

By: Senator(s) DeBar

To: Education

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2508

1 AN ACT TO AMEND SECTIONS 37-159-1, 37-159-5, 37-159-7,
2 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF
3 1972, TO DELETE THE INDIVIDUAL AUTOMATIC REPEALERS ON THE
4 PROVISIONS THAT CONSTITUTE THE "MISSISSIPPI CRITICAL TEACHER
5 SHORTAGE ACT OF 1998"; TO CREATE NEW SECTION 37-159-19,
6 MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON SECTIONS
7 37-159-1 THROUGH 37-159-17; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 37-159-1, Mississippi Code of 1972, is
10 amended as follows:

11 37-159-1. This act [Laws of 1998, Chapter 544] shall be
12 known and may be cited as the "Mississippi Critical Teacher
13 Shortage Act of 1998."

14 * * *

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

17 37-159-5. The State Board of Education shall prescribe rules
18 and regulations which, subject to available appropriations, allow
19 for reimbursement to the state licensed teachers, from both in
20 state and out of state, who enter into a contract for employment



21 in a school district situated within a geographical area of the
22 state where there exists a critical shortage of teachers, as
23 designated by the State Board of Education, for the expense of
24 moving when the employment necessitates the relocation of the
25 teacher to a different geographical area than that in which the
26 teacher resides before entering into such contract. In order to
27 be eligible for the reimbursement, the teacher must apply to the
28 local district and the district must obtain the prior approval
29 from the department for reimbursement before the relocation
30 occurs. If the reimbursement is approved, the department shall
31 provide funds to the school district to reimburse the teacher an
32 amount not to exceed One Thousand Dollars (\$1,000.00) for the
33 documented actual expenses incurred in the course of relocating,
34 including the expense of any professional moving company or
35 persons employed to assist with the move, rented moving vehicles
36 or equipment, mileage in the amount authorized for state employees
37 under Section 25-3-41 if the teacher used his personal vehicle or
38 vehicles for the move, meals and such other expenses associated
39 with the relocation in accordance with the department's
40 established rules and regulations. No teacher may be reimbursed
41 for moving expenses under this section on more than one (1)
42 occasion.

43 Nothing in this section shall be construed to require the
44 actual residence to which the teacher relocates to be within the
45 boundaries of the school district which has executed a contract



46 for employment with the teacher or within the boundaries of the
47 area designated by the State Board of Education as the critical
48 teacher shortage area in order for the teacher to be eligible for
49 reimbursement for his moving expenses. However, teachers must
50 relocate within the boundaries of the State of Mississippi.

51 * * *

52 **SECTION 3.** Section 37-159-7, Mississippi Code of 1972, is
53 amended as follows:

54 37-159-7. The school board of any school district situated
55 within a geographical area of the state where there exists a
56 critical shortage of teachers, as designated by the State Board of
57 Education, in its discretion, may reimburse persons who interview
58 for employment as a licensed teacher with the district for the
59 mileage and other actual expenses incurred in the course of travel
60 to and from the interview by such persons at the rate authorized
61 for county and municipal employees under Section 25-3-41. Any
62 reimbursement by a school board under this section shall be paid
63 from nonminimum education program funds.

64 * * *

65 **SECTION 4.** Section 37-159-9, Mississippi Code of 1972, is
66 amended as follows:

67 37-159-9. (1) There is established the University Assisted
68 Teacher Recruitment and Retention Grant Program within the State
69 Department of Education. The purposes of the program shall be to
70 attract additional qualified teachers to those geographical areas



71 of the state where there exists a critical shortage of teachers
72 and to retain the qualified teachers already serving as licensed
73 teachers in geographical critical teacher shortage areas by making
74 available scholarships to persons working towards a Master of
75 Education degree or an Educational Specialist degree at an
76 institution of higher learning whose teacher education program is
77 approved by the State Board of Education.

78 (2) Any institution of higher learning in the State of
79 Mississippi which offers a Master of Education degree or an
80 Educational Specialist degree may apply to the department for
81 participation in the program. As part of the program,
82 participating institutions shall collaborate with the Mississippi
83 Teacher Center to identify, recruit and place teacher education
84 graduates, from both within the state and out of state, in school
85 districts situated within those areas of the state where there
86 exists a critical shortage of teachers, as designated by the State
87 Board of Education.

88 (3) The State Department of Education shall provide funds to
89 participating institutions of higher learning for the purpose of
90 awarding scholarships to qualified persons pursuing a Master of
91 Education degree or an Educational Specialist degree at such
92 institutions while rendering service to the state as a licensed
93 teacher in a school district in a geographical area of the state
94 where there exists a critical shortage of teachers, as approved by
95 the State Board of Education. The financial scholarship shall be



96 applied to the total cost for tuition, books, materials and fees
97 at the institution in which the student is enrolled, not to exceed
98 an amount equal to the highest total cost of tuition, books,
99 materials and fees assessed by a state institution of higher
100 learning during that school year. Teachers who relocate within
101 Mississippi from out of state in order to participate in the
102 program shall be classified as residents of the state for tuition
103 purposes.

104 (4) Students awarded financial scholarships under the
105 University Assisted Teacher Recruitment and Retention Grant
106 Program may receive such awards for a maximum of four (4) school
107 years; however, the maximum number of awards which may be made
108 shall not exceed the length of time required to complete the
109 number of academic hours necessary to obtain a Master of Education
110 degree or an Educational Specialist degree. Financial
111 scholarships under the program shall not be based upon an
112 applicant's eligibility for financial aid.

113 (5) Persons relocating to a geographical area of the state
114 where there exists a critical shortage of teachers, as approved by
115 the State Board of Education, to participate in the University
116 Assisted Teacher Recruitment and Retention Grant Program shall be
117 eligible for reimbursement for their moving expenses to the
118 critical teacher shortage area from the State Board of Education.
119 The State Board of Education shall promulgate rules and
120 regulations necessary for the administration of the relocation



121 expense reimbursement component of the University Assisted Teacher
122 Recruitment and Retention Grant Program.

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

128 (7) Any person participating in the program who fails to
129 complete a program of study that will enable that person to obtain
130 a Master of Education degree or Educational Specialist degree
131 shall become liable immediately to the State Board of Education
132 for the sum of all awards made to that person under the program,
133 plus interest accruing at the current Stafford Loan rate at the
134 time the person abrogates his participation in the program.

135 (8) As a condition for participation in the program, a
136 teacher shall agree to employment as a licensed teacher in a
137 school district located in a geographical area of the state where
138 there exists a critical shortage of teachers, as designated by the
139 State Board of Education, for a period of not less than three (3)
140 years, which shall include those years of service rendered while
141 obtaining the Master of Education degree or Educational Specialist
142 degree. However, for any person who obtained a Baccalaureate
143 degree in education with a financial scholarship under the
144 Critical Needs Teacher Scholarship Program and who entered the
145 University Assisted Teacher Recruitment and Retention Grant



146 Program before rendering service as a teacher, the period of
147 employment for the purposes of this subsection shall be two (2)
148 years, in addition to the employment commitment required under the
149 Critical Needs Teacher Scholarship Program. Service rendered by a
150 participant as a licensed teacher in a school district in a
151 geographical critical teacher shortage area before that teacher
152 becomes a participant in the program may not be considered to
153 fulfill the employment commitment required under this subsection.
154 Any person failing to comply with this employment commitment in
155 any required school year shall immediately be in breach of
156 contract and become liable immediately to the State Department of
157 Education for the sum of all scholarships awarded and relocation
158 expenses granted to that person, less one-third (1/3) of the
159 amount of that sum for each year that service was rendered, or for
160 those persons whose required period of employment is two (2)
161 years, less one-half (1/2) of the amount of that sum for each year
162 that service was rendered, plus interest accruing at the current
163 Stafford Loan rate at the time the breach occurs, except in the
164 case of a deferral for cause by the State Board of Education when
165 there is no employment position immediately available upon the
166 teacher's obtaining of the Master of Education degree or
167 Educational Specialist degree. After the period of such deferral,
168 the person shall begin or resume the required teaching duties or
169 shall become liable to the board under this subsection. If a
170 claim for repayment under this subsection is placed in the hands



171 of an attorney for collection after default, then the obligor
172 shall be liable for an additional amount equal to a reasonable
173 attorney's fee.

174 (9) All funds received by the State Department of Education
175 from the repayment of scholarship awards and relocation expenses
176 by program participants shall be deposited in the Mississippi
177 Critical Teacher Shortage Fund.

178 (10) The State Board of Education shall promulgate rules and
179 regulations necessary for the proper administration of the
180 University Assisted Teacher Recruitment and Retention Grant
181 Program.

182 * * *

183 **SECTION 5.** Section 37-159-11, Mississippi Code of 1972, is
184 amended as follows:

185 37-159-11. (1) There is established the Mississippi
186 Employer-Assisted Housing Teacher Program, which shall be a
187 special home loan program for eligible licensed teachers who
188 render service to the state in a geographical area of the state
189 where there exists a critical shortage of teachers, as designated
190 by the State Board of Education. The home loan program shall be
191 administered by the State Department of Education in conjunction
192 with the Federal National Mortgage Association (Fannie Mae). The
193 department may contract with one or more public or private
194 entities to provide assistance in implementing and administering
195 the program. The State Board of Education shall adopt rules and



196 regulations regarding the implementation and administration of the
197 program.

198 (2) Participation in the loan program shall be available to
199 any licensed teacher who renders service in a geographical area of
200 the state where there exists a critical shortage of teachers, as
201 designated by the State Board of Education. Any person who
202 receives a loan under the program shall be required to purchase a
203 house and reside in a county in which the school district for
204 which the teacher is rendering service, or any portion of the
205 school district, is located. The maximum amount of a loan that
206 may be made under the program to any person shall be Six Thousand
207 Dollars (\$6,000.00).

208 (3) Any loan made under the program to a person who actually
209 renders service as a teacher in a geographical area of the state
210 where there exists a critical shortage of teachers, as designated
211 by the State Board of Education, shall be converted to an
212 interest-free grant on the basis of one (1) year's service for
213 one-third (1/3) of the amount of the loan. Any person who does
214 not render three (3) years' service as a teacher in a geographical
215 area of the state where there exists a critical shortage of
216 teachers, as designated by the State Board of Education, shall be
217 liable to the State Department of Education for one-third (1/3) of
218 the amount of the loan for each year that he does not render such
219 service, plus interest accruing at the current Stafford Loan rate
220 at the time the person discontinues his service. If a claim for



221 repayment under this subsection is placed in the hands of an
222 attorney for collection, the obligor shall be liable for an
223 additional amount equal to a reasonable attorney's fee.

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

227 * * *

228 **SECTION 6.** Section 37-159-13, Mississippi Code of 1972, is
229 amended as follows:

230 37-159-13. (1) There is established a pilot program to
231 provide for the construction of rental housing units for teachers
232 in the West Tallahatchie School District, which pilot program
233 shall be administered by the State Department of Education. The
234 department may contract with one or more public or private
235 entities to provide assistance in implementing and administering
236 the program. The State Board of Education shall adopt rules and
237 regulations regarding the implementation and administration of the
238 program.

239 (2) The West Tallahatchie School District shall receive
240 proposals from developers for the construction of the rental
241 housing units, and submit its recommendation to the State
242 Department of Education about which developer should construct the
243 units. The department shall make the final determination about
244 the developer that will construct the units.



245 (3) After selection of the developer, the department shall
246 loan the developer not more than Two Hundred Thousand Dollars
247 (\$200,000.00) for construction of the units. The interest rate on
248 the loan shall be equal to one percent (1%) below the discount
249 rate at the Federal Reserve Bank in the Federal Reserve district
250 in which the school district is located, and the loan shall be
251 repaid in not more than fifteen (15) years, as determined by the
252 department. All funds received by the department as repayment of
253 the principal and interest of the loan shall be deposited in the
254 Mississippi Critical Teacher Shortage Fund. If a claim against
255 the developer for repayment is placed in the hands of an attorney
256 for collection, the obligor shall be liable for an additional
257 amount equal to a reasonable attorney's fee.

258 (4) The developer shall operate the rental housing units.
259 For a period of ten (10) years or until such time as the loan to
260 the developer is repaid, whichever is longer, the priority for
261 residence in the units shall be given first to teachers employed
262 by the school district, then to other licensed school district
263 employees, and then to any other school district employees.

264 * * *

265 **SECTION 7.** Section 37-159-17, Mississippi Code of 1972, is
266 amended as follows:

267 37-159-17. There is established in the State Treasury a
268 special fund to be designated the "Mississippi Critical Teacher
269 Shortage Fund," into which shall be deposited those funds



270 appropriated by the Legislature, and any other funds that may be
271 made available, for the purpose of implementing the programs
272 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9
273 through 37-159-13. Money in the fund at the end of a fiscal year
274 shall not lapse into the General Fund, and interest earned on any
275 amounts deposited into the fund shall be credited to the special
276 fund.

277 * * *

278 **SECTION 8.** The following shall be codified as Section
279 37-159-19, Mississippi Code of 1972:

280 37-159-19. Sections 37-159-1 through 37-159-17 shall stand
281 repealed on July 1, 2021.

282 **SECTION 9.** This act shall take effect and be in force from
283 and after July 1, 2020.

