

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.

