

By: Senator(s) Tollison

To: Education

SENATE BILL NO. 2188
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THE GROUNDS FOR TEACHER OR ADMINISTRATOR LICENSURE DENIAL
3 BY THE STATE BOARD OF EDUCATION AND TO PROVIDE CERTAIN STANDARDS
4 AND PROCEDURES FOR REINSTATEMENT OF TEACHER OR ADMINISTRATOR
5 LICENSES; TO PRESCRIBE CERTAIN EDUCATIONAL CRITERIA FOR TEACHER
6 LICENSURE UNDER THE STANDARD AND ALTERNATIVE ROUTE; AND FOR
7 RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-3-2, Mississippi Code of 1972, as
10 amended by Senate Bill No. 2419, 2013 Regular Session, is amended
11 as follows:

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



20 (2) The commission shall be composed of fifteen (15)
21 qualified members. The membership of the commission shall be
22 composed of the following members to be appointed, three (3) from
23 each congressional district: four (4) classroom teachers; three
24 (3) school administrators; one (1) representative of schools of
25 education of institutions of higher learning located within the
26 state to be recommended by the Board of Trustees of State
27 Institutions of Higher Learning; one (1) representative from the
28 schools of education of independent institutions of higher
29 learning to be recommended by the Board of the Mississippi
30 Association of Independent Colleges; one (1) representative from
31 public community and junior colleges located within the state to
32 be recommended by the State Board for Community and Junior
33 Colleges; one (1) local school board member; and four (4)
34 laypersons. All appointments shall be made by the State Board of
35 Education after consultation with the State Superintendent of
36 Public Education. The first appointments by the State Board of
37 Education shall be made as follows: five (5) members shall be
38 appointed for a term of one (1) year; five (5) members shall be
39 appointed for a term of two (2) years; and five (5) members shall
40 be appointed for a term of three (3) years. Thereafter, all
41 members shall be appointed for a term of four (4) years.

42 (3) The State Board of Education when making appointments
43 shall designate a chairman. The commission shall meet at least
44 once every two (2) months or more often if needed. Members of the



45 commission shall be compensated at a rate of per diem as
46 authorized by Section 25-3-69 and be reimbursed for actual and
47 necessary expenses as authorized by Section 25-3-41.

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

55 (b) An Office of Educator Misconduct Evaluations shall
56 be established within the State Department of Education to assist
57 the commission in responding to infractions and violations, and in
58 conducting hearings and enforcing the provisions of Section
59 37-3-2(11), (12), (13), (14) and (15), Mississippi Code of 1972,
60 and violations of the Mississippi Educator Code of Ethics.

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

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

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



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

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

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

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

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

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

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

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

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



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

95 (6) (a) **Standard License - Approved Program Route.** An
96 educator entering the school system of Mississippi for the first
97 time and meeting all requirements as established by the State
98 Board of Education shall be granted a standard five-year license.
99 Persons who possess two (2) years of classroom experience as an
100 assistant teacher or who have taught for one (1) year in an
101 accredited public or private school shall be allowed to fulfill
102 student teaching requirements under the supervision of a qualified
103 participating teacher approved by an accredited college of
104 education. The local school district in which the assistant
105 teacher is employed shall compensate such assistant teachers at
106 the required salary level during the period of time such
107 individual is completing student teaching requirements.
108 Applicants for a standard license shall submit to the department:

- 109 (i) An application on a department form;
110 (ii) An official transcript of completion of a
111 teacher education program approved by the department or a
112 nationally accredited program, subject to the following:
113 Licensure to teach in Mississippi prekindergarten through
114 kindergarten classrooms shall require completion of a teacher
115 education program or a bachelor of science degree with child
116 development emphasis from a program accredited by the American



117 Association of Family and Consumer Sciences (AAFCS) or by the
118 National Association for Education of Young Children (NAEYC) or by
119 the National Council for Accreditation of Teacher Education
120 (NCATE). Licensure to teach in Mississippi kindergarten, for
121 those applicants who have completed a teacher education program,
122 and in Grade 1 through Grade 4 shall require the completion of an
123 interdisciplinary program of studies. Licenses for Grades 4
124 through 8 shall require the completion of an interdisciplinary
125 program of studies with two (2) or more areas of concentration.
126 Licensure to teach in Mississippi Grades 7 through 12 shall
127 require a major in an academic field other than education, or a
128 combination of disciplines other than education. Students
129 preparing to teach a subject shall complete a major in the
130 respective subject discipline. All applicants for standard
131 licensure shall demonstrate that such person's college preparation
132 in those fields was in accordance with the standards set forth by
133 the National Council for Accreditation of Teacher Education
134 (NCATE) or the National Association of State Directors of Teacher
135 Education and Certification (NASDTEC) or, for those applicants who
136 have a bachelor of science degree with child development emphasis,
137 the American Association of Family and Consumer Sciences (AAFCS);
138 (iii) A copy of test scores evidencing
139 satisfactory completion of nationally administered examinations of
140 achievement, such as the Educational Testing Service's teacher
141 testing examinations; * * *



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

144 (v) From and after September 30, 2015, no teacher
145 candidate shall be licensed to teach in Mississippi who did not
146 meet the following criteria for entrance into an approved teacher
147 education program:

148 1. 21 ACT equivalent or achieve the
149 nationally recommended passing score on the Praxis Core Academic
150 Skills for Educators examination; and

151 2. No less than 2.75 GPA on pre-major
152 coursework of the institution's approved teacher education program
153 provided that the accepted cohort of candidates meets or exceeds a
154 3.0 GPA on pre-major coursework.

155 (b) **Standard License - Nontraditional Teaching Route.**
156 From and after September 30, 2015, no teacher candidate shall be
157 licensed to teach in Mississippi under the alternate route who did
158 not meet the following criteria:

159 (i) 21 ACT equivalent or achieve the nationally
160 recommended passing score on the Praxis Core Academic Skills for
161 Educators examination; and

162 (ii) No less than 2.75 GPA on content coursework
163 in the requested area of certification provided that the accepted
164 cohort of candidates of the institution's teacher education
165 program meets or exceeds a 3.0 GPA on pre-major coursework from
166 the approved teacher education program.



167 Beginning January 1, 2004, an individual who has a passing
168 score on the Praxis I Basic Skills and Praxis II Specialty Area
169 Test in the requested area of endorsement may apply for the Teach
170 Mississippi Institute (TMI) program to teach students in Grades 7
171 through 12 if the individual meets the requirements of this
172 paragraph (b). The State Board of Education shall adopt rules
173 requiring that teacher preparation institutions which provide the
174 Teach Mississippi Institute (TMI) program for the preparation of
175 nontraditional teachers shall meet the standards and comply with
176 the provisions of this paragraph.

177 (i) The Teach Mississippi Institute (TMI) shall
178 include an intensive eight-week, nine-semester-hour summer program
179 or a curriculum of study in which the student matriculates in the
180 fall or spring semester, which shall include, but not be limited
181 to, instruction in education, effective teaching strategies,
182 classroom management, state curriculum requirements, planning and
183 instruction, instructional methods and pedagogy, using test
184 results to improve instruction, and a one (1) semester three-hour
185 supervised internship to be completed while the teacher is
186 employed as a full-time teacher intern in a local school district.
187 The TMI shall be implemented on a pilot program basis, with
188 courses to be offered at up to four (4) locations in the state,
189 with one (1) TMI site to be located in each of the three (3)
190 Mississippi Supreme Court districts.



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

202 (iii) Upon completion of the nine-semester-hour
203 TMI or the fall or spring semester option, the individual shall
204 submit his transcript to the commission for provisional licensure
205 of the intern teacher, and the intern teacher shall be issued a
206 provisional teaching license by the commission, which will allow
207 the individual to legally serve as a teacher while the person
208 completes a nontraditional teacher preparation internship program.

209 (iv) During the semester of internship in the
210 school district, the teacher preparation institution shall monitor
211 the performance of the intern teacher. The school district that
212 employs the provisional teacher shall supervise the provisional
213 teacher during the teacher's intern year of employment under a
214 nontraditional provisional license, and shall, in consultation
215 with the teacher intern's mentor at the school district of



216 employment, submit to the commission a comprehensive evaluation of
217 the teacher's performance sixty (60) days prior to the expiration
218 of the nontraditional provisional license. If the comprehensive
219 evaluation establishes that the provisional teacher intern's
220 performance fails to meet the standards of the approved
221 nontraditional teacher preparation internship program, the
222 individual shall not be approved for a standard license.

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

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

238 (vii) At the discretion of the teacher preparation
239 institution, the individual shall be allowed to credit the twelve
240 (12) semester hours earned in the nontraditional teacher



241 internship program toward the graduate hours required for a Master
242 of Arts in Teacher (MAT) Degree.

243 (viii) The local school district in which the
244 nontraditional teacher intern or provisional licensee is employed
245 shall compensate such teacher interns at Step 1 of the required
246 salary level during the period of time such individual is
247 completing teacher internship requirements and shall compensate
248 such Standard License - Nontraditional Route teachers at Step 3 of
249 the required salary level when they complete license requirements.

250 Implementation of the TMI program provided for under this
251 paragraph (b) shall be contingent upon the availability of funds
252 appropriated specifically for such purpose by the Legislature.
253 Such implementation of the TMI program may not be deemed to
254 prohibit the State Board of Education from developing and
255 implementing additional alternative route teacher licensure
256 programs, as deemed appropriate by the board. The emergency
257 certification program in effect prior to July 1, 2002, shall
258 remain in effect.

259 A Standard License - Approved Program Route shall be issued
260 for a five-year period, and may be renewed. Recognizing teaching
261 as a profession, a hiring preference shall be granted to persons
262 holding a Standard License - Approved Program Route or Standard
263 License - Nontraditional Teaching Route over persons holding any
264 other license.



265 (c) **Special License - Expert Citizen.** In order to
266 allow a school district to offer specialized or technical courses,
267 the State Department of Education, in accordance with rules and
268 regulations established by the State Board of Education, may grant
269 a one-year expert citizen-teacher license to local business or
270 other professional personnel to teach in a public school or
271 nonpublic school accredited or approved by the state. Such person
272 may begin teaching upon his employment by the local school board
273 and licensure by the Mississippi Department of Education. The
274 board shall adopt rules and regulations to administer the expert
275 citizen-teacher license. A Special License - Expert Citizen may
276 be renewed in accordance with the established rules and
277 regulations of the State Department of Education.

278 (d) **Special License - Nonrenewable.** The State Board of
279 Education is authorized to establish rules and regulations to
280 allow those educators not meeting requirements in subsection
281 (6) (a), (b) or (c) to be licensed for a period of not more than
282 three (3) years, except by special approval of the State Board of
283 Education.

284 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
285 person may teach for a maximum of three (3) periods per teaching
286 day in a public school or a nonpublic school accredited/approved
287 by the state. Such person shall submit to the department a
288 transcript or record of his education and experience which
289 substantiates his preparation for the subject to be taught and



290 shall meet other qualifications specified by the commission and
291 approved by the State Board of Education. In no case shall any
292 local school board hire nonlicensed personnel as authorized under
293 this paragraph in excess of five percent (5%) of the total number
294 of licensed personnel in any single school.

295 (f) **Special License - Transitional Bilingual Education.**
296 Beginning July 1, 2003, the commission shall grant special
297 licenses to teachers of transitional bilingual education who
298 possess such qualifications as are prescribed in this section.
299 Teachers of transitional bilingual education shall be compensated
300 by local school boards at not less than one (1) step on the
301 regular salary schedule applicable to permanent teachers licensed
302 under this section. The commission shall grant special licenses
303 to teachers of transitional bilingual education who present the
304 commission with satisfactory evidence that they (i) possess a
305 speaking and reading ability in a language, other than English, in
306 which bilingual education is offered and communicative skills in
307 English; (ii) are in good health and sound moral character; (iii)
308 possess a bachelor's degree or an associate's degree in teacher
309 education from an accredited institution of higher education; (iv)
310 meet such requirements as to courses of study, semester hours
311 therein, experience and training as may be required by the
312 commission; and (v) are legally present in the United States and
313 possess legal authorization for employment. A teacher of
314 transitional bilingual education serving under a special license



315 shall be under an exemption from standard licensure if he achieves
316 the requisite qualifications therefor. Two (2) years of service
317 by a teacher of transitional bilingual education under such an
318 exemption shall be credited to the teacher in acquiring a Standard
319 Educator License. Nothing in this paragraph shall be deemed to
320 prohibit a local school board from employing a teacher licensed in
321 an appropriate field as approved by the State Department of
322 Education to teach in a program in transitional bilingual
323 education.

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

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

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



339 licensure with exceptions only through special approval of the
340 State Board of Education.

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

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

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

353 (d) **Administrator License - Nontraditional Route.** The
354 board may establish a nontraditional route for licensing
355 administrative personnel. Such nontraditional route for
356 administrative licensure shall be available for persons holding,
357 but not limited to, a master of business administration degree, a
358 master of public administration degree, a master of public
359 planning and policy degree or a doctor of jurisprudence degree
360 from an accredited college or university, with five (5) years of
361 administrative or supervisory experience. Successful completion
362 of the requirements of alternate route licensure for



363 administrators shall qualify the person for a standard
364 administrator license.

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

372 (8) **Reciprocity.** (a) The department shall grant a standard
373 license to any individual who possesses a valid standard license
374 from another state and meets minimum Mississippi license
375 requirements or equivalent requirements as determined by the State
376 Board of Education. The issuance of a license by reciprocity to a
377 military-trained applicant or military spouse shall be subject to
378 the provisions of Section 1 of this act.

379 (b) The department shall grant a nonrenewable special
380 license to any individual who possesses a credential which is less
381 than a standard license or certification from another state. Such
382 special license shall be valid for the current school year plus
383 one (1) additional school year to expire on June 30 of the second
384 year, not to exceed a total period of twenty-four (24) months,
385 during which time the applicant shall be required to complete the
386 requirements for a standard license in Mississippi.



387 (9) **Renewal and Reinstatement of Licenses.** The State Board
388 of Education is authorized to establish rules and regulations for
389 the renewal and reinstatement of educator and administrator
390 licenses. Effective May 15, 1997, the valid standard license held
391 by an educator shall be extended five (5) years beyond the
392 expiration date of the license in order to afford the educator
393 adequate time to fulfill new renewal requirements established
394 pursuant to this subsection. An educator completing a master of
395 education, educational specialist or doctor of education degree in
396 May 1997 for the purpose of upgrading the educator's license to a
397 higher class shall be given this extension of five (5) years plus
398 five (5) additional years for completion of a higher degree.

399 (10) All controversies involving the issuance, revocation,
400 suspension or any change whatsoever in the licensure of an
401 educator required to hold a license shall be initially heard in a
402 hearing de novo, by the commission or by a subcommittee
403 established by the commission and composed of commission members
404 for the purpose of holding hearings. Any complaint seeking the
405 denial of issuance, revocation or suspension of a license shall be
406 by sworn affidavit filed with the Commission of Teacher and
407 Administrator Education, Certification and Licensure and
408 Development. The decision thereon by the commission or its
409 subcommittee shall be final, unless the aggrieved party shall
410 appeal to the State Board of Education, within ten (10) days, of
411 the decision of the committee or its subcommittee. An appeal to



412 the State Board of Education shall be on the record previously
413 made before the commission or its subcommittee unless otherwise
414 provided by rules and regulations adopted by the board. The State
415 Board of Education in its authority may reverse, or remand with
416 instructions, the decision of the committee or its subcommittee.
417 The decision of the State Board of Education shall be final.

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

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

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

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

432 (d) Revocation * * *, suspension or surrender of an
433 applicant's certificate or license by another state shall result
434 in immediate denial of licensure until such time that the records
435 predicating the revocation, suspension or surrender in the prior
436 state have been cleared;



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

439 (f) Failing or refusing to furnish reasonable evidence
440 of identification;

441 (g) The applicant has been convicted, has pled guilty
442 or entered a plea of nolo contendere to a felony, as defined by
443 federal or state law; * * *

444 (h) The applicant has been convicted, has pled guilty
445 or entered a plea of nolo contendere to a sex offense as defined
446 by federal or state law. For purposes of this paragraph (h) and
447 paragraph (g) of this subsection, a "guilty plea" includes a plea
448 of guilty, entry of a plea of nolo contendere, or entry of an
449 order granting pretrial or judicial diversion; or

450 (i) Probation or post-release supervision for a felony
451 or sex offense conviction, as defined by federal or state law,
452 shall result in the immediate denial of licensure application
453 until expiration of the probationary or post-release supervision
454 period.

455 (12) The State Board of Education, acting on the
456 recommendation of the commission, may revoke or suspend any
457 teacher or administrator license for specified periods of time for
458 one or more of the following:

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



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

465 (c) Suspension or revocation of a certificate or
466 license by another state shall result in immediate suspension or
467 revocation and shall continue until records in the prior state
468 have been cleared;

469 (d) The license holder has been convicted, has pled
470 guilty or entered a plea of nolo contendere to a felony, as
471 defined by federal or state law. For purposes of this paragraph,
472 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
473 contendere, or entry of an order granting pretrial or judicial
474 diversion;

475 (e) The license holder has been convicted, has pled
476 guilty or entered a plea of nolo contendere to a sex offense, as
477 defined by federal or state law, shall result in immediate
478 suspension or revocation;

479 (f) The license holder has received probation or
480 post-release supervision for a felony or sex offense conviction,
481 as defined by federal or state law, which shall result in
482 immediate suspension or revocation until expiration of the
483 probationary or post-release supervision period;

484 (* * *g) The license holder knowingly and willfully
485 committing any of the acts affecting validity of mandatory uniform
486 test results as provided in Section 37-16-4(1);



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

490 (* * *i) The license holder has fondled a student as
491 described in Section 97-5-23, or had any type of sexual
492 involvement with a student as described in Section 97-3-95; or

493 (* * *j) The license holder has failed to report
494 sexual involvement of a school employee with a student as required
495 by Section 97-5-24.

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

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

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



511 (14) (a) A person whose license has been * * * revoked or
512 surrendered on any grounds except criminal grounds may petition
513 for reinstatement of the license after one (1) year from the date
514 of * * * revocation or surrender, or after one-half (1/2) of
515 the * * * revoked or surrendered time has lapsed, whichever is
516 greater. A person whose license has been suspended on any grounds
517 or violations under subsection (12) of this section may be
518 reinstated automatically or approved for a reinstatement hearing,
519 upon submission of a written request to the commission. A license
520 suspended * * *, revoked or surrendered on * * * criminal grounds
521 may be reinstated upon petition to the commission filed after
522 expiration of the sentence and parole or probationary period
523 imposed upon conviction. A revoked, suspended or surrendered
524 license may be reinstated upon satisfactory showing of evidence of
525 rehabilitation. The commission shall require all who petition for
526 reinstatement to furnish evidence satisfactory to the commission
527 of good character, good mental, emotional and physical health and
528 such other evidence as the commission may deem necessary to
529 establish the petitioner's rehabilitation and fitness to perform
530 the duties authorized by the license.

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



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

549 (16) An appeal from the action of the State Board of
550 Education in denying an application, revoking or suspending a
551 license or otherwise disciplining any person under the provisions
552 of this section shall be filed in the Chancery Court of the First
553 Judicial District of Hinds County, Mississippi, on the record
554 made, including a verbatim transcript of the testimony at the
555 hearing. The appeal shall be filed within thirty (30) days after
556 notification of the action of the board is mailed or served and
557 the proceedings in chancery court shall be conducted as other
558 matters coming before the court. The appeal shall be perfected
559 upon filing notice of the appeal and by the prepayment of all



560 costs, including the cost of preparation of the record of the
561 proceedings by the State Board of Education, and the filing of a
562 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
563 if the action of the board be affirmed by the chancery court, the
564 applicant or license holder shall pay the costs of the appeal and
565 the action of the chancery court.

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

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

578 (19) In addition to the reasons specified in subsections
579 (12) and (13) of this section, the board shall be authorized to
580 suspend the license of any licensee for being out of compliance
581 with an order for support, as defined in Section 93-11-153. The
582 procedure for suspension of a license for being out of compliance
583 with an order for support, and the procedure for the reissuance or
584 reinstatement of a license suspended for that purpose, and the



585 payment of any fees for the reissuance or reinstatement of a
586 license suspended for that purpose, shall be governed by Section
587 93-11-157 or 93-11-163, as the case may be. Actions taken by the
588 board in suspending a license when required by Section 93-11-157
589 or 93-11-163 are not actions from which an appeal may be taken
590 under this section. Any appeal of a license suspension that is
591 required by Section 93-11-157 or 93-11-163 shall be taken in
592 accordance with the appeal procedure specified in Section
593 93-11-157 or 93-11-163, as the case may be, rather than the
594 procedure specified in this section. If there is any conflict
595 between any provision of Section 93-11-157 or 93-11-163 and any
596 provision of this chapter, the provisions of Section 93-11-157 or
597 93-11-163, as the case may be, shall control.

598 **SECTION 2.** This act shall take effect and be in force from
599 and after July 1, 2013.

