

By: Representatives Shanks, McLean

To: Education

HOUSE BILL NO. 765

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 SECTION 37-159-19,  
 9 MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON  
 10 THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; AND FOR  
 11 RELATED PURPOSES.

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

13 **SECTION 1.** Section 37-159-1, Mississippi Code of 1972, is  
 14 reenacted as follows:

15 37-159-1. Sections 37-159-1 through 37-159-19 shall be known  
 16 and may be cited as the "Mississippi Critical Teacher Shortage Act  
 17 of 1998."

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

20 37-159-5. The State Board of Education shall prescribe rules  
 21 and regulations which, subject to available appropriations, allow  
 22 for reimbursement to the state licensed teachers, from both in



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

46       Nothing in this section shall be construed to require the  
47 actual residence to which the teacher relocates to be within the



48 boundaries of the school district which has executed a contract  
49 for employment with the teacher or within the boundaries of the  
50 area designated by the State Board of Education as the critical  
51 teacher shortage area in order for the teacher to be eligible for  
52 reimbursement for his moving expenses. However, teachers must  
53 relocate within the boundaries of the State of Mississippi.

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

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

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

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



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

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

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



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

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

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



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

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

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

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



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



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

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

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

183 **SECTION 5.** Section 37-159-11, Mississippi Code of 1972, is  
184 reenacted 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. The department  
192 may contract with one or more public or private entities to  
193 provide assistance in implementing and administering the program.  
194 The State Board of Education shall adopt rules and regulations  
195 regarding the implementation and administration of the program.





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

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



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

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

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

227 37-159-13. (1) There is established a pilot program to  
228 provide for the construction of rental housing units for teachers  
229 in the West Tallahatchie School District, which pilot program  
230 shall be administered by the State Department of Education. The  
231 department may contract with one or more public or private  
232 entities to provide assistance in implementing and administering  
233 the program. The State Board of Education shall adopt rules and  
234 regulations regarding the implementation and administration of the  
235 program.

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

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



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

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

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

263 37-159-17. There is established in the State Treasury a  
264 special fund to be designated the "Mississippi Critical Teacher  
265 Shortage Fund," into which shall be deposited those funds  
266 appropriated by the Legislature, and any other funds that may be  
267 made available, for the purpose of implementing the programs  
268 established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9  
269 through 37-159-13. Money in the fund at the end of a fiscal year



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

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

275           37-159-19. Sections 37-159-1 through 37-159-17 shall stand  
276 repealed on July 1, \* \* \* 2027.

277           **SECTION 9.** This act shall take effect and be in force from  
278 and after July 1, 2024.

