

By: Representative McCarty

To: Education;  
Appropriations A

HOUSE BILL NO. 1118

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE LEGISLATURE TO ANNUALLY APPROPRIATE SUFFICIENT FUNDING  
3 TO THE STATE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF FUNDING  
4 THE MISSISSIPPI TEACHER RESIDENCY PROGRAM; AND FOR RELATED  
5 PURPOSES.

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

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

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

17 (2) (a) The commission shall be composed of fifteen (15)  
18 qualified members. The membership of the commission shall be  
19 composed of the following members to be appointed, three (3) from



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

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



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

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

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

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

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

67           (b) Recommend to the State Board of Education each year  
68 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;



(1) 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



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

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

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

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

167 1. An ACT Score of twenty-one (21) (or SAT  
168 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



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

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

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



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

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

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

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



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

272 9. The Legislature shall appropriate  
273 sufficient funding to the State Department of Education for the  
274 2026 fiscal year, and each subsequent fiscal year for the purpose  
275 of funding the Mississippi Teacher Residency Program, beginning  
276 with the 2025-2026 school year.

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

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

292 (c) **Special License - Expert Citizen.** In order to  
293 allow a school district to offer specialized or technical courses,



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



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

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

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



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

365 (g) In the event any school district meets the highest  
366 accreditation standards as defined by the State Board of Education  
367 in the accountability system, the State Board of Education, in its  
368 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.





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

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

413 (8) **Reciprocity.** The department shall grant a standard  
414 five-year license to any individual who possesses a valid standard  
415 license from another state, or another country or political  
416 subdivision thereof, within a period of twenty-one (21) days from  
417 the date of a completed application. The issuance of a license by  
418 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,



444 or by a hearing officer retained and appointed by the commission,  
445 for the purpose of holding hearings. Any complaint seeking the  
446 denial of issuance, revocation or suspension of a license shall be  
447 by sworn affidavit filed with the Commission on Teacher and  
448 Administrator Education, Certification and Licensure and  
449 Development. The decision thereon by the commission, its  
450 subcommittee or hearing officer, shall be final, unless the  
451 aggrieved party shall appeal to the State Board of Education,  
452 within ten (10) days, of the decision of the commission, its  
453 subcommittee or hearing officer. An appeal to the State Board of  
454 Education shall be perfected upon filing a notice of the appeal  
455 and by the prepayment of the costs of the preparation of the  
456 record of proceedings by the commission, its subcommittee or  
457 hearing officer. An appeal shall be on the record previously made  
458 before the commission, its subcommittee or hearing officer, unless  
459 otherwise provided by rules and regulations adopted by the board.  
460 The decision of the commission, its subcommittee or hearing  
461 officer shall not be disturbed on appeal if supported by  
462 substantial evidence, was not arbitrary or capricious, within the  
463 authority of the commission, and did not violate some statutory or  
464 constitutional right. The State Board of Education in its  
465 authority may reverse, or remand with instructions, the decision  
466 of the commission, its subcommittee or hearing officer. The  
467 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;



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

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

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

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

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

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

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



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

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

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

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

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

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



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

(g) The license holder served as superintendent or 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.

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

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





reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and 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.



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

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

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



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

644 (19) In addition to the reasons specified in subsections  
645 (12) and (13) of this section, the board shall be authorized to  
646 suspend the license of any licensee for being out of compliance  
647 with an order for support, as defined in Section 93-11-153. The  
648 procedure for suspension of a license for being out of compliance  
649 with an order for support, and the procedure for the reissuance or  
650 reinstatement of a license suspended for that purpose, and the  
651 payment of any fees for the reissuance or reinstatement of a  
652 license suspended for that purpose, shall be governed by Section  
653 93-11-157 or 93-11-163, as the case may be. Actions taken by the  
654 board in suspending a license when required by Section 93-11-157  
655 or 93-11-163 are not actions from which an appeal may be taken  
656 under this section. Any appeal of a license suspension that is  
657 required by Section 93-11-157 or 93-11-163 shall be taken in  
658 accordance with the appeal procedure specified in Section  
659 93-11-157 or 93-11-163, as the case may be, rather than the  
660 procedure specified in this section. If there is any conflict  
661 between any provision of Section 93-11-157 or 93-11-163 and any  
662 provision of this chapter, the provisions of Section 93-11-157 or  
663 93-11-163, as the case may be, shall control.



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

669           **SECTION 2.** This act shall take effect and be in force from  
670 and after July 1, 2025.

