

By: Senator(s) Chaney, Carmichael

To: Universities and  
Colleges; Appropriations

SENATE BILL NO. 2669

1 AN ACT TO AMEND SECTIONS 37-143-11 AND 37-159-3, MISSISSIPPI  
2 CODE OF 1972, TO LIMIT THE STATE-FUNDED TEACHER SCHOLARSHIP  
3 INCENTIVE PROGRAMS TO JUNIOR AND SENIOR LEVEL UNIVERSITY STUDENTS;  
4 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 by awarding incentive loans  
10 to persons declaring an intention to serve in the teaching field  
11 and who actually render service to the state while possessing an  
12 appropriate teaching license.

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

15 (3) To the extent of appropriations available, students who  
16 are enrolled in any teacher education program approved by the  
17 State Board of Education in a baccalaureate degree-granting  
18 institution of higher learning in the State of Mississippi  
19 accredited by the Southern Association of Colleges and Schools and  
20 approved by the Mississippi Commission on College  
21 Accreditation, \* \* \* and who have expressed in writing a present  
22 intention to teach in Mississippi, shall be eligible for student  
23 loans to be applied to the costs of their college education. \* \* \*

24 (4) A junior establishing initial eligibility shall be  
25 eligible for a maximum of four (4) annual loans and a senior shall  
26 be eligible for two (2) annual loan.

27 (5) The maximum annual loan shall be set by the Board of  
28 Trustees of State Institutions of Higher Learning at an amount not



29 to exceed the cost of attendance at any baccalaureate  
30 degree-granting institution of higher learning in the State of  
31 Mississippi. However, it is the intent of the Legislature that  
32 the maximum annual loan amounts under the William F. Winter  
33 Teacher Scholar Loan Program shall not be of such amounts that  
34 would compete with the Critical Needs Teacher Scholarship Program.

35 (6) The loans of persons who actually render service as  
36 licensed teachers or nontraditional teacher interns authorized  
37 under Section 37-3-2(6)(b) in a public school in Mississippi for a  
38 major portion of the school day for at least seventy-eight (78)  
39 school days during each \* \* \* school semester \* \* \* immediately  
40 after obtaining a baccalaureate degree, shall be converted to  
41 interest-free scholarships. Conversion shall be based on two (2)  
42 semesters of service for each year a loan was received, and the  
43 Board of Trustees of State Institutions of Higher Learning shall  
44 not authorize the conversion of loans into interest-free  
45 scholarships at any other ratio, except as follows: Participants  
46 in the William F. Winter Teacher Scholar Loan Program may have  
47 their loans converted into interest-free scholarships at the same  
48 ratio as under the Critical Needs Teacher Scholarship Program if  
49 they render service as a licensed teacher or nontraditional  
50 teacher intern authorized under Section 37-3-2(6)(b) in a public  
51 school district in a geographical area of the state where there is  
52 a critical shortage of teachers, as designated by the State Board  
53 of Education.

54 (7) Persons failing to complete an appropriate program of  
55 study shall immediately become liable to the Board of Trustees of  
56 State Institutions of Higher Learning for the sum of all  
57 outstanding loans, except in the case of a deferral of debt for  
58 cause by the board, after which period of deferral, study may be  
59 resumed. Persons failing to meet teaching requirements in any  
60 required semester shall immediately be in breach of contract and  
61 become liable to the board for the amount of the corresponding



62 loan received, with interest accruing at the current Stafford Loan  
63 rate at the time the breach occurs, except in the case of a  
64 deferral of debt for cause by the board, after which period of  
65 deferral, teaching duties required hereunder will be resumed. If  
66 the claim for payment of such loan is placed in the hands of an  
67 attorney for collection after default, then the obligor shall be  
68 liable for an additional amount equal to a reasonable attorney's  
69 fee.

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

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

76 (10) All monies repaid to the Board of Trustees of State  
77 Institutions of Higher Learning hereunder shall be added to the  
78 appropriations made for purposes of this section, and those  
79 appropriations shall not lapse.

80 (11) The Board of Trustees of State Institutions of Higher  
81 Learning with the concurrence of the State Board of Education  
82 shall jointly promulgate regulations necessary for the proper  
83 administration of this section.

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

90 (13) Any freshman or sophomore who, prior to July 1, 2003,  
91 had been accepted into the William F. Winter Teacher Scholar Loan  
92 Program under the authority of Section 37-143-11(4), (5) and (6),  
93 as said statute existed prior to July 1, 2003, shall be allowed to  
94 remain in the scholar loan program, and conversion shall continue



95 to be based on two (2) semesters of service for each year a loan  
96 was received.

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

113       **SECTION 2.** Section 37-159-3, Mississippi Code of 1972, is  
114 amended as follows:

115       37-159-3. (1) There is established the "Critical Needs  
116 Teacher Scholarship Program," the purpose of which is to attract  
117 qualified teachers to those geographical areas of the state where  
118 there exists a critical shortage of teachers by awarding full  
119 scholarships to persons declaring an intention to serve in the  
120 teaching field who actually render service to the state while  
121 possessing an appropriate teaching license.

122       (2) Any individual who is enrolled in or accepted for  
123 enrollment at a teacher education program approved by the State  
124 Board of Education at a baccalaureate degree-granting institution  
125 of higher learning \* \* \* in the State of Mississippi and has a  
126 passing score on the Praxis I Basic Skills Test who expresses in  
127 writing an intention to teach in a geographical area of the state



128 in which there exists a critical shortage of teachers, as  
129 designated by the State Board of Education, shall be eligible for  
130 a financial scholarship to be applied toward the costs of the  
131 individual's college education. The annual amount of the award  
132 shall be equal to the total cost for tuition, room and meals,  
133 books, materials and fees at the college or university in which  
134 the student is enrolled, not to exceed an amount equal to the  
135 highest total cost of tuition, room and meals, books, materials  
136 and fees assessed by a state institution of higher learning during  
137 that school year. Awards made to nonresidents of the state shall  
138 not include any amount assessed by the college or university for  
139 out-of-state tuition.

140 (3) Awards granted under the Critical Needs Teacher  
141 Scholarship Program shall be available to both full-time and  
142 part-time students. Students enrolling on a full-time basis may  
143 receive a maximum of two (2) annual awards. The maximum number of  
144 awards that may be made to students attending school on a  
145 part-time basis, and the maximum time period for part-time  
146 students to complete the number of academic hours necessary to  
147 obtain a baccalaureate degree in education, shall be established  
148 by rules and regulations jointly promulgated by the Board of  
149 Trustees of State Institutions of Higher Learning and the State  
150 Board of Education. Critical Needs Teacher Scholarships shall not  
151 be based upon an applicant's eligibility for financial aid.

152 (4) Except in those cases where employment positions may not  
153 be available upon completion of licensure requirements, at the  
154 beginning of the first school year in which a recipient of a  
155 Critical Needs Teacher Scholarship is eligible for employment as a  
156 licensed teacher or a nontraditional teacher intern pursuant to  
157 Section 37-3-2 (6) (b), that person shall begin to render service  
158 as a licensed teacher or nontraditional teacher intern in a public  
159 school district in a geographical area of the state where there is  
160 a critical shortage of teachers, as approved by the State Board of



161 Education. Any person who received two (2) annual awards,  
162 or \* \* \* who received fewer than two (2) annual awards, or the  
163 equivalent of two (2) annual awards, shall render one (1) year's  
164 service as a licensed teacher \* \* \*.

165 (5) Any person failing to complete a program of study which  
166 will enable that person to become a licensed teacher or  
167 nontraditional teacher intern under Section 37-3-2 (6)(b), as the  
168 case may be, shall become liable immediately to the Board of  
169 Trustees of State Institutions of Higher Learning for the sum of  
170 all Critical Needs Teacher Scholarship awards made to that person,  
171 plus interest accruing at the current Stafford Loan rate at the  
172 time the person abrogates his participation in the program. Any  
173 person failing to complete his teaching obligation, as required  
174 under subsection (4) of this section, shall become liable  
175 immediately to the board for the sum of all scholarship awards  
176 made to that person less the corresponding amount of any awards  
177 for which service has been rendered, plus interest accruing at the  
178 current Stafford Loan rate at the time the person discontinues his  
179 service, except in the case of a deferral of debt for cause by the  
180 State Board of Education when there is no employment position  
181 immediately available upon a teacher's completion of licensure  
182 requirements. After the period of such deferral, such person  
183 shall begin or resume teaching duties as required under subsection  
184 (4) or shall become liable to the board under this subsection. If  
185 a claim for payment under this subsection is placed in the hands  
186 of an attorney for collection, the obligor shall be liable for an  
187 additional amount equal to a reasonable attorney's fee.

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

191 (7) Any freshman or sophomore who, prior to July 1, 2003,  
192 had been accepted into the Critical Needs Teacher Scholarship  
193 Program under the authority of Section 37-159-3(4), as said



194 statute existed prior to July 1, 2003, shall be allowed to remain  
195 in the scholar loan program, and conversion shall continue to be  
196 based on one (1) semester of service for each year a loan was  
197 received.

198       (8) The Board of Trustees of State Institutions of Higher  
199 Learning and the State Board of Education shall jointly promulgate  
200 rules and regulations necessary for the proper administration of  
201 the Critical Needs Teacher Scholarship Program. The Board of  
202 Trustees of State Institutions of Higher Learning shall be the  
203 administering agency of the program.

204       (9) If insufficient funds are available to fully fund  
205 scholarship awards to all eligible students, the Board of Trustees  
206 of State Institutions of Higher Learning shall make the awards to  
207 first-time students on a first-come, first-served basis; however,  
208 priority consideration shall be given to persons previously  
209 receiving awards under the Critical Needs Teacher Scholarship  
210 Program.

211       (10) All funds received by the Board of Trustees of State  
212 Institutions of Higher Learning from the repayment of scholarship  
213 awards by program participants shall be deposited in the  
214 Mississippi Critical Teacher Shortage Fund.

215       (11) The State Department of Education shall compile and  
216 report, in consultation with the Board of Trustees of State  
217 Institutions of Higher Learning, an annual report with findings  
218 and recommendations to the legislative committees on education by  
219 December 1, 2003, and annually thereafter, on the following:

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

223           (b) The number of nontraditional teacher license  
224 program participants;



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

228                   (d) The number of individuals who are in default of  
229 their obligation under the Critical Needs Teacher Scholarship  
230 Program and the status of their obligation; and

231                   (e) The number of participants in the program who have  
232 successfully completed the Praxis examination in their junior  
233 year.

234           **SECTION 3.** This act shall take effect and be in force from  
235 and after July 1, 2003.

