

By: Representatives Wallace, Miller,
Straughter, Thornton

To: Education;
Appropriations

HOUSE BILL NO. 1039

1 AN ACT TO AMEND SECTION 37-143-11, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE WILLIAM F. WINTER INCENTIVE LOAN PROGRAM FOR
3 TEACHERS SHALL BE FULLY AVAILABLE TO STUDENTS PREPARING TO BE
4 PRINCIPALS AND SCHOOL ADMINISTRATORS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 37-143-11, Mississippi Code of 1972, is
7 amended as follows:

8 37-143-11. (1) It is the intention of the Legislature to
9 attract and retain qualified teachers, principals and school
10 administrators by awarding incentive loans to persons declaring an
11 intention to serve in the teaching or school administrative field
12 and who actually render service to the state while possessing an
13 appropriate teaching or administrator license.

14 (2) There is established the "William F. Winter
15 Teacher/Administrator Scholar Loan Program."

16 (3) To the extent of appropriations available, students who
17 are enrolled in any baccalaureate degree-granting institution of
18 higher learning in the State of Mississippi accredited by the
19 Southern Association of Colleges and Schools and approved by the
20 Mississippi Commission on College Accreditation, or any accredited
21 nonprofit community or junior college, and who have expressed in
22 writing a present intention to teach or administer schools in
23 Mississippi, shall be eligible for student loans to be applied to
24 the costs of their college education. Persons who have been
25 admitted to a teacher or school administrator education program as
26 approved by the State Board of Education shall also qualify for
27 loans at approved institutions.

28 (4) A freshman establishing initial eligibility shall be

29 eligible for a maximum of four (4) annual loans and a senior or
30 graduate student shall be eligible for one (1) annual loan.

31 (5) The maximum annual loan shall be set by the Board of
32 Trustees of State Institutions of Higher Learning at an amount not
33 to exceed the cost of attendance at any baccalaureate
34 degree-granting institution of higher learning in the State of
35 Mississippi. However, it is the intent of the Legislature that
36 the maximum annual loan amounts under the William F. Winter
37 Teacher/Administrator Scholar Loan Program shall not be of such
38 amounts that would compete with the Critical Needs Teacher
39 Scholarship Program.

40 (6) The loans of persons who actually render service as
41 licensed teachers, principals or school administrators in a public
42 school in Mississippi for a major portion of the school day for at
43 least seventy-eight (78) school days during each of eight (8)
44 school semesters of the ten (10) immediately after obtaining a
45 baccalaureate degree, shall be converted to interest-free
46 scholarships. Conversion shall be based on two (2) semesters of
47 service for each year a loan was received, and the Board of
48 Trustees of State Institutions of Higher Learning shall not
49 authorize the conversion of loans into interest-free scholarships
50 at any other ratio, except as follows: Participants in the
51 William F. Winter Teacher/Administrator Scholar Loan Program may
52 have their loans converted into interest-free scholarships at the
53 same ratio as under the Critical Needs Teacher Scholarship Program
54 if they render service as a licensed teacher, principal or school
55 administrator in a public school district in a geographical area
56 of the state where there is a critical shortage of teachers,
57 principals or school administrators, as designated by the State
58 Board of Education.

59 (7) Persons failing to complete an appropriate program of
60 study shall immediately become liable to the Board of Trustees of
61 State Institutions of Higher Learning for the sum of all
62 outstanding loans, except in the case of a deferral of debt for

63 cause by the board, after which period of deferral, study may be
64 resumed. Persons failing to meet teaching or school administrator
65 requirements in any required semester shall immediately be in
66 breach of contract and become liable to the board for the amount
67 of the corresponding loan received, with interest accruing at the
68 current Stafford Loan rate at the time the breach occurs, except
69 in the case of a deferral of debt for cause by the board, after
70 which period of deferral, teaching or administrative duties
71 required hereunder will be resumed. If the claim for payment of
72 such loan is placed in the hands of an attorney for collection
73 after default, then the obligor shall be liable for an additional
74 amount equal to a reasonable attorney's fee.

75 (8) A loan made pursuant to this section shall not be
76 voidable by reason of the age of the borrower at the time of
77 receiving the loan.

78 (9) Failure to repay any loan and interest that becomes due
79 shall be cause for the revocation of a person's teaching or
80 administrative license by the State Department of Education.

81 (10) All monies repaid to the Board of Trustees of State
82 Institutions of Higher Learning hereunder shall be added to the
83 appropriations made for purposes of this section, and those
84 appropriations shall not lapse.

85 (11) The Board of Trustees of State Institutions of Higher
86 Learning with the concurrence of the State Board of Education
87 shall jointly promulgate regulations necessary for the proper
88 administration of this section.

89 (12) If insufficient funds are available for requested loans
90 to a qualified student during any fiscal year, the Board of
91 Trustees of State Institutions of Higher Learning shall make pro
92 rata reductions in the loans made to qualifying applicants.
93 Priority consideration shall be given to persons receiving
94 previous loans and participating in the program.

95 (13) The Board of Trustees of State Institutions of Higher
96 Learning shall make an annual report to the Legislature. Each

97 report shall contain a complete enumeration of the board's
98 activities, loans or scholarships granted, names of persons to
99 whom granted and the institutions attended by those receiving the
100 same, the teaching or administrative location of applicants who
101 have received their education and become licensed teachers or
102 administrators within this state as a result of the loans and/or
103 scholarships. The board shall make a full report and account of
104 receipts and expenditures for salaries and expenses incurred under
105 the provisions of this section. The board shall, upon its records
106 and any published reports, distinguish between those recipients
107 who have breached their contracts but with the board's permission
108 who have paid their financial obligations in full, and those
109 recipients who have breached their contracts and remain
110 financially indebted to the state.

111 SECTION 2. This act shall take effect and be in force from
112 and after July 1, 1999.