

By: Representative Ketchings

To: Education;
Appropriations

HOUSE BILL NO. 933

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 TEACHERS MOVING TO CRITICAL TEACHER SHORTAGE DISTRICTS
8 TO RENDER THEIR TEACHING SERVICE IN NONPUBLIC SCHOOLS APPROVED BY
9 THE STATE DEPARTMENT OF EDUCATION WHICH ARE LOCATED IN
10 GEOGRAPHICAL AREAS OF THE STATE HAVING A CRITICAL TEACHER
11 SHORTAGE; AND FOR RELATED PURPOSES.

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

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

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

22 (2) Any individual who is enrolled in or accepted for
23 enrollment at a baccalaureate degree-granting institution of
24 higher learning whose teacher education program is approved by the
25 State Board of Education or at an accredited, nonprofit community
26 or junior college in the State of Mississippi and has a passing
27 score on the Praxis I Basic Skills Test who expresses in writing
28 an intention to teach in a geographical area of the state in which
29 there exists a critical shortage of teachers, as designated by the
30 State Board of Education, shall be eligible for a financial
31 scholarship to be applied toward the costs of the individual's



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

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

53 (4) Except in those cases where employment positions may not
54 be available upon completion of licensure requirements, at the
55 beginning of the first school year in which a recipient of a
56 Critical Needs Teacher Scholarship is eligible for employment as a
57 licensed teacher or a nontraditional teacher intern pursuant to
58 Section 37-3-2 (6) (b), that person shall begin to render service
59 as a licensed teacher or nontraditional teacher intern in a public
60 school district or in a nonpublic school that maintains
61 educational standards equivalent to the standards established by
62 the State Department of Education for the state schools, as
63 outlined in the Approval Requirements of the State Board of
64 Education for Nonpublic Schools, in a geographical area of the



65 state where there is a critical shortage of teachers, as approved
66 by the State Board of Education. Any person who received four (4)
67 annual awards, or the equivalent of four (4) annual awards, shall
68 render three (3) years' service as a licensed teacher or
69 nontraditional teacher intern, as the case may be. Any person who
70 received fewer than four (4) annual awards, or the equivalent of
71 four (4) annual awards, shall render one (1) year's service as a
72 licensed teacher or nontraditional teacher intern, as the case may
73 be, for each year that the person received a full-time student
74 scholarship, or for the number of academic hours equivalent to one
75 (1) school year, as determined by the Board of Trustees of State
76 Institutions of Higher Learning, which a part-time student
77 received a scholarship.

78 (5) Any person failing to complete a program of study which
79 will enable that person to become a licensed teacher or
80 nontraditional teacher intern under Section 37-3-2 (6)(b), as the
81 case may be, shall become liable immediately to the Board of
82 Trustees of State Institutions of Higher Learning for the sum of
83 all Critical Needs Teacher Scholarship awards made to that person,
84 plus interest accruing at the current Stafford Loan rate at the
85 time the person abrogates his participation in the program. Any
86 person failing to complete his teaching obligation, as required
87 under subsection (4) of this section, shall become liable
88 immediately to the board for the sum of all scholarship awards
89 made to that person less the corresponding amount of any awards
90 for which service has been rendered, plus interest accruing at the
91 current Stafford Loan rate at the time the person discontinues his
92 service, except in the case of a deferral of debt for cause by the
93 State Board of Education when there is no employment position
94 immediately available upon a teacher's completion of licensure
95 requirements. After the period of such deferral, such person
96 shall begin or resume teaching duties as required under subsection
97 (4) or shall become liable to the board under this subsection. If



98 a claim for payment under this subsection is placed in the hands
99 of an attorney for collection, the obligor shall be liable for an
100 additional amount equal to a reasonable attorney's fee.

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

104 (7) The Board of Trustees of State Institutions of Higher
105 Learning and the State Board of Education shall jointly promulgate
106 rules and regulations necessary for the proper administration of
107 the Critical Needs Teacher Scholarship Program. The Board of
108 Trustees of State Institutions of Higher Learning shall be the
109 administering agency of the program.

110 (8) If insufficient funds are available to fully fund
111 scholarship awards to all eligible students, the Board of Trustees
112 of State Institutions of Higher Learning shall make the awards to
113 first-time students on a first-come, first-served basis; however,
114 priority consideration shall be given to persons previously
115 receiving awards under the Critical Needs Teacher Scholarship
116 Program.

117 (9) All funds received by the Board of Trustees of State
118 Institutions of Higher Learning from the repayment of scholarship
119 awards by program participants shall be deposited in the
120 Mississippi Critical Teacher Shortage Fund.

121 (10) The State Department of Education shall compile and
122 report, in consultation with the Board of Trustees of State
123 Institutions of Higher Learning, an annual report with findings
124 and recommendations to the legislative committees on education by
125 December 1, 2003, and annually thereafter, on the following:

126 (a) The number of participants in the Critical Needs
127 Teacher Scholarship Program, by institution and by freshman,
128 sophomore, junior and senior level;

129 (b) The number of nontraditional teacher license
130 program participants;



131 (c) The number of individuals who completed the
132 Critical Needs Teacher Scholarship Program and the school district
133 in which they are employed;

134 (d) The number of individuals who are in default of
135 their obligation under the Critical Needs Teacher Scholarship
136 Program and the status of their obligation; and

137 (e) The number of participants in the program who have
138 successfully completed the Praxis examination in their junior
139 year.

140 **SECTION 2.** Section 37-159-5, Mississippi Code of 1972, is
141 amended as follows:

142 37-159-5. The State Board of Education shall prescribe rules
143 and regulations which, subject to available appropriations, allow
144 for reimbursement to the state licensed teachers, from both
145 in-state and out-of-state, who enter into a contract for
146 employment in a school district or in a nonpublic school that
147 maintains educational standards equivalent to the standards
148 established by the State Department of Education for the state
149 schools, as outlined in the Approval Requirements of the State
150 Board of Education for Nonpublic Schools, situated within a
151 geographical area of the state where there exists a critical
152 shortage of teachers, as designated by the State Board of
153 Education, for the expense of moving when the employment
154 necessitates the relocation of the teacher to a different
155 geographical area than that in which the teacher resides before
156 entering into such contract. In order to be eligible for the
157 reimbursement, the teacher must apply to the local district or
158 approved nonpublic school, and the district or approved nonpublic
159 school must obtain the prior approval from the department for
160 reimbursement before the relocation occurs. If the reimbursement
161 is approved, the department shall provide funds to the school
162 district or approved nonpublic school to reimburse the teacher an
163 amount not to exceed One Thousand Dollars (\$1,000.00) for the



164 documented actual expenses incurred in the course of relocating,
165 including the expense of any professional moving company or
166 persons employed to assist with the move, rented moving vehicles
167 or equipment, mileage in the amount authorized for state employees
168 under Section 25-3-41, if the teacher used his personal vehicle or
169 vehicles for the move, meals and such other expenses associated
170 with the relocation in accordance with the department's
171 established rules and regulations. No teacher may be reimbursed
172 for moving expenses under this section on more than one (1)
173 occasion.

174 Nothing in this section shall be construed to require the
175 actual residence to which the teacher relocates to be within the
176 boundaries of the school district which has executed a contract
177 for employment with the teacher or within the boundaries of the
178 area designated by the State Board of Education as the critical
179 teacher shortage area in order for the teacher to be eligible for
180 reimbursement for his moving expenses. However, teachers must
181 relocate within the boundaries of the State of Mississippi.

182 **SECTION 3.** Section 37-159-9, Mississippi Code of 1972, is
183 amended as follows:

184 37-159-9. (1) There is established the University Assisted
185 Teacher Recruitment and Retention Grant Program within the State
186 Department of Education. The purposes of the program shall be to
187 attract additional qualified teachers to those geographical areas
188 of the state where there exists a critical shortage of teachers
189 and to retain the qualified teachers already serving as licensed
190 teachers in geographical critical teacher shortage areas by making
191 available scholarships to persons working towards a Master of
192 Education degree or an Educational Specialist degree at an
193 institution of higher learning whose teacher education program is
194 approved by the State Board of Education.

195 (2) Any institution of higher learning in the State of
196 Mississippi which offers a Master of Education degree or an



197 Educational Specialist degree may apply to the department for
198 participation in the program. As part of the program,
199 participating institutions shall collaborate with the Mississippi
200 Teacher Center to identify, recruit and place teacher education
201 graduates, from both within the state and out-of-state, in school
202 districts or in nonpublic schools that maintain educational
203 standards equivalent to the standards established by the State
204 Department of Education for the state schools, as outlined in the
205 Approval Requirements of the State Board of Education for
206 Nonpublic Schools, situated within those areas of the state where
207 there exists a critical shortage of teachers, as designated by the
208 State Board of Education.

209 (3) The State Department of Education shall provide funds to
210 participating institutions of higher learning for the purpose of
211 awarding scholarships to qualified persons pursuing a Master of
212 Education degree or an Educational Specialist degree at such
213 institutions while rendering service * * * as a licensed teacher
214 in a school district or an approved nonpublic school in a
215 geographical area of the state where there exists a critical
216 shortage of teachers, as approved by the State Board of Education.
217 The financial scholarship shall be applied to the total cost for
218 tuition, books, materials and fees at the institution in which the
219 student is enrolled, not to exceed an amount equal to the highest
220 total cost of tuition, books, materials and fees assessed by a
221 state institution of higher learning during that school year.
222 Teachers who relocate within Mississippi from out-of-state in
223 order to participate in the program shall be classified as
224 residents of the state for tuition purposes.

225 (4) Students awarded financial scholarships under the
226 University Assisted Teacher Recruitment and Retention Grant
227 Program may receive such awards for a maximum of four (4) school
228 years; however, the maximum number of awards which may be made
229 shall not exceed the length of time required to complete the



230 number of academic hours necessary to obtain a Master of Education
231 degree or an Educational Specialist degree. Financial
232 scholarships under the program shall not be based upon an
233 applicant's eligibility for financial aid.

234 (5) Persons relocating to a geographical area of the state
235 where there exists a critical shortage of teachers, as approved by
236 the State Board of Education, to participate in the University
237 Assisted Teacher Recruitment and Retention Grant Program shall be
238 eligible for reimbursement for their moving expenses to the
239 critical teacher shortage area from the State Board of Education.
240 The State Board of Education shall promulgate rules and
241 regulations necessary for the administration of the relocation
242 expense reimbursement component of the University Assisted Teacher
243 Recruitment and Retention Grant Program.

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

249 (7) Any person participating in the program who fails to
250 complete a program of study that will enable that person to obtain
251 a Master of Education degree or Educational Specialist degree
252 shall become liable immediately to the State Board of Education
253 for the sum of all awards made to that person under the program,
254 plus interest accruing at the current Stafford Loan rate at the
255 time the person abrogates his participation in the program.

256 (8) As a condition for participation in the program, a
257 teacher shall agree to employment as a licensed teacher in a
258 school district or an approved nonpublic school located in a
259 geographical area of the state where there exists a critical
260 shortage of teachers, as designated by the State Board of
261 Education, for a period of not less than three (3) years, which
262 shall include those years of service rendered while obtaining the



263 Master of Education degree or Educational Specialist degree.
264 However, for any person who obtained a baccalaureate degree in
265 education with a financial scholarship under the Critical Needs
266 Teacher Scholarship Program and who entered the University
267 Assisted Teacher Recruitment and Retention Grant Program before
268 rendering service as a teacher, the period of employment for the
269 purposes of this subsection shall be two (2) years, in addition to
270 the employment commitment required under the Critical Needs
271 Teacher Scholarship Program. Service rendered by a participant as
272 a licensed teacher in a school district in a geographical critical
273 teacher shortage area before that teacher becomes a participant in
274 the program may not be considered to fulfill the employment
275 commitment required under this subsection. Any person failing to
276 comply with this employment commitment in any required school year
277 shall immediately be in breach of contract and become liable
278 immediately to the State Department of Education for the sum of
279 all scholarships awarded and relocation expenses granted to that
280 person, less one-third (1/3) of the amount of that sum for each
281 year that service was rendered, or for those persons whose
282 required period of employment is two (2) years, less one-half
283 (1/2) of the amount of that sum for each year that service was
284 rendered, plus interest accruing at the current Stafford Loan rate
285 at the time the breach occurs, except in the case of a deferral
286 for cause by the State Board of Education when there is no
287 employment position immediately available upon the teacher's
288 obtaining of the Master of Education degree or Educational
289 Specialist degree. After the period of such deferral, the person
290 shall begin or resume the required teaching duties or shall become
291 liable to the board under this subsection. If a claim for
292 repayment under this subsection is placed in the hands of an
293 attorney for collection after default, then the obligor shall be
294 liable for an additional amount equal to a reasonable attorney's
295 fee.



296 (9) All funds received by the State Department of Education
297 from the repayment of scholarship awards and relocation expenses
298 by program participants shall be deposited in the Mississippi
299 Critical Teacher Shortage Fund.

300 (10) The State Board of Education shall promulgate rules and
301 regulations necessary for the proper administration of the
302 University Assisted Teacher Recruitment and Retention Grant
303 Program.

304 **SECTION 4.** Section 37-159-11, Mississippi Code of 1972, is
305 reenacted and amended as follows:

306 37-159-11. (1) There is established the Mississippi
307 Employer-Assisted Housing Teacher Program, which shall be a
308 special home loan program for eligible licensed teachers who
309 render service * * * in a geographical area of the state where
310 there exists a critical shortage of teachers, as designated by the
311 State Board of Education. The home loan program shall be
312 administered by the State Department of Education in conjunction
313 with the Federal National Mortgage Association (Fannie Mae). The
314 department may contract with one or more public or private
315 entities to provide assistance in implementing and administering
316 the program. The State Board of Education shall adopt rules and
317 regulations regarding the implementation and administration of the
318 program.

319 (2) Participation in the loan program shall be available to
320 any licensed teacher who renders service in a school district or
321 in a nonpublic school that maintains educational standards
322 equivalent to the standards established by the State Department of
323 Education for the state schools, as outlined in the Approval
324 Requirements of the State Board of Education for Nonpublic
325 Schools, in a geographical area of the state where there exists a
326 critical shortage of teachers, as designated by the State Board of
327 Education. Any person who receives a loan under the program shall
328 be required to purchase a house and reside in a county in which



329 the approved nonpublic school district for which the teacher is
330 rendering service, or any portion of the school district, is
331 located. The maximum amount of a loan that may be made under the
332 program to any person shall be Six Thousand Dollars (\$6,000.00).

333 (3) Any loan made under the program to a person who actually
334 renders service as a teacher in a geographical area of the state
335 where there exists a critical shortage of teachers, as designated
336 by the State Board of Education, shall be converted to an
337 interest-free grant on the basis of one (1) year's service for
338 one-third (1/3) of the amount of the loan. Any person who does
339 not render three (3) years' service as a teacher in a geographical
340 area of the state where there exists a critical shortage of
341 teachers, as designated by the State Board of Education, shall be
342 liable to the State Department of Education for one-third (1/3) of
343 the amount of the loan for each year that he does not render such
344 service, plus interest accruing at the current Stafford Loan rate
345 at the time the person discontinues his service. If a claim for
346 repayment under this subsection is placed in the hands of an
347 attorney for collection, the obligor shall be liable for an
348 additional amount equal to a reasonable attorney's fee.

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

352 (5) This section shall stand repealed on July 1, 2004.

353 **SECTION 5.** Section 37-159-15, Mississippi Code of 1972, is
354 amended as follows:

355 37-159-15. The State Department of Education and the Board
356 of Trustees of State Institutions of Higher Learning shall jointly
357 prepare an annual report for the Legislature, to be submitted by
358 December 1 of each year beginning in 1998, which shall assess the
359 impact of the teacher recruitment incentive programs authorized
360 under House Bill No. 609, 1998 Regular Session [Laws, 1998,
361 Chapter 544], on the employment of licensed teachers in critical



362 teacher shortage areas. The report shall include, at a minimum,
363 the numbers of persons who have participated in each of the
364 programs each year, and the numbers of persons who have
365 participated in the programs who have rendered service as teachers
366 in critical teacher shortage areas each year by school district or
367 nonpublic school.

368 **SECTION 6.** This act shall take effect and be in force from
369 and after July 1, 2003.

