

By: Representatives Turner, Anthony, Hudson, To: Education  
McLean, Sanford

## HOUSE BILL NO. 135

1 AN ACT TO REENACT 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, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE  
4 ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER  
5 RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI  
6 EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO  
7 PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN  
8 WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND REENACTED SECTIONS  
9 37-159-1 AND 37-159-7, MISSISSIPPI CODE OF 1972, TO MAKE  
10 NONSUBSTANTIVE REVISIONS TO OUTDATED STATUTORY LANGUAGE; TO AMEND  
11 SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF  
12 THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF  
13 1998; AND FOR RELATED PURPOSES.

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

15 **SECTION 1.** Section 37-159-1, Mississippi Code of 1972, is  
16 reenacted and amended as follows:

17 37-159-1. \* \* \* Sections 37-159-1 through 37-159-19 shall be  
18 known and may be cited as the "Mississippi Critical Teacher  
19 Shortage Act of 1998."

20 **SECTION 2.** Section 37-159-5, Mississippi Code of 1972, is  
21 reenacted as follows:

22 37-159-5. The State Board of Education shall prescribe rules  
23 and regulations which, subject to available appropriations, allow



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



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

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

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

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

37-159-9. (1) There is established the University Assisted Teacher Recruitment and Retention Grant Program within the State Department of Education. The purposes of the program shall be to



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

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

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



the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the program shall be classified as residents of the state for tuition purposes.

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

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



regulations necessary for the administration of the relocation expense reimbursement component of the University Assisted Teacher Recruitment and Retention Grant Program.

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

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

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



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



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

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

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

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

37-159-11. (1) There is established the Mississippi Employer-Assisted Housing Teacher Program, which shall be a special home loan program for eligible licensed teachers who render service to the state in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education. The home loan program shall be administered by the State Department of Education. The department may contract with one or more public or private entities to provide assistance in implementing and administering the program. The State Board of Education shall adopt rules and regulations regarding the implementation and administration of the 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



attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

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

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

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

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

(3) After selection of the developer, the department shall loan the developer not more than Two Hundred Thousand Dollars (\$200,000.00) for construction of the units. The interest rate on



the loan shall be equal to one percent (1%) below the discount rate at the Federal Reserve Bank in the Federal Reserve district in which the school district is located, and the loan shall be repaid in not more than fifteen (15) years, as determined by the department. All funds received by the department as repayment of the principal and interest of the loan shall be deposited in the Mississippi Critical Teacher Shortage Fund. If a claim against the developer for repayment is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

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

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

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year



272 shall not lapse into the General Fund, and interest earned on any  
273 amounts deposited into the fund shall be credited to the special  
274 fund.

275       **SECTION 8.** Section 37-159-19, Mississippi Code of 1972, is  
276 amended as follows:

277       37-159-19. Sections 37-159-1 through 37-159-17 shall stand  
278 repealed on July 1, \* \* \* 2024.

279       **SECTION 9.** This act shall take effect and be in force from  
280 and after July 1, 2021.

