# Procedures for Reporting Infractions Under Section 37-3-2 of the Mississippi Code (1972) Annotated (Revised 2014)

## Section I – Introduction

The Mississippi Code of 1972 Annotated, Section 37-3-2 (15) authorizes the Commission on Teacher and Administrator Education, Licensure and Development, to promulgate procedures for reporting infractions delineated under Section 37-3-2 of the Code. The Commission has provided the procedures below to be followed by all educators required to hold a certificate/license. These procedures will ensure compliance with the Mississippi Code, Sections 37-3-2 (10), (15), and 37-31-205(1)(e) of the Mississippi Code, as well as:

a. Sections 37-3-51(1), (2)(a-i), (3) – Notification of Department of Education of conviction of certificated person on certain felonies or sex offenses.

b. Sections 37-3-2 (11)(a-i), 37-3-2 (12)(a-j) – Denial of application; revocation and suspension of licenses/certificates.

c. Section 37-3-2 (13)(a-c) – Dismissal or suspension of licensed/certified employee by local school board.

d. Section 37-9-57 – Effect of abandonment of employment.

e. Section 37-16-4 – Enforcement and penalty for test violations.

## Section II – Reporting Responsibilities

**Mississippi Circuit Clerks:** Each circuit clerk has the statutory duty to report to the Mississippi Department of Education (MDE), Office of Educator Licensure, the conviction of any certified/licensed personnel employed by a public or private elementary or secondary school according to requirements outlined in the Mississippi law. Reports are to be made on forms provided by the Office of Educator Licensure, MDE (Appendix A).

**Superintendents of Education:** Each superintendent of a public school must report to MDE infractions committed under sections of the Mississippi Code cited in Section I of these procedures. Superintendents shall adhere to the following procedures:

a. Submit an initial report on all certified/licensed employees no later than October 1 of each school year (Appendix B).

b. After the initial report, submit reports on employees as knowledge of offenses occurs.

Such reports shall be submitted within 10 days of notification of an offense (Appendix C). Failure by the school district to report to the OEL within 10 working days, however, does

not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2.

**Community and Junior College Presidents:** Presidents of community and junior colleges must report to MDE infractions committed under sections of the Mississippi Code cited in Section I of these procedures. Reports shall be completed on vocational and technical education personnel licensed by the Department of Education. (*The Office of Educator Licensure issues vocational postsecondary licenses for the Tech Prep Coordinator and Special Populations Coordinator).*
Presidents shall adhere to the following procedures:

a. Submit an initial report on all certified/licensed employees no later than October 1 of each school year (Appendix D).

b. After the initial report, submit reports on employees as knowledge of offenses occurs.

Such reports shall be submitted within 10 days of notification of an offense (Appendix E).

## Section III – What Should Be Reported

Reports shall be submitted for all infractions cited in the Mississippi Code of 1972 Annotated (Revised 1996), Sections 37-3-51, 37-3-2, 37-9-57, and 37-16-4, to include:

1. Conviction of a felony or sex offense. "Sex offense" shall mean any of the following offenses:

    a. Section 97-3-65, Mississippi Code of 1972, relating to the carnal knowledge of a child under fourteen (14) years of age;
    b. Section 97-3-95, Mississippi Code of 1972, relating to sexual battery;
    c. Section 97-5-21, Mississippi Code of 1972, relating to seduction of a child under age eighteen (18);
    d. Section 97-5-23, Mississippi Code of 1972, relating to the touching of a child for lustful purposes;
    e. Section 97-5-27, Mississippi Code of 1972, relating to the dissemination of sexually oriented material to children;
    f. Section 97-5-33, Mississippi Code of 1972, relating to the exploitation of children;
    g. Section 97-5-41, Mississippi Code of 1972, relating to the carnal knowledge of a stepchild, adopted child, or child of a cohabitating partner;
    h. Section 97-29-59, Mississippi Code of 1972, related to unnatural intercourse; or
    i. Any other offense committed in another jurisdiction which, if committed in this state, would be deemed to be such a crime without regard to its designation elsewhere.

## Section III – What Should Be Reported
## (continued)

(2) Other reportable infractions or occurrences [Section 37-3-2 (11), (12), and (13)]:

(11) License Applicants

a. Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;
b. Has a physical, emotional, or mental disability that renders the applicant unfit to perform the duties authorized by the certificate/license, as certified by a licensed psychologist or psychiatrist;
c. 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 certificate/license;
d. Revocation, suspension or surrender of a 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. Committed fraud or deceit in securing or attempting to secure such certification or license;
f. Fails or refuses to furnish reasonable evidence of identification;
g. Has been convicted, has pled guilty or entered a plea of nolo contendere to a felony as defined by federal or state law;
h. 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.
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) Licensed Educators

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, Mississippi Code of 1972;
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; or
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), Mississippi Code of 1972.
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, had any type of sexual involvement with a student as described in Section 97-3-95; or
j. The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(13)

a. Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59, Mississippi Code of 1972, may result in the suspension or revocation of license for 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.

(3) Violations of the Mississippi Educator Code of Ethics

- Violations of Standard 1.2 (Misuse or mismanagement of tests or test materials) that affect the validity of mandatory uniform test results as provided in Section 37-16-4 (1)

- Violations of Standard 2 (Trustworthiness) that result in a felony conviction

- Violations of Standard 3 (Unlawful Acts) (felony and sex offense convictions)

- Violations of Standard 4 (Educator/Student Relationships)

- Violations of Standard 7 (Public Funds and Property) that result in a felony conviction

- Violations of Standard 6 (Alcohol, Drug and Tobacco Use or Possession) that result in termination and/or a felony conviction

- Violations of Standard 9 (Maintenance of Confidentiality) that affect the validity of mandatory uniform test results as provided in Section 37-16-4 (1)

- Violations of Standard 10 (Breach of Contract or Abandonment of Employment)

All other violations of the Educator Code of Ethics should be addressed by the local school district. Failure to report sexual involvement of a school employee with a student as required by Section 97-5-24 may result in the revocation or suspension of a license.

## APPENDIX A:

## REPORT FORM FOR CIRCUIT CLERK FOR REPORTING FELONY/SEX OFFENSE CONVICTIONS

Directions: All circuit clerks must use this form to report the conviction of certified/licensed school personnel of a felony or a sex offense as defined by Mississippi Code §37-3-51.

| Name: | |
|---|---|
| Social Security Number | Date of Birth: |
| Address: | |
| School District Where Employed: | |
| License Number: | |
| Date and Place of Conviction: _____<br>Case number: _____ Type of Felony/Sex Offense: _____<br>_____<br>Signature of Circuit Clerk: _____<br>Circuit Clerk (Typed Name): _____<br>Address: _____<br>Phone Number: _____<br>Date: _____ | |
| District Attorney (Typed Name): | |

**Attach a certified copy of the indictment and judgment.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX B:

## ANNUAL REPORT FORM FOR SUPERINTENDENT OF EDUCATION FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

Due to the Office of Educator Licensure by October 1each year

____ To the best of my knowledge and belief, no educators have committed infractions as delineated in Section 37-3-2 of the Mississippi Code.

____ The following educators have committed infractions as delineated in Section 37-3-2 of the Mississippi Code

| *Name* | *Social Security Number/ License Number* | *Type of Infraction* |
|---|---|---|
| | | |
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Signature of Superintendent of Education: _____

Superintendent of Education (Typed Name): _____

School District Name and number: _____

Date: _____

**Attach any additional information, as needed.**

**This form must be notarized**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
P.O. Box 771
Jackson, Mississippi 39205-0771

## APPENDIX C:

## REPORT FORM FOR SUPERINTENDENT OF EDUCATION FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2OF THE MISSISSIPPI CODE

Due to the Office of Educator Licensure (OEL) within 10 working days of the infraction. Failure by the school district to report to the OEL within 10 working days, however, does not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2.

**Directions:** All superintendents of education must use this form to report the conviction of certified/licensed school personnel or other infractions as delineated in Section 37-3-2 of the Mississippi Code including violations to Standard 4 of the Mississippi Educator Code of Ethics.

| Educator Name: | |
|---|---|
| Social Security Number: | Date of Birth: |
| Address: | |
| School District Where Employed: | |
| License Number: | |
| Date of Conviction or Infraction: _____<br>Type of Conviction, Violation or Infraction: _____<br>District Response to Infraction *(Indicate suspension, termination, or approved resignation; and specify dates of action.)*: _____ | |
| Signature of Superintendent of Education: _____<br>Superintendent of Education (Typed Name): _____<br>School District Name and Number: _____<br>Date: _____ | |

**Attach any additional information such as school board minutes, affidavits, signed statements, district correspondence, or any other documentation pertinent to this infraction.**

**This Form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX D:

## ANNUAL REPORT FORM FOR COMMUNITY/JUNIOR COLLEGE PRESIDENT FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

___ To the best of my knowledge and belief, no certified/licensed vocational and technical education personnel have committed infractions as delineated in Section 37-3-2 of the Mississippi Code.

___ The following certified/licensed vocational and technical education personnel have committed infractions as delineated in Section 37-3-2 of the Mississippi Code

| *Name* | *Social Security Number/ License Number* | *Type of Infraction* |
|---|---|---|
| | | |
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| | | |
| | | |
| | | |

**Attach any additional information, as needed.**

**This form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX E:

## REPORT FORM FOR COMMUNITY/JUNIOR COLLEGE PRESIDENT FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

**Direction:** All community/junior college presidents must use this form to report the conviction of vocational and technical education personnel licensed by the Department of Education or other infractions as delineated in Section 37-3-2 of the Mississippi Code.

| Name: | |
|---|---|
| Social Security Number: | Date of Birth: |
| Address: | |
| Community/Junior College Where Employed: | |
| License Number: | |
| Date and Place of Conviction or Infraction: _____<br>_____<br>Type of Conviction or Infraction: _____ | |
| Signature of Community/Junior College President: _____<br>Community/Junior College President (Typed Name): _____<br>Community/Junior College Name and Number: _____<br>Date: _____ | |

**This form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## Reporting Instructions for School District Superintendents

Should any of the previously named infractions occur in your jurisdiction result in a felony or sex offense conviction in a court of law (in or out-of-state), please complete Appendix C reporting form and submit to the Office of Educator Licensure at the Mississippi Department of Education within ten days. Failure by the school district to report to the OEL within 10 working days, however, does not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2._ MDE will secure certified court records in the case and proceed with a disciplinary hearing before the Certification Commission to determine if the license should be revoked.

Should any of the previously named infractions occur in your jurisdiction that do not result in a felony or sex offense conviction in a court of law, please follow this procedure for reporting the infraction to the Mississippi Department of Education:

1. Initiate an internal investigation in your district and gather appropriate documentation of the infraction.
2. Should the investigation exceed ten working days from the alleged infraction, submit just the notarized Appendix C reporting form to ensure timely reporting of the infraction. Other investigative documents can be sent in once the investigation is complete.
3. Attach any documentation pertinent to the case, such as copy of the school board minutes showing action taken, correspondence between the district and the educator, signed affidavits regarding facts of the case, etc. Affidavits should be signed and notarized.

Once submitted to the Office of Educator Licensure (OEL) at the Mississippi Department of Education, OEL will contact the district if additional documentation is needed prior to a hearing. A disciplinary hearing will be scheduled before the Certification Commission to determine if the license of the educator should be revoked or suspended. School district personnel with first-hand knowledge of the infraction would need to be present at the hearing to testify to the facts of the case.

*Source: Miss. Code Ann. § 37-3-2 (15)(Rev. 6/2013)*

# Procedures for Reporting Infractions Under Section 37-3-2 of the Mississippi Code (1972) Annotated (Revised 2014)

## Section I – Introduction

The Mississippi Code of 1972 Annotated, Section 37-3-2 (15) authorizes the Commission on Teacher and Administrator Education, Licensure and Development, to promulgate procedures for reporting infractions delineated under Section 37-3-2 of the Code. The Commission has provided the procedures below to be followed by all educators required to hold a certificate/license. These procedures will ensure compliance with the Mississippi Code, Sections 37-3-2 (10), (15), and 37-31-205(1)(e) of the Mississippi Code, as well as:

f. Sections 37-3-51(1), (2)(a-i), (3) – Notification of Department of Education of conviction of certificated person on certain felonies or sex offenses.

g. Sections 37-3-2 (11)(a-i), 37-3-2 (12)(a-j) – Denial of application; revocation and suspension of licenses/certificates.

h. Section 37-3-2 (13)(a-c) – Dismissal or suspension of licensed/certified employee by local school board.

i. Section 37-9-57 – Effect of abandonment of employment.

j. Section 37-16-4 – Enforcement and penalty for test violations.

## Section II – Reporting Responsibilities

**Mississippi Circuit Clerks:** Each circuit clerk has the statutory duty to report to the Mississippi Department of Education (MDE), Office of Educator Licensure, the conviction of any certified/licensed personnel employed by a public or private elementary or secondary school according to requirements outlined in the Mississippi law. Reports are to be made on forms provided by the Office of Educator Licensure, MDE (Appendix A).

**Superintendents of Education:** Each superintendent of a public school must report to MDE infractions committed under sections of the Mississippi Code cited in Section I of these procedures. Superintendents shall adhere to the following procedures:

c. Submit an initial report on all certified/licensed employees no later than October 1 of each school year (Appendix B).

d. After the initial report, submit reports on employees as knowledge of offenses occurs.

Such reports shall be submitted within 10 days of notification of an offense (Appendix C). Failure by the school district to report to the OEL within 10 working days, however, does

not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2.

**Community and Junior College Presidents:** Presidents of community and junior colleges must report to MDE infractions committed under sections of the Mississippi Code cited in Section I of these procedures. Reports shall be completed on vocational and technical education personnel licensed by the Department of Education. (*The Office of Educator Licensure issues vocational postsecondary licenses for the Tech Prep Coordinator and Special Populations Coordinator).*
Presidents shall adhere to the following procedures:

c. Submit an initial report on all certified/licensed employees no later than October 1 of each school year (Appendix D).

d. After the initial report, submit reports on employees as knowledge of offenses occurs.

Such reports shall be submitted within 10 days of notification of an offense (Appendix E).

## Section III – What Should Be Reported

Reports shall be submitted for all infractions cited in the Mississippi Code of 1972 Annotated (Revised 1996), Sections 37-3-51, 37-3-2, 37-9-57, and 37-16-4, to include:

2. Conviction of a felony or sex offense. "Sex offense" shall mean any of the following offenses:

   j. Section 97-3-65, Mississippi Code of 1972, relating to the carnal knowledge of a child under fourteen (14) years of age;
   k. Section 97-3-95, Mississippi Code of 1972, relating to sexual battery;
   l. Section 97-5-21, Mississippi Code of 1972, relating to seduction of a child under age eighteen (18);
   m. Section 97-5-23, Mississippi Code of 1972, relating to the touching of a child for lustful purposes;
   n. Section 97-5-27, Mississippi Code of 1972, relating to the dissemination of sexually oriented material to children;
   o. Section 97-5-33, Mississippi Code of 1972, relating to the exploitation of children;
   p. Section 97-5-41, Mississippi Code of 1972, relating to the carnal knowledge of a stepchild, adopted child, or child of a cohabitating partner;
   q. Section 97-29-59, Mississippi Code of 1972, related to unnatural intercourse; or
   r. Any other offense committed in another jurisdiction which, if committed in this state, would be deemed to be such a crime without regard to its designation elsewhere.

## Section III – What Should Be Reported
## (continued)

(2) Other reportable infractions or occurrences [Section 37-3-2 (11), (12), and (13)]:

(11) License Applicants

j. Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;
k. Has a physical, emotional, or mental disability that renders the applicant unfit to perform the duties authorized by the certificate/license, as certified by a licensed psychologist or psychiatrist;
l. 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 certificate/license;
m. Revocation, suspension or surrender of a 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;
n. Committed fraud or deceit in securing or attempting to secure such certification or license;
o. Fails or refuses to furnish reasonable evidence of identification;
p. Has been convicted, has pled guilty or entered a plea of nolo contendere to a felony as defined by federal or state law;
q. 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.
r. 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) Licensed Educators

f. 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, Mississippi Code of 1972;
g. Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;
h. 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;
i. 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;

j. 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; or
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), Mississippi Code of 1972.
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, had any type of sexual involvement with a student as described in Section 97-3-95; or
j. The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(13)

c. Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59, Mississippi Code of 1972, may result in the suspension or revocation of license for length of time, which shall be determined by the commission and based upon the severity of the offense.
d. Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(3) Violations of the Mississippi Educator Code of Ethics

- Violations of Standard 1.2 (Misuse or mismanagement of tests or test materials) that affect the validity of mandatory uniform test results as provided in Section 37-16-4 (1)

- Violations of Standard 2 (Trustworthiness) that result in a felony conviction

- Violations of Standard 3 (Unlawful Acts) (felony and sex offense convictions)

- Violations of Standard 4 (Educator/Student Relationships)

- Violations of Standard 7 (Public Funds and Property) that result in a felony conviction

- Violations of Standard 6 (Alcohol, Drug and Tobacco Use or Possession) that result in termination and/or a felony conviction

- Violations of Standard 9 (Maintenance of Confidentiality) that affect the validity of mandatory uniform test results as provided in Section 37-16-4 (1)

- Violations of Standard 10 (Breach of Contract or Abandonment of Employment)

All other violations of the Educator Code of Ethics should be addressed by the local school district. Failure to report sexual involvement of a school employee with a student as required by Section 97-5-24 may result in the revocation or suspension of a license.

## APPENDIX A:

## REPORT FORM FOR CIRCUIT CLERK FOR REPORTING FELONY/SEX OFFENSE CONVICTIONS

Directions: All circuit clerks must use this form to report the conviction of certified/licensed school personnel of a felony or a sex offense as defined by Mississippi Code §37-3-51.

| Name: | |
|---|---|
| Social Security Number | Date of Birth: |
| Address: | |
| School District Where Employed: | |
| License Number: | |
| Date and Place of Conviction: _____<br>Case number: _____ Type of Felony/Sex Offense: _____ | |
| Signature of Circuit Clerk: _____<br>Circuit Clerk (Typed Name): _____<br>Address: _____<br>Phone Number: _____<br>Date: _____ | |
| District Attorney (Typed Name): | |

**Attach a certified copy of the indictment and judgment.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX B:

## ANNUAL REPORT FORM FOR SUPERINTENDENT OF EDUCATION FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

Due to the Office of Educator Licensure by October 1each year

____ To the best of my knowledge and belief, no educators have committed infractions as delineated in Section 37-3-2 of the Mississippi Code.

____ The following educators have committed infractions as delineated in Section 37-3-2 of the Mississippi Code

| *Name* | *Social Security Number/ License Number* | *Type of Infraction* |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Signature of Superintendent of Education: _____

Superintendent of Education (Typed Name): _____

School District Name and number: _____

Date: _____

**Attach any additional information, as needed.**

**This form must be notarized**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
P.O. Box 771
Jackson, Mississippi 39205-0771

## APPENDIX C:

## REPORT FORM FOR SUPERINTENDENT OF EDUCATION FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2OF THE MISSISSIPPI CODE

Due to the Office of Educator Licensure (OEL) within 10 working days of the infraction. Failure by the school district to report to the OEL within 10 working days, however, does not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2.

**Directions:** All superintendents of education must use this form to report the conviction of certified/licensed school personnel or other infractions as delineated in Section 37-3-2 of the Mississippi Code including violations to Standard 4 of the Mississippi Educator Code of Ethics.

| Educator Name: | |
|---|---|
| Social Security Number: | Date of Birth: |
| Address: | |
| School District Where Employed: | |
| License Number: | |

Date of Conviction or Infraction: _____

Type of Conviction, Violation or Infraction: _____

District Response to Infraction *(Indicate suspension, termination, or approved resignation; and specify dates of action.)*: _____

Signature of Superintendent of Education: _____

Superintendent of Education (Typed Name): _____

School District Name and Number: _____

Date: _____

**Attach any additional information such as school board minutes, affidavits, signed statements, district correspondence, or any other documentation pertinent to this infraction.**

**This Form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX D:

## ANNUAL REPORT FORM FOR COMMUNITY/JUNIOR COLLEGE PRESIDENT FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

___ To the best of my knowledge and belief, no certified/licensed vocational and technical education personnel have committed infractions as delineated in Section 37-3-2 of the Mississippi Code.

___ The following certified/licensed vocational and technical education personnel have committed infractions as delineated in Section 37-3-2 of the Mississippi Code

| *Name* | *Social Security Number/ License Number* | *Type of Infraction* |
|---|---|---|
| | | |
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| | | |
| | | |
| | | |

**Attach any additional information, as needed.**

**This form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## APPENDIX E:

## REPORT FORM FOR COMMUNITY/JUNIOR COLLEGE PRESIDENT FOR REPORTING INFRACTIONS UNDER SECTION 37-3-2 OF THE MISSISSIPPI CODE

**Direction:** All community/junior college presidents must use this form to report the conviction of vocational and technical education personnel licensed by the Department of Education or other infractions as delineated in Section 37-3-2 of the Mississippi Code.

| Name: | |
|---|---|
| Social Security Number: | Date of Birth: |
| Address: | |
| Community/Junior College Where Employed: | |
| License Number: | |
| Date and Place of Conviction or Infraction: _____<br>_____<br>Type of Conviction or Infraction: _____ | |
| Signature of Community/Junior College President: _____<br>Community/Junior College President (Typed Name): _____<br>Community/Junior College Name and Number: _____<br>Date: _____ | |

**This form must be notarized.**

**Mail to:** Office of Educator Licensure
Mississippi Department of Education
Post Office Box 771
Jackson, Mississippi 39205-0771

## Reporting Instructions for School District Superintendents

Should any of the previously named infractions occur in your jurisdiction result in a felony or sex offense conviction in a court of law (in or out-of-state), please complete Appendix C reporting form and submit to the Office of Educator Licensure at the Mississippi Department of Education within ten days. Failure by the school district to report to the OEL within 10 working days, however, does not negate the continuing reporting duties by the Superintendent as required by law, or supersede or affect the statutory authority of the Commission on Teacher and Administrator Education, Certification and Licensure and Development from suspending or revoking an educator license pursuant to Miss Code Ann Section 37-3-2. MDE will secure certified court records in the case and proceed with a disciplinary hearing before the Certification Commission to determine if the license should be revoked.

Should any of the previously named infractions occur in your jurisdiction that do not result in a felony or sex offense conviction in a court of law, please follow this procedure for reporting the infraction to the Mississippi Department of Education:

4. Initiate an internal investigation in your district and gather appropriate documentation of the infraction.
5. Should the investigation exceed ten working days from the alleged infraction, submit just the notarized Appendix C reporting form to ensure timely reporting of the infraction. Other investigative documents can be sent in once the investigation is complete.
6. Attach any documentation pertinent to the case, such as copy of the school board minutes showing action taken, correspondence between the district and the educator, signed affidavits regarding facts of the case, etc. Affidavits should be signed and notarized.

Once submitted to the Office of Educator Licensure (OEL) at the Mississippi Department of Education, OEL will contact the district if additional documentation is needed prior to a hearing. A disciplinary hearing will be scheduled before the Certification Commission to determine if the license of the educator should be revoked or suspended. School district personnel with first-hand knowledge of the infraction would need to be present at the hearing to testify to the facts of the case.

*Source: Miss. Code Ann. § 37-3-2 (15)(Rev. 6/2013)*