

By: Representative Scott

To: Education

HOUSE BILL NO. 355

1 AN ACT TO REQUIRE THE HIGH SCHOOL CURRICULUM IN SCHOOL
2 DISTRICTS ASSIGNED AN ACCOUNTABILITY RATING OF "C", "D" OR "F" TO
3 INCLUDE COURSES IN VOCATIONAL EDUCATION, AGRICULTURE, FORESTRY AND
4 HOME ECONOMICS; TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT
5 CURRICULUM STANDARDS AND TO COLLABORATE WITH OTHER AGENCIES IN
6 DEVELOPING COURSE MATERIALS SO THAT THOSE COURSES ARE UNIFORM IN
7 DISTRICTS ACROSS THE STATE; TO REQUIRE STUDENTS TAKING SUCH
8 COURSES TO BE AWARDED ELECTIVE CREDITS THAT MAY BE COUNTED TOWARD
9 GRADUATION REQUIREMENTS; TO AMEND SECTION 37-13-151, MISSISSIPPI
10 CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND
11 SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE
12 DEPARTMENT OF EDUCATION TO GRANT A SPECIAL EXPERT CITIZEN-TEACHER
13 LICENSE TO PERSONS TEACHING SUCH COURSES; AND FOR RELATED
14 PURPOSES.

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

16 **SECTION 1.** (1) In addition to the curriculum otherwise
17 required by law or the State Board of Education to be taught in
18 the public schools of this state, in each school district that is
19 assigned a "C", "D" or "F" rating under the state accountability
20 system, the district shall require the following courses to be
21 taught in the high schools in that district:

- 22 (a) Vocational education;
23 (b) Agriculture;
24 (c) Forestry; and



(d) Home economics, as required under Section 37-13-151.

(2) The State Board of Education shall establish curriculum standards for the courses required under subsection (1) of this section. In order to achieve uniformity in the courses in school districts across the state, the State Department of Education shall collaborate with appropriate state and federal governmental agencies and the state institutions of higher learning to develop materials and programs of study to be utilized by all school districts required under subsection (1) to offer those courses.

(3) Courses required to be taught under subsection (1) of this section must be considered elective courses for which academic credit may be earned toward fulfillment of a student's graduation requirements.

SECTION 2. Section 37-13-151, Mississippi Code of 1972, is amended as follows:

37-13-151. * * * Beginning with the 2025-2026 school year, all local school districts assigned an accountability rating of "C", "D" or "F" shall provide programs of education in home economics, in Grade 10, 11 or 12 * * *. These programs shall contain instruction to prepare students to understand children's physical, mental, emotional and social growth and development as well as to assume responsibility for their care and guidance, with emphasis on nutrition, emotional health and physical health. All such programs * * * must utilize the materials and programs of



study adopted by the State Department of Education for home
economics courses pursuant to Section 1 of House Bill No. ,
2025 Regular Session.

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

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

(2) (a) The commission shall be composed of fifteen (15)
qualified members. The membership of the commission shall be
composed of the following members to be appointed, three (3) from
each of the four (4) congressional districts, as such districts
existed on January 1, 2011, in accordance with the population
calculations determined by the 2010 federal decennial census,
including: four (4) classroom teachers; three (3) school
administrators; one (1) representative of schools of education of
public institutions of higher learning located within the state to
be recommended by the Board of Trustees of State Institutions of
Higher Learning; one (1) representative from the schools of
education of independent institutions of higher learning to be



75 recommended by the Board of the Mississippi Association of
76 Independent Colleges; one (1) representative from public community
77 and junior colleges located within the state to be recommended by
78 the Mississippi Community College Board; one (1) local school
79 board member; and four (4) laypersons. Three (3) members of the
80 commission, at the sole discretion of the State Board of
81 Education, shall be appointed from the state at large.

82 (b) All appointments shall be made by the State Board
83 of Education after consultation with the State Superintendent of
84 Public Education. The first appointments by the State Board of
85 Education shall be made as follows: five (5) members shall be
86 appointed for a term of one (1) year; five (5) members shall be
87 appointed for a term of two (2) years; and five (5) members shall
88 be appointed for a term of three (3) years. Thereafter, all
89 members shall be appointed for a term of four (4) years.

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

96 (4) (a) An appropriate staff member of the State Department
97 of Education shall be designated and assigned by the State
98 Superintendent of Public Education to serve as executive secretary
99 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;

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

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

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



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

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

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

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

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

(j) Hire expert consultants with approval of the State 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



148 minimum qualifying score or higher on the required licensure
149 subject assessment relevant to the endorsement area for which the
150 licensure is sought. The subject assessment option shall not
151 apply to certain subject areas, including, but not limited to,
152 Early/Primary Education PreK-3, Elementary Education, or Special
153 Education, except by special approval by the State Board of
154 Education.

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

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

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



173 Licensure to teach in Mississippi prekindergarten through
174 kindergarten classrooms shall require completion of a teacher
175 education program or a Bachelor of Science degree with child
176 development emphasis from a program accredited by the American
177 Association of Family and Consumer Sciences (AAFCS) or by the
178 National Association for Education of Young Children (NAEYC) or by
179 the National Council for Accreditation of Teacher Education
180 (NCATE). Licensure to teach in Mississippi kindergarten, for
181 those applicants who have completed a teacher education program,
182 and in Grade 1 through Grade 4 shall require the completion of an
183 interdisciplinary program of studies. Licenses for Grades 4
184 through 8 shall require the completion of an interdisciplinary
185 program of studies with two (2) or more areas of concentration.
186 Licensure to teach in Mississippi Grades 7 through 12 shall
187 require a major in an academic field other than education, or a
188 combination of disciplines other than education. Students
189 preparing to teach a subject shall complete a major in the
190 respective subject discipline. All applicants for standard
191 licensure shall demonstrate that such person's college preparation
192 in those fields was in accordance with the standards set forth by
193 the National Council for Accreditation of Teacher Education
194 (NCATE) or the National Association of State Directors of Teacher
195 Education and Certification (NASDTEC) or, for those applicants who
196 have a Bachelor of Science degree with child development emphasis,
197 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) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

1. The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates



in the fall or spring semester, which shall include, but not be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

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

3. Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure



of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

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



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

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

311 8. The local school district in which the
312 nontraditional teacher intern or provisional licensee is employed
313 shall compensate such teacher interns at Step 1 of the required
314 salary level during the period of time such individual is
315 completing teacher internship requirements and shall compensate
316 such Standard License - Nontraditional Route teachers at Step 3 of
317 the required salary level when they complete license requirements.

318 (iii) Implementation of the TMI program provided
319 for under this paragraph (b) shall be contingent upon the
320 availability of funds appropriated specifically for such purpose



by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

(iv) 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, including high school courses in vocational education, agriculture, forestry and home economics which are required to be taught in certain school districts under Section 1 of House Bill No. , 2025 Regular Session, 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 qualified persons, including 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



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

364 (d) **Special License - Nonrenewable.** The State Board of
365 Education is authorized to establish rules and regulations to
366 allow those educators not meeting requirements in paragraph (a),
367 (b) or (c) of this subsection (6) to be licensed for a period of
368 not more than three (3) years, except by special approval of the
369 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



444 master of public administration degree, a master of public
445 planning and policy degree or a doctor of jurisprudence degree
446 from an accredited college or university, with five (5) years of
447 administrative or supervisory experience. Successful completion
448 of the requirements of alternate route licensure for
449 administrators shall qualify the person for a standard
450 administrator license.

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

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

466 (9) **Renewal and Reinstatement of Licenses.** The State Board
467 of Education is authorized to establish rules and regulations for
468 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



494 Development. The decision thereon by the commission, its
495 subcommittee or hearing officer, shall be final, unless the
496 aggrieved party shall appeal to the State Board of Education,
497 within ten (10) days, of the decision of the commission, its
498 subcommittee or hearing officer. An appeal to the State Board of
499 Education shall be perfected upon filing a notice of the appeal
500 and by the prepayment of the costs of the preparation of the
501 record of proceedings by the commission, its subcommittee or
502 hearing officer. An appeal shall be on the record previously made
503 before the commission, its subcommittee or hearing officer, unless
504 otherwise provided by rules and regulations adopted by the board.
505 The decision of the commission, its subcommittee or hearing
506 officer shall not be disturbed on appeal if supported by
507 substantial evidence, was not arbitrary or capricious, within the
508 authority of the commission, and did not violate some statutory or
509 constitutional right. The State Board of Education in its
510 authority may reverse, or remand with instructions, the decision
511 of the commission, its subcommittee or hearing officer. The
512 decision of the State Board of Education shall be final.

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

516 (i) Lack of qualifications which are prescribed by
517 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



543 administrator license, or immediately revoke the current teacher
544 or administrator license, for one or more of the following:

545 (i) If the applicant or licensee has been
546 convicted, has pled guilty or entered a plea of nolo contendere to
547 a sex offense as defined by federal or state law. For purposes of
548 this subparagraph (i) of this paragraph (b), a "guilty plea"
549 includes a plea of guilty, entry of a plea of nolo contendere, or
550 entry of an order granting pretrial or judicial diversion;

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

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

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

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



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

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

572 (c) Suspension or revocation of a certificate or
573 license by another state shall result in immediate suspension or
574 revocation and shall continue until records in the prior state
575 have been cleared;

576 (d) The license holder has been convicted, has pled
577 guilty or entered a plea of nolo contendere to a felony, as
578 defined by federal or state law. For purposes of this paragraph,
579 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
580 contendere, or entry of an order granting pretrial or judicial
581 diversion;

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

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

588 (g) The license holder served as superintendent or
589 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.



615 (c) A person may voluntarily surrender a license. The
616 surrender of such license may result in the commission
617 recommending any of the above penalties without the necessity of a
618 hearing. However, any such license which has voluntarily been
619 surrendered by a licensed employee may only be reinstated by a
620 majority vote of all members of the commission present at the
621 meeting called for such purpose.

622 (14) (a) A person whose license has been suspended or
623 surrendered on any grounds except criminal grounds may petition
624 for reinstatement of the license after one (1) year from the date
625 of suspension or surrender, or after one-half (1/2) of the
626 suspended or surrendered time has lapsed, whichever is greater. A
627 person whose license has been suspended or revoked on any grounds
628 or violations under subsection (12) of this section may be
629 reinstated automatically or approved for a reinstatement hearing,
630 upon submission of a written request to the commission. A license
631 suspended, revoked or surrendered on criminal grounds may be
632 reinstated upon petition to the commission filed after expiration
633 of the sentence and parole or probationary period imposed upon
634 conviction. A revoked, suspended or surrendered license may be
635 reinstated upon satisfactory showing of evidence of
636 rehabilitation. The commission shall require all who petition for
637 reinstatement to furnish evidence satisfactory to the commission
638 of good character, good mental, emotional and physical health and
639 such other evidence as the commission may deem necessary to



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

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

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

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



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

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

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



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

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



714 **SECTION 4.** This act shall take effect and be in force from
715 and after July 1, 2025.

