mental disability that renders the applicant unfit to perform the
1422 duties authorized by the license, as certified by a licensed
1423 psychologist or psychiatrist;

1424 (iii) The applicant is actively addicted to or
1425 actively dependent on alcohol or other habit-forming drugs or is a
1426 habitual user of narcotics, barbiturates, amphetamines,



1427 hallucinogens or other drugs having similar effect, at the time of
1428 application for a license;

1429 (iv) Fraud or deceit committed by the applicant in
1430 securing or attempting to secure such certification and license;

1431 (v) Failing or refusing to furnish reasonable
1432 evidence of identification;

1433 (vi) The applicant has been convicted, has pled
1434 guilty or entered a plea of nolo contendere to a felony, as
1435 defined by federal or state law. For purposes of this
1436 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
1437 a plea of guilty, entry of a plea of nolo contendere, or entry of
1438 an order granting pretrial or judicial diversion;

1439 (vii) The applicant or licensee is on probation or
1440 post-release supervision for a felony or conviction, as defined by
1441 federal or state law. However, this disqualification expires upon
1442 the end of the probationary or post-release supervision period.

1443 (b) The State Board of Education, acting through the
1444 commission, shall deny an application for any teacher or
1445 administrator license, or immediately revoke the current teacher
1446 or administrator license, for one or more of the following:

1447 (i) If the applicant or licensee has been
1448 convicted, has pled guilty or entered a plea of nolo contendere to
1449 a sex offense as defined by federal or state law. For purposes of
1450 this subparagraph (i) of this paragraph (b), a "guilty plea"



1451 includes a plea of guilty, entry of a plea of nolo contendere, or
1452 entry of an order granting pretrial or judicial diversion;

1453 (ii) The applicant or licensee is on probation or
1454 post-release supervision for a sex offense conviction, as defined
1455 by federal or state law;

1456 (iii) The license holder has fondled a student as
1457 described in Section 97-5-23, or had any type of sexual
1458 involvement with a student as described in Section 97-3-95; or

1459 (iv) The license holder has failed to report
1460 sexual involvement of a school employee with a student as required
1461 by Section 97-5-24.

1462 (12) The State Board of Education, acting through the
1463 commission, may revoke, suspend or refuse to renew any teacher or
1464 administrator license for specified periods of time or may place
1465 on probation, reprimand a licensee, or take other disciplinary
1466 action with regard to any license issued under this chapter for
1467 one or more of the following:

1468 (a) Breach of contract or abandonment of employment may
1469 result in the suspension of the license for one (1) school year as
1470 provided in Section 37-9-57;

1471 (b) Obtaining a license by fraudulent means shall
1472 result in immediate suspension and continued suspension for one
1473 (1) year after correction is made;

1474 (c) Suspension or revocation of a certificate or
1475 license by another state shall result in immediate suspension or



1476 revocation and shall continue until records in the prior state
1477 have been cleared;

1478 (d) The license holder has been convicted, has pled
1479 guilty or entered a plea of nolo contendere to a felony, as
1480 defined by federal or state law. For purposes of this paragraph,
1481 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
1482 contendere, or entry of an order granting pretrial or judicial
1483 diversion;

1484 (e) The license holder knowingly and willfully
1485 committing any of the acts affecting validity of mandatory uniform
1486 test results as provided in Section 37-16-4(1);

1487 (f) The license holder has engaged in unethical conduct
1488 relating to an educator/student relationship as identified by the
1489 State Board of Education in its rules;

1490 (g) The license holder served as superintendent or
1491 principal in a school district during the time preceding and/or
1492 that resulted in the Governor declaring a state of emergency and
1493 the State Board of Education appointing a conservator;

1494 (h) The license holder submitted a false certification
1495 to the State Department of Education that a statewide test was
1496 administered in strict accordance with the Requirements of the
1497 Mississippi Statewide Assessment System; or

1498 (i) The license holder has failed to comply with the
1499 Procedures for Reporting Infractions as promulgated by the



1500 commission and approved by the State Board of Education pursuant
1501 to subsection (15) of this section.

1502 For purposes of this subsection, probation shall be defined
1503 as a length of time determined by the commission, its subcommittee
1504 or hearing officer, and based on the severity of the offense in
1505 which the license holder shall meet certain requirements as
1506 prescribed by the commission, its subcommittee or hearing officer.
1507 Failure to complete the requirements in the time specified shall
1508 result in immediate suspension of the license for one (1) year.

1509 (13) (a) Dismissal or suspension of a licensed employee by
1510 a local school board pursuant to Section 37-9-59 may result in the
1511 suspension or revocation of a license for a length of time which
1512 shall be determined by the commission and based upon the severity
1513 of the offense.

1514 (b) Any offense committed or attempted in any other
1515 state shall result in the same penalty as if committed or
1516 attempted in this state.

1517 (c) A person may voluntarily surrender a license. The
1518 surrender of such license may result in the commission
1519 recommending any of the above penalties without the necessity of a
1520 hearing. However, any such license which has voluntarily been
1521 surrendered by a licensed employee may only be reinstated by a
1522 majority vote of all members of the commission present at the
1523 meeting called for such purpose.



1524 (14) (a) A person whose license has been suspended or
1525 surrendered on any grounds except criminal grounds may petition
1526 for reinstatement of the license after one (1) year from the date
1527 of suspension or surrender, or after one-half (1/2) of the
1528 suspended or surrendered time has lapsed, whichever is greater. A
1529 person whose license has been suspended or revoked on any grounds
1530 or violations under subsection (12) of this section may be
1531 reinstated automatically or approved for a reinstatement hearing,
1532 upon submission of a written request to the commission. A license
1533 suspended, revoked or surrendered on criminal grounds may be
1534 reinstated upon petition to the commission filed after expiration
1535 of the sentence and parole or probationary period imposed upon
1536 conviction. A revoked, suspended or surrendered license may be
1537 reinstated upon satisfactory showing of evidence of
1538 rehabilitation. The commission shall require all who petition for
1539 reinstatement to furnish evidence satisfactory to the commission
1540 of good character, good mental, emotional and physical health and
1541 such other evidence as the commission may deem necessary to
1542 establish the petitioner's rehabilitation and fitness to perform
1543 the duties authorized by the license.

1544 (b) A person whose license expires while under
1545 investigation by the Office of Educator Misconduct for an alleged
1546 violation may not be reinstated without a hearing before the
1547 commission if required based on the results of the investigation.



1548 (15) Reporting procedures and hearing procedures for dealing
1549 with infractions under this section shall be promulgated by the
1550 commission, subject to the approval of the State Board of
1551 Education. The revocation or suspension of a license shall be
1552 effected at the time indicated on the notice of suspension or
1553 revocation. The commission shall immediately notify the
1554 superintendent of the school district or school board where the
1555 teacher or administrator is employed of any disciplinary action
1556 and also notify the teacher or administrator of such revocation or
1557 suspension and shall maintain records of action taken. The State
1558 Board of Education may reverse or remand with instructions any
1559 decision of the commission, its subcommittee or hearing officer
1560 regarding a petition for reinstatement of a license, and any such
1561 decision of the State Board of Education shall be final.

1562 (16) An appeal from the action of the State Board of
1563 Education in denying an application, revoking or suspending a
1564 license or otherwise disciplining any person under the provisions
1565 of this section shall be filed in the Chancery Court of the First
1566 Judicial District of Hinds County, Mississippi, on the record
1567 made, including a verbatim transcript of the testimony at the
1568 hearing. The appeal shall be filed within thirty (30) days after
1569 notification of the action of the board is mailed or served and
1570 the proceedings in chancery court shall be conducted as other
1571 matters coming before the court. The appeal shall be perfected
1572 upon filing notice of the appeal and by the prepayment of all



1573 costs, including the cost of preparation of the record of the
1574 proceedings by the State Board of Education, and the filing of a
1575 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
1576 if the action of the board be affirmed by the chancery court, the
1577 applicant or license holder shall pay the costs of the appeal and
1578 the action of the chancery court.

1579 (17) All such programs, rules, regulations, standards and
1580 criteria recommended or authorized by the commission shall become
1581 effective upon approval by the State Board of Education as
1582 designated by appropriate orders entered upon the minutes thereof.

1583 (18) The granting of a license shall not be deemed a
1584 property right nor a guarantee of employment in any public school
1585 district. A license is a privilege indicating minimal eligibility
1586 for teaching in the public school districts of Mississippi. This
1587 section shall in no way alter or abridge the authority of local
1588 school districts to require greater qualifications or standards of
1589 performance as a prerequisite of initial or continued employment
1590 in such districts.

1591 (19) In addition to the reasons specified in subsections
1592 (12) and (13) of this section, the board shall be authorized to
1593 suspend the license of any licensee for being out of compliance
1594 with an order for support, as defined in Section 93-11-153. The
1595 procedure for suspension of a license for being out of compliance
1596 with an order for support, and the procedure for the reissuance or
1597 reinstatement of a license suspended for that purpose, and the



1598 payment of any fees for the reissuance or reinstatement of a
1599 license suspended for that purpose, shall be governed by Section
1600 93-11-157 or 93-11-163, as the case may be. Actions taken by the
1601 board in suspending a license when required by Section 93-11-157
1602 or 93-11-163 are not actions from which an appeal may be taken
1603 under this section. Any appeal of a license suspension that is
1604 required by Section 93-11-157 or 93-11-163 shall be taken in
1605 accordance with the appeal procedure specified in Section
1606 93-11-157 or 93-11-163, as the case may be, rather than the
1607 procedure specified in this section. If there is any conflict
1608 between any provision of Section 93-11-157 or 93-11-163 and any
1609 provision of this chapter, the provisions of Section 93-11-157 or
1610 93-11-163, as the case may be, shall control.

1611 (20) The Department of Education shall grant and renew all
1612 licenses and certifications of teachers and administrators within
1613 twenty-one (21) days from the date of a completed application if
1614 the applicant has otherwise met all established requirements for
1615 the license or certification.

1616 **SECTION 9.** Section 37-16-3, Mississippi Code of 1972, is
1617 amended as follows:

1618 37-16-3. (1) The State Department of Education is directed
1619 to implement a program of statewide assessment testing which shall
1620 provide for the improvement of the operation and management of the
1621 public schools. The statewide program shall be timed, as far as



1622 possible, so as not to conflict with ongoing district assessment
1623 programs. As part of the program, the department shall:

1624 (a) Establish, with the approval of the State Board of
1625 Education, minimum performance standards related to the goals for
1626 education contained in the state's plan including, but not limited
1627 to, basic skills in reading, writing and mathematics. The minimum
1628 performance standards shall be approved by April 1 in each year
1629 they are established.

1630 (b) Conduct a uniform statewide testing program in
1631 grades deemed appropriate in the public schools, including charter
1632 schools, which shall include the administration of a
1633 career-readiness assessment, such as, but not limited to, the ACT
1634 WorkKeys Assessment, deemed appropriate by the Mississippi
1635 Department of Education working in coordination with the Office of
1636 Workforce Development, to any students electing to take the
1637 assessment. Each individual school district shall determine
1638 whether the assessment is administered in the tenth, eleventh or
1639 twelfth grade. The program may test skill areas, basic skills and
1640 high school course content.

1641 (c) Monitor the results of the assessment program and,
1642 at any time the composite student performance of a school or basic
1643 program is found to be below the established minimum standards,
1644 notify the district superintendent or the governing board of the
1645 charter school, as the case may be, the school principal and the
1646 school advisory committee or other existing parent group of the



1647 situation within thirty (30) days of its determination. The
1648 department shall further provide technical assistance to a school
1649 district in the identification of the causes of this deficiency
1650 and shall recommend courses of action for its correction.

1651 (d) Provide technical assistance to the school
1652 districts, when requested, in the development of student
1653 performance standards in addition to the established minimum
1654 statewide standards.

1655 (e) Issue security procedure regulations providing for
1656 the security and integrity of the tests that are administered
1657 under the basic skills assessment program.

1658 (f) In case of an allegation of a testing irregularity
1659 that prompts a need for an investigation by the Department of
1660 Education, the department may, in its discretion, take complete
1661 control of the statewide test administration in a school district
1662 or any part thereof, including, but not limited to, obtaining
1663 control of the test booklets and answer documents. In the case of
1664 any verified testing irregularity that jeopardized the security
1665 and integrity of the test(s), validity or the accuracy of the test
1666 results, the cost of the investigation and any other actual and
1667 necessary costs related to the investigation paid by the
1668 Department of Education shall be reimbursed by the local school
1669 district from funds other than federal funds, Mississippi Adequate
1670 Education Program funds, or any other state funds within six (6)



1671 months from the date of notice by the department to the school
1672 district to make reimbursement to the department.

1673 (2) Uniform basic skills tests shall be completed by each
1674 student in the appropriate grade. These tests shall be
1675 administered in such a manner as to preserve the integrity and
1676 validity of the assessment. In the event of excused or unexcused
1677 student absences, make-up tests shall be given. The school
1678 superintendent of every school district in the state and the
1679 principal of each charter school shall annually certify to the
1680 State Department of Education that each student enrolled in the
1681 appropriate grade has completed the required basic skills
1682 assessment test for his or her grade in a valid test
1683 administration.

1684 (3) Within five (5) days of completing the administration of
1685 a statewide test, the principal of the school where the test was
1686 administered shall certify under oath to the State Department of
1687 Education that the statewide test was administered in strict
1688 accordance with the Requirements of the Mississippi Statewide
1689 Assessment System as adopted by the State Board of Education. The
1690 principal's sworn certification shall be set forth on a form
1691 developed and approved by the Department of Education. If,
1692 following the administration of a statewide test, the principal
1693 has reason to believe that the test was not administered in strict
1694 accordance with the Requirements of the Mississippi Statewide
1695 Assessment System as adopted by the State Board of Education, the



1696 principal shall submit a sworn certification to the Department of
1697 Education setting forth all information known or believed by the
1698 principal about all potential violations of the Requirements of
1699 the Mississippi Statewide Assessment System as adopted by the
1700 State Board of Education. The submission of false information or
1701 false certification to the Department of Education by any licensed
1702 educator may result in licensure disciplinary action pursuant to
1703 Section 37-3-2 and criminal prosecution pursuant to Section
1704 37-16-4.

1705 **SECTION 10.** Section 37-16-17, Mississippi Code of 1972, is
1706 amended as follows:

1707 37-16-17. (1) Purpose. (a) The purpose of this section is
1708 to create a quality option in Mississippi's high schools for
1709 students not wishing to pursue a baccalaureate degree, which shall
1710 consist of challenging academic courses and modern
1711 career-technical studies. The goal for students pursuing the
1712 career * * * technical education pathways is to graduate from high
1713 school with a standard diploma and credit toward a community
1714 college certification in a career-technical field. These students
1715 also shall be encouraged to take the national assessment in the
1716 career-technical field in which they become certified.

1717 (b) The State Board of Education shall develop and
1718 adopt course and curriculum requirements for career * * *
1719 technical education pathways offered by local public school boards
1720 in accordance with this section. The Mississippi Community



1721 College Board and the State Board of Education jointly shall
1722 determine course and curriculum requirements for the career * * *
1723 technical education pathways. The State Board of Education shall
1724 require school districts to provide notice to all incoming middle
1725 school students and junior high students of the career technical
1726 education pathways offered by local school boards. Such notice
1727 shall include the career technical education pathways available,
1728 the course requirements of each pathway, how to enroll in the
1729 pathway and any other necessary information as determined by the
1730 State Board of Education.

1731 (2) * * * Career technical education pathway; description;
1732 curriculum. (a) A career * * * technical education pathway shall
1733 provide a student with greater technical skill and a strong
1734 academic core and shall be offered to each high school student
1735 enrolled in a public school district. The career * * * technical
1736 education pathway shall be linked to postsecondary options and
1737 shall prepare students to pursue either a degree or certification
1738 from a postsecondary institution, an industry-based training or
1739 certification, an apprenticeship, the military, or immediate
1740 entrance into a career field. The career * * * technical
1741 education pathway shall * * * provide * * * students with
1742 alternatives to entrance into a four-year university or college
1743 after high school graduation.

1744 (b) Students pursuing a career * * * technical
1745 education pathway shall be afforded the opportunity to dually



1746 enroll in a community or technical college or to participate in a
1747 business internship or work-study program, when such opportunities
1748 are available and appropriate.

1749 (c) Each public school district shall offer a
1750 career * * * technical education pathway approved by the State
1751 Board of Education.

1752 (d) Students in a career * * * technical education
1753 pathway shall complete an academic core of courses and a career
1754 and technical sequence of courses.

1755 (e) Students pursuing a career technical education
1756 pathway must complete the * * * twenty-four (24) course unit
1757 requirements for * * * a regular high school diploma, which may
1758 include, but not be limited to the following course content:

- 1759 (i) * * * English I;
- 1760 (ii) * * * English II;
- 1761 (iii) * * * Technical writing;
- 1762 (iv) * * * Computer programming;
- 1763 (v) * * * Algebra I;
- 1764 (vi) * * * Personal Finance;
- 1765 (vii) * * * Advanced technical mathematics;
- 1766 (viii) * * * Computer Science;
- 1767 (ix) * * * Biology;
- 1768 (x) Earth and Space Science;
- 1769 (xi) U.S. History;
- 1770 (xii) Mississippi Studies/U.S. Government;



- 1771 (xiii) Health;
1772 (xiv) Physical Education;
1773 (xv) Soft skills, which include, but are not
1774 limited to, communication ability, language skills, time
1775 management, teamwork and leadership traits;
1776 (xvi) Career technical education pathway courses;
1777 and
1778 (xvii) Integrated technology.

1779 Academic courses within the career * * * technical education
1780 pathway of the standard diploma shall provide the knowledge and
1781 skill necessary for proficiency on the state subject area tests.

1782 (f) The courses provided in paragraph (e) of this
1783 subsection may be tailored to the individual needs of the school
1784 district as long as the amendments align with the basic course
1785 requirements of paragraph (e).

1786 (3) Nothing in this section shall disallow the development
1787 of a dual enrollment program with a technical college so long as
1788 an individual school district, with approval from the State
1789 Department of Education, agrees to implement such a program in
1790 connection with a technical college and the agreement is also
1791 approved by the proprietary school's commission.

1792 * * *

1793 **SECTION 11.** This act shall take effect and be in force from
1794 and after July 1, 2022.

