

By: Representatives Paden, Dortch, Hines,
Johnson (94th), Straughter, Walker

To: Education;
Appropriations

HOUSE BILL NO. 1031

1 AN ACT TO CREATE THE MISSISSIPPI DELTA ALTERNATIVE TEACHER
2 LICENSURE PILOT PROGRAM FOR THE PURPOSE OF ESTABLISHING AN
3 ALTERNATIVE TEACHER LICENSURE ROUTE FOR QUALIFIED PERSONS TO TEACH
4 IN SCHOOL DISTRICTS LOCATED IN THE MISSISSIPPI DELTA REGION; TO
5 SPECIFY THOSE COUNTIES CONSIDERED PART OF THE DELTA REGION; TO
6 AUTHORIZE A TEACHER LICENSED THROUGH THE PILOT PROGRAM TO
7 PARTICIPATE IN OTHER TEACHER RECRUITMENT PROGRAMS FOR WHICH THE
8 INDIVIDUAL QUALIFIES; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF
9 1972, TO CREATE THE MISSISSIPPI DELTA ALTERNATIVE TEACHER LICENSE
10 AND TO AUTHORIZE ITS ISSUANCE BEGINNING JULY 1, 2018; TO PRESCRIBE
11 THE REQUIREMENTS FOR THE MISSISSIPPI DELTA ALTERNATIVE TEACHER
12 LICENSE AND TO LIMIT ITS USAGE TO SCHOOL DISTRICTS LOCATED IN THE
13 MISSISSIPPI DELTA REGION WHICH SUBMIT A WRITTEN REQUEST TO THE
14 STATE DEPARTMENT OF EDUCATION FOR APPROVAL TO EMPLOY PERSONS SO
15 LICENSED; TO REQUIRE EACH AFFECTED SCHOOL DISTRICT TO PROVIDE A
16 MINIMUM OF FIFTY ADDITIONAL HOURS OF PROFESSIONAL DEVELOPMENT TO
17 HOLDERS OF THE ALTERNATIVE TEACHER LICENSE DURING THE FIRST THREE
18 YEARS OF EMPLOYMENT WITH THE SCHOOL DISTRICT; TO REQUIRE THE
19 AFFECTED SCHOOL DISTRICT TO ASSIGN A VETERAN ON-SITE MENTOR
20 TEACHER TO THE ALTERNATIVE TEACHER LICENSE HOLDER DURING THE FIRST
21 TWO YEARS OF EMPLOYMENT; TO BRING FORWARD SECTIONS 37-159-1,
22 37-159-5 THROUGH 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF
23 1972, WHICH ARE THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF
24 1998," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED
25 PURPOSES.

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

27 **SECTION 1.** (1) There is created the Mississippi Delta
28 Alternative Teacher Licensure Pilot Program within the State
29 Department of Education for the purpose of establishing and



30 implementing an alternative route to teacher licensure for
31 qualified persons employed in school districts located in the
32 Mississippi Delta Region. In creating the pilot program, it is
33 the goal of the Legislature to help alleviate the critical
34 shortage of licensed teachers in the region of the state most
35 seriously affected. The purpose of the pilot program is to
36 attract individuals, particularly those who are already residents
37 of the Mississippi Delta Region, to the field of education by
38 creating an alternative to traditional teacher licensure routes
39 which emphasizes professional development and mentoring as a means
40 to strengthen the skills of teachers licensed through the
41 alternative route. In establishing the pilot program, the
42 department shall bring together representatives of the Commission
43 on Teacher and Administrator Education, Certification and
44 Licensure and Development, the University Assisted Teacher
45 Recruitment and Retention Program, the Mississippi Teacher Center,
46 the teacher education programs at Delta State University and
47 Mississippi Valley State University and administrators employed by
48 school districts located in the Mississippi Delta Region to
49 collaborate on the promotion and implementation of the program in
50 order to achieve maximum utilization of the alternative teacher
51 licensure route by qualified individuals.

52 (2) For purposes of the pilot program established under this
53 section, the Mississippi Delta Region is comprised of the
54 following counties in the State of Mississippi: Bolivar, Carroll,



55 Coahoma, Holmes, Humphreys, Issaquena, Leflore, Panola, Quitman,
56 Sharkey, Sunflower, Tallahatchie, Tunica, Warren, Washington and
57 Yazoo.

58 (3) A teacher licensed through the Mississippi Delta
59 Alternative Teacher Licensure Pilot Program may participate in any
60 other teacher recruitment and retention program or programs for
61 which the individual qualifies, including, but not limited to, the
62 William F. Winter Teacher Forgivable Loan Program, the Mississippi
63 Employer-Assisted Housing Teacher Shortage Program and other
64 programs available under the Mississippi Critical Teacher Shortage
65 Act of 1998.

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

68 37-3-2. (1) There is established within the State
69 Department of Education the Commission on Teacher and
70 Administrator Education, Certification and Licensure and
71 Development. It shall be the purpose and duty of the commission
72 to make recommendations to the State Board of Education regarding
73 standards for the certification and licensure and continuing
74 professional development of those who teach or perform tasks of an
75 educational nature in the public schools of Mississippi.

76 (2) The commission shall be composed of fifteen (15)
77 qualified members. The membership of the commission shall be
78 composed of the following members to be appointed, three (3) from
79 each congressional district: four (4) classroom teachers; three



80 (3) school administrators; one (1) representative of schools of
81 education of institutions of higher learning located within the
82 state to be recommended by the Board of Trustees of State
83 Institutions of Higher Learning; one (1) representative from the
84 schools of education of independent institutions of higher
85 learning to be recommended by the Board of the Mississippi
86 Association of Independent Colleges; one (1) representative from
87 public community and junior colleges located within the state to
88 be recommended by the Mississippi Community College Board; one (1)
89 local school board member; and four (4) laypersons. All
90 appointments shall be made by the State Board of Education after
91 consultation with the State Superintendent of Public Education.
92 The first appointments by the State Board of Education shall be
93 made as follows: five (5) members shall be appointed for a term
94 of one (1) year; five (5) members shall be appointed for a term of
95 two (2) years; and five (5) members shall be appointed for a term
96 of three (3) years. Thereafter, all members shall be appointed
97 for a term of four (4) years.

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



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

111 (b) An Office of Educator Misconduct Evaluations shall
112 be established within the State Department of Education to assist
113 the commission in responding to infractions and violations, and in
114 conducting hearings and enforcing the provisions of subsections
115 (11), (12), (13), (14) and (15) of this section, and violations of
116 the Mississippi Educator Code of Ethics.

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

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

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

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



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

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

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

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

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

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

144 (j) Hire expert consultants with approval of the State
145 Board of Education;

146 (k) Set up ad hoc committees to advise on specific
147 areas; and

148 (l) Perform such other functions as may fall within
149 their general charge and which may be delegated to them by the
150 State Board of Education.

151 (6) (a) **Standard License - Approved Program Route.** An
152 educator entering the school system of Mississippi for the first



153 time and meeting all requirements as established by the State
154 Board of Education shall be granted a standard five-year license.
155 Persons who possess two (2) years of classroom experience as an
156 assistant teacher or who have taught for one (1) year in an
157 accredited public or private school shall be allowed to fulfill
158 student teaching requirements under the supervision of a qualified
159 participating teacher approved by an accredited college of
160 education. The local school district in which the assistant
161 teacher is employed shall compensate such assistant teachers at
162 the required salary level during the period of time such
163 individual is completing student teaching requirements.
164 Applicants for a standard license shall submit to the department:
165 (i) An application on a department form;
166 (ii) An official transcript of completion of a
167 teacher education program approved by the department or a
168 nationally accredited program, subject to the following:
169 Licensure to teach in Mississippi prekindergarten through
170 kindergarten classrooms shall require completion of a teacher
171 education program or a Bachelor of Science degree with child
172 development emphasis from a program accredited by the American
173 Association of Family and Consumer Sciences (AAFCS) or by the
174 National Association for Education of Young Children (NAEYC) or by
175 the National Council for Accreditation of Teacher Education
176 (NCATE). Licensure to teach in Mississippi kindergarten, for
177 those applicants who have completed a teacher education program,



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

199 (iii) A copy of test scores evidencing
200 satisfactory completion of nationally administered examinations of
201 achievement, such as the Educational Testing Service's teacher
202 testing examinations;



203 (iv) Any other document required by the State
204 Board of Education; and

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

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

212 2. No less than 2.75 GPA on pre-major
213 coursework of the institution's approved teacher education program
214 provided that the accepted cohort of candidates meets or exceeds a
215 3.0 GPA on pre-major coursework.

216 (b) **Standard License - Nontraditional Teaching Route.**

217 From and after September 30, 2015, no teacher candidate shall be
218 licensed to teach in Mississippi under the alternate route who did
219 not meet the following criteria:

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

223 (ii) No less than 2.75 GPA on content coursework
224 in the requested area of certification or passing Praxis II scores
225 at or above the national recommended score provided that the
226 accepted cohort of candidates of the institution's teacher



227 education program meets or exceeds a 3.0 GPA on pre-major
228 coursework.

229 Beginning January 1, 2004, an individual who has a passing
230 score on the Praxis I Basic Skills and Praxis II Specialty Area
231 Test in the requested area of endorsement may apply for the Teach
232 Mississippi Institute (TMI) program to teach students in Grades 7
233 through 12 if the individual meets the requirements of this
234 paragraph (b). The State Board of Education shall adopt rules
235 requiring that teacher preparation institutions which provide the
236 Teach Mississippi Institute (TMI) program for the preparation of
237 nontraditional teachers shall meet the standards and comply with
238 the provisions of this paragraph.

239 (i) The Teach Mississippi Institute (TMI) shall
240 include an intensive eight-week, nine-semester-hour summer program
241 or a curriculum of study in which the student matriculates in the
242 fall or spring semester, which shall include, but not be limited
243 to, instruction in education, effective teaching strategies,
244 classroom management, state curriculum requirements, planning and
245 instruction, instructional methods and pedagogy, using test
246 results to improve instruction, and a one (1) semester three-hour
247 supervised internship to be completed while the teacher is
248 employed as a full-time teacher intern in a local school district.
249 The TMI shall be implemented on a pilot program basis, with
250 courses to be offered at up to four (4) locations in the state,



251 with one (1) TMI site to be located in each of the three (3)
252 Mississippi Supreme Court districts.

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

264 (iii) Upon completion of the nine-semester-hour
265 TMI or the fall or spring semester option, the individual shall
266 submit his transcript to the commission for provisional licensure
267 of the intern teacher, and the intern teacher shall be issued a
268 provisional teaching license by the commission, which will allow
269 the individual to legally serve as a teacher while the person
270 completes a nontraditional teacher preparation internship program.

271 (iv) During the semester of internship in the
272 school district, the teacher preparation institution shall monitor
273 the performance of the intern teacher. The school district that
274 employs the provisional teacher shall supervise the provisional
275 teacher during the teacher's intern year of employment under a



276 nontraditional provisional license, and shall, in consultation
277 with the teacher intern's mentor at the school district of
278 employment, submit to the commission a comprehensive evaluation of
279 the teacher's performance sixty (60) days prior to the expiration
280 of the nontraditional provisional license. If the comprehensive
281 evaluation establishes that the provisional teacher intern's
282 performance fails to meet the standards of the approved
283 nontraditional teacher preparation internship program, the
284 individual shall not be approved for a standard license.

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

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



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

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

312 Implementation of the TMI program provided for under this
313 paragraph (b) shall be contingent upon the availability of funds
314 appropriated specifically for such purpose by the Legislature.
315 Such implementation of the TMI program may not be deemed to
316 prohibit the State Board of Education from developing and
317 implementing additional alternative route teacher licensure
318 programs, as deemed appropriate by the board. The emergency
319 certification program in effect prior to July 1, 2002, shall
320 remain in effect.

321 A Standard License - Approved Program Route shall be issued
322 for a five-year period, and may be renewed. Recognizing teaching
323 as a profession, a hiring preference shall be granted to persons
324 holding a Standard License - Approved Program Route or Standard



325 License - Nontraditional Teaching Route over persons holding any
326 other license.

327 (c) **Special License - Expert Citizen.** In order to
328 allow a school district to offer specialized or technical courses,
329 the State Department of Education, in accordance with rules and
330 regulations established by the State Board of Education, may grant
331 a one-year expert citizen-teacher license to local business or
332 other professional personnel to teach in a public school or
333 nonpublic school accredited or approved by the state. Such person
334 may begin teaching upon his employment by the local school board
335 and licensure by the Mississippi Department of Education. The
336 board shall adopt rules and regulations to administer the expert
337 citizen-teacher license. A Special License - Expert Citizen may
338 be renewed in accordance with the established rules and
339 regulations of the State Department of Education.

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

346 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
347 person may teach for a maximum of three (3) periods per teaching
348 day in a public school district or a nonpublic school
349 accredited/approved by the state. Such person shall submit to the



350 department a transcript or record of his education and experience
351 which substantiates his preparation for the subject to be taught
352 and shall meet other qualifications specified by the commission
353 and approved by the State Board of Education. In no case shall
354 any local school board hire nonlicensed personnel as authorized
355 under this paragraph in excess of five percent (5%) of the total
356 number of licensed personnel in any single school.

357 (f) **Special License - Transitional Bilingual Education.**

358 Beginning July 1, 2003, the commission shall grant special
359 licenses to teachers of transitional bilingual education who
360 possess such qualifications as are prescribed in this section.
361 Teachers of transitional bilingual education shall be compensated
362 by local school boards at not less than one (1) step on the
363 regular salary schedule applicable to permanent teachers licensed
364 under this section. The commission shall grant special licenses
365 to teachers of transitional bilingual education who present the
366 commission with satisfactory evidence that they (i) possess a
367 speaking and reading ability in a language, other than English, in
368 which bilingual education is offered and communicative skills in
369 English; (ii) are in good health and sound moral character; (iii)
370 possess a bachelor's degree or an associate's degree in teacher
371 education from an accredited institution of higher education; (iv)
372 meet such requirements as to courses of study, semester hours
373 therein, experience and training as may be required by the
374 commission; and (v) are legally present in the United States and



375 possess legal authorization for employment. A teacher of
376 transitional bilingual education serving under a special license
377 shall be under an exemption from standard licensure if he achieves
378 the requisite qualifications therefor. Two (2) years of service
379 by a teacher of transitional bilingual education under such an
380 exemption shall be credited to the teacher in acquiring a Standard
381 Educator License. Nothing in this paragraph shall be deemed to
382 prohibit a local school board from employing a teacher licensed in
383 an appropriate field as approved by the State Department of
384 Education to teach in a program in transitional bilingual
385 education.

386 (g) In the event any school district meets the highest
387 accreditation standards as defined by the State Board of Education
388 in the accountability system, the State Board of Education, in its
389 discretion, may exempt such school district from any restrictions
390 in paragraph (e) relating to the employment of nonlicensed
391 teaching personnel.

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

397 (i) **Mississippi Delta Alternative Teacher License.**
398 Beginning July 1, 2018, the commission shall grant Mississippi



399 Delta alternative teacher licenses to educators who successfully
400 meet one (1) of the following qualifications:

401 (i) Earned a twenty-one (21) ACT equivalent and
402 achieved the nationally recommended score on the Praxis Core
403 Academic Skills for Educators examination, or earned an eighteen
404 (18) ACT equivalent while maintaining no less than a 2.75 GPA on
405 content coursework in the area of certification, which serves as
406 an alternate to a passing Praxis Core examination score; or

407 (ii) Achieved the nationally recommended passing
408 score on all but one (1) developmental area of the Praxis Core and
409 Praxis II examinations; or

410 (iii) Submission and approval by the commission of
411 a portfolio and video based on the Teacher Growth Rubric, which
412 serves as an alternative to achieving the nationally recommended
413 passing score on the Praxis II examination.

414 The Mississippi Delta alternative teacher license may be used
415 only in a school district located in the Mississippi Delta Region,
416 as described under Section 1 of this act, which makes a formal
417 written request to the State Department of Education for approval
418 of the employment of teachers holding the alternative license at
419 the conclusion of each academic term. As a condition of being
420 approved, the school district must agree to provide holders of the
421 Mississippi Delta alternative teacher license with no less than
422 fifty (50) hours of professional development in addition to the
423 professional development requirements for educators holding a



424 standard license, which additional hours must be completed during
425 a license holder's first three (3) years of employment with the
426 school district. The school district shall assign a veteran
427 on-site mentor teacher to the Mississippi Delta alternative
428 teacher license holder, who must be compensated for mentoring
429 services in the manner provided under Section 37-9-211.

430 A Mississippi Delta alternative teacher license issued under
431 this paragraph is valid for such period of time as may be
432 established by the State Board of Education and may be renewed in
433 accordance with rules and regulations established by the State
434 Board of Education.

435 (7) **Administrator License.** The State Board of Education is
436 authorized to establish rules and regulations and to administer
437 the licensure process of the school administrators in the State of
438 Mississippi. There will be four (4) categories of administrator
439 licensure with exceptions only through special approval of the
440 State Board of Education.

441 (a) **Administrator License - Nonpracticing.** Those
442 educators holding administrative endorsement but having no
443 administrative experience or not serving in an administrative
444 position on January 15, 1997.

445 (b) **Administrator License - Entry Level.** Those
446 educators holding administrative endorsement and having met the
447 department's qualifications to be eligible for employment in a



448 Mississippi school district. Administrator License - Entry Level
449 shall be issued for a five-year period and shall be nonrenewable.

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

453 (d) **Administrator License - Nontraditional Route.** The
454 board may establish a nontraditional route for licensing
455 administrative personnel. Such nontraditional route for
456 administrative licensure shall be available for persons holding,
457 but not limited to, a master of business administration degree, a
458 master of public administration degree, a master of public
459 planning and policy degree or a doctor of jurisprudence degree
460 from an accredited college or university, with five (5) years of
461 administrative or supervisory experience. Successful completion
462 of the requirements of alternate route licensure for
463 administrators shall qualify the person for a standard
464 administrator license.

465 Individuals seeking school administrator licensure under
466 paragraph (b), (c) or (d) shall successfully complete a training
467 program and an assessment process prescribed by the State Board of
468 Education. All applicants for school administrator licensure
469 shall meet all requirements prescribed by the department under
470 paragraph (b), (c) or (d), and the cost of the assessment process
471 required shall be paid by the applicant.



472 (8) **Reciprocity.** (a) The department shall grant a standard
473 license to any individual who possesses a valid standard license
474 from another state and meets minimum Mississippi license
475 requirements or equivalent requirements as determined by the State
476 Board of Education. The issuance of a license by reciprocity to a
477 military-trained applicant or military spouse shall be subject to
478 the provisions of Section 73-50-1.

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

487 (9) **Renewal and Reinstatement of Licenses.** The State Board
488 of Education is authorized to establish rules and regulations for
489 the renewal and reinstatement of educator and administrator
490 licenses. Effective May 15, 1997, the valid standard license held
491 by an educator shall be extended five (5) years beyond the
492 expiration date of the license in order to afford the educator
493 adequate time to fulfill new renewal requirements established
494 pursuant to this subsection. An educator completing a master of
495 education, educational specialist or doctor of education degree in
496 May 1997 for the purpose of upgrading the educator's license to a



497 higher class shall be given this extension of five (5) years plus
498 five (5) additional years for completion of a higher degree.

499 (10) All controversies involving the issuance, revocation,
500 suspension or any change whatsoever in the licensure of an
501 educator required to hold a license shall be initially heard in a
502 hearing de novo, by the commission or by a subcommittee
503 established by the commission and composed of commission members
504 for the purpose of holding hearings. Any complaint seeking the
505 denial of issuance, revocation or suspension of a license shall be
506 by sworn affidavit filed with the Commission on Teacher and
507 Administrator Education, Certification and Licensure and
508 Development. The decision thereon by the commission or its
509 subcommittee shall be final, unless the aggrieved party shall
510 appeal to the State Board of Education, within ten (10) days, of
511 the decision of the committee or its subcommittee. An appeal to
512 the State Board of Education shall be on the record previously
513 made before the commission or its subcommittee unless otherwise
514 provided by rules and regulations adopted by the board. The State
515 Board of Education in its authority may reverse, or remand with
516 instructions, the decision of the committee or its subcommittee.
517 The decision of the State Board of Education shall be final.

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



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

523 (b) The applicant has a physical, emotional or mental
524 disability that renders the applicant unfit to perform the duties
525 authorized by the license, as certified by a licensed psychologist
526 or psychiatrist;

527 (c) The applicant is actively addicted to or actively
528 dependent on alcohol or other habit-forming drugs or is a habitual
529 user of narcotics, barbiturates, amphetamines, hallucinogens or
530 other drugs having similar effect, at the time of application for
531 a license;

532 (d) Revocation, suspension or surrender of an
533 applicant's certificate or license by another state shall result
534 in immediate denial of licensure until such time that the records
535 predicated the revocation, suspension or surrender in the prior
536 state have been cleared;

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

539 (f) Failing or refusing to furnish reasonable evidence
540 of identification;

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

544 (h) The applicant has been convicted, has pled guilty
545 or entered a plea of nolo contendere to a sex offense as defined



546 by federal or state law. For purposes of this paragraph (h) and
547 paragraph (g) of this subsection, a "guilty plea" includes a plea
548 of guilty, entry of a plea of nolo contendere, or entry of an
549 order granting pretrial or judicial diversion; or

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

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

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

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

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



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

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

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

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

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

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



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

598 (k) The license holder served as superintendent or
599 principal in a school district during the time preceding and/or
600 that resulted in the Governor declaring a state of emergency and
601 the State Board of Education appointing a conservator;

602 (l) The license holder submitted a false certification
603 to the State Department of Education that a statewide test was
604 administered in strict accordance with the Requirements of the
605 Mississippi Statewide Assessment System; or

606 (m) The license holder has failed to comply with the
607 Procedures for Reporting Infractions as promulgated by the
608 commission and approved by the State Board of Education pursuant
609 to subsection (15) of this section.

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

615 (b) Any offense committed or attempted in any other
616 state shall result in the same penalty as if committed or
617 attempted in this state.

618 (c) A person may voluntarily surrender a license. The
619 surrender of such license may result in the commission



620 recommending any of the above penalties without the necessity of a
621 hearing. However, any such license which has voluntarily been
622 surrendered by a licensed employee may only be reinstated by a
623 majority vote of all members of the commission present at the
624 meeting called for such purpose.

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



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

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

663 (16) An appeal from the action of the State Board of
664 Education in denying an application, revoking or suspending a
665 license or otherwise disciplining any person under the provisions
666 of this section shall be filed in the Chancery Court of the First
667 Judicial District of Hinds County, Mississippi, on the record
668 made, including a verbatim transcript of the testimony at the
669 hearing. The appeal shall be filed within thirty (30) days after



670 notification of the action of the board is mailed or served and
671 the proceedings in chancery court shall be conducted as other
672 matters coming before the court. The appeal shall be perfected
673 upon filing notice of the appeal and by the prepayment of all
674 costs, including the cost of preparation of the record of the
675 proceedings by the State Board of Education, and the filing of a
676 bond in the sum of Two Hundred Dollars (\$200.00) conditioned that
677 if the action of the board be affirmed by the chancery court, the
678 applicant or license holder shall pay the costs of the appeal and
679 the action of the chancery court.

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

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

692 (19) In addition to the reasons specified in subsections
693 (12) and (13) of this section, the board shall be authorized to
694 suspend the license of any licensee for being out of compliance



695 with an order for support, as defined in Section 93-11-153. The
696 procedure for suspension of a license for being out of compliance
697 with an order for support, and the procedure for the reissuance or
698 reinstatement of a license suspended for that purpose, and the
699 payment of any fees for the reissuance or reinstatement of a
700 license suspended for that purpose, shall be governed by Section
701 93-11-157 or 93-11-163, as the case may be. Actions taken by the
702 board in suspending a license when required by Section 93-11-157
703 or 93-11-163 are not actions from which an appeal may be taken
704 under this section. Any appeal of a license suspension that is
705 required by Section 93-11-157 or 93-11-163 shall be taken in
706 accordance with the appeal procedure specified in Section
707 93-11-157 or 93-11-163, as the case may be, rather than the
708 procedure specified in this section. If there is any conflict
709 between any provision of Section 93-11-157 or 93-11-163 and any
710 provision of this chapter, the provisions of Section 93-11-157 or
711 93-11-163, as the case may be, shall control.

712 **SECTION 3.** Section 37-159-1, Mississippi Code of 1972, is
713 brought forward as follows:

714 37-159-1. This act [Laws of 1998, Chapter 544] shall be
715 known and may be cited as the "Mississippi Critical Teacher
716 Shortage Act of 1998."

717 This section shall stand repealed on July 1, 2020.

718 **SECTION 4.** Section 37-159-5, Mississippi Code of 1972, is
719 brought forward as follows:



720 37-159-5. The State Board of Education shall prescribe rules
721 and regulations which, subject to available appropriations, allow
722 for reimbursement to the state licensed teachers, from both in
723 state and out of state, who enter into a contract for employment
724 in a school district situated within a geographical area of the
725 state where there exists a critical shortage of teachers, as
726 designated by the State Board of Education, for the expense of
727 moving when the employment necessitates the relocation of the
728 teacher to a different geographical area than that in which the
729 teacher resides before entering into such contract. In order to
730 be eligible for the reimbursement, the teacher must apply to the
731 local district and the district must obtain the prior approval
732 from the department for reimbursement before the relocation
733 occurs. If the reimbursement is approved, the department shall
734 provide funds to the school district to reimburse the teacher an
735 amount not to exceed One Thousand Dollars (\$1,000.00) for the
736 documented actual expenses incurred in the course of relocating,
737 including the expense of any professional moving company or
738 persons employed to assist with the move, rented moving vehicles
739 or equipment, mileage in the amount authorized for state employees
740 under Section 25-3-41 if the teacher used his personal vehicle or
741 vehicles for the move, meals and such other expenses associated
742 with the relocation in accordance with the department's
743 established rules and regulations. No teacher may be reimbursed



744 for moving expenses under this section on more than one (1)
745 occasion.

746 Nothing in this section shall be construed to require the
747 actual residence to which the teacher relocates to be within the
748 boundaries of the school district which has executed a contract
749 for employment with the teacher or within the boundaries of the
750 area designated by the State Board of Education as the critical
751 teacher shortage area in order for the teacher to be eligible for
752 reimbursement for his moving expenses. However, teachers must
753 relocate within the boundaries of the State of Mississippi.

754 This section shall stand repealed July 1, 2020.

755 **SECTION 5.** Section 37-159-7, Mississippi Code of 1972, is
756 brought forward as follows:

757 37-159-7. The school board of any school district situated
758 within a geographical area of the state where there exists a
759 critical shortage of teachers, as designated by the State Board of
760 Education, in its discretion, may reimburse persons who interview
761 for employment as a licensed teacher with the district for the
762 mileage and other actual expenses incurred in the course of travel
763 to and from the interview by such persons at the rate authorized
764 for county and municipal employees under Section 25-3-41. Any
765 reimbursement by a school board under this section shall be paid
766 from nonminimum education program funds.

767 This section shall stand repealed July 1, 2020.



768 **SECTION 6.** Section 37-159-9, Mississippi Code of 1972, is
769 brought forward as follows:

770 37-159-9. (1) There is established the University Assisted
771 Teacher Recruitment and Retention Grant Program within the State
772 Department of Education. The purposes of the program shall be to
773 attract additional qualified teachers to those geographical areas
774 of the state where there exists a critical shortage of teachers
775 and to retain the qualified teachers already serving as licensed
776 teachers in geographical critical teacher shortage areas by making
777 available scholarships to persons working towards a Master of
778 Education degree or an Educational Specialist degree at an
779 institution of higher learning whose teacher education program is
780 approved by the State Board of Education.

781 (2) Any institution of higher learning in the State of
782 Mississippi which offers a Master of Education degree or an
783 Educational Specialist degree may apply to the department for
784 participation in the program. As part of the program,
785 participating institutions shall collaborate with the Mississippi
786 Teacher Center to identify, recruit and place teacher education
787 graduates, from both within the state and out of state, in school
788 districts situated within those areas of the state where there
789 exists a critical shortage of teachers, as designated by the State
790 Board of Education.

791 (3) The State Department of Education shall provide funds to
792 participating institutions of higher learning for the purpose of



793 awarding scholarships to qualified persons pursuing a Master of
794 Education degree or an Educational Specialist degree at such
795 institutions while rendering service to the state as a licensed
796 teacher in a school district in a geographical area of the state
797 where there exists a critical shortage of teachers, as approved by
798 the State Board of Education. The financial scholarship shall be
799 applied to the total cost for tuition, books, materials and fees
800 at the institution in which the student is enrolled, not to exceed
801 an amount equal to the highest total cost of tuition, books,
802 materials and fees assessed by a state institution of higher
803 learning during that school year. Teachers who relocate within
804 Mississippi from out of state in order to participate in the
805 program shall be classified as residents of the state for tuition
806 purposes.

807 (4) Students awarded financial scholarships under the
808 University Assisted Teacher Recruitment and Retention Grant
809 Program may receive such awards for a maximum of four (4) school
810 years; however, the maximum number of awards which may be made
811 shall not exceed the length of time required to complete the
812 number of academic hours necessary to obtain a Master of Education
813 degree or an Educational Specialist degree. Financial
814 scholarships under the program shall not be based upon an
815 applicant's eligibility for financial aid.

816 (5) Persons relocating to a geographical area of the state
817 where there exists a critical shortage of teachers, as approved by



818 the State Board of Education, to participate in the University
819 Assisted Teacher Recruitment and Retention Grant Program shall be
820 eligible for reimbursement for their moving expenses to the
821 critical teacher shortage area from the State Board of Education.
822 The State Board of Education shall promulgate rules and
823 regulations necessary for the administration of the relocation
824 expense reimbursement component of the University Assisted Teacher
825 Recruitment and Retention Grant Program.

826 (6) Subject to the availability of funds, the State Board of
827 Education may provide for professional development and support
828 services as may be necessary for the retention of teachers
829 participating in the program in those geographical areas of the
830 state where there exists a critical shortage of teachers.

831 (7) Any person participating in the program who fails to
832 complete a program of study that will enable that person to obtain
833 a Master of Education degree or Educational Specialist degree
834 shall become liable immediately to the State Board of Education
835 for the sum of all awards made to that person under the program,
836 plus interest accruing at the current Stafford Loan rate at the
837 time the person abrogates his participation in the program.

838 (8) As a condition for participation in the program, a
839 teacher shall agree to employment as a licensed teacher in a
840 school district located in a geographical area of the state where
841 there exists a critical shortage of teachers, as designated by the
842 State Board of Education, for a period of not less than three (3)



843 years, which shall include those years of service rendered while
844 obtaining the Master of Education degree or Educational Specialist
845 degree. However, for any person who obtained a baccalaureate
846 degree in education with a financial scholarship under the
847 Critical Needs Teacher Scholarship Program and who entered the
848 University Assisted Teacher Recruitment and Retention Grant
849 Program before rendering service as a teacher, the period of
850 employment for the purposes of this subsection shall be two (2)
851 years, in addition to the employment commitment required under the
852 Critical Needs Teacher Scholarship Program. Service rendered by a
853 participant as a licensed teacher in a school district in a
854 geographical critical teacher shortage area before that teacher
855 becomes a participant in the program may not be considered to
856 fulfill the employment commitment required under this subsection.
857 Any person failing to comply with this employment commitment in
858 any required school year shall immediately be in breach of
859 contract and become liable immediately to the State Department of
860 Education for the sum of all scholarships awarded and relocation
861 expenses granted to that person, less one-third (1/3) of the
862 amount of that sum for each year that service was rendered, or for
863 those persons whose required period of employment is two (2)
864 years, less one-half (1/2) of the amount of that sum for each year
865 that service was rendered, plus interest accruing at the current
866 Stafford Loan rate at the time the breach occurs, except in the
867 case of a deferral for cause by the State Board of Education when



868 there is no employment position immediately available upon the
869 teacher's obtaining of the Master of Education degree or
870 Educational Specialist degree. After the period of such deferral,
871 the person shall begin or resume the required teaching duties or
872 shall become liable to the board under this subsection. If a
873 claim for repayment under this subsection is placed in the hands
874 of an attorney for collection after default, then the obligor
875 shall be liable for an additional amount equal to a reasonable
876 attorney's fee.

877 (9) All funds received by the State Department of Education
878 from the repayment of scholarship awards and relocation expenses
879 by program participants shall be deposited in the Mississippi
880 Critical Teacher Shortage Fund.

881 (10) The State Board of Education shall promulgate rules and
882 regulations necessary for the proper administration of the
883 University Assisted Teacher Recruitment and Retention Grant
884 Program.

885 This section shall stand repealed on July 1, 2020.

886 **SECTION 7.** Section 37-159-11, Mississippi Code of 1972, is
887 brought forward as follows:

888 37-159-11. (1) There is established the Mississippi
889 Employer-Assisted Housing Teacher Program, which shall be a
890 special home loan program for eligible licensed teachers who
891 render service to the state in a geographical area of the state
892 where there exists a critical shortage of teachers, as designated



893 by the State Board of Education. The home loan program shall be
894 administered by the State Department of Education in conjunction
895 with the Federal National Mortgage Association (Fannie Mae). The
896 department may contract with one or more public or private
897 entities to provide assistance in implementing and administering
898 the program. The State Board of Education shall adopt rules and
899 regulations regarding the implementation and administration of the
900 program.

901 (2) Participation in the loan program shall be available to
902 any licensed teacher who renders service in a geographical area of
903 the state where there exists a critical shortage of teachers, as
904 designated by the State Board of Education. Any person who
905 receives a loan under the program shall be required to purchase a
906 house and reside in a county in which the school district for
907 which the teacher is rendering service, or any portion of the
908 school district, is located. The maximum amount of a loan that
909 may be made under the program to any person shall be Six Thousand
910 Dollars (\$6,000.00).

911 (3) Any loan made under the program to a person who actually
912 renders service as a teacher in a geographical area of the state
913 where there exists a critical shortage of teachers, as designated
914 by the State Board of Education, shall be converted to an
915 interest-free grant on the basis of one (1) year's service for
916 one-third (1/3) of the amount of the loan. Any person who does
917 not render three (3) years' service as a teacher in a geographical



918 area of the state where there exists a critical shortage of
919 teachers, as designated by the State Board of Education, shall be
920 liable to the State Department of Education for one-third (1/3) of
921 the amount of the loan for each year that he does not render such
922 service, plus interest accruing at the current Stafford Loan rate
923 at the time the person discontinues his service. If a claim for
924 repayment under this subsection is placed in the hands of an
925 attorney for collection, the obligor shall be liable for an
926 additional amount equal to a reasonable attorney's fee.

927 (4) All funds received by the State Department of Education
928 as repayment of loans by program participants shall be deposited
929 in the Mississippi Critical Teacher Shortage Fund.

930 This section shall stand repealed July 1, 2020.

931 **SECTION 8.** Section 37-159-13, Mississippi Code of 1972, is
932 brought forward as follows:

933 37-159-13. (1) There is established a pilot program to
934 provide for the construction of rental housing units for teachers
935 in the West Tallahatchie School District, which pilot program
936 shall be administered by the State Department of Education. The
937 department may contract with one or more public or private
938 entities to provide assistance in implementing and administering
939 the program. The State Board of Education shall adopt rules and
940 regulations regarding the implementation and administration of the
941 program.



942 (2) The West Tallahatchie School District shall receive
943 proposals from developers for the construction of the rental
944 housing units, and submit its recommendation to the State
945 Department of Education about which developer should construct the
946 units. The department shall make the final determination about
947 the developer that will construct the units.

948 (3) After selection of the developer, the department shall
949 loan the developer not more than Two Hundred Thousand Dollars
950 (\$200,000.00) for construction of the units. The interest rate on
951 the loan shall be equal to one percent (1%) below the discount
952 rate at the Federal Reserve Bank in the Federal Reserve district
953 in which the school district is located, and the loan shall be
954 repaid in not more than fifteen (15) years, as determined by the
955 department. All funds received by the department as repayment of
956 the principal and interest of the loan shall be deposited in the
957 Mississippi Critical Teacher Shortage Fund. If a claim against
958 the developer for repayment is placed in the hands of an attorney
959 for collection, the obligor shall be liable for an additional
960 amount equal to a reasonable attorney's fee.

961 (4) The developer shall operate the rental housing units.
962 For a period of ten (10) years or until such time as the loan to
963 the developer is repaid, whichever is longer, the priority for
964 residence in the units shall be given first to teachers employed
965 by the school district, then to other licensed school district
966 employees, and then to any other school district employees.



967 This section shall stand repealed July 1, 2020.

968 **SECTION 9.** Section 37-159-17, Mississippi Code of 1972, is
969 brought forward as follows:

970 37-159-17. There is established in the State Treasury a
971 special fund to be designated the "Mississippi Critical Teacher
972 Shortage Fund," into which shall be deposited those funds
973 appropriated by the Legislature, and any other funds that may be
974 made available, for the purpose of implementing the programs
975 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9
976 through 37-159-13. Money in the fund at the end of a fiscal year
977 shall not lapse into the General Fund, and interest earned on any
978 amounts deposited into the fund shall be credited to the special
979 fund.

980 This section shall stand repealed on July 1, 2020.

981 **SECTION 10.** This act shall take effect and be in force from
982 and after July 1, 2018.

