

House Amendments to Senate Bill No. 2423

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

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

44 37-3-2. (1) There is established within the State
45 Department of Education the Commission on Teacher and
46 Administrator Education, Certification and Licensure and
47 Development. It shall be the purpose and duty of the commission
48 to make recommendations to the State Board of Education regarding
49 standards for the certification and licensure and continuing
50 professional development of those who teach or perform tasks of an
51 educational nature in the public schools of Mississippi.

52 (2) (a) The commission shall be composed of fifteen (15)
53 qualified members. The membership of the commission shall be
54 composed of the following members to be appointed, three (3) from
55 each of the four (4) congressional districts, as such districts
56 existed on January 1, 2011, in accordance with the population
57 calculations determined by the 2010 federal decennial census,
58 including: four (4) classroom teachers; three (3) school

59 administrators; one (1) representative of schools of education of
60 public institutions of higher learning located within the state to
61 be recommended by the Board of Trustees of State Institutions of
62 Higher Learning; one (1) representative from the schools of
63 education of independent institutions of higher learning to be
64 recommended by the Board of the Mississippi Association of
65 Independent Colleges; one (1) representative from public community
66 and junior colleges located within the state to be recommended by
67 the Mississippi Community College Board; one (1) local school
68 board member; and four (4) laypersons. Three (3) members of the
69 commission, at the sole discretion of the State Board of
70 Education, shall be appointed from the state at large.

71 (b) All appointments shall be made by the State Board
72 of Education after consultation with the State Superintendent of
73 Public Education. The first appointments by the State Board of
74 Education shall be made as follows: five (5) members shall be
75 appointed for a term of one (1) year; five (5) members shall be
76 appointed for a term of two (2) years; and five (5) members shall
77 be appointed for a term of three (3) years. Thereafter, all
78 members shall be appointed for a term of four (4) years.

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

85 (4) (a) An appropriate staff member of the State Department
86 of Education shall be designated and assigned by the State
87 Superintendent of Public Education to serve as executive secretary
88 and coordinator for the commission. No less than two (2) other
89 appropriate staff members of the State Department of Education
90 shall be designated and assigned by the State Superintendent of
91 Public Education to serve on the staff of the commission.

92 (b) An Office of Educator Misconduct Evaluations shall
93 be established within the State Department of Education to assist
94 the commission in responding to infractions and violations, and in
95 conducting hearings and enforcing the provisions of subsections
96 (11), (12), (13), (14) and (15) of this section, and violations of
97 the Mississippi Educator Code of Ethics.

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

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

102 (b) Recommend to the State Board of Education each year
103 approval or disapproval of each educator preparation program in
104 the state, subject to a process and schedule determined by the
105 State Board of Education;

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

109 (d) Establish, subject to the approval of the State
110 Board of Education, standards for the renewal of teacher licenses
111 in all fields;

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

115 (f) Review all existing requirements for certification
116 and licensure;

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

119 (h) Prepare reports from time to time on current
120 practices and issues in the general area of teacher education and
121 certification and licensure;

122 (i) Hold hearings concerning standards for teachers'
123 and administrators' education and certification and licensure with
124 approval of the State Board of Education;

125 (j) Hire expert consultants with approval of the State
126 Board of Education;

127 (k) Set up ad hoc committees to advise on specific
128 areas; * * *

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

132 (m) Establish standards, subject to the approval of the
133 State Board of Education, for supplemental endorsements, provided
134 that the standards allow teachers as many options as possible to

135 receive a supplemental endorsement, including, but not limited to,
136 the option of taking additional coursework or earning at least the
137 minimum qualifying score or higher on the required licensure
138 subject assessment relevant to the endorsement area for which the
139 licensure is sought. The subject assessment option shall not
140 apply to certain subject areas, including, but not limited to,
141 Early/Primary Education PreK-3, Elementary Education, or Special
142 Education except by special approval by the State Board of
143 Education.

144 (6) (a) **Standard License - Approved Program Route.** An
145 educator entering the school system of Mississippi for the first
146 time and meeting all requirements as established by the State
147 Board of Education shall be granted a standard five-year license.
148 Persons who possess two (2) years of classroom experience as an
149 assistant teacher or who have taught for one (1) year in an
150 accredited public or private school shall be allowed to fulfill
151 student teaching requirements under the supervision of a qualified
152 participating teacher approved by an accredited college of
153 education. The local school district in which the assistant
154 teacher is employed shall compensate such assistant teachers at
155 the required salary level during the period of time such
156 individual is completing student teaching requirements.

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

- 158 (i) An application on a department form;
159 (ii) An official transcript of completion of a
160 teacher education program approved by the department or a

161 nationally accredited program, subject to the following:
162 Licensure to teach in Mississippi prekindergarten through
163 kindergarten classrooms shall require completion of a teacher
164 education program or a Bachelor of Science degree with child
165 development emphasis from a preparation program * * * in
166 accordance with the standards set forth by the American
167 Association of Family and Consumer Sciences (AAFCS) or by the
168 National Association for Education of Young Children (NAEYC) or by
169 the * * * national accreditor for education preparation providers
170 approved by the State Board of Education. Licensure to teach in
171 Mississippi kindergarten, for those applicants who have completed
172 a teacher education program, and in Grade 1 through Grade 4 shall
173 require the completion of an interdisciplinary program of studies.
174 Licenses for Grades 4 through 8 shall require the completion of an
175 interdisciplinary program of studies with two (2) or more areas of
176 concentration. Licensure to teach in Mississippi Grades 7 through
177 12 shall require a major in an academic field other than
178 education, or a combination of disciplines other than education.
179 Students preparing to teach a subject shall complete a major in
180 the respective subject discipline. All applicants for standard
181 licensure shall demonstrate that such person's college preparation
182 in those fields was in accordance with the standards set forth by
183 the * * * national accreditor for educator preparation providers
184 approved by the State Board of Education or the National
185 Association of State Directors of Teacher Education and
186 Certification (NASDTEC) or, for those applicants who have a

187 Bachelor of Science degree with child development emphasis, the
188 American Association of Family and Consumer Sciences (AAFCS).
189 Effective July 1, 2016, for initial elementary education
190 licensure, a teacher candidate must earn a passing score on a
191 rigorous test of scientifically research-based reading instruction
192 and intervention and data-based decision-making principles as
193 approved by the State Board of Education;

194 * * *

195 (* * * iii) From and after July 1, * * * 2022, no
196 teacher candidate shall be licensed to teach in Mississippi who
197 did not meet the following criteria for entrance into an approved
198 teacher education program as established by the State Board of
199 Education:

- 200 1. * * * A qualifying passing ACT Score * * *
201 (or SAT equivalent); or
202 2. * * * A qualifying passing score on the
203 Praxis Core Academic Skills for Educators examination * * *; or
204 3. A minimum GPA * * * on coursework prior to
205 admission to an approved teacher education program * * *;

206 (iv) From and after July 1, 2022, no teacher
207 candidate shall be licensed to teach in Mississippi who did not
208 meet the following criteria for demonstrating subject matter
209 competency as approved by the State Board of Education:

- 210 1. A qualifying passing score on a content
211 area assessment; or

212 2. An official score report evidencing an
213 attempted content area assessment; and

214 3. Satisfactory completion of an approved
215 teacher education program; and

216 4. At least three (3) years of relevant
217 teaching experience in the content area with performance-based
218 evidence of educator effectiveness as determined by rules and
219 regulations established by the State Board of Education; and

220 (v) Any other document required by the State Board
221 of Education.

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

223 (i) From and after July 1, * * * 2022, no teacher
224 candidate shall be licensed to teach in Mississippi under the
225 alternate route who did not meet the following criteria as
226 established by the State Board of Education:

227 * * *1. * * * A qualifying passing ACT
228 Score * * * (or SAT equivalent); or

229 * * *2. * * * A qualifying passing score on
230 the Praxis Core Academic Skills for Educators examination * * *;
231 or

232 * * *3. A minimum GPA * * * on coursework
233 prior to admission to an approved teacher education program * * *;
234 and

235 4. From and after July 1, 2022, no teacher
236 candidate shall be licensed to teach in Mississippi who did not

237 meet the following criteria for demonstrating subject matter
238 competency as approved by the State Board of Education:

239 a. A qualifying passing score on a
240 content area assessment; or

241 b. An official score report evidencing
242 an attempted content area assessment; and

243 c. Satisfactory completion of an
244 approved teacher education program; and

245 d. At least three (3) years of relevant
246 teaching experience in the content area with performance-based
247 evidence of educator effectiveness as determined by rules and
248 regulations established by the State Board of Education.

249 (ii) Beginning July 1, * * * 2022, an individual
250 who * * * meets the requirements of this paragraph (b) may apply
251 for admission to the Teach Mississippi Institute (TMI) program to
252 teach students in Grades 7 through 12 * * *. The State Board of
253 Education shall adopt rules requiring that * * * Educator
254 Preparation Programs (EPPs) which provide the Teach Mississippi
255 Institute (TMI) program for the preparation of nontraditional
256 teachers shall meet the standards and comply with the provisions
257 of this paragraph.

258 * * *1. The Teach Mississippi Institute
259 (TMI) shall include * * * nine-semester-hour summer program or a
260 curriculum of study in which the student matriculates in the fall
261 or spring semester, which shall include, but not be limited to,
262 instruction in education, * * * instruction in teaching strategies

263 for students with disabilities, classroom management, state
264 curriculum requirements, planning and instruction, instructional
265 methods and pedagogy, using test results to improve instruction,
266 and a * * * two (2) semester * * * six-hour supervised internship
267 to be completed while the teacher is employed as a full-time
268 teacher intern in a local school district. * * * TMI
269 courses * * * may be offered at * * * any EPP with a State Board
270 of Education approved TMI program.

271 * * *2. The school sponsoring the teacher
272 intern shall enter into a written agreement with the * * * EPP
273 providing the Teach Mississippi Institute (TMI) program, under
274 terms and conditions as agreed upon by the contracting parties,
275 providing that the school district shall provide teacher interns
276 seeking a nontraditional provisional teaching license with a
277 one-year internship and classroom teaching experience. The
278 teacher intern shall successfully complete the * * * two (2)
279 semester * * * six-hour intensive internship in the school
280 district during the * * * year-long teaching experience.

281 * * *3. Upon completion of the
282 nine-semester-hour TMI or the fall or spring semester option, the
283 individual shall submit his transcript to the commission for
284 provisional licensure of the intern teacher, and the intern
285 teacher shall be issued a provisional teaching license by the
286 commission, which will allow the individual to legally serve as a
287 teacher while the person completes a nontraditional teacher
288 preparation internship program.

289 * * *4. During the semesters of internship
290 in the school district, the * * * EPP and school district shall
291 monitor the performance of the intern teacher. The school
292 district that employs the provisional teacher shall supervise the
293 provisional teacher during the teacher's intern year of employment
294 under a nontraditional provisional license, and shall, in
295 consultation with the teacher intern's mentor at the school
296 district of employment, submit to the commission a comprehensive
297 evaluation of the teacher's performance sixty (60) days prior to
298 the expiration of the nontraditional provisional license. If the
299 comprehensive evaluation establishes that the provisional teacher
300 intern's performance fails to meet the standards of the approved
301 nontraditional teacher preparation internship program, the
302 individual shall not be approved for a standard license.

303 * * *5. An individual issued a provisional
304 teaching license under this nontraditional route shall
305 successfully complete, at a minimum, a one-year beginning teacher
306 mentoring and induction program administered by the employing
307 school district with the assistance of the State Department of
308 Education.

309 * * *6. Upon successful completion of the
310 TMI and the internship provisional license period, applicants for
311 a Standard License - Nontraditional Route shall submit to the
312 commission a transcript of successful completion of the * * *
313 fifteen (15) semester hours required in the internship program,
314 and the employing school district shall submit to the commission a

315 recommendation for standard licensure of the intern. If the
316 school district recommends licensure, the applicant shall be
317 issued a Standard License - Nontraditional Route which shall be
318 valid for a five-year period and be renewable.

319 * * *7. At the discretion of the * * * EPP,
320 the individual shall be allowed to credit the * * * fifteen (15)
321 semester hours earned in the nontraditional teacher internship
322 program toward the graduate hours required for a Master of Arts in
323 Teacher (MAT) Degree.

324 * * *8. The local school district in which
325 the nontraditional teacher intern or provisional licensee is
326 employed shall compensate such teacher interns at Step 1 of the
327 required salary level during the period of time such individual is
328 completing teacher internship requirements and shall compensate
329 such Standard License - Nontraditional Route teachers at Step 3 of
330 the required salary level when they complete license requirements.

331 (iii) Implementation of the TMI program provided
332 for under this paragraph (b) shall be contingent upon the
333 availability of funds appropriated specifically for such purpose
334 by the Legislature. Such implementation of the TMI program may
335 not be deemed to prohibit the State Board of Education from
336 developing and implementing additional alternative route teacher
337 licensure programs, as deemed appropriate by the board. The
338 emergency certification program in effect prior to July 1, 2002,
339 shall remain in effect.

340 (iv) A Standard License - Approved Program Route
341 shall be issued for a five-year period, and may be renewed.
342 Recognizing teaching as a profession, a hiring preference shall be
343 granted to persons holding a Standard License - Approved Program
344 Route or Standard License - Nontraditional Teaching Route over
345 persons holding any other license.

346 (c) **Special License - Expert Citizen.** In order to
347 allow a school district to offer specialized or technical courses,
348 the State Department of Education, in accordance with rules and
349 regulations established by the State Board of Education, may grant
350 a one-year expert citizen-teacher license to local business or
351 other professional personnel to teach in a public school or
352 nonpublic school accredited or approved by the state. Such person
353 may begin teaching upon his employment by the local school board
354 and licensure by the Mississippi Department of Education. The
355 board shall adopt rules and regulations to administer the expert
356 citizen-teacher license. A Special License - Expert Citizen may
357 be renewed in accordance with the established rules and
358 regulations of the State Department of Education.

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

365 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
366 person may teach for a maximum of three (3) periods per teaching
367 day in a public school district or a nonpublic school
368 accredited/approved by the state. Such person shall submit to the
369 department a transcript or record of his education and experience
370 which substantiates his preparation for the subject to be taught
371 and shall meet other qualifications specified by the commission
372 and approved by the State Board of Education. In no case shall
373 any local school board hire nonlicensed personnel as authorized
374 under this paragraph in excess of five percent (5%) of the total
375 number of licensed personnel in any single school.

376 (f) **Special License - Transitional Bilingual Education.**
377 Beginning July 1, 2003, the commission shall grant special
378 licenses to teachers of transitional bilingual education who
379 possess such qualifications as are prescribed in this section.
380 Teachers of transitional bilingual education shall be compensated
381 by local school boards at not less than one (1) step on the
382 regular salary schedule applicable to permanent teachers licensed
383 under this section. The commission shall grant special licenses
384 to teachers of transitional bilingual education who present the
385 commission with satisfactory evidence that they (i) possess a
386 speaking and reading ability in a language, other than English, in
387 which bilingual education is offered and communicative skills in
388 English; (ii) are in good health and sound moral character; (iii)
389 possess a bachelor's degree or an associate's degree in teacher
390 education from an accredited institution of higher education; (iv)

391 meet such requirements as to courses of study, semester hours
392 therein, experience and training as may be required by the
393 commission; and (v) are legally present in the United States and
394 possess legal authorization for employment. A teacher of
395 transitional bilingual education serving under a special license
396 shall be under an exemption from standard licensure if he achieves
397 the requisite qualifications therefor. Two (2) years of service
398 by a teacher of transitional bilingual education under such an
399 exemption shall be credited to the teacher in acquiring a Standard
400 Educator License. Nothing in this paragraph shall be deemed to
401 prohibit a local school board from employing a teacher licensed in
402 an appropriate field as approved by the State Department of
403 Education to teach in a program in transitional bilingual
404 education.

405 (g) In the event any school district meets the highest
406 accreditation standards as defined by the State Board of Education
407 in the accountability system, the State Board of Education, in its
408 discretion, may exempt such school district from any restrictions
409 in paragraph (e) relating to the employment of nonlicensed
410 teaching personnel.

411 * * *

412 (7) **Administrator License.** The State Board of Education is
413 authorized to establish rules and regulations and to administer
414 the licensure process of the school administrators in the State of
415 Mississippi. There will be four (4) categories of administrator

416 licensure with exceptions only through special approval of the
417 State Board of Education.

418 (a) **Administrator License - Nonpracticing.** Those
419 educators holding administrative endorsement but having no
420 administrative experience or not serving in an administrative
421 position on January 15, 1997.

422 (b) **Administrator License - Entry Level.** Those
423 educators holding administrative endorsement and having met the
424 department's qualifications to be eligible for employment in a
425 Mississippi school district. Administrator License - Entry Level
426 shall be issued for a five-year period and shall be nonrenewable.

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

430 (d) **Administrator License - Nontraditional Route.** The
431 board may establish a nontraditional route for licensing
432 administrative personnel. Such nontraditional route for
433 administrative licensure shall be available for persons holding,
434 but not limited to, a master of business administration degree, a
435 master of public administration degree, a master of public
436 planning and policy degree or a doctor of jurisprudence degree
437 from an accredited college or university, with five (5) years of
438 administrative or supervisory experience. Successful completion
439 of the requirements of alternate route licensure for
440 administrators shall qualify the person for a standard
441 administrator license.

442 Individuals seeking school administrator licensure under
443 paragraph (b), (c) or (d) shall successfully complete a training
444 program and an assessment process prescribed by the State Board of
445 Education. All applicants for school administrator licensure
446 shall meet all requirements prescribed by the department under
447 paragraph (b), (c) or (d), and the cost of the assessment process
448 required shall be paid by the applicant.

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

457 (9) **Renewal and Reinstatement of Licenses.** The State Board
458 of Education is authorized to establish rules and regulations for
459 the renewal and reinstatement of educator and administrator
460 licenses. Effective May 15, 1997, the valid standard license held
461 by an educator shall be extended five (5) years beyond the
462 expiration date of the license in order to afford the educator
463 adequate time to fulfill new renewal requirements established
464 pursuant to this subsection. An educator completing a master of
465 education, educational specialist or doctor of education degree in
466 May 1997 for the purpose of upgrading the educator's license to a
467 higher class shall be given this extension of five (5) years plus

468 five (5) additional years for completion of a higher degree. For
469 all license types with a current valid expiration date of June 30,
470 2021, the State Department of Education shall grant a one-year
471 extension to June 30, 2022. Beginning July 1, 2022, and
472 thereafter, applicants for licensure renewal shall meet all
473 requirements in effect on the date that the complete application
474 is received by the State Department of Education.

475 (10) All controversies involving the issuance, revocation,
476 suspension or any change whatsoever in the licensure of an
477 educator required to hold a license shall be initially heard in a
478 hearing de novo, by the commission or by a subcommittee
479 established by the commission and composed of commission members,
480 or by a hearing officer retained and appointed by the commission,
481 for the purpose of holding hearings. Any complaint seeking the
482 denial of issuance, revocation or suspension of a license shall be
483 by sworn affidavit filed with the Commission on Teacher and
484 Administrator Education, Certification and Licensure and
485 Development. The decision thereon by the commission, its
486 subcommittee or hearing officer, shall be final, unless the
487 aggrieved party shall appeal to the State Board of Education,
488 within ten (10) days, of the decision of the commission, its
489 subcommittee or hearing officer. An appeal to the State Board of
490 Education shall be perfected upon filing a notice of the appeal
491 and by the prepayment of the costs of the preparation of the
492 record of proceedings by the commission, its subcommittee or
493 hearing officer. An appeal shall be on the record previously made

494 before the commission, its subcommittee or hearing officer, unless
495 otherwise provided by rules and regulations adopted by the board.
496 The decision of the commission, its subcommittee or hearing
497 officer shall not be disturbed on appeal if supported by
498 substantial evidence, was not arbitrary or capricious, within the
499 authority of the commission, and did not violate some statutory or
500 constitutional right. The State Board of Education in its
501 authority may reverse, or remand with instructions, the decision
502 of the commission, its subcommittee or hearing officer. The
503 decision of the State Board of Education shall be final.

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

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

509 (ii) The applicant has a physical, emotional or
510 mental disability that renders the applicant unfit to perform the
511 duties authorized by the license, as certified by a licensed
512 psychologist or psychiatrist;

513 (iii) The applicant is actively addicted to or
514 actively dependent on alcohol or other habit-forming drugs or is a
515 habitual user of narcotics, barbiturates, amphetamines,
516 hallucinogens or other drugs having similar effect, at the time of
517 application for a license;

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

520 (v) Failing or refusing to furnish reasonable
521 evidence of identification;

522 (vi) The applicant has been convicted, has pled
523 guilty or entered a plea of nolo contendere to a felony, as
524 defined by federal or state law. For purposes of this
525 subparagraph (vi) of this paragraph (a), a "guilty plea" includes
526 a plea of guilty, entry of a plea of nolo contendere, or entry of
527 an order granting pretrial or judicial diversion;

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

532 (b) The State Board of Education, acting through the
533 commission, shall deny an application for any teacher or
534 administrator license, or immediately revoke the current teacher
535 or administrator license, for one or more of the following:

536 (i) If the applicant or licensee has been
537 convicted, has pled guilty or entered a plea of nolo contendere to
538 a sex offense as defined by federal or state law. For purposes of
539 this subparagraph (i) of this paragraph (b), a "guilty plea"
540 includes a plea of guilty, entry of a plea of nolo contendere, or
541 entry of an order granting pretrial or judicial diversion;

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

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

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

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

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

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

563 (c) Suspension or revocation of a certificate or
564 license by another state shall result in immediate suspension or
565 revocation and shall continue until records in the prior state
566 have been cleared;

567 (d) The license holder has been convicted, has pled
568 guilty or entered a plea of nolo contendere to a felony, as
569 defined by federal or state law. For purposes of this paragraph,
570 a "guilty plea" includes a plea of guilty, entry of a plea of nolo

571 contendere, or entry of an order granting pretrial or judicial
572 diversion;

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

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

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

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

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

591 For purposes of this subsection, probation shall be defined
592 as a length of time determined by the commission, its subcommittee
593 or hearing officer, and based on the severity of the offense in
594 which the license holder shall meet certain requirements as
595 prescribed by the commission, its subcommittee or hearing officer.

596 Failure to complete the requirements in the time specified shall
597 result in immediate suspension of the license for one (1) year.

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

603 (b) Any offense committed or attempted in any other
604 state shall result in the same penalty as if committed or
605 attempted in this state.

606 (c) A person may voluntarily surrender a license. The
607 surrender of such license may result in the commission
608 recommending any of the above penalties without the necessity of a
609 hearing. However, any such license which has voluntarily been
610 surrendered by a licensed employee may only be reinstated by a
611 majority vote of all members of the commission present at the
612 meeting called for such purpose.

613 (14) (a) A person whose license has been suspended or
614 surrendered on any grounds except criminal grounds may petition
615 for reinstatement of the license after one (1) year from the date
616 of suspension or surrender, or after one-half (1/2) of the
617 suspended or surrendered time has lapsed, whichever is greater. A
618 person whose license has been suspended or revoked on any grounds
619 or violations under subsection (12) of this section may be
620 reinstated automatically or approved for a reinstatement hearing,
621 upon submission of a written request to the commission. A license

622 suspended, revoked or surrendered on criminal grounds may be
623 reinstated upon petition to the commission filed after expiration
624 of the sentence and parole or probationary period imposed upon
625 conviction. A revoked, suspended or surrendered license may be
626 reinstated upon satisfactory showing of evidence of
627 rehabilitation. The commission shall require all who petition for
628 reinstatement to furnish evidence satisfactory to the commission
629 of good character, good mental, emotional and physical health and
630 such other evidence as the commission may deem necessary to
631 establish the petitioner's rehabilitation and fitness to perform
632 the duties authorized by the license.

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

637 (15) Reporting procedures and hearing procedures for dealing
638 with infractions under this section shall be promulgated by the
639 commission, subject to the approval of the State Board of
640 Education. The revocation or suspension of a license shall be
641 effected at the time indicated on the notice of suspension or
642 revocation. The commission shall immediately notify the
643 superintendent of the school district or school board where the
644 teacher or administrator is employed of any disciplinary action
645 and also notify the teacher or administrator of such revocation or
646 suspension and shall maintain records of action taken. The State
647 Board of Education may reverse or remand with instructions any

648 decision of the commission, its subcommittee or hearing officer
649 regarding a petition for reinstatement of a license, and any such
650 decision of the State Board of Education shall be final.

651 (16) An appeal from the action of the State Board of
652 Education in denying an application, revoking or suspending a
653 license or otherwise disciplining any person under the provisions
654 of this section shall be filed in the Chancery Court of the First
655 Judicial District of Hinds County, Mississippi, on the record
656 made, including a verbatim transcript of the testimony at the
657 hearing. The appeal shall be filed within thirty (30) days after
658 notification of the action of the board is mailed or served and
659 the proceedings in chancery court shall be conducted as other
660 matters coming before the court. The appeal shall be perfected
661 upon filing notice of the appeal and by the prepayment of all
662 costs, including the cost of preparation of the record of the
663 proceedings by the State Board of Education, and the filing of a
664 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
665 if the action of the board be affirmed by the chancery court, the
666 applicant or license holder shall pay the costs of the appeal and
667 the action of the chancery court.

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

672 (18) The granting of a license shall not be deemed a
673 property right nor a guarantee of employment in any public school

674 district. A license is a privilege indicating minimal eligibility
675 for teaching in the public school districts of Mississippi. This
676 section shall in no way alter or abridge the authority of local
677 school districts to require greater qualifications or standards of
678 performance as a prerequisite of initial or continued employment
679 in such districts.

680 (19) In addition to the reasons specified in subsections
681 (12) and (13) of this section, the board shall be authorized to
682 suspend the license of any licensee for being out of compliance
683 with an order for support, as defined in Section 93-11-153. The
684 procedure for suspension of a license for being out of compliance
685 with an order for support, and the procedure for the reissuance or
686 reinstatement of a license suspended for that purpose, and the
687 payment of any fees for the reissuance or reinstatement of a
688 license suspended for that purpose, shall be governed by Section
689 93-11-157 or 93-11-163, as the case may be. Actions taken by the
690 board in suspending a license when required by Section 93-11-157
691 or 93-11-163 are not actions from which an appeal may be taken
692 under this section. Any appeal of a license suspension that is
693 required by Section 93-11-157 or 93-11-163 shall be taken in
694 accordance with the appeal procedure specified in Section
695 93-11-157 or 93-11-163, as the case may be, rather than the
696 procedure specified in this section. If there is any conflict
697 between any provision of Section 93-11-157 or 93-11-163 and any
698 provision of this chapter, the provisions of Section 93-11-157 or
699 93-11-163, as the case may be, shall control.

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

705 **SECTION 2.** This act shall take effect and be in force from
706 and after July 1, 2022, and shall stand repealed on June 30, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE QUALIFICATIONS FOR THE TRADITIONAL AND ALTERNATE ROUTE
3 TO OBTAIN TEACHER LICENSURE; TO REMOVE THE PRESCRIBED MINIMUM ACT
4 SCORE AND GPA ON COURSEWORK REQUIRED FOR ENTRY INTO AN APPROVED
5 EDUCATOR PREPARATION PROGRAM; TO PROVIDE THAT FROM AND AFTER JULY
6 1, 2022, APPLICANTS FOR LICENSURE MUST DEMONSTRATE SUBJECT MATTER
7 COMPETENCY AS APPROVED BY THE STATE BOARD OF EDUCATION; TO
8 PRESCRIBE THE MINIMUM CRITERIA REQUIRED TO EVIDENCE SUCH
9 COMPETENCY; TO REPLACE THE CRITERIA REQUIREMENT FOR NCATE
10 ACCREDITATION WITH AN ACCREDITOR FOR EDUCATION PREPARATION
11 PROGRAMS APPROVED BY THE STATE BOARD OF EDUCATION; TO REQUIRE A
12 TWO SEMESTER SIX-HOUR SUPERVISED INTERNSHIP TO BE COMPLETED WHILE
13 THE TEACHER IS EMPLOYED AS A FULL-TIME TEACHER INTERN IN A LOCAL
14 SCHOOL DISTRICT, TO PERMIT THE TEACH MISSISSIPPI INSTITUTE TO
15 OFFER AT ANY STATE BOARD OF EDUCATION-APPROVED EPP WITH AN
16 APPROVED TMI PROGRAM; TO REQUIRE THE EPP AND SCHOOL DISTRICT OF
17 INTERNSHIP TO MONITOR THE PERFORMANCE OF INTERN TEACHER; TO
18 REQUIRE APPLICANTS FOR A STANDARD LICENSE-NONTRADITIONAL ROUTE TO
19 SUBMIT A TRANSCRIPT EVIDENCING THE COMPLETION OF 15 SEMESTER HOURS
20 IN THE INTERNSHIP PROGRAM; TO PROVIDE THAT IT SHALL BE THE DUTY OF
21 THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION,
22 CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ESTABLISH
23 STANDARDS, SUBJECT TO THE APPROVAL OF THE STATE BOARD OF
24 EDUCATION, FOR TEACHER SUPPLEMENTAL ENDORSEMENTS, PROVIDED THAT
25 THE STANDARDS ALLOW TEACHERS AS MANY OPTIONS AS POSSIBLE TO
26 RECEIVE A SUPPLEMENTAL ENDORSEMENT, INCLUDING, BUT NOT LIMITED TO,
27 THE OPTION OF TAKING ADDITIONAL COURSEWORK OR EARNING AT LEAST THE
28 MINIMUM QUALIFYING SCORE OR HIGHER ON THE REQUIRED LICENSURE
29 SUBJECT ASSESSMENT RELEVANT TO THE ENDORSEMENT AREA FOR WHICH THE
30 LICENSURE IS SOUGHT, PROVIDED THAT THE SUBJECT ASSESSMENT OPTION
31 SHALL NOT APPLY TO CERTAIN SUBJECT AREAS, INCLUDING, BUT NOT
32 LIMITED TO, EARLY/PRIMARY EDUCATION PREK-3, ELEMENTARY EDUCATION,

33 OR SPECIAL EDUCATION EXCEPT BY SPECIAL APPROVAL BY THE STATE BOARD
34 OF EDUCATION; TO REQUIRE THE DEPARTMENT OF EDUCATION TO GRANT AND
35 RENEW ALL LICENSES AND CERTIFICATIONS OF TEACHERS AND
36 ADMINISTRATORS WITHIN 21 DAYS OF A COMPLETED APPLICATION; TO
37 PROVIDE THAT TEACHERS WHO POSSESS A TEACHER LICENSE FROM ANOTHER
38 COUNTRY OR POLITICAL SUBDIVISION THEREOF SHALL BE GRANTED A
39 STANDARD FIVE-YEAR LICENSE BY THE DEPARTMENT OF EDUCATION; AND FOR
40 RELATED PURPOSES.

HR26\SB2423A.J

Andrew Ketchings
Clerk of the House of Representatives