

By: Representative Ketchings

To: Education;  
Appropriations

## HOUSE BILL NO. 1335

1 AN ACT TO AMEND SECTIONS 37-159-3, 37-159-5, 37-159-9,  
2 37-159-11 AND 37-159-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE  
3 PERSONS PARTICIPATING IN THE CRITICAL NEEDS TEACHER SCHOLARSHIP  
4 PROGRAM, THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION  
5 GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER  
6 PROGRAM AND THE PROGRAM PROVIDING REIMBURSEMENT OF RELOCATION  
7 EXPENSES TO RENDER THEIR TEACHING SERVICE IN NONPUBLIC SCHOOLS  
8 APPROVED BY THE STATE DEPARTMENT OF EDUCATION WHICH ARE LOCATED IN  
9 GEOGRAPHICAL AREAS OF THE STATE HAVING A CRITICAL TEACHER  
10 SHORTAGE; AND FOR RELATED PURPOSES.

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

12 SECTION 1. Section 37-159-3, Mississippi Code of 1972, is  
13 amended as follows:

14 37-159-3. (1) There is established the "Critical Needs  
15 Teacher Scholarship Program," the purpose of which is to attract  
16 qualified teachers to those geographical areas of the state where  
17 there exists a critical shortage of teachers by awarding full  
18 scholarships to persons declaring an intention to serve in the  
19 teaching field who actually render service \* \* \* while possessing  
20 an appropriate teaching license.

21 (2) Any individual who is enrolled in or accepted for  
22 enrollment at a baccalaureate degree-granting institution of  
23 higher learning whose teacher education program is approved by the  
24 State Board of Education or at an accredited, nonprofit community  
25 or junior college in the State of Mississippi who expresses in  
26 writing an intention to teach in a geographical area of the state  
27 in which there exists a critical shortage of teachers, as  
28 designated by the State Board of Education, shall be eligible for  
29 a financial scholarship to be applied toward the costs of the  
30 individual's college education. The annual amount of the award  
31 shall be equal to the total cost for tuition, room and meals,

32 books, materials and fees at the college or university in which  
33 the student is enrolled, not to exceed an amount equal to the  
34 highest total cost of tuition, room and meals, books, materials  
35 and fees assessed by a state institution of higher learning during  
36 that school year. Awards made to nonresidents of the state shall  
37 not include any amount assessed by the college or university for  
38 out-of-state tuition.

39 (3) Awards granted under the Critical Needs Teacher  
40 Scholarship Program shall be available to both full-time and  
41 part-time students. Students enrolling on a full-time basis may  
42 receive a maximum of four (4) annual awards. The maximum number  
43 of awards that may be made to students attending school on a  
44 part-time basis, and the maximum time period for part-time  
45 students to complete the number of academic hours necessary to  
46 obtain a baccalaureate degree in education, shall be established  
47 by rules and regulations jointly promulgated by the Board of  
48 Trustees of State Institutions of Higher Learning and the State  
49 Board of Education. Critical Needs Teacher Scholarships shall not  
50 be based upon an applicant's eligibility for financial aid.

51 (4) Except in those cases where employment positions may not  
52 be available upon completion of licensure requirements, at the  
53 beginning of the first school year in which a recipient of a  
54 Critical Needs Teacher Scholarship is eligible for employment as a  
55 licensed teacher, that person shall begin to render service as a  
56 licensed teacher in a public school district or in a nonpublic  
57 school that maintains educational standards equivalent to the  
58 standards established by the State Department of Education for the  
59 state schools, as outlined in the Approval Requirements of the  
60 State Board of Education for Nonpublic Schools, in a geographical  
61 area of the state where there is a critical shortage of teachers,  
62 as approved by the State Board of Education. Any person who  
63 received four (4) annual awards, or the equivalent of four (4)  
64 annual awards, shall render three (3) years' service as a licensed  
65 teacher. Any person who received fewer than four (4) annual  
66 awards, or the equivalent of four (4) annual awards, shall render  
67 one (1) year's service as a licensed teacher for each year that  
68 the person received a full-time student scholarship, or for the  
69 number of academic hours equivalent to one (1) school year, as

70 determined by the Board of Trustees of State Institutions of  
71 Higher Learning, which a part-time student received a scholarship.

72 (5) Any person failing to complete a program of study which  
73 will enable that person to become a licensed teacher shall become  
74 liable immediately to the Board of Trustees of State Institutions  
75 of Higher Learning for the sum of all Critical Needs Teacher  
76 Scholarship awards made to that person, plus interest accruing at  
77 the current Stafford Loan rate at the time the person abrogates  
78 his participation in the program. Any person failing to complete  
79 his teaching obligation, as required under subsection (4) of this  
80 section, shall become liable immediately to the board for the sum  
81 of all scholarship awards made to that person less the  
82 corresponding amount of any awards for which service has been  
83 rendered, plus interest accruing at the current Stafford Loan rate  
84 at the time the person discontinues his service, except in the  
85 case of a deferral of debt for cause by the State Board of  
86 Education when there is no employment position immediately  
87 available upon a teacher's completion of licensure requirements.  
88 After the period of such deferral, such person shall begin or  
89 resume teaching duties as required under subsection (4) or shall  
90 become liable to the board under this subsection. If a claim for  
91 payment under this subsection is placed in the hands of an  
92 attorney for collection, the obligor shall be liable for an  
93 additional amount equal to a reasonable attorney's fee.

94 (6) The obligations made by the recipient of a Critical  
95 Needs Teacher Scholarship award shall not be voidable by reason of  
96 the age of the student at the time of receiving the scholarship.

97 (7) The Board of Trustees of State Institutions of Higher  
98 Learning and the State Board of Education shall jointly promulgate  
99 rules and regulations necessary for the proper administration of  
100 the Critical Needs Teacher Scholarship Program. The Board of  
101 Trustees of State Institutions of Higher Learning shall be the  
102 administering agency of the program.

103 (8) If insufficient funds are available to fully fund

104 scholarship awards to all eligible students, the Board of Trustees  
105 of State Institutions of Higher Learning shall make the awards to  
106 first-time students on a first-come, first-served basis; however,  
107 priority consideration shall be given to persons previously  
108 receiving awards under the Critical Needs Teacher Scholarship  
109 Program.

110 (9) All funds received by the Board of Trustees of State  
111 Institutions of Higher Learning from the repayment of scholarship  
112 awards by program participants shall be deposited in the  
113 Mississippi Critical Teacher Shortage Fund.

114 SECTION 2. Section 37-159-5, Mississippi Code of 1972, is  
115 amended as follows:

116 37-159-5. The State Board of Education shall prescribe rules  
117 and regulations which, subject to available appropriations, allow  
118 for reimbursement to the state licensed teachers, from both  
119 in-state and out-of-state, who enter into a contract for  
120 employment in a school district or in a nonpublic school that  
121 maintains educational standards equivalent to the standards  
122 established by the State department of Education for the state  
123 schools, as outlined in the Approval Requirements of the State  
124 Board of Education for Nonpublic Schools, situated within a  
125 geographical area of the state where there exists a critical  
126 shortage of teachers, as designated by the State Board of  
127 Education, for the expense of moving when the employment  
128 necessitates the relocation of the teacher to a different  
129 geographical area than that in which the teacher resides before  
130 entering into such contract. In order to be eligible for the  
131 reimbursement, the teacher must apply to the local district or  
132 approved nonpublic school, and the district or approved nonpublic  
133 school must obtain the prior approval from the department for  
134 reimbursement before the relocation occurs. If the reimbursement  
135 is approved, the department shall provide funds to the school  
136 district or approved nonpublic school to reimburse the teacher an  
137 amount not to exceed One Thousand Dollars (\$1,000.00) for the

138 documented actual expenses incurred in the course of relocating,  
139 including the expense of any professional moving company or  
140 persons employed to assist with the move, rented moving vehicles  
141 or equipment, mileage in the amount authorized for state employees  
142 under Section 25-3-41, if the teacher used his personal vehicle or  
143 vehicles for the move, meals and such other expenses associated  
144 with the relocation in accordance with the department's  
145 established rules and regulations. No teacher may be reimbursed  
146 for moving expenses under this section on more than one (1)  
147 occasion.

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

156         SECTION 3. Section 37-159-9, Mississippi Code of 1972, is  
157 amended as follows:

158         37-159-9. (1) There is established the University Assisted  
159 Teacher Recruitment and Retention Grant Program within the State  
160 Department of Education. The purpose of the program shall be to  
161 attract qualified teachers to those geographical areas of the  
162 state where there exists a critical shortage of teachers by making  
163 available scholarships to persons working towards a Master of  
164 Education degree or an Educational Specialist degree at an  
165 institution of higher learning whose teacher education program is  
166 approved by the State Board of Education.

167         (2) Any institution of higher learning in the State of  
168 Mississippi which offers a Master of Education degree or an  
169 Educational Specialist degree may apply to the department for  
170 participation in the program. Under the program, participating  
171 institutions shall collaborate with the Mississippi Teacher Center

172 to identify, recruit and place teacher education graduates, from  
173 both within the state and out-of-state, in school districts or in  
174 nonpublic schools that maintain educational standards equivalent  
175 to the standards established by the State Department of Education  
176 for the state schools, as outlined in the Approval Requirements of  
177 the State Board of Education for Nonpublic Schools, situated  
178 within those areas of the state where there exists a critical  
179 shortage of teachers, as designated by the State Board of  
180 Education.

181 (3) The State Department of Education shall provide funds to  
182 participating institutions of higher learning for the purpose of  
183 awarding scholarships to qualified persons pursuing a Master of  
184 Education degree or an Educational Specialist degree at such  
185 institutions while rendering service \* \* \* as a licensed teacher  
186 in a school district or an approved nonpublic school in a  
187 geographical area of the state where there exists a critical  
188 shortage of teachers, as approved by the State Board of Education.

189 The financial scholarship shall be applied to the total cost for  
190 tuition, books, materials and fees at the institution in which the  
191 student is enrolled, not to exceed an amount equal to the highest  
192 total cost of tuition, books, materials and fees assessed by a  
193 state institution of higher learning during that school year.  
194 Teachers who relocate within Mississippi from out-of-state in  
195 order to participate in the program shall be classified as  
196 residents of the state for tuition purposes.

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

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

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

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

228 (8) As a condition for participation in the program, a  
229 teacher shall agree to employment as a licensed teacher in a  
230 school district or an approved nonpublic school located in a  
231 geographical area of the state where there exists a critical  
232 shortage of teachers, as designated by the State Board of  
233 Education, for a period of not less than three (3) years, which  
234 shall include those years of service rendered while obtaining the  
235 Master of Education degree or Educational Specialist degree.  
236 However, for any person who obtained a baccalaureate degree in  
237 education with a financial scholarship under the Critical Needs  
238 Teacher Scholarship Program and who entered the University  
239 Assisted Teacher Recruitment and Retention Grant Program before

240 rendering service as a teacher, the period of employment for the  
241 purposes of this subsection shall be two (2) years, in addition to  
242 the employment commitment required under the Critical Needs  
243 Teacher Scholarship Program. Any person failing to comply with  
244 this employment commitment in any required school year shall  
245 immediately be in breach of contract and become liable immediately  
246 to the State Department of Education for the sum of all  
247 scholarships awarded and relocation expenses granted to that  
248 person, less one-third (1/3) of the amount of that sum for each  
249 year that service was rendered, or for those persons whose  
250 required period of employment is two (2) years, less one-half  
251 (1/2) of the amount of that sum for each year that service was  
252 rendered, plus interest accruing at the current Stafford Loan rate  
253 at the time the breach occurs, except in the case of a deferral  
254 for cause by the State Board of Education when there is no  
255 employment position immediately available upon the teacher's  
256 obtaining of the Master of Education degree or Educational  
257 Specialist degree. After the period of such deferral, the person  
258 shall begin or resume the required teaching duties or shall become  
259 liable to the board under this subsection. If a claim for  
260 repayment under this subsection is placed in the hands of an  
261 attorney for collection after default, then the obligor shall be  
262 liable for an additional amount equal to a reasonable attorney's  
263 fee.

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

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

272 SECTION 4. Section 37-159-11, Mississippi Code of 1972, is  
273 amended as follows:



274           37-159-11. (1) There is established the Mississippi  
275 Employer-Assisted Housing Teacher Program, which shall be a  
276 special home loan program for eligible licensed teachers who  
277 render service \* \* \* in a geographical area of the state where  
278 there exists a critical shortage of teachers, as designated by the  
279 State Board of Education. The home loan program shall be  
280 administered by the State Department of Education in conjunction  
281 with the Federal National Mortgage Association (Fannie Mae). The  
282 department may contract with one or more public or private  
283 entities to provide assistance in implementing and administering  
284 the program. The State Board of Education shall adopt rules and  
285 regulations regarding the implementation and administration of the  
286 program.

287           (2) Participation in the loan program shall be available to  
288 any licensed teacher who renders service in a school district or  
289 in a nonpublic school that maintains educational standards  
290 equivalent to the standards established by the State Department of  
291 Education for the state schools, as outlined in the Approval  
292 Requirements of the State Board of Education for Nonpublic  
293 Schools, in a geographical area of the state where there exists a  
294 critical shortage of teachers, as designated by the State Board of  
295 Education. Any person who receives a loan under the program shall  
296 be required to purchase a house and reside in a county in which  
297 the approved nonpublic school or school district for which the  
298 teacher is rendering service, or any portion of the school  
299 district, is located. The maximum amount of a loan that may be  
300 made under the program to any person shall be Six Thousand Dollars  
301 (\$6,000.00).

302           (3) Any loan made under the program to a person who actually  
303 renders service as a teacher in a geographical area of the state  
304 where there exists a critical shortage of teachers, as designated  
305 by the State Board of Education, shall be converted to an  
306 interest-free grant on the basis of one (1) year's service for  
307 one-third (1/3) of the amount of the loan. Any person who does

308 not render three (3) years' service as a teacher in a geographical  
309 area of the state where there exists a critical shortage of  
310 teachers, as designated by the State Board of Education, shall be  
311 liable to the State Department of Education for one-third (1/3) of  
312 the amount of the loan for each year that he does not render such  
313 service, plus interest accruing at the current Stafford Loan rate  
314 at the time the person discontinues his service. If a claim for  
315 repayment under this subsection is placed in the hands of an  
316 attorney for collection, the obligor shall be liable for an  
317 additional amount equal to a reasonable attorney's fee.

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

321 (5) This section shall stand repealed on July 1, 2000.

322 SECTION 5. Section 37-159-15, Mississippi Code of 1972, is  
323 amended as follows:

324 37-159-15. The State Department of Education and the Board  
325 of Trustees of State Institutions of Higher Learning shall jointly  
326 prepare an annual report for the Legislature, to be submitted by  
327 December 1 of each year beginning in 1998, which shall assess the  
328 impact of the teacher recruitment incentive programs authorized  
329 under House Bill No. 609, 1998 Regular Session [Laws, 1998,  
330 Chapter 544], on the employment of licensed teachers in critical  
331 teacher shortage areas. The report shall include, at a minimum,  
332 the numbers of persons who have participated in each of the  
333 programs each year, and the numbers of persons who have  
334 participated in the programs who have rendered service as teachers  
335 in critical teacher shortage areas each year by school district or  
336 nonpublic school.

337 SECTION 6. This act shall take effect and be in force from  
338 and after July 1, 1999.