

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10 NONSUBSTANTIVE REVISIONS TO OUTDATED STATUTORY LANGUAGE; TO AMEND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.



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

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

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

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

70 37-159-9. (1) There is established the University Assisted
71 Teacher Recruitment and Retention Grant Program within the State
72 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



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

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

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



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

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

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

138 (8) As a condition for participation in the program, a
139 teacher shall agree to employment as a licensed teacher in a
140 school district located in a geographical area of the state where
141 there exists a critical shortage of teachers, as designated by the
142 State Board of Education, for a period of not less than three (3)
143 years, which shall include those years of service rendered while
144 obtaining the Master of Education degree or Educational Specialist
145 degree. However, for any person who obtained a Baccalaureate
146 degree in education with a financial scholarship under the
147 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



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

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

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

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

187 37-159-11. (1) There is established the Mississippi
188 Employer-Assisted Housing Teacher Program, which shall be a
189 special home loan program for eligible licensed teachers who
190 render service to the state in a geographical area of the state
191 where there exists a critical shortage of teachers, as designated
192 by the State Board of Education. The home loan program shall be
193 administered by the State Department of Education. The department
194 may contract with one or more public or private entities to
195 provide assistance in implementing and administering the program.
196 The State Board of Education shall adopt rules and regulations
197 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



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

229 37-159-13. (1) There is established a pilot program to
230 provide for the construction of rental housing units for teachers
231 in the West Tallahatchie School District, which pilot program
232 shall be administered by the State Department of Education. The
233 department may contract with one or more public or private
234 entities to provide assistance in implementing and administering
235 the program. The State Board of Education shall adopt rules and
236 regulations regarding the implementation and administration of the
237 program.

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

244 (3) After selection of the developer, the department shall
245 loan the developer not more than Two Hundred Thousand Dollars
246 (\$200,000.00) for construction of the units. The interest rate on



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

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

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

265 37-159-17. There is established in the State Treasury a
266 special fund to be designated the "Mississippi Critical Teacher
267 Shortage Fund," into which shall be deposited those funds
268 appropriated by the Legislature, and any other funds that may be
269 made available, for the purpose of implementing the programs
270 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9
271 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.

