

By: Representatives Lane, Watson

To: Education

HOUSE BILL NO. 750

1 AN ACT TO ESTABLISH THE MISSISSIPPI SCHOOL TEACHER SABBATICAL
2 PROGRAM; TO PROVIDE CRITERIA FOR PARTICIPATION IN THE PROGRAM; TO
3 PROVIDE FOR THE PAYMENT OF TEACHERS PARTICIPATING IN THE PROGRAM;
4 TO PROVIDE THAT TEACHERS SHALL TEACH A CERTAIN PERIOD OF TIME IN
5 THE SPONSORING SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** (1) There is established the Mississippi School
8 Teacher Sabbatical Program which shall be available to licensed
9 teachers employed in Mississippi school districts for not less
10 than five (5) years, for the purpose of allowing such teachers to
11 further their education under the conditions set forth in this
12 section. The State Board of Education, in coordination with the
13 Board of Trustees of State Institutions of Higher Learning, shall
14 develop guidelines for the program. Application shall be made to
15 the State Department of Education for the Mississippi School
16 Teacher Sabbatical Program by qualified teachers meeting the
17 criteria for completing their master's degree or pursuing a
18 doctorate program and who have been recommended by the local
19 school board. Admission into the program shall authorize the
20 applicant to take university course work leading to a master's or
21 doctorate degree.

22 (2) The salaries of the teachers approved for participation
23 in the teacher sabbatical program shall be paid by the employing
24 school district from nonminimum education program funds. However,
25 the State Department of Education shall reimburse the employing
26 school districts for the cost of the salaries and paid fringe
27 benefits of teachers participating in the teacher sabbatical
28 program for one (1) contract year. Reimbursement shall be made in

29 accordance with the then current minimum education program salary
30 schedule under Section 37-19-7, except that the maximum amount of
31 the reimbursement from state funds shall not exceed the minimum
32 education program salary for a teacher holding a Class A license
33 and having five (5) years' experience. The local school district
34 shall be responsible for that portion of a participating teacher's
35 salary attributable to the local supplement and for any portion of
36 the teacher's salary that exceeds the maximum amount allowed for
37 reimbursement from state funds as provided in this subsection, and
38 the school board may not reduce the local supplement payable to
39 that teacher. Any reimbursements made by the State Department of
40 Education to local school districts under this section shall be
41 subject to available appropriations and may be made only to school
42 districts determined by the State Board of Education as being in
43 need of teachers.

44 (3) Such teachers participating in the program on a
45 full-time basis shall continue to receive teaching experience and
46 shall receive the salary prescribed in Section 37-19-7, including
47 the annual experience increments. Such participants shall be
48 fully eligible to continue participation in the Public Employees'
49 Retirement System and the Public School Employees Health Insurance
50 Plan during the time they are in the program on a full-time basis.

51 (4) As a condition for participation in the School Teacher
52 Sabbatical Program, such teachers shall agree to employment as
53 teachers in the sponsoring school district for not less than five
54 (5) years following completion of their degree. Any person
55 failing to comply with this employment commitment in any required
56 school year, unless the commitment is deferred as provided in
57 subsection (5) of this section, shall immediately be in breach of
58 contract and become liable to the State Department of Education
59 for that amount of his salary and paid fringe benefits paid by the
60 state while the teacher was on sabbatical, less twenty percent
61 (20%) of the amount of his salary and paid fringe benefits paid by

62 the state for each year that the person was employed as a teacher
63 following completion of their degree. In addition, the person
64 shall become liable to the local school district for any portion
65 of his salary and paid fringe benefits paid by the local school
66 district while the teacher was on sabbatical that is attributable
67 to the local salary supplement or is attributable to the amount
68 that exceeds the maximum amount allowed for reimbursement from
69 state funds as provided in subsection (2) of this section, less
70 twenty percent (20%) of the amount of his salary and paid fringe
71 benefits paid by the school district for each year that the person
72 was employed as a teacher following completion of their degree.
73 Interest on the amount due shall accrue at the current Stafford
74 Loan rate at the time the breach occurs. If the claim for
75 repayment of such salary and fringe benefits is placed in the
76 hands of an attorney for collection after default, then the
77 obligor shall be liable for an additional amount equal to a
78 reasonable attorney's fee.

79 (5) If there is not a teacher position immediately available
80 in the sponsoring school district after a person has completed
81 their degree requirements, or if the teacher position in the
82 sponsoring school district in which the person is employed is no
83 longer needed before the completion of the five-year employment
84 commitment, the local school board shall defer any part of the
85 employment commitment that has not been met until such time as a
86 teacher position becomes available in the sponsoring school
87 district. If the sponsoring school district releases a person
88 from employment, that person may be employed as a teacher in
89 another school district in the state that is in need of teachers
90 as determined by the State Board of Education, and that employment
91 for the other school district shall be applied to any remaining
92 portion of the five-year employment commitment required under this
93 section. Nothing in this subsection shall prevent a school
94 district from not renewing the person's contract before the end of

95 the five-year employment commitment in accordance with the School
96 Employment Procedures Law (Section 37-9-101 et seq.). However, if
97 the person is not employed as a teacher by another school district
98 after being released by the sponsoring school district, or after
99 his contract was not renewed by the sponsoring school district, he
100 shall be liable for repayment of the amount of his salary and
101 fringe benefits as provided in subsection (4) of this section.

102 (6) All funds received by the State Department of Education
103 from the repayment of salary and fringe benefits paid by the state
104 from program participants shall be deposited in the Mississippi
105 Critical Teacher Shortage Fund.

106 **SECTION 2.** This act shall take effect and be in force from
107 and after July 1, 2006.