

By: Representative Currie

To: Education; Revenue and  
Expenditure General Bills

## HOUSE BILL NO. 930

1 AN ACT TO CODIFY NEW SECTION 37-3-2.1, MISSISSIPPI CODE OF  
2 1972, TO ESTABLISH THE OFFICE OF EDUCATOR STANDARDS AND LICENSURE  
3 WITHIN THE STATE DEPARTMENT OF EDUCATION; TO PROVIDE FOR THE  
4 APPOINTMENT OF THE DIRECTOR OF THE OFFICE OF EDUCATOR STANDARDS  
5 AND LICENSURE, WHO SHALL REPORT DIRECTLY TO THE STATE  
6 SUPERINTENDENT OF PUBLIC EDUCATION AND THE STATE BOARD OF  
7 EDUCATION; TO REQUIRE THE OFFICE TO ESTABLISH STANDARDS FOR  
8 EDUCATOR PREPARATION PROGRAMS AND FOR THE ISSUANCE AND RENEWAL OF  
9 EDUCATOR LICENSES; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF  
10 1972, TO REVISE THE DUTIES OF THE COMMISSION ON TEACHER AND  
11 ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND  
12 DEVELOPMENT RELATING TO THE ISSUANCE OF EDUCATOR LICENSES IN  
13 ACCORDANCE WITH THE REQUIREMENTS ESTABLISHED BY THE OFFICE OF  
14 EDUCATOR STANDARDS AND LICENSURE; TO AMEND SECTION 37-3-89,  
15 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS  
16 ACT; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** The following shall be codified as Section  
19 37-3-2.1, Mississippi Code of 1972:

20 37-3-2.1. (1) The State Board of Education and State  
21 Superintendent of Public Education shall establish within the  
22 State Department of Education a special unit at the division level  
23 called the Office of Educator Standards and Licensure. The  
24 Director of the Office of Educator Standards and Licensure shall  
25 hold a position comparable to a deputy superintendent and shall be



26 appointed by the State Board of Education with the advice and  
27 consent of the Senate. The director shall serve at the will and  
28 pleasure of the State Board of Education and may employ necessary  
29 professional, administrative and clerical staff. The Director of  
30 the Office of Educator Standards and Licensure shall provide all  
31 reports to the Legislature, Governor, Commission on School  
32 Accreditation and State Board of Education and respond to any  
33 inquiries for information.

34 (2) The Office of Educator Standards and Licensure is  
35 responsible for establishing and maintaining standards for the  
36 review and approval of all educator preparation programs,  
37 including public, nonpublic, nontraditional and out-of-state  
38 providers, as well as establishing and maintaining standards for  
39 educator license and renewal. The Office of Educator Standards  
40 and Licensure shall provide information, recommendations and an  
41 annual report to the Legislature and Governor.

42 (3) In addition, the Office of Educator Standards and  
43 Licensure shall have the following specific duties and  
44 responsibilities:

45 (a) Monitoring performance of educator preparation  
46 programs graduates based on established measures, as determined by  
47 the Office of Educator Standards and Licensure;

48 (b) Conducting systematic and consistent reviews to  
49 evaluate and approve all educator preparation programs based on  
50 standards and performance assessment of graduates and, when



indicated, withdrawing approval of programs that do not meet standards set by the Office of Educator Standards and Licensure or whose graduates do not perform according to criteria set by the Office of Educator Standards and Licensure;

(c) Establishing and developing guidelines for a purposeful internship experience for pre-service candidates through a seamless and effective system involving educator preparation programs, school district partners and classroom mentors;

(d) Ensuring a uniform and efficient process for issuing, renewing, revoking, suspending, or refusing to issue or renew educator licenses;

(e) Establishing and maintaining a consistent and transparent data dashboard that includes all aspects of educator preparation and licensure;

(f) Producing The Annual Review of Mississippi Educator Preparation Providers; and

(g) Approving reasonable fees for the issuance, reissuance and renewal of licenses, as recommended by the Director of the Office of Educator Standards and Licensure's fee-based operating budget.

**SECTION 2.** 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 \* \* \* Office of Educator Standards and Licensure regarding standards for the \* \* \* licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) 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 congressional district: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of 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 recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term



of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

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

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

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

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



(a) \* \* \* Recommend standards and criteria \* \* \* to the \* \* \* Office of Educator Standards and Licensure for all educator preparation programs in the state;

(b) Recommend to the \* \* \* Office of Educator Standards and Licensure standards for initial teacher \* \* \* licensure in all fields;

( \* \* \* c) \* \* \* Recommend to the \* \* \* Office of Educator Standards and Licensure standards for the renewal of teacher licenses in all fields;

( \* \* \* d) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations to the Office of Educator Standards and Licensure for their use;

( \* \* \* e) Review all existing requirements for \* \* \* licensure;

\* \* \*

( \* \* \* f) Prepare reports to be submitted to the Office of Educator Standards and Licensure from time to time on current practices and issues in the general area of teacher education and \* \* \* licensure;

\* \* \*

( \* \* \* g) Set up ad hoc committees to advise on specific areas; and

( \* \* \* h) Perform such other functions as may fall within \* \* \* the commission's general charge \* \* \* which may be



delegated to them by the State Board of Education or Office of  
Educator Standards and Licensure.

(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 \* \* \* Office of Educator Standards and Licensure shall be granted a standard five-year license by the State Department of Education. 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 \* \* \* Office of Educator Standards and Licensure 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



175 by the American Association of Family and Consumer Sciences  
176 (AAFCS) or by the National Association for Education of Young  
177 Children (NAEYC) or by the National Council for Accreditation of  
178 Teacher Education (NCATE). Licensure to teach in Mississippi  
179 kindergarten, for those applicants who have completed a teacher  
180 education program, and in Grade 1 through Grade 4 shall require  
181 the completion of an interdisciplinary program of studies.  
182 Licenses for Grades 4 through 8 shall require the completion of an  
183 interdisciplinary program of studies with two (2) or more areas of  
184 concentration. Licensure to teach in Mississippi Grades 7 through  
185 12 shall require a major in an academic field other than  
186 education, or a combination of disciplines other than education.  
187 Students preparing to teach a subject shall complete a major in  
188 the respective subject discipline. All applicants for standard  
189 licensure shall demonstrate that such person's college preparation  
190 in those fields was in accordance with the standards set forth by  
191 the National Council for Accreditation of Teacher Education  
192 (NCATE) or the National Association of State Directors of Teacher  
193 Education and Certification (NASDTEC) or, for those applicants who  
194 have a Bachelor of Science degree with child development emphasis,  
195 the American Association of Family and Consumer Sciences (AAFCS).  
196 Effective July 1, 2016, for initial elementary education  
197 licensure, a teacher candidate must earn a passing score on a  
198 rigorous test of scientifically research-based reading instruction





and intervention and data-based decision-making principles as approved by the \* \* \* Office of Educator Standards and Licensure;

(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 \* \* \* Office of Educator Standards and Licensure; and

(v) From and after September 30, 2015, 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. Twenty-one (21) ACT equivalent or achieve the nationally recommended passing score on the Praxis Core Academic Skills for Educators examination; and

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

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



(i) Twenty-one (21) ACT equivalent or achieve the nationally recommended passing score on the Praxis Core Academic Skills for Educators examination; and

(ii) No less than 2.75 GPA on content coursework in the requested area of certification or passing Praxis II scores at or above the national recommended score provided that the accepted cohort of candidates of the institution's teacher education program meets or exceeds a 3.0 GPA on pre-major coursework.

Beginning January 1, 2004, an individual who has a passing score on the Praxis I Basic Skills and Praxis II Specialty Area Test in the requested area of endorsement may apply for 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 \* \* \* Office of Educator Standards and Licensure 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.

(i) 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.

(ii) 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.

(iii) 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.

(iv) 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.

(v) 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.

(vi) Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester



hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

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

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

Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the \* \* \* Office of Educator Standards and Licensure from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the \* \* \* office.



The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

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

(c) **Special License - Expert Citizen.** In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the \* \* \* Office of Educator Standards and Licensure, may grant a one-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The \* \* \* Office of Educator Standards and Licensure shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the \* \* \* Office of Educator Standards and Licensure.

(d) **Special License - Nonrenewable.** The \* \* \* Office of Educator Standards and Licensure is authorized to establish



rules and regulations to allow those educators not meeting requirements in \* \* \* paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) **Nonlicensed Teaching Personnel.** A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the \* \* \* Office of Educator Standards and Licensure. 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 \* \* \* State Department of Education 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 \* \* \* department shall grant special licenses to teachers of transitional bilingual education who present the \* \* \* department 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 \* \* \* Office of Educator Standards and Licensure; 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 \* \* \* Office of Educator Standards and Licensure 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 \* \* \* Office of Educator Standards and Licensure may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

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

(8) **Reciprocity.** (a) The department shall grant a standard license to any individual who possesses a valid standard license from another state and meets minimum Mississippi license requirements or equivalent requirements \* \* \* established by the \* \* \* Office of Educator Standards and Licensure. The



issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

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

(9) **Renewal and Reinstatement of Licenses.** The \* \* \* Office of Educator Standards and Licensure 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.



469           (10) All controversies involving the issuance, revocation,  
470 suspension or any change whatsoever in the licensure of an  
471 educator required to hold a license shall be initially heard in a  
472 hearing de novo, by the commission or by a subcommittee  
473 established by the commission and composed of commission members  
474 for the purpose of holding hearings. Any complaint seeking the  
475 denial of issuance, revocation or suspension of a license shall be  
476 by sworn affidavit filed with the Commission on Teacher and  
477 Administrator Education, Certification and Licensure and  
478 Development. The decision thereon by the commission or its  
479 subcommittee shall be final, unless the aggrieved party shall  
480 appeal to the State Board of Education, within ten (10) days, of  
481 the decision of the committee or its subcommittee. An appeal to  
482 the State Board of Education shall be on the record previously  
483 made before the commission or its subcommittee unless otherwise  
484 provided by rules and regulations adopted by the board. The State  
485 Board of Education in its authority may reverse, or remand with  
486 instructions, the decision of the committee or its subcommittee.  
487 The decision of the State Board of Education shall be final.

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

491           (a) Lack of qualifications which are prescribed by law  
492 or regulations adopted by the \* \* \* Office of Educator Standards  
493 and Licensure;



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

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

503 (d) Revocation, suspension or surrender of an  
504 applicant's certificate or license by another state shall result  
505 in immediate denial of licensure until such time that the records  
506 predicated the revocation, suspension or surrender in the prior  
507 state have been cleared;

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

510 (f) Failing or refusing to furnish reasonable evidence  
511 of identification;

512 (g) The applicant has been convicted, has pled guilty  
513 or entered a plea of nolo contendere to a felony, as defined by  
514 federal or state law;

515 (h) The applicant has been convicted, has pled guilty  
516 or entered a plea of nolo contendere to a sex offense as defined  
517 by federal or state law. For purposes of this paragraph (h) and  
518 paragraph (g) of this subsection, 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; or

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

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

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

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

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

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as



544 defined by federal or state law. For purposes of this paragraph,  
545 a "guilty plea" includes a plea of guilty, entry of a plea of nolo  
546 contendere, or entry of an order granting pretrial or judicial  
547 diversion;

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

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

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

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

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

566 (j) The license holder has failed to report sexual  
567 involvement of a school employee with a student as required by  
568 Section 97-5-24;



(k) 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;

(l) 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

(m) 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.

(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 revoked or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of revocation or surrender, or after one-half (1/2) of the revoked or surrendered time has lapsed, whichever is greater. A person whose license has been suspended 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 \* \* \* Office of Educator Standards and Licensure, 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 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  
made, including a verbatim transcript of the testimony at the  
hearing. The appeal shall be filed within thirty (30) days after  
notification of the action of the board is mailed or served and  
the proceedings in chancery court shall be conducted as other



643 matters coming before the court. The appeal shall be perfected  
644 upon filing notice of the appeal and by the prepayment of all  
645 costs, including the cost of preparation of the record of the  
646 proceedings by the State Board of Education, and the filing of a  
647 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that  
648 if the action of the board be affirmed by the chancery court, the  
649 applicant or license holder shall pay the costs of the appeal and  
650 the action of the chancery court.

651 (17) All such programs, rules, regulations, standards and  
652 criteria recommended or authorized by the Office of Educator  
653 Standards and Licensure or commission shall become effective upon  
654 approval by the State Board of Education as designated by  
655 appropriate orders entered upon the minutes thereof.

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

664 (19) In addition to the reasons specified in subsections  
665 (12) and (13) of this section, the board shall be authorized to  
666 suspend the license of any licensee for being out of compliance  
667 with an order for support, as defined in Section 93-11-153. The



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

684       **SECTION 3.** Section 37-3-89, Mississippi Code of 1972, is  
685 amended as follows:

686       37-3-89. The State Board of Education, acting through  
687 the \* \* \* Office of Educator Standards and Licensure, shall  
688 require each educator preparation program in the state, as a  
689 condition for approval, to include a course or courses on school  
690 discipline or classroom management as a required part of the  
691 teacher education program. All school discipline or classroom



692 management courses offered by a teacher education program shall be  
693 approved by the \* \* \* Office of Educator Standards and Licensure.

694       **SECTION 4.** This act shall take effect and be in force from  
695 and after July 1, 2017.

