

By: Senator(s) Tollison, Burton, Butler
(36th), Horhn, Jackson (11th), Jones, Jordan

To: Education

SENATE BILL NO. 2572
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 37-177-7, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO
3 CONDUCT A READING INTERVENTION PILOT PROGRAM IN ONE OR MORE "C"
4 LEVEL OR LOW-PERFORMING SCHOOL DISTRICTS; TO ESTABLISH A
5 KINDERGARTEN READINESS ASSESSMENT PROGRAM IN THE STATE DEPARTMENT
6 OF EDUCATION; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972,
7 TO PRESCRIBE CERTAIN EDUCATION REQUIREMENTS FOR INITIAL ELEMENTARY
8 EDUCATION LICENSURE EFFECTIVE JULY 1, 2016; TO ESTABLISH A MIDDLE
9 SCHOOL DROPOUT PREVENTION PILOT PROGRAM IN CERTAIN "D" AND "F"
10 RATED SCHOOL DISTRICTS SELECTED BY THE STATE BOARD OF EDUCATION;
11 TO REQUIRE THAT THE EDUCATIONAL SERVICES IN THE PILOT PROGRAM BE
12 PROVIDED BY A NONPROFIT OR FOR-PROFIT EDUCATIONAL ENTITY APPROVED
13 BY THE BOARD; TO REQUIRE THE LOCAL SCHOOL BOARD OF THE SELECTED
14 DISTRICTS TO REPORT ENROLLMENT TO THE STATE DEPARTMENT OF
15 EDUCATION; TO PRESCRIBE THE MINIMUM NECESSARY REQUIREMENTS OF THE
16 PILOT PROGRAMS, ITS OBJECTIVES AND THE EDUCATION PARTNER SELECTED
17 BY THE STATE BOARD OF EDUCATION TO PROVIDE THE SERVICES; TO
18 REQUIRE THE STATE BOARD OF EDUCATION TO DEVELOP AND IMPLEMENT AN
19 ALTERNATIVE STUDENT PERFORMANCE ACCOUNTABILITY METHOD TO EVALUATE
20 THE PERFORMANCE AND EFFECTIVENESS OF PILOT PROGRAM SCHOOL
21 DISTRICTS; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** Section 37-177-7, Mississippi Code of 1972, is
24 amended as follows:

25 37-177-7. The State Department of Education shall:

26 (a) Select schools most in need for the leading
27 intervention program and create criteria for selection for



28 participation based on number and percentages of students scoring
29 in the lowest two (2) achievement levels on state-adopted yearly
30 reading assessments, screening results, and other relevant
31 data; * * *

32 (b) Assign a supervisory position within each school to
33 be responsible for the faithful implementation of the Reading
34 Intervention Program * * *; and

35 (c) Beginning with the 2014-2015 school year, the
36 Mississippi Department of Education shall conduct a pilot program
37 with willing "C" level or low-performing districts and/or schools
38 in a geographically concise region. The pilot shall focus on the
39 use of data coaches to improve reading and literacy, to determine
40 the effectiveness of intense data-focused professional
41 development, provide expert support in literacy and early reading
42 instruction but it shall not necessarily be limited to literacy.
43 Data coaches should be experts in both pedagogy and data analysis
44 who facilitate professional learning community meetings, and
45 provide observation and feedback, to help teachers and district
46 leaders build skills in using data to inform instruction. The
47 department is authorized to contract with a private sector
48 provider to implement the pilot and work in partnership with a
49 four-year institution of higher learning that has a center for
50 literacy instruction to develop and implement the pilot. The
51 department shall also work in consultation with the Reading Panel
52 regarding the development and implementation of the pilot program.



53 **SECTION 2.** (1) There is hereby established the
54 "Kindergarten Readiness Assessment Program," authorizing the
55 Mississippi Department of Education to establish a common
56 statewide Kindergarten readiness assessment, the purpose of which
57 is to provide teachers, administrators and parents baseline data
58 on students at the beginning of their Kindergarten year. It is
59 the intent of the Legislature, in establishing this program, to
60 ensure that the Mississippi Department of Education shall:

61 (a) Select a readiness assessment that provides data on
62 each Kindergarten student's performance to inform deployment of
63 resources and instructional supports;

64 (b) Establish a policy to ensure each student's parent
65 or guardian is informed of the student's performance on the
66 assessment;

67 (c) Establish a policy to ensure that districts report
68 results to the State Superintendent of Education; and

69 (d) Require this assessment be given to all students
70 enrolled in a public Kindergarten in Mississippi.

71 (2) The Kindergarten readiness assessment may be given prior
72 to the beginning of Kindergarten or during the first thirty (30)
73 days of the Kindergarten year.

74 **SECTION 3.** Section 37-3-2, Mississippi Code of 1972, as
75 amended by Senate Bill No. 2575, 2014 Regular Session, is amended
76 as follows:



77 37-3-2. (1) There is established within the State
78 Department of Education the Commission on Teacher and
79 Administrator Education, Certification and Licensure and
80 Development. It shall be the purpose and duty of the commission
81 to make recommendations to the State Board of Education regarding
82 standards for the certification and licensure and continuing
83 professional development of those who teach or perform tasks of an
84 educational nature in the public schools of Mississippi.

85 (2) The commission shall be composed of fifteen (15)
86 qualified members. The membership of the commission shall be
87 composed of the following members to be appointed, three (3) from
88 each congressional district: four (4) classroom teachers; three
89 (3) school administrators; one (1) representative of schools of
90 education of institutions of higher learning located within the
91 state to be recommended by the Board of Trustees of State
92 Institutions of Higher Learning; one (1) representative from the
93 schools of education of independent institutions of higher
94 learning to be recommended by the Board of the Mississippi
95 Association of Independent Colleges; one (1) representative from
96 public community and junior colleges located within the state to
97 be recommended by the State Board for Community and Junior
98 Colleges; one (1) local school board member; and four (4)
99 laypersons. All appointments shall be made by the State Board of
100 Education after consultation with the State Superintendent of
101 Public Education. The first appointments by the State Board of



102 Education shall be made as follows: five (5) members shall be
103 appointed for a term of one (1) year; five (5) members shall be
104 appointed for a term of two (2) years; and five (5) members shall
105 be appointed for a term of three (3) years. Thereafter, all
106 members shall be appointed for a term of four (4) years.

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

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

120 (b) An Office of Educator Misconduct Evaluations shall
121 be established within the State Department of Education to assist
122 the commission in responding to infractions and violations, and in
123 conducting hearings and enforcing the provisions of Section
124 37-3-2(11), (12), (13), (14) and (15), Mississippi Code of 1972,
125 and violations of the Mississippi Educator Code of Ethics.

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



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

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

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

137 (d) Establish, subject to the approval of the State
138 Board of Education, standards for the renewal of teacher licenses
139 in all fields;

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

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

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

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



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

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

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

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

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

174 (i) An application on a department form;



175 (ii) An official transcript of completion of a
176 teacher education program approved by the department or a
177 nationally accredited program, subject to the following:
178 Licensure to teach in Mississippi prekindergarten through
179 kindergarten classrooms shall require completion of a teacher
180 education program or a Bachelor of Science degree with child
181 development emphasis from a program accredited by the American
182 Association of Family and Consumer Sciences (AAFCS) or by the
183 National Association for Education of Young Children (NAEYC) or by
184 the National Council for Accreditation of Teacher Education
185 (NCATE). Licensure to teach in Mississippi kindergarten, for
186 those applicants who have completed a teacher education program,
187 and in Grade 1 through Grade 4 shall require the completion of an
188 interdisciplinary program of studies. Licenses for Grades 4
189 through 8 shall require the completion of an interdisciplinary
190 program of studies with two (2) or more areas of concentration.
191 Licensure to teach in Mississippi Grades 7 through 12 shall
192 require a major in an academic field other than education, or a
193 combination of disciplines other than education. Students
194 preparing to teach a subject shall complete a major in the
195 respective subject discipline. All applicants for standard
196 licensure shall demonstrate that such person's college preparation
197 in those fields was in accordance with the standards set forth by
198 the National Council for Accreditation of Teacher Education
199 (NCATE) or the National Association of State Directors of Teacher



200 Education and Certification (NASDTEC) or, for those applicants who
201 have a Bachelor of Science degree with child development emphasis,
202 the American Association of Family and Consumer Sciences
203 (AAFCS) * * *. Effective July 1, 2016, for initial elementary
204 education licensure, a teacher candidate must earn a passing score
205 on a rigorous test of scientifically research-based reading
206 instruction and intervention and data-based decision-making
207 principles as approved by the State Board of Education;

208 (iii) A copy of test scores evidencing
209 satisfactory completion of nationally administered examinations of
210 achievement, such as the Educational Testing Service's teacher
211 testing examinations;

212 (iv) Any other document required by the State
213 Board of Education; and

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

218 1. 21 ACT equivalent or achieve the
219 nationally recommended passing score on the Praxis Core Academic
220 Skills for Educators examination; and

221 2. No less than 2.75 GPA on pre-major
222 coursework of the institution's approved teacher education program
223 provided that the accepted cohort of candidates meets or exceeds a
224 3.0 GPA on pre-major coursework.



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

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

229 (i) 21 ACT equivalent or achieve the nationally
230 recommended passing score on the Praxis Core Academic Skills for
231 Educators examination; and

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

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

248 (i) The Teach Mississippi Institute (TMI) shall
249 include an intensive eight-week, nine-semester-hour summer program



250 or a curriculum of study in which the student matriculates in the
251 fall or spring semester, which shall include, but not be limited
252 to, instruction in education, effective teaching strategies,
253 classroom management, state curriculum requirements, planning and
254 instruction, instructional methods and pedagogy, using test
255 results to improve instruction, and a one (1) semester three-hour
256 supervised internship to be completed while the teacher is
257 employed as a full-time teacher intern in a local school district.
258 The TMI shall be implemented on a pilot program basis, with
259 courses to be offered at up to four (4) locations in the state,
260 with one (1) TMI site to be located in each of the three (3)
261 Mississippi Supreme Court districts.

262 (ii) The school sponsoring the teacher intern
263 shall enter into a written agreement with the institution
264 providing the Teach Mississippi Institute (TMI) program, under
265 terms and conditions as agreed upon by the contracting parties,
266 providing that the school district shall provide teacher interns
267 seeking a nontraditional provisional teaching license with a
268 one-year classroom teaching experience. The teacher intern shall
269 successfully complete the one (1) semester three-hour intensive
270 internship in the school district during the semester immediately
271 following successful completion of the TMI and prior to the end of
272 the one-year classroom teaching experience.

273 (iii) Upon completion of the nine-semester-hour
274 TMI or the fall or spring semester option, the individual shall



275 submit his transcript to the commission for provisional licensure
276 of the intern teacher, and the intern teacher shall be issued a
277 provisional teaching license by the commission, which will allow
278 the individual to legally serve as a teacher while the person
279 completes a nontraditional teacher preparation internship program.

280 (iv) During the semester of internship in the
281 school district, the teacher preparation institution shall monitor
282 the performance of the intern teacher. The school district that
283 employs the provisional teacher shall supervise the provisional
284 teacher during the teacher's intern year of employment under a
285 nontraditional provisional license, and shall, in consultation
286 with the teacher intern's mentor at the school district of
287 employment, submit to the commission a comprehensive evaluation of
288 the teacher's performance sixty (60) days prior to the expiration
289 of the nontraditional provisional license. If the comprehensive
290 evaluation establishes that the provisional teacher intern's
291 performance fails to meet the standards of the approved
292 nontraditional teacher preparation internship program, the
293 individual shall not be approved for a standard license.

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



299 (vi) Upon successful completion of the TMI and the
300 internship provisional license period, applicants for a Standard
301 License - Nontraditional Route shall submit to the commission a
302 transcript of successful completion of the twelve (12) semester
303 hours required in the internship program, and the employing school
304 district shall submit to the commission a recommendation for
305 standard licensure of the intern. If the school district
306 recommends licensure, the applicant shall be issued a Standard
307 License - Nontraditional Route which shall be valid for a
308 five-year period and be renewable.

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

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

321 Implementation of the TMI program provided for under this
322 paragraph (b) shall be contingent upon the availability of funds
323 appropriated specifically for such purpose by the Legislature.



324 Such implementation of the TMI program may not be deemed to
325 prohibit the State Board of Education from developing and
326 implementing additional alternative route teacher licensure
327 programs, as deemed appropriate by the board. The emergency
328 certification program in effect prior to July 1, 2002, shall
329 remain in effect.

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

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



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

355 (e) **Nonlicensed Teaching Personnel.** A nonlicensed
356 person may teach for a maximum of three (3) periods per teaching
357 day in a public school district or a nonpublic school
358 accredited/approved by the state. Such person shall submit to the
359 department a transcript or record of his education and experience
360 which substantiates his preparation for the subject to be taught
361 and shall meet other qualifications specified by the commission
362 and approved by the State Board of Education. In no case shall
363 any local school board hire nonlicensed personnel as authorized
364 under this paragraph in excess of five percent (5%) of the total
365 number of licensed personnel in any single school.

366 (f) **Special License - Transitional Bilingual Education.**
367 Beginning July 1, 2003, the commission shall grant special
368 licenses to teachers of transitional bilingual education who
369 possess such qualifications as are prescribed in this section.
370 Teachers of transitional bilingual education shall be compensated
371 by local school boards at not less than one (1) step on the
372 regular salary schedule applicable to permanent teachers licensed
373 under this section. The commission shall grant special licenses



374 to teachers of transitional bilingual education who present the
375 commission with satisfactory evidence that they (i) possess a
376 speaking and reading ability in a language, other than English, in
377 which bilingual education is offered and communicative skills in
378 English; (ii) are in good health and sound moral character; (iii)
379 possess a bachelor's degree or an associate's degree in teacher
380 education from an accredited institution of higher education; (iv)
381 meet such requirements as to courses of study, semester hours
382 therein, experience and training as may be required by the
383 commission; and (v) are legally present in the United States and
384 possess legal authorization for employment. A teacher of
385 transitional bilingual education serving under a special license
386 shall be under an exemption from standard licensure if he achieves
387 the requisite qualifications therefor. Two (2) years of service
388 by a teacher of transitional bilingual education under such an
389 exemption shall be credited to the teacher in acquiring a Standard
390 Educator License. Nothing in this paragraph shall be deemed to
391 prohibit a local school board from employing a teacher licensed in
392 an appropriate field as approved by the State Department of
393 Education to teach in a program in transitional bilingual
394 education.

395 (g) In the event any school district meets the highest
396 accreditation standards as defined by the State Board of Education
397 in the accountability system, the State Board of Education, in its
398 discretion, may exempt such school district from any restrictions



399 in paragraph (e) relating to the employment of nonlicensed
400 teaching personnel.

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

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

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

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

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



424 (d) **Administrator License - Nontraditional Route.** The
425 board may establish a nontraditional route for licensing
426 administrative personnel. Such nontraditional route for
427 administrative licensure shall be available for persons holding,
428 but not limited to, a master of business administration degree, a
429 master of public administration degree, a master of public
430 planning and policy degree or a doctor of jurisprudence degree
431 from an accredited college or university, with five (5) years of
432 administrative or supervisory experience. Successful completion
433 of the requirements of alternate route licensure for
434 administrators shall qualify the person for a standard
435 administrator license.

436 Individuals seeking school administrator licensure under
437 paragraph (b), (c) or (d) shall successfully complete a training
438 program and an assessment process prescribed by the State Board of
439 Education. All applicants for school administrator licensure
440 shall meet all requirements prescribed by the department under
441 paragraph (b), (c) or (d), and the cost of the assessment process
442 required shall be paid by the applicant.

443 (8) **Reciprocity.** (a) The department shall grant a standard
444 license to any individual who possesses a valid standard license
445 from another state and meets minimum Mississippi license
446 requirements or equivalent requirements as determined by the State
447 Board of Education. The issuance of a license by reciprocity to a



448 military-trained applicant or military spouse shall be subject to
449 the provisions of Section 73-50-1.

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

458 (9) **Renewal and Reinstatement of Licenses.** The State Board
459 of Education is authorized to establish rules and regulations for
460 the renewal and reinstatement of educator and administrator
461 licenses. Effective May 15, 1997, the valid standard license held
462 by an educator shall be extended five (5) years beyond the
463 expiration date of the license in order to afford the educator
464 adequate time to fulfill new renewal requirements established
465 pursuant to this subsection. An educator completing a master of
466 education, educational specialist or doctor of education degree in
467 May 1997 for the purpose of upgrading the educator's license to a
468 higher class shall be given this extension of five (5) years plus
469 five (5) additional years for completion of a higher degree.

470 (10) All controversies involving the issuance, revocation,
471 suspension or any change whatsoever in the licensure of an
472 educator required to hold a license shall be initially heard in a



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

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

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

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



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

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

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

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

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

515 (h) The applicant has been convicted, has pled guilty
516 or entered a plea of nolo contendere to a sex offense as defined
517 by federal or state law. For purposes of this paragraph (h) and
518 paragraph (g) of this subsection, a "guilty plea" includes a plea
519 of guilty, entry of a plea of nolo contendere, or entry of an
520 order granting pretrial or judicial diversion; or

521 (i) Probation or post-release supervision for a felony
522 or sex offense conviction, as defined by federal or state law,



523 shall result in the immediate denial of licensure application
524 until expiration of the probationary or post-release supervision
525 period.

526 (12) The State Board of Education, acting on the
527 recommendation of the commission, may revoke or suspend any
528 teacher or administrator license for specified periods of time for
529 one or more of the following:

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

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

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

540 (d) The license holder has been convicted, has pled
541 guilty or entered a plea of nolo contendere to a felony, as
542 defined by federal or state law. For purposes of this paragraph,
543 a "guilty plea" includes a plea of guilty, entry of a plea of nolo
544 contendere, or entry of an order granting pretrial or judicial
545 diversion;

546 (e) The license holder has been convicted, has pled
547 guilty or entered a plea of nolo contendere to a sex offense, as



548 defined by federal or state law, shall result in immediate
549 suspension or revocation;

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

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

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

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

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

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



572 (b) Any offense committed or attempted in any other
573 state shall result in the same penalty as if committed or
574 attempted in this state.

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

582 (14) (a) A person whose license has been revoked or
583 surrendered on any grounds except criminal grounds may petition
584 for reinstatement of the license after one (1) year from the date
585 of revocation or surrender, or after one-half (1/2) of the revoked
586 or surrendered time has lapsed, whichever is greater. A person
587 whose license has been suspended on any grounds or violations
588 under subsection (12) of this section may be reinstated
589 automatically or approved for a reinstatement hearing, upon
590 submission of a written request to the commission. A license
591 suspended, revoked or surrendered on criminal grounds may be
592 reinstated upon petition to the commission filed after expiration
593 of the sentence and parole or probationary period imposed upon
594 conviction. A revoked, suspended or surrendered license may be
595 reinstated upon satisfactory showing of evidence of
596 rehabilitation. The commission shall require all who petition for



597 reinstatement to furnish evidence satisfactory to the commission
598 of good character, good mental, emotional and physical health and
599 such other evidence as the commission may deem necessary to
600 establish the petitioner's rehabilitation and fitness to perform
601 the duties authorized by the license.

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

606 (15) Reporting procedures and hearing procedures for dealing
607 with infractions under this section shall be promulgated by the
608 commission, subject to the approval of the State Board of
609 Education. The revocation or suspension of a license shall be
610 effected at the time indicated on the notice of suspension or
611 revocation. The commission shall immediately notify the
612 superintendent of the school district or school board where the
613 teacher or administrator is employed of any disciplinary action
614 and also notify the teacher or administrator of such revocation or
615 suspension and shall maintain records of action taken. The State
616 Board of Education may reverse or remand with instructions any
617 decision of the commission regarding a petition for reinstatement
618 of a license, and any such decision of the State Board of
619 Education shall be final.

620 (16) An appeal from the action of the State Board of
621 Education in denying an application, revoking or suspending a



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

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

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



647 performance as a prerequisite of initial or continued employment
648 in such districts.

649 (19) In addition to the reasons specified in subsections
650 (12) and (13) of this section, the board shall be authorized to
651 suspend the license of any licensee for being out of compliance
652 with an order for support, as defined in Section 93-11-153. The
653 procedure for suspension of a license for being out of compliance
654 with an order for support, and the procedure for the reissuance or
655 reinstatement of a license suspended for that purpose, and the
656 payment of any fees for the reissuance or reinstatement of a
657 license suspended for that purpose, shall be governed by Section
658 93-11-157 or 93-11-163, as the case may be. Actions taken by the
659 board in suspending a license when required by Section 93-11-157
660 or 93-11-163 are not actions from which an appeal may be taken
661 under this section. Any appeal of a license suspension that is
662 required by Section 93-11-157 or 93-11-163 shall be taken in
663 accordance with the appeal procedure specified in Section
664 93-11-157 or 93-11-163, as the case may be, rather than the
665 procedure specified in this section. If there is any conflict
666 between any provision of Section 93-11-157 or 93-11-163 and any
667 provision of this chapter, the provisions of Section 93-11-157 or
668 93-11-163, as the case may be, shall control.

669 **SECTION 4.** (1) The State Board of Education shall implement
670 a Middle School Dropout Prevention and Recovery Pilot Program in
671 select "D" and "F" rated school districts selected by the State



672 Board of Education. The purpose of the pilot program is to
673 reengage students and increase the graduation rates in Mississippi
674 through an educational program that provides vocational
675 technology, flexible scheduling and a blended learning environment
676 with individualized and self-paced learning options.

677 (2) Under the pilot program, the educational services and
678 programming shall be provided by an education partner that is a
679 nonprofit or for-profit entity approved by the State Board of
680 Education. The local school board of the districts selected to
681 participate in the pilot program shall be responsible for
682 reporting enrollment to the State Department of Education, working
683 with the education partner to align graduation requirements. The
684 participating schools district shall be accredited by the Southern
685 Association of Colleges and Schools as an indicator of quality
686 instructional programming.

687 (3) The pilot program shall provide at least the following:

688 (a) Facilities that are easily accessible to the
689 students being served;

690 (b) Flexible scheduling, including at least two (2)
691 different program schedules;

692 (c) Differentiated instruction that shall include
693 individualized, group and online instructional components;

694 (d) The capacity for assessing, recording and
695 responding to the students' academic progress on a daily basis



696 using assessments that are aligned with state and local standards
697 and requirements;

698 (e) A focus on serving a defined population of at-risk
699 students who have dropped out or are likely to drop out of school
700 in the foreseeable future without some type of intervention;

701 (f) Support services, including social workers and
702 crisis intervention professionals who are trained to assist
703 students in removing barriers to attending school and graduating;

704 (g) Vocational technology and other instructional
705 models that are self-paced and mastery-based; and

706 (h) Individualized graduation plans to guide students
707 to graduation with a standard high school diploma.

708 (4) Before the State Board of Education approves an
709 applicant as an education partner, the applicant must demonstrate
710 the following:

711 (a) A history providing dropout recovery services to
712 high school students in public schools;

713 (b) At least two (2) years of relevant experience
714 operating and providing services to brick-and-mortar public
715 schools;

716 (c) At least two (2) years of relevant experience
717 providing comprehensive online learning or vocational technology
718 programs;

719 (d) Relevant experience serving diverse student
720 populations, including socioeconomically disadvantaged students;



721 (e) An explanation of the steps taken by the applicant
722 to ensure that its proposed instructional content is aligned with
723 state standards;

724 (f) A plan for the recruitment and hiring of
725 state-certified teachers, including hiring criteria;

726 (g) A plan for the recruitment and hiring of qualified
727 administrators, including hiring criteria;

728 (h) A detailed description of the applicant's plan to
729 work with the participating local school districts and the State
730 Board of Education to identify students who need to be served, to
731 reengage those students, and to provide alternative education
732 options for students at risk of dropping out. Students at risk of
733 dropping out from their current schools may be transferred into
734 the pilot program; and

735 (i) An operational plan that includes the following:

736 (i) The number and physical location of proposed
737 sites and a list of the equipment required;

738 (ii) A proposed program calendar and daily
739 schedule and an explanation of how the calendar and schedule meet
740 the needs of prospective students. The schedule must include at
741 least four (4) hours per school day of on-site learning at a
742 physical location;

743 (iii) The student-to-teacher ratio;

744 (iv) A description of each of the instructional
745 methods to be used and number of hours per day for each method;



746 (v) A plan for differentiated instruction that
747 must include individualized, group, and online instructional
748 components;

749 (vi) Capacity for assessing, recording, and
750 responding to students' academic progress on a daily basis using
751 standard assessments;

752 (vii) A detailed one-year budget;

753 (viii) A system of competency-based credit; and

754 (ix) A plan for aggregation and reporting of
755 student performance data and reporting of financial activity.

756 (5) (a) The State Board of Education shall develop and
757 implement an alternative student performance accountability method
758 to evaluate the performance and effectiveness of pilot program
759 school districts that solely provide dropout prevention services
760 and dropout recovery programs to at-risk students who have dropped
761 out of or are likely to drop out of their base high school. Data
762 and student results collected and compiled from the pilot program
763 districts shall inform the State Board of Education in developing
764 an alternative accountability method to apply statewide and in
765 evaluating the success of the pilot program as a whole.

766 (b) The alternative accountability method shall only
767 measure academic growth of students who have been continuously
768 enrolled for a period of one hundred twenty (120) days. Students
769 shall be assessed by pre-testing and post-testing at the beginning
770 and end of the one hundred twenty-day enrollment period to measure



771 student growth and shall apply beginning with the 2014-2015 school
772 year.

773 **SECTION 5.** This act shall take effect and be in force from
774 and after July 1, 2014.

