To: Education; Appropriations

MISSISSIPPI LEGISLATURE
REGULAR SESSION 2018

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

HOUSE BILL NO. 1031

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

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

SECTION 1. (1) There is created the Mississippi Delta Alternative Teacher Licensure Pilot Program within the State Department of Education for the purpose of establishing and
implementing an alternative route to teacher licensure for qualified persons employed in school districts located in the Mississippi Delta Region. In creating the pilot program, it is the goal of the Legislature to help alleviate the critical shortage of licensed teachers in the region of the state most seriously affected. The purpose of the pilot program is to attract individuals, particularly those who are already residents of the Mississippi Delta Region, to the field of education by creating an alternative to traditional teacher licensure routes which emphasizes professional development and mentoring as a means to strengthen the skills of teachers licensed through the alternative route. In establishing the pilot program, the department shall bring together representatives of the Commission on Teacher and Administrator Education, Certification and Licensure and Development, the University Assisted Teacher Recruitment and Retention Program, the Mississippi Teacher Center, the teacher education programs at Delta State University and Mississippi Valley State University and administrators employed by school districts located in the Mississippi Delta Region to collaborate on the promotion and implementation of the program in order to achieve maximum utilization of the alternative teacher licensure route by qualified individuals.

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

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

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 State Board of Education regarding standards for the certification and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

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

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

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

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

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

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

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

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

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

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

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

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

Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following:

Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program,
and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS).

Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;
(iv) Any other document required by the State Board of Education; and

(v) From and after 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 State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

(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 State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

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 State Board of Education, 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 board 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 State Department of Education.

(d) **Special License - Nonrenewable.** The State Board of Education 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 commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

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

Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and
possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

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

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

(i) **Mississippi Delta Alternative Teacher License.** Beginning July 1, 2018, the commission shall grant Mississippi
Delta alternative teacher licenses to educators who successfully meet one (1) of the following qualifications:

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

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

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

The Mississippi Delta alternative teacher license may be used only in a school district located in the Mississippi Delta Region, as described under Section 1 of this act, which makes a formal written request to the State Department of Education for approval of the employment of teachers holding the alternative license at the conclusion of each academic term. As a condition of being approved, the school district must agree to provide holders of the Mississippi Delta alternative teacher license with no less than fifty (50) hours of professional development in addition to the professional development requirements for educators holding a
standard license, which additional hours must be completed during a license holder's first three (3) years of employment with the school district. The school district shall assign a veteran on-site mentor teacher to the Mississippi Delta alternative teacher license holder, who must be compensated for mentoring services in the manner provided under Section 37-9-211.

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

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

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

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

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

(d) **Administrator License - Nontraditional Route.** The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a 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 State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department 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 as determined by the State Board of Education. 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 State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a
higher class shall be given this extension of five (5) years plus
five (5) additional years for completion of a higher degree.
(10) All controversies involving the issuance, revocation,
suspension or any change whatsoever in the licensure of an
educator required to hold a license shall be initially heard in a
hearing de novo, by the commission or by a subcommittee
established by the commission and composed of commission members
for the purpose of holding hearings. Any complaint seeking the
denial of issuance, revocation or suspension of a license shall be
by sworn affidavit filed with the Commission on Teacher and
Administrator Education, Certification and Licensure and
Development. The decision thereon by the commission or its
subcommittee shall be final, unless the aggrieved party shall
appeal to the State Board of Education, within ten (10) days, of
the decision of the committee or its subcommittee. An appeal to
the State Board of Education shall be on the record previously
made before the commission or its subcommittee unless otherwise
provided by rules and regulations adopted by the board. The State
Board of Education in its authority may reverse, or remand with
instructions, the decision of the committee or its subcommittee.
The decision of the State Board of Education shall be final.
(11) The State Board of Education, acting through the
commission, may deny an application for any teacher or
administrator license for one or more of the following:
(a) Lack of qualifications which are prescribed by law
or regulations adopted by the State Board of Education;
(b) The applicant has a physical, emotional or mental
disability that renders the applicant unfit to perform the duties
authorized by the license, as certified by a licensed psychologist
or psychiatrist;
(c) The applicant is actively addicted to or actively
dependent on alcohol or other habit-forming drugs or is a habitual
user of narcotics, barbiturates, amphetamines, hallucinogens or
other drugs having similar effect, at the time of application for
a license;
(d) Revocation, suspension or surrender of an
applicant's certificate or license by another state shall result
in immediate denial of licensure until such time that the records
predicating the revocation, suspension or surrender in the prior
state have been cleared;
(e) Fraud or deceit committed by the applicant in
securing or attempting to secure such certification and license;
(f) Failing or refusing to furnish reasonable evidence
of identification;
(g) The applicant has been convicted, has pled guilty
or entered a plea of nolo contendere to a felony, as defined by
federal or state law;
(h) The applicant has been convicted, has pled guilty
or entered a plea of nolo contendere to a sex offense as defined
by federal or state law. For purposes of this paragraph (h) and 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 defined by federal or state law. For purposes of this paragraph, 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;

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

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

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

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

(i) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95;
(j) The license holder has failed to report sexual involvement of a school employee with a student as required by 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 commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission 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 matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars ($200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

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

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

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

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

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

This section shall stand repealed on July 1, 2020.

SECTION 4. Section 37-159-5, Mississippi Code of 1972, is
brought forward as follows:
37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars ($1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed
for moving expenses under this section on more than one (1)
occurrence.

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

This section shall stand repealed July 1, 2020.

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

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

This section shall stand repealed July 1, 2020.
SECTION 6.  Section 37-159-9, Mississippi Code of 1972, is brought forward as follows:

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

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

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of
awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

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

(5) Persons relocating to a geographical area of the state where there exists a critical shortage of teachers, as approved by
the State Board of Education, to participate in the University
Assisted Teacher Recruitment and Retention Grant Program shall be
eligible for reimbursement for their moving expenses to the
critical teacher shortage area from the State Board of Education.
The State Board of Education shall promulgate rules and
regulations necessary for the administration of the relocation
grant expense reimbursement component of the University Assisted Teacher
Recruitment and Retention Grant Program.

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

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

(8) As a condition for participation in the program, a
teacher shall agree to employment as a licensed teacher in a
school district located in a geographical area of the state where
there exists a critical shortage of teachers, as designated by the
State Board of Education, for a period of not less than three (3)
years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when
there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

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

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

This section shall stand repealed on July 1, 2020.

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

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated
by the State Board of Education. The home loan program shall be
administered by the State Department of Education in conjunction
with the Federal National Mortgage Association (Fannie Mae). The
department may contract with one or more public or private
tentities to provide assistance in implementing and administering
the program. The State Board of Education shall adopt rules and
regulations regarding the implementation and administration of the
program.

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

(3) Any loan made under the program to a person who actually
renders service as a teacher in a geographical area of the state
where there exists a critical shortage of teachers, as designated
by the State Board of Education, shall be converted to an
interest-free grant on the basis of one (1) year's service for
one-third (1/3) of the amount of the loan. Any person who does
not render three (3) years' service as a teacher in a geographical
area of the state where there exists a critical shortage of
teachers, as designated by the State Board of Education, shall be
liable to the State Department of Education for one-third (1/3) of
the amount of the loan for each year that he does not render such
service, plus interest accruing at the current Stafford Loan rate
at the time the person discontinues his service. If a claim for
repayment under this subsection is placed in the hands of an
attorney for collection, the obligor shall be liable for an
additional amount equal to a reasonable attorney's fee.

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

This section shall stand repealed July 1, 2020.

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

37-159-13. (1) There is established a pilot program to
provide for the construction of rental housing units for teachers
in the West Tallahatchie School District, which pilot program
shall be administered by the State Department of Education. The
department may contract with one or more public or private
entities to provide assistance in implementing and administering
the program. The State Board of Education shall adopt rules and
regulations regarding the implementation and administration of the
program.
(2) The West Tallahatchie School District shall receive proposals from developers for the construction of the rental housing units, and submit its recommendation to the State Department of Education about which developer should construct the units. The department shall make the final determination about the developer that will construct the units.

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

(4) The developer shall operate the rental housing units. For a period of ten (10) years or until such time as the loan to the developer is repaid, whichever is longer, the priority for residence in the units shall be given first to teachers employed by the school district, then to other licensed school district employees, and then to any other school district employees.
This section shall stand repealed July 1, 2020.

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

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

This section shall stand repealed on July 1, 2020.

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