

By: Representative McCarty

To: Education

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1668

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR THE  
3 MISSISSIPPI TEACHER RESIDENCY PROGRAM FOR FISCAL YEAR 2025; AND  
4 FOR RELATED PURPOSES.

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

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

8 37-3-2. (1) There is established within the State  
9 Department of Education the Commission on Teacher and  
10 Administrator Education, Certification and Licensure and  
11 Development. It shall be the purpose and duty of the commission  
12 to make recommendations to the State Board of Education regarding  
13 standards for the certification and licensure and continuing  
14 professional development of those who teach or perform tasks of an  
15 educational nature in the public schools of Mississippi.

16 (2) (a) The commission shall be composed of fifteen (15)  
17 qualified members. The membership of the commission shall be  
18 composed of the following members to be appointed, three (3) from  
19 each of the four (4) congressional districts, as such districts



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

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

43 (3) The State Board of Education when making appointments  
44 shall designate a chairman. The commission shall meet at least



45 once every two (2) months or more often if needed. Members of the  
46 commission shall be compensated at a rate of per diem as  
47 authorized by Section 25-3-69 and be reimbursed for actual and  
48 necessary expenses as authorized by Section 25-3-41.

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

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

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

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

66 (b) Recommend to the State Board of Education each year  
67 approval or disapproval of each educator preparation program in  
68 the state, subject to a process and schedule determined by the  
69 State Board of Education;



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

73           (d) Establish, subject to the approval of the State  
74 Board of Education, standards for the renewal of teacher licenses  
75 in all fields;

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

79           (f) Review all existing requirements for certification  
80 and licensure;

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

83           (h) Prepare reports from time to time on current  
84 practices and issues in the general area of teacher education and  
85 certification and licensure;

86           (i) Hold hearings concerning standards for teachers'  
87 and administrators' education and certification and licensure with  
88 approval of the State Board of Education;

89           (j) Hire expert consultants with approval of the State  
90 Board of Education;

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



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

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

108 (6) (a) **Standard License - Approved Program Route.** An  
109 educator entering the school system of Mississippi for the first  
110 time and meeting all requirements as established by the State  
111 Board of Education shall be granted a standard five-year license.  
112 Persons who possess two (2) years of classroom experience as an  
113 assistant teacher or who have taught for one (1) year in an  
114 accredited public or private school shall be allowed to fulfill  
115 student teaching requirements under the supervision of a qualified  
116 participating teacher approved by an accredited college of  
117 education. The local school district in which the assistant



118 teacher is employed shall compensate such assistant teachers at  
119 the required salary level during the period of time such  
120 individual is completing student teaching requirements.

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

122 (i) An application on a department form;

123 (ii) An official transcript of completion of a  
124 teacher education program approved by the department or a  
125 nationally accredited program, subject to the following:

126 Licensure to teach in Mississippi prekindergarten through  
127 kindergarten classrooms shall require completion of a teacher  
128 education program or a Bachelor of Science degree with child  
129 development emphasis from a program accredited by the American  
130 Association of Family and Consumer Sciences (AAFCS) or by the  
131 National Association for Education of Young Children (NAEYC) or by  
132 the National Council for Accreditation of Teacher Education  
133 (NCATE). Licensure to teach in Mississippi kindergarten, for  
134 those applicants who have completed a teacher education program,  
135 and in Grade 1 through Grade 4 shall require the completion of an  
136 interdisciplinary program of studies. Licenses for Grades 4  
137 through 8 shall require the completion of an interdisciplinary  
138 program of studies with two (2) or more areas of concentration.  
139 Licensure to teach in Mississippi Grades 7 through 12 shall  
140 require a major in an academic field other than education, or a  
141 combination of disciplines other than education. Students  
142 preparing to teach a subject shall complete a major in the



143 respective subject discipline. All applicants for standard  
144 licensure shall demonstrate that such person's college preparation  
145 in those fields was in accordance with the standards set forth by  
146 the National Council for Accreditation of Teacher Education  
147 (NCATE) or the National Association of State Directors of Teacher  
148 Education and Certification (NASDTEC) or, for those applicants who  
149 have a Bachelor of Science degree with child development emphasis,  
150 the American Association of Family and Consumer Sciences (AAFCS).  
151 Effective July 1, 2016, for initial elementary education  
152 licensure, a teacher candidate must earn a passing score on a  
153 rigorous test of scientifically research-based reading instruction  
154 and intervention and data-based decision-making principles as  
155 approved by the State Board of Education;

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

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

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

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



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

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

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

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

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

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

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

184                   (ii) Beginning July 1, 2020, an individual who has  
185 attained a passing score on the Praxis Core Academic Skills for  
186 Educators or an ACT Score of twenty-one (21) (or SAT equivalent)  
187 or a minimum GPA of 3.0 on coursework prior to admission to an  
188 approved teacher education program and a passing score on the  
189 Praxis Subject Assessment in the requested area of endorsement may  
190 apply for admission to the Teach Mississippi Institute (TMI)  
191 program to teach students in Grades 7 through 12 if the individual  
192 meets the requirements of this paragraph (b). The State Board of





193 Education shall adopt rules requiring that teacher preparation  
194 institutions which provide the Teach Mississippi Institute (TMI)  
195 program for the preparation of nontraditional teachers shall meet  
196 the standards and comply with the provisions of this paragraph.

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

211           2. The school sponsoring the teacher intern  
212 shall enter into a written agreement with the institution  
213 providing the Teach Mississippi Institute (TMI) program, under  
214 terms and conditions as agreed upon by the contracting parties,  
215 providing that the school district shall provide teacher interns  
216 seeking a nontraditional provisional teaching license with a  
217 one-year classroom teaching experience. The teacher intern shall



218 successfully complete the one (1) semester three-hour intensive  
219 internship in the school district during the semester immediately  
220 following successful completion of the TMI and prior to the end of  
221 the one-year classroom teaching experience.

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

229           4. During the semester of internship in the  
230 school district, the teacher preparation institution shall monitor  
231 the performance of the intern teacher. The school district that  
232 employs the provisional teacher shall supervise the provisional  
233 teacher during the teacher's intern year of employment under a  
234 nontraditional provisional license, and shall, in consultation  
235 with the teacher intern's mentor at the school district of  
236 employment, submit to the commission a comprehensive evaluation of  
237 the teacher's performance sixty (60) days prior to the expiration  
238 of the nontraditional provisional license. If the comprehensive  
239 evaluation establishes that the provisional teacher intern's  
240 performance fails to meet the standards of the approved  
241 nontraditional teacher preparation internship program, the  
242 individual shall not be approved for a standard license.



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

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

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

264                   8. The local school district in which the  
265 nontraditional teacher intern or provisional licensee is employed  
266 shall compensate such teacher interns at Step 1 of the required  
267 salary level during the period of time such individual is



268 completing teacher internship requirements and shall compensate  
269 such Standard License - Nontraditional Route teachers at Step 3 of  
270 the required salary level when they complete license requirements.

271 9. The Legislature shall appropriate  
272 sufficient funding to the State Department of Education for fiscal  
273 year 2025 for the specific purpose of funding the Mississippi  
274 Teacher Residency (MTR) program for the 2025-2026 school year.

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

284 (iv) A Standard License - Approved Program Route  
285 shall be issued for a five-year period, and may be renewed.  
286 Recognizing teaching as a profession, a hiring preference shall be  
287 granted to persons holding a Standard License - Approved Program  
288 Route or Standard License - Nontraditional Teaching Route over  
289 persons holding any other license.

290 (c) **Special License - Expert Citizen.** In order to  
291 allow a school district to offer specialized or technical courses,  
292 the State Department of Education, in accordance with rules and



293 regulations established by the State Board of Education, may grant  
294 a five-year expert citizen-teacher license to local business or  
295 other professional personnel to teach in a public school or  
296 nonpublic school accredited or approved by the state. Such person  
297 shall be required to have a high school diploma, an  
298 industry-recognized certification related to the subject area in  
299 which they are teaching and a minimum of five (5) years of  
300 relevant experience but shall not be required to hold an associate  
301 or bachelor's degree, provided that he or she possesses the  
302 minimum qualifications required for his or her profession, and may  
303 begin teaching upon his employment by the local school board and  
304 licensure by the Mississippi Department of Education. If a school  
305 board hires a career technical education pathway instructor who  
306 does not have an industry certification in his or her area of  
307 expertise but does have the required experience, the school board  
308 shall spread their decision on the minutes at their next meeting  
309 and provide a detailed explanation for why they hired the  
310 instructor. Such instructor shall present the minutes of the  
311 school board to the State Department of Education when he or she  
312 applies for an expert citizen license. The board shall adopt  
313 rules and regulations to administer the expert citizen-teacher  
314 license. A Special License - Expert Citizen may be renewed in  
315 accordance with the established rules and regulations of the State  
316 Department of Education.



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

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

334           (f) **Special License - Transitional Bilingual Education.**  
335 Beginning July 1, 2003, the commission shall grant special  
336 licenses to teachers of transitional bilingual education who  
337 possess such qualifications as are prescribed in this section.  
338 Teachers of transitional bilingual education shall be compensated  
339 by local school boards at not less than one (1) step on the  
340 regular salary schedule applicable to permanent teachers licensed  
341 under this section. The commission shall grant special licenses



342 to teachers of transitional bilingual education who present the  
343 commission with satisfactory evidence that they (i) possess a  
344 speaking and reading ability in a language, other than English, in  
345 which bilingual education is offered and communicative skills in  
346 English; (ii) are in good health and sound moral character; (iii)  
347 possess a bachelor's degree or an associate's degree in teacher  
348 education from an accredited institution of higher education; (iv)  
349 meet such requirements as to courses of study, semester hours  
350 therein, experience and training as may be required by the  
351 commission; and (v) are legally present in the United States and  
352 possess legal authorization for employment. A teacher of  
353 transitional bilingual education serving under a special license  
354 shall be under an exemption from standard licensure if he achieves  
355 the requisite qualifications therefor. Two (2) years of service  
356 by a teacher of transitional bilingual education under such an  
357 exemption shall be credited to the teacher in acquiring a Standard  
358 Educator License. Nothing in this paragraph shall be deemed to  
359 prohibit a local school board from employing a teacher licensed in  
360 an appropriate field as approved by the State Department of  
361 Education to teach in a program in transitional bilingual  
362 education.

363 (g) In the event any school district meets the highest  
364 accreditation standards as defined by the State Board of Education  
365 in the accountability system, the State Board of Education, in its  
366 discretion, may exempt such school district from any restrictions



367 in paragraph (e) relating to the employment of nonlicensed  
368 teaching personnel.

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

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

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

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

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





392 (d) **Administrator License - Nontraditional Route.** The  
393 board may establish a nontraditional route for licensing  
394 administrative personnel. Such nontraditional route for  
395 administrative licensure shall be available for persons holding,  
396 but not limited to, a master of business administration degree, a  
397 master of public administration degree, a master of public  
398 planning and policy degree or a doctor of jurisprudence degree  
399 from an accredited college or university, with five (5) years of  
400 administrative or supervisory experience. Successful completion  
401 of the requirements of alternate route licensure for  
402 administrators shall qualify the person for a standard  
403 administrator license.

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

411 (8) **Reciprocity.** The department shall grant a standard  
412 five-year license to any individual who possesses a valid standard  
413 license from another state, or another country or political  
414 subdivision thereof, within a period of twenty-one (21) days from  
415 the date of a completed application. The issuance of a license by  
416 reciprocity to a military-trained applicant, military spouse or



417 person who establishes residence in this state shall be subject to  
418 the provisions of Section 73-50-1 or 73-50-2, as applicable.

419       (9) **Renewal and Reinstatement of Licenses.** The State Board  
420 of Education is authorized to establish rules and regulations for  
421 the renewal and reinstatement of educator and administrator  
422 licenses. Effective May 15, 1997, the valid standard license held  
423 by an educator shall be extended five (5) years beyond the  
424 expiration date of the license in order to afford the educator  
425 adequate time to fulfill new renewal requirements established  
426 pursuant to this subsection. An educator completing a master of  
427 education, educational specialist or doctor of education degree in  
428 May 1997 for the purpose of upgrading the educator's license to a  
429 higher class shall be given this extension of five (5) years plus  
430 five (5) additional years for completion of a higher degree. For  
431 all license types with a current valid expiration date of June 30,  
432 2021, the State Department of Education shall grant a one-year  
433 extension to June 30, 2022. Beginning July 1, 2022, and  
434 thereafter, applicants for licensure renewal shall meet all  
435 requirements in effect on the date that the complete application  
436 is received by the State Department of Education.

437       (10) All controversies involving the issuance, revocation,  
438 suspension or any change whatsoever in the licensure of an  
439 educator required to hold a license shall be initially heard in a  
440 hearing de novo, by the commission or by a subcommittee  
441 established by the commission and composed of commission members,



442 or by a hearing officer retained and appointed by the commission,  
443 for the purpose of holding hearings. Any complaint seeking the  
444 denial of issuance, revocation or suspension of a license shall be  
445 by sworn affidavit filed with the Commission on Teacher and  
446 Administrator Education, Certification and Licensure and  
447 Development. The decision thereon by the commission, its  
448 subcommittee or hearing officer, shall be final, unless the  
449 aggrieved party shall appeal to the State Board of Education,  
450 within ten (10) days, of the decision of the commission, its  
451 subcommittee or hearing officer. An appeal to the State Board of  
452 Education shall be perfected upon filing a notice of the appeal  
453 and by the prepayment of the costs of the preparation of the  
454 record of proceedings by the commission, its subcommittee or  
455 hearing officer. An appeal shall be on the record previously made  
456 before the commission, its subcommittee or hearing officer, unless  
457 otherwise provided by rules and regulations adopted by the board.  
458 The decision of the commission, its subcommittee or hearing  
459 officer shall not be disturbed on appeal if supported by  
460 substantial evidence, was not arbitrary or capricious, within the  
461 authority of the commission, and did not violate some statutory or  
462 constitutional right. The State Board of Education in its  
463 authority may reverse, or remand with instructions, the decision  
464 of the commission, its subcommittee or hearing officer. The  
465 decision of the State Board of Education shall be final.



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

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

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

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

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

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

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



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

494 (b) The State Board of Education, acting through the  
495 commission, shall deny an application for any teacher or  
496 administrator license, or immediately revoke the current teacher  
497 or administrator license, for one or more of the following:

498 (i) If the applicant or licensee has been  
499 convicted, has pled guilty or entered a plea of nolo contendere to  
500 a sex offense as defined by federal or state law. For purposes of  
501 this subparagraph (i) of this paragraph (b), a "guilty plea"  
502 includes a plea of guilty, entry of a plea of nolo contendere, or  
503 entry of an order granting pretrial or judicial diversion;

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

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

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

513 (12) The State Board of Education, acting through the  
514 commission, may revoke, suspend or refuse to renew any teacher or



515 administrator license for specified periods of time or may place  
516 on probation, reprimand a licensee, or take other disciplinary  
517 action with regard to any license issued under this chapter for  
518 one or more of the following:

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

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

525           (c) Suspension or revocation of a certificate or  
526 license by another state shall result in immediate suspension or  
527 revocation and shall continue until records in the prior state  
528 have been cleared;

529           (d) The license holder has been convicted, has pled  
530 guilty or entered a plea of nolo contendere to a felony, as  
531 defined by federal or state law. For purposes of this paragraph,  
532 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
533 contendere, or entry of an order granting pretrial or judicial  
534 diversion;

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



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

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

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

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

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

560 (13) (a) Dismissal or suspension of a licensed employee by  
561 a local school board pursuant to Section 37-9-59 may result in the  
562 suspension or revocation of a license for a length of time which



563 shall be determined by the commission and based upon the severity  
564 of the offense.

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

568 (c) A person may voluntarily surrender a license. The  
569 surrender of such license may result in the commission  
570 recommending any of the above penalties without the necessity of a  
571 hearing. However, any such license which has voluntarily been  
572 surrendered by a licensed employee may only be reinstated by a  
573 majority vote of all members of the commission present at the  
574 meeting called for such purpose.

575 (14) (a) A person whose license has been suspended or  
576 surrendered on any grounds except criminal grounds may petition  
577 for reinstatement of the license after one (1) year from the date  
578 of suspension or surrender, or after one-half (1/2) of the  
579 suspended or surrendered time has lapsed, whichever is greater. A  
580 person whose license has been suspended or revoked on any grounds  
581 or violations under subsection (12) of this section may be  
582 reinstated automatically or approved for a reinstatement hearing,  
583 upon submission of a written request to the commission. A license  
584 suspended, revoked or surrendered on criminal grounds may be  
585 reinstated upon petition to the commission filed after expiration  
586 of the sentence and parole or probationary period imposed upon  
587 conviction. A revoked, suspended or surrendered license may be





588 reinstated upon satisfactory showing of evidence of  
589 rehabilitation. The commission shall require all who petition for  
590 reinstatement to furnish evidence satisfactory to the commission  
591 of good character, good mental, emotional and physical health and  
592 such other evidence as the commission may deem necessary to  
593 establish the petitioner's rehabilitation and fitness to perform  
594 the duties authorized by the license.

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

599 (15) Reporting procedures and hearing procedures for dealing  
600 with infractions under this section shall be promulgated by the  
601 commission, subject to the approval of the State Board of  
602 Education. The revocation or suspension of a license shall be  
603 effected at the time indicated on the notice of suspension or  
604 revocation. The commission shall immediately notify the  
605 superintendent of the school district or school board where the  
606 teacher or administrator is employed of any disciplinary action  
607 and also notify the teacher or administrator of such revocation or  
608 suspension and shall maintain records of action taken. The State  
609 Board of Education may reverse or remand with instructions any  
610 decision of the commission, its subcommittee or hearing officer  
611 regarding a petition for reinstatement of a license, and any such  
612 decision of the State Board of Education shall be final.



613           (16) An appeal from the action of the State Board of  
614 Education in denying an application, revoking or suspending a  
615 license or otherwise disciplining any person under the provisions  
616 of this section shall be filed in the Chancery Court of the First  
617 Judicial District of Hinds County, Mississippi, on the record  
618 made, including a verbatim transcript of the testimony at the  
619 hearing. The appeal shall be filed within thirty (30) days after  
620 notification of the action of the board is mailed or served and  
621 the proceedings in chancery court shall be conducted as other  
622 matters coming before the court. The appeal shall be perfected  
623 upon filing notice of the appeal and by the prepayment of all  
624 costs, including the cost of preparation of the record of the  
625 proceedings by the State Board of Education, and the filing of a  
626 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
627 if the action of the board be affirmed by the chancery court, the  
628 applicant or license holder shall pay the costs of the appeal and  
629 the action of the chancery court.

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

634           (18) The granting of a license shall not be deemed a  
635 property right nor a guarantee of employment in any public school  
636 district. A license is a privilege indicating minimal eligibility  
637 for teaching in the public school districts of Mississippi. This



638 section shall in no way alter or abridge the authority of local  
639 school districts to require greater qualifications or standards of  
640 performance as a prerequisite of initial or continued employment  
641 in such districts.

642 (19) In addition to the reasons specified in subsections  
643 (12) and (13) of this section, the board shall be authorized to  
644 suspend the license of any licensee for being out of compliance  
645 with an order for support, as defined in Section 93-11-153. The  
646 procedure for suspension of a license for being out of compliance  
647 with an order for support, and the procedure for the reissuance or  
648 reinstatement of a license suspended for that purpose, and the  
649 payment of any fees for the reissuance or reinstatement of a  
650 license suspended for that purpose, shall be governed by Section  
651 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
652 board in suspending a license when required by Section 93-11-157  
653 or 93-11-163 are not actions from which an appeal may be taken  
654 under this section. Any appeal of a license suspension that is  
655 required by Section 93-11-157 or 93-11-163 shall be taken in  
656 accordance with the appeal procedure specified in Section  
657 93-11-157 or 93-11-163, as the case may be, rather than the  
658 procedure specified in this section. If there is any conflict  
659 between any provision of Section 93-11-157 or 93-11-163 and any  
660 provision of this chapter, the provisions of Section 93-11-157 or  
661 93-11-163, as the case may be, shall control.



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

667 **SECTION 2.** This act shall take effect and be in force from  
668 and after July 1, 2024.

