

By: Senator(s) DeBar

To: Education

SENATE BILL NO. 2882

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT APPLICANTS FOR A STANDARD TEACHER LICENSE SHALL
 3 SUBMIT TO THE DEPARTMENT OF EDUCATION AN OFFICIAL TRANSCRIPT OF
 4 COMPLETION OF A TEACHER EDUCATION PROGRAM IN ACCORDANCE WITH THE
 5 STANDARDS SET FORTH BY THE NATIONAL ACCREDITOR FOR EDUCATOR
 6 PREPARATION PROVIDERS APPROVED BY THE STATE BOARD OF EDUCATION; TO
 7 REQUIRE THE TEACH MISSISSIPPI INSTITUTE TO INCLUDE A TWO SEMESTER
 8 SIX-HOUR SUPERVISED INTERNSHIP; AND FOR RELATED PURPOSES.

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

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

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

20 (2) (a) The commission shall be composed of fifteen (15)
 21 qualified members. The membership of the commission shall be



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

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



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

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

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

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

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

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



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

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

77 (d) Establish, subject to the approval of the State
78 Board of Education, standards for the renewal of teacher licenses
79 in all fields;

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

83 (f) Review all existing requirements for certification
84 and licensure;

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

87 (h) Prepare reports from time to time on current
88 practices and issues in the general area of teacher education and
89 certification and licensure;

90 (i) Hold hearings concerning standards for teachers'
91 and administrators' education and certification and licensure with
92 approval of the State Board of Education;

93 (j) Hire expert consultants with approval of the State
94 Board of Education;

95 (k) Set up ad hoc committees to advise on specific
96 areas; and



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

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

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

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



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



147 rigorous test of scientifically research-based reading instruction
148 and intervention and data-based decision-making principles as
149 approved by the State Board of Education;

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

154 (iv) Any other document required by the State
155 Board of Education; and

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

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

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

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

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



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

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

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

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

191 * * *1. The Teach Mississippi Institute
192 (TMI) shall include an intensive eight-week, nine-semester-hour
193 summer program or a curriculum of study in which the student
194 matriculates in the fall or spring semester, which shall include,
195 but not be limited to, instruction in education, effective



196 teaching strategies, classroom management, state curriculum
197 requirements, planning and instruction, instructional methods and
198 pedagogy, using test results to improve instruction, and a * * *
199 two (2) semester * * * six-hour supervised internship to be
200 completed while the teacher is employed as a full-time teacher
201 intern in a local school district. The TMI * * * courses may be
202 offered at any state board approved EPP with an approved TMI
203 program.

204 * * *2. The school sponsoring the teacher
205 intern shall enter into a written agreement with the * * * EPP
206 providing the Teach Mississippi Institute (TMI) program, under
207 terms and conditions as agreed upon by the contracting parties,
208 providing that the school district shall provide teacher interns
209 seeking a nontraditional provisional teaching license with a
210 one-year internship and classroom teaching experience. The
211 teacher intern shall successfully complete the * * * two (2)
212 semester * * * six-hour intensive internship in the school
213 district during the * * * year-long teaching experience.

214 * * *3. Upon completion of the
215 nine-semester-hour TMI or the fall or spring semester option, the
216 individual shall submit his transcript to the commission for
217 provisional licensure of the intern teacher, and the intern
218 teacher shall be issued a provisional teaching license by the
219 commission, which will allow the individual to legally serve as a



220 teacher while the person completes a nontraditional teacher
221 preparation internship program.

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

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

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



245 commission a transcript of successful completion of the twelve
246 (12) semester hours required in the internship program, and the
247 employing school district shall submit to the commission a
248 recommendation for standard licensure of the intern. If the
249 school district recommends licensure, the applicant shall be
250 issued a Standard License - Nontraditional Route which shall be
251 valid for a five-year period and be renewable.

252 * * *7. At the discretion of the teacher
253 preparation institution, the individual shall be allowed to credit
254 the * * * fifteen (15) semester hours earned in the nontraditional
255 teacher internship program toward the graduate hours required for
256 a Master of Arts in Teacher (MAT) Degree.

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

264 * * *

265 9. A Standard License - Approved Program
266 Route shall be issued for a five-year period, and may be renewed.
267 Recognizing teaching as a profession, a hiring preference shall be
268 granted to persons holding a Standard License - Approved Program



269 Route or Standard License - Nontraditional Teaching Route over
270 persons holding any other license.

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

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

290 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
291 person may teach for a maximum of three (3) periods per teaching
292 day in a public school district or a nonpublic school
293 accredited/approved by the state. Such person shall submit to the



294 department a transcript or record of his education and experience
295 which substantiates his preparation for the subject to be taught
296 and shall meet other qualifications specified by the commission
297 and approved by the State Board of Education. In no case shall
298 any local school board hire nonlicensed personnel as authorized
299 under this paragraph in excess of five percent (5%) of the total
300 number of licensed personnel in any single school.

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

302 Beginning July 1, 2003, the commission shall grant special
303 licenses to teachers of transitional bilingual education who
304 possess such qualifications as are prescribed in this section.
305 Teachers of transitional bilingual education shall be compensated
306 by local school boards at not less than one (1) step on the
307 regular salary schedule applicable to permanent teachers licensed
308 under this section. The commission shall grant special licenses
309 to teachers of transitional bilingual education who present the
310 commission with satisfactory evidence that they (i) possess a
311 speaking and reading ability in a language, other than English, in
312 which bilingual education is offered and communicative skills in
313 English; (ii) are in good health and sound moral character; (iii)
314 possess a bachelor's degree or an associate's degree in teacher
315 education from an accredited institution of higher education; (iv)
316 meet such requirements as to courses of study, semester hours
317 therein, experience and training as may be required by the
318 commission; and (v) are legally present in the United States and



319 possess legal authorization for employment. A teacher of
320 transitional bilingual education serving under a special license
321 shall be under an exemption from standard licensure if he achieves
322 the requisite qualifications therefor. Two (2) years of service
323 by a teacher of transitional bilingual education under such an
324 exemption shall be credited to the teacher in acquiring a Standard
325 Educator License. Nothing in this paragraph shall be deemed to
326 prohibit a local school board from employing a teacher licensed in
327 an appropriate field as approved by the State Department of
328 Education to teach in a program in transitional bilingual
329 education.

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

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

341 (7) **Administrator License.** The State Board of Education is
342 authorized to establish rules and regulations and to administer
343 the licensure process of the school administrators in the State of



344 Mississippi. There will be four (4) categories of administrator
345 licensure with exceptions only through special approval of the
346 State Board of Education.

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

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

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

359 (d) **Administrator License - Nontraditional Route.** The
360 board may establish a nontraditional route for licensing
361 administrative personnel. Such nontraditional route for
362 administrative licensure shall be available for persons holding,
363 but not limited to, a master of business administration degree, a
364 master of public administration degree, a master of public
365 planning and policy degree or a doctor of jurisprudence degree
366 from an accredited college or university, with five (5) years of
367 administrative or supervisory experience. Successful completion
368 of the requirements of alternate route licensure for



369 administrators shall qualify the person for a standard
370 administrator license.

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

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

386 (9) **Renewal and Reinstatement of Licenses.** The State Board
387 of Education is authorized to establish rules and regulations for
388 the renewal and reinstatement of educator and administrator
389 licenses. Effective May 15, 1997, the valid standard license held
390 by an educator shall be extended five (5) years beyond the
391 expiration date of the license in order to afford the educator
392 adequate time to fulfill new renewal requirements established
393 pursuant to this subsection. An educator completing a master of



394 education, educational specialist or doctor of education degree in
395 May 1997 for the purpose of upgrading the educator's license to a
396 higher class shall be given this extension of five (5) years plus
397 five (5) additional years for completion of a higher degree. For
398 all license types with a current valid expiration date of June 30,
399 2021, the State Department of Education shall grant a one-year
400 extension to June 30, 2022. Beginning July 1, 2022, and
401 thereafter, applicants for licensure renewal shall meet all
402 requirements in effect on the date that the complete application
403 is received by the State Department of Education.

404 (10) All controversies involving the issuance, revocation,
405 suspension or any change whatsoever in the licensure of an
406 educator required to hold a license shall be initially heard in a
407 hearing de novo, by the commission or by a subcommittee
408 established by the commission and composed of commission members,
409 or by a hearing officer retained and appointed by the commission,
410 for the purpose of holding hearings. Any complaint seeking the
411 denial of issuance, revocation or suspension of a license shall be
412 by sworn affidavit filed with the Commission on Teacher and
413 Administrator Education, Certification and Licensure and
414 Development. The decision thereon by the commission, its
415 subcommittee or hearing officer, shall be final, unless the
416 aggrieved party shall appeal to the State Board of Education,
417 within ten (10) days, of the decision of the commission, its
418 subcommittee or hearing officer. An appeal to the State Board of



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

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

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

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

442 (iii) The applicant is actively addicted to or
443 actively dependent on alcohol or other habit-forming drugs or is a



444 habitual user of narcotics, barbiturates, amphetamines,
445 hallucinogens or other drugs having similar effect, at the time of
446 application for a license;

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

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

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

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

461 (b) The State Board of Education, acting through the
462 commission, shall deny an application for any teacher or
463 administrator license, or immediately revoke the current teacher
464 or administrator license, for one or more of the following:

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



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

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

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

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

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

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

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

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



494 revocation and shall continue until records in the prior state
495 have been cleared;

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

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

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

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

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

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



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

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

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

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

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



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

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



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

580 (16) An appeal from the action of the State Board of
581 Education in denying an application, revoking or suspending a
582 license or otherwise disciplining any person under the provisions
583 of this section shall be filed in the Chancery Court of the First
584 Judicial District of Hinds County, Mississippi, on the record
585 made, including a verbatim transcript of the testimony at the
586 hearing. The appeal shall be filed within thirty (30) days after
587 notification of the action of the board is mailed or served and
588 the proceedings in chancery court shall be conducted as other
589 matters coming before the court. The appeal shall be perfected
590 upon filing notice of the appeal and by the prepayment of all



591 costs, including the cost of preparation of the record of the
592 proceedings by the State Board of Education, and the filing of a
593 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
594 if the action of the board be affirmed by the chancery court, the
595 applicant or license holder shall pay the costs of the appeal and
596 the action of the chancery court.

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

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

609 (19) In addition to the reasons specified in subsections
610 (12) and (13) of this section, the board shall be authorized to
611 suspend the license of any licensee for being out of compliance
612 with an order for support, as defined in Section 93-11-153. The
613 procedure for suspension of a license for being out of compliance
614 with an order for support, and the procedure for the reissuance or
615 reinstatement of a license suspended for that purpose, and the



616 payment of any fees for the reissuance or reinstatement of a
617 license suspended for that purpose, shall be governed by Section
618 93-11-157 or 93-11-163, as the case may be. Actions taken by the
619 board in suspending a license when required by Section 93-11-157
620 or 93-11-163 are not actions from which an appeal may be taken
621 under this section. Any appeal of a license suspension that is
622 required by Section 93-11-157 or 93-11-163 shall be taken in
623 accordance with the appeal procedure specified in Section
624 93-11-157 or 93-11-163, as the case may be, rather than the
625 procedure specified in this section. If there is any conflict
626 between any provision of Section 93-11-157 or 93-11-163 and any
627 provision of this chapter, the provisions of Section 93-11-157 or
628 93-11-163, as the case may be, shall control.

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

