

By: Representative Busby

To: Education

## HOUSE BILL NO. 668

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO ISSUE A  
3 NONTRADITIONAL TEACHING ROUTE STANDARD LICENSE TO INDIVIDUALS  
4 HOLDING ADVANCED DEGREES AND ACHIEVING THE NATIONALLY RECOMMENDED  
5 PASSING SCORE ON THE PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS  
6 EXAMINATION AND THE PRAXIS II ASSESSMENT, PROVIDED THAT SUCH  
7 INDIVIDUALS COMPLETED THE COURSE OF STUDY FOR THE ADVANCED DEGREE  
8 PROGRAM WITH THE GRADE OF A "C" OR HIGHER AT THE TIME APPLICATION  
9 FOR LICENSURE IS SUBMITTED; AND FOR RELATED PURPOSES.

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

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

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



21           (2)   (a)   The commission shall be composed of fifteen (15)  
22   qualified members.   The membership of the commission shall be  
23   composed of the following members to be appointed, three (3) from  
24   each of the four (4) congressional districts, as such districts  
25   existed on January 1, 2011, in accordance with the population  
26   calculations determined by the 2010 federal decennial census,  
27   including:   four (4) classroom teachers; three (3) school  
28   administrators; one (1) representative of schools of education of  
29   public institutions of higher learning located within the state to  
30   be recommended by the Board of Trustees of State Institutions of  
31   Higher Learning; one (1) representative from the schools of  
32   education of independent institutions of higher learning to be  
33   recommended by the Board of the Mississippi Association of  
34   Independent Colleges; one (1) representative from public community  
35   and junior colleges located within the state to be recommended by  
36   the Mississippi Community College Board; one (1) local school  
37   board member; and four (4) laypersons.   Three (3) members of the  
38   commission, at the sole discretion of the State Board of  
39   Education, shall be appointed from the state at large.

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



be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

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

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

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

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

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



71 (b) Recommend to the State Board of Education each year  
72 approval or disapproval of each educator preparation program in  
73 the state, subject to a process and schedule determined by the  
74 State Board of Education;

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

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

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

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

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

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

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

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



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

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

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

(6) (a) **Standard License - Approved Program Route.** An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified



participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

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

Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a



combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

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

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

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



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

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

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

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

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

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

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

(ii) Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI)





196 program to teach students in Grades 7 through 12 if the individual  
197 meets the requirements of subparagraph (ii) of this paragraph (b).  
198 The State Board of Education shall adopt rules requiring that  
199 teacher preparation institutions which provide the Teach  
200 Mississippi Institute (TMI) program for the preparation of  
201 nontraditional teachers shall meet the standards and comply with  
202 the provisions of this paragraph \* \* \* provided as follows:

203                   1. The Teach Mississippi Institute (TMI)  
204 shall include an intensive eight-week, nine-semester-hour summer  
205 program or a curriculum of study in which the student matriculates  
206 in the fall or spring semester, which shall include, but not be  
207 limited to, instruction in education, effective teaching  
208 strategies, classroom management, state curriculum requirements,  
209 planning and instruction, instructional methods and pedagogy,  
210 using test results to improve instruction, and a one (1) semester  
211 three-hour supervised internship to be completed while the teacher  
212 is employed as a full-time teacher intern in a local school  
213 district. The TMI shall be implemented on a pilot program basis,  
214 with courses to be offered at up to four (4) locations in the  
215 state, with one (1) TMI site to be located in each of the three  
216 (3) Mississippi Supreme Court districts.

217                   2. The school sponsoring the teacher intern  
218 shall enter into a written agreement with the institution  
219 providing the Teach Mississippi Institute (TMI) program, under  
220 terms and conditions as agreed upon by the contracting parties,



221 providing that the school district shall provide teacher interns  
222 seeking a nontraditional provisional teaching license with a  
223 one-year classroom teaching experience. The teacher intern shall  
224 successfully complete the one (1) semester three-hour intensive  
225 internship in the school district during the semester immediately  
226 following successful completion of the TMI and prior to the end of  
227 the one-year classroom teaching experience.

228               3. Upon completion of the nine-semester-hour  
229 TMI or the fall or spring semester option, the individual shall  
230 submit his transcript to the commission for provisional licensure  
231 of the intern teacher, and the intern teacher shall be issued a  
232 provisional teaching license by the commission, which will allow  
233 the individual to legally serve as a teacher while the person  
234 completes a nontraditional teacher preparation internship program.

235               4. During the semester of internship in the  
236 school district, the teacher preparation institution shall monitor  
237 the performance of the intern teacher. The school district that  
238 employs the provisional teacher shall supervise the provisional  
239 teacher during the teacher's intern year of employment under a  
240 nontraditional provisional license, and shall, in consultation  
241 with the teacher intern's mentor at the school district of  
242 employment, submit to the commission a comprehensive evaluation of  
243 the teacher's performance sixty (60) days prior to the expiration  
244 of the nontraditional provisional license. If the comprehensive  
245 evaluation establishes that the provisional teacher intern's



performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

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

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

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



270                   8. The local school district in which the  
271 nontraditional teacher intern or provisional licensee is employed  
272 shall compensate such teacher interns at Step 1 of the required  
273 salary level during the period of time such individual is  
274 completing teacher internship requirements and shall compensate  
275 such Standard License - Nontraditional Route teachers at Step 3 of  
276 the required salary level when they complete license requirements.

277                   (iii) Implementation of the TMI program provided  
278 for under subparagraph (ii) of this paragraph (b) shall be  
279 contingent upon the availability of funds appropriated  
280 specifically for such purpose by the Legislature. Such  
281 implementation of the TMI program may not be deemed to prohibit  
282 the State Board of Education from developing and implementing  
283 additional alternative route teacher licensure programs, as deemed  
284 appropriate by the board. The emergency certification program in  
285 effect prior to July 1, 2002, shall remain in effect.

286                   (iv) From and after July 1, 2023, an individual  
287 who has received a graduate degree in any subject matter or  
288 educational discipline on the master's, educational specialist's  
289 or doctoral level, who completes the college course of study  
290 specific to that degree with at least eighteen (18) hours in the  
291 same content area with a grade of "C" or higher at a regionally or  
292 nationally accredited senior college or university, and who has  
293 achieved the nationally recommended passing score on the Praxis  
294 Core Academic Skills for Educators examination and the Praxis II



Specialty Area Test in the requested area of endorsement at the time application for licensure is submitted, and who has completed required additional coursework, including, but not limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, and using test results to improve instruction, shall be issued an alternate license to teach in Mississippi. When submitting the application for licensure, applicants seeking licensure under this subparagraph (iv) shall include an official transcript in a sealed envelope or e-Scrip bearing the seal or signature of the registrar of the institution from which the transcript was requested.

( \* \* \*y) A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) **Special License - Expert Citizen.** In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a five-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person



shall be required to have a high school diploma, an industry-recognized certification related to the subject area in which they are teaching and a minimum of five (5) years of relevant experience but shall not be required to hold an associate or bachelor's degree, provided that he or she possesses the minimum qualifications required for his or her profession, and may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. If a school board hires a career technical education pathway instructor who does not have an industry certification in his or her area of expertise but does have the required experience, the school board shall spread their decision on the minutes at their next meeting and provide a detailed explanation for why they hired the instructor. Such instructor shall present the minutes of the school board to the State Department of Education when he or she applies for an expert citizen license. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) **Special License - Nonrenewable.** The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of



not more than three (3) years, except by special approval of the State Board of Education.

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

(f) **Special License - Transitional Bilingual Education.** Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in



English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

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

(h) **Highly Qualified Teachers.** Beginning July 1, 2006, any teacher from any state meeting the federal definition of





highly qualified, as described in the No Child Left Behind Act,  
must be granted a standard five-year license by the State  
Department of Education.

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

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

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

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

(d) **Administrator License - Nontraditional Route.** The  
board may establish a nontraditional route for licensing  
administrative personnel. Such nontraditional route for  
administrative licensure shall be available for persons holding,



but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

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

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

(9) **Renewal and Reinstatement of Licenses.** The State Board of Education is authorized to establish rules and regulations for



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

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



Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

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

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



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

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

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

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

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

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

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



519 administrator license, or immediately revoke the current teacher  
520 or administrator license, for one or more of the following:

521 (i) If the applicant or licensee has been  
522 convicted, has pled guilty or entered a plea of nolo contendere to  
523 a sex offense as defined by federal or state law. For purposes of  
524 this subparagraph (i) of this paragraph (b), a "guilty plea"  
525 includes a plea of guilty, entry of a plea of nolo contendere, or  
526 entry of an order granting pretrial or judicial diversion;

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

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

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

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



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

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

548 (c) Suspension or revocation of a certificate or  
549 license by another state shall result in immediate suspension or  
550 revocation and shall continue until records in the prior state  
551 have been cleared;

552 (d) The license holder has been convicted, has pled  
553 guilty or entered a plea of nolo contendere to a felony, as  
554 defined by federal or state law. For purposes of this paragraph,  
555 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
556 contendere, or entry of an order granting pretrial or judicial  
557 diversion;

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

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

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



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

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

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

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

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

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





591 (c) A person may voluntarily surrender a license. The  
592 surrender of such license may result in the commission  
593 recommending any of the above penalties without the necessity of a  
594 hearing. However, any such license which has voluntarily been  
595 surrendered by a licensed employee may only be reinstated by a  
596 majority vote of all members of the commission present at the  
597 meeting called for such purpose.

598 (14) (a) A person whose license has been suspended or  
599 surrendered on any grounds except criminal grounds may petition  
600 for reinstatement of the license after one (1) year from the date  
601 of suspension or surrender, or after one-half (1/2) of the  
602 suspended or surrendered time has lapsed, whichever is greater. A  
603 person whose license has been suspended or revoked on any grounds  
604 or violations under subsection (12) of this section may be  
605 reinstated automatically or approved for a reinstatement hearing,  
606 upon submission of a written request to the commission. A license  
607 suspended, revoked or surrendered on criminal grounds may be  
608 reinstated upon petition to the commission filed after expiration  
609 of the sentence and parole or probationary period imposed upon  
610 conviction. A revoked, suspended or surrendered license may be  
611 reinstated upon satisfactory showing of evidence of  
612 rehabilitation. The commission shall require all who petition for  
613 reinstatement to furnish evidence satisfactory to the commission  
614 of good character, good mental, emotional and physical health and  
615 such other evidence as the commission may deem necessary to



616 establish the petitioner's rehabilitation and fitness to perform  
617 the duties authorized by the license.

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

622 (15) Reporting procedures and hearing procedures for dealing  
623 with infractions under this section shall be promulgated by the  
624 commission, subject to the approval of the State Board of  
625 Education. The revocation or suspension of a license shall be  
626 effected at the time indicated on the notice of suspension or  
627 revocation. The commission shall immediately notify the  
628 superintendent of the school district or school board where the  
629 teacher or administrator is employed of any disciplinary action  
630 and also notify the teacher or administrator of such revocation or  
631 suspension and shall maintain records of action taken. The State  
632 Board of Education may reverse or remand with instructions any  
633 decision of the commission, its subcommittee or hearing officer  
634 regarding a petition for reinstatement of a license, and any such  
635 decision of the State Board of Education shall be final.

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



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

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

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



665           (19) In addition to the reasons specified in subsections  
666       (12) and (13) of this section, the board shall be authorized to  
667       suspend the license of any licensee for being out of compliance  
668       with an order for support, as defined in Section 93-11-153. The  
669       procedure for suspension of a license for being out of compliance  
670       with an order for support, and the procedure for the reissuance or  
671       reinstatement of a license suspended for that purpose, and the  
672       payment of any fees for the reissuance or reinstatement of a  
673       license suspended for that purpose, shall be governed by Section  
674       93-11-157 or 93-11-163, as the case may be. Actions taken by the  
675       board in suspending a license when required by Section 93-11-157  
676       or 93-11-163 are not actions from which an appeal may be taken  
677       under this section. Any appeal of a license suspension that is  
678       required by Section 93-11-157 or 93-11-163 shall be taken in  
679       accordance with the appeal procedure specified in Section  
680       93-11-157 or 93-11-163, as the case may be, rather than the  
681       procedure specified in this section. If there is any conflict  
682       between any provision of Section 93-11-157 or 93-11-163 and any  
683       provision of this chapter, the provisions of Section 93-11-157 or  
684       93-11-163, as the case may be, shall control.

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



690           **SECTION 2.** This act shall take effect and be in force from  
691 and after July 1, 2023.

