

By: Senator(s) Harden

To: Education;
Appropriations

SENATE BILL NO. 2688

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 administrative field and who
12 actually render service to the state while possessing an
13 appropriate teaching or administrator license.

14 (2) There is established the "William F.
15 Winter/Administrator Teacher 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 or school administrators in a public school in
42 Mississippi for a major portion of the school day for at least
43 seventy-eight (78) school days during each of eight (8) school
44 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 or administrator in a
55 public school district in a geographical area of the state where
56 there is a critical shortage of teachers or administrators, as
57 designated by the State Board of Education.

58 (7) Persons failing to complete an appropriate program of
59 study shall immediately become liable to the Board of Trustees of
60 State Institutions of Higher Learning for the sum of all

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

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

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

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

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

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

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

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