

By: Representatives Shanks, McLean

To: Education

HOUSE BILL NO. 765
(As Passed the House)

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; TO AMEND
11 SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS
12 OF THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN
13 REPAYMENT PROGRAM" FOR THE PURPOSE OF ALLOWING INDIVIDUALS
14 PURSuing AN ALTERNATE ROUTE LICENSURE PATHWAY TO BECOME ELIGIBLE
15 TO RECEIVE FINANCIAL ASSISTANCE UNDER THE PROGRAM; TO REMOVE THE
16 CAP ON THE NUMBER OF APPLICANTS ELIGIBLE TO RECEIVE ASSISTANCE
17 UNDER THE PROGRAM IN ANY FISCAL YEAR; AND FOR RELATED PURPOSES.

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

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

21 37-159-1. Sections 37-159-1 through 37-159-19 shall be known
22 and may be cited as the "Mississippi Critical Teacher Shortage Act
23 of 1998."

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



26 37-159-5. The State Board of Education shall prescribe rules
27 and regulations which, subject to available appropriations, allow
28 for reimbursement to the state licensed teachers, from both in
29 state and out of state, who enter into a contract for employment
30 in a school district situated within a geographical area of the
31 state where there exists a critical shortage of teachers, as
32 designated by the State Board of Education, for the expense of
33 moving when the employment necessitates the relocation of the
34 teacher to a different geographical area than that in which the
35 teacher resides before entering into such contract. In order to
36 be eligible for the reimbursement, the teacher must apply to the
37 local district and the district must obtain the prior approval
38 from the department for reimbursement before the relocation
39 occurs. If the reimbursement is approved, the department shall
40 provide funds to the school district to reimburse the teacher an
41 amount not to exceed One Thousand Dollars (\$1,000.00) for the
42 documented actual expenses incurred in the course of relocating,
43 including the expense of any professional moving company or
44 persons employed to assist with the move, rented moving vehicles
45 or equipment, mileage in the amount authorized for state employees
46 under Section 25-3-41 if the teacher used his personal vehicle or
47 vehicles for the move, meals and such other expenses associated
48 with the relocation in accordance with the department's
49 established rules and regulations. No teacher may be reimbursed



50 for moving expenses under this section on more than one (1)
51 occasion.

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

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

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

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



74 37-159-9. (1) There is established the University Assisted
75 Teacher Recruitment and Retention Grant Program within the State
76 Department of Education. The purposes of the program shall be to
77 attract additional qualified teachers to those geographical areas
78 of the state where there exists a critical shortage of teachers
79 and to retain the qualified teachers already serving as licensed
80 teachers in geographical critical teacher shortage areas by making
81 available scholarships to persons working towards a Master of
82 Education degree or an Educational Specialist degree at an
83 institution of higher learning whose teacher education program is
84 approved by the State Board of Education.

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

95 (3) The State Department of Education shall provide funds to
96 participating institutions of higher learning for the purpose of
97 awarding scholarships to qualified persons pursuing a Master of
98 Education degree or an Educational Specialist degree at such



99 institutions while rendering service to the state as a licensed
100 teacher in a school district in a geographical area of the state
101 where there exists a critical shortage of teachers, as approved by
102 the State Board of Education. The financial scholarship shall be
103 applied to the total cost for tuition, books, materials and fees
104 at the institution in which the student is enrolled, not to exceed
105 an amount equal to the highest total cost of tuition, books,
106 materials and fees assessed by a state institution of higher
107 learning during that school year. Teachers who relocate within
108 Mississippi from out of state in order to participate in the
109 program shall be classified as residents of the state for tuition
110 purposes.

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

120 (5) Persons relocating to a geographical area of the state
121 where there exists a critical shortage of teachers, as approved by
122 the State Board of Education, to participate in the University
123 Assisted Teacher Recruitment and Retention Grant Program shall be



124 eligible for reimbursement for their moving expenses to the
125 critical teacher shortage area from the State Board of Education.
126 The State Board of Education shall promulgate rules and
127 regulations necessary for the administration of the relocation
128 expense reimbursement component of the University Assisted Teacher
129 Recruitment and Retention Grant Program.

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

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

142 (8) As a condition for participation in the program, a
143 teacher shall agree to employment as a licensed teacher in a
144 school district located in a geographical area of the state where
145 there exists a critical shortage of teachers, as designated by the
146 State Board of Education, for a period of not less than three (3)
147 years, which shall include those years of service rendered while
148 obtaining the Master of Education degree or Educational Specialist



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



174 Educational Specialist degree. After the period of such deferral,
175 the person shall begin or resume the required teaching duties or
176 shall become liable to the board under this subsection. If a
177 claim for repayment under this subsection is placed in the hands
178 of an attorney for collection after default, then the obligor
179 shall be liable for an additional amount equal to a reasonable
180 attorney's fee.

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

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

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

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



199 provide assistance in implementing and administering the program.
200 The State Board of Education shall adopt rules and regulations
201 regarding the implementation and administration of the program.

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

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



224 at the time the person discontinues his service. If a claim for
225 repayment under this subsection is placed in the hands of an
226 attorney for collection, the obligor shall be liable for an
227 additional amount equal to a reasonable attorney's fee.

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

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

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

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



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

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

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

269 37-159-17. There is established in the State Treasury a
270 special fund to be designated the "Mississippi Critical Teacher
271 Shortage Fund," into which shall be deposited those funds
272 appropriated by the Legislature, and any other funds that may be



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

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

281 37-159-19. Sections 37-159-1 through 37-159-17 shall stand
282 repealed on July 1, * * * 2027.

283 **SECTION 9.** Section 37-106-36, Mississippi Code of 1972, is
284 amended as follows:

285 37-106-36. (1) There is established the "William F. Winter
286 and Jack Reed, Sr., Teacher Loan Repayment Program."

287 (2) Subject to the availability of funds, an eligible
288 applicant for an initial award must have:

289 (a) Graduated from a baccalaureate degree-granting
290 institution of higher learning which is regionally accredited by
291 the Southern Association of Colleges and Schools (SACS) or a
292 comparable accreditation body;

293 (b) Signed a contract as a full-time * * * teacher in a
294 public school district in Mississippi;

295 (c) Obtained a standard five-year license or
296 nontraditional five-year alternate route license. Persons with



297 provisional emergency licenses shall not be eligible applicants;
298 and

299 (d) Outstanding qualifying undergraduate or graduate
300 educational loans, which may include the principal, interest and
301 related expenses such as the required interest premium on the
302 unpaid balances of government and commercial loans obtained by the
303 recipient for undergraduate or graduate educational expense.

304 (3) Persons who have received funds from other forgivable
305 loan programs established for teachers under Mississippi law, or
306 who are presently in default or delinquent on any federal, state,
307 local or commercial qualifying educational loan, shall not be
308 eligible for this program.

309 (4) Provided that initial recipients remain eligible under
310 the provisions of subsection (2) of this section, they may retain
311 eligibility for two (2) additional awards, subject to the
312 availability of funds.

313 (* * *5) Initial recipients shall be selected on a
314 first-come, first-served basis of all eligible applicants, * * *
315 subject to the availability of funds. In the second and * * *
316 third years of an applicant's continued eligibility, priority
317 consideration shall first be given to renewal applicants. * * *
318 The Mississippi Postsecondary Education Financial Assistance Board
319 shall develop rules for ensuring that expenses of the program in a
320 fiscal year do not exceed funding for the program in that fiscal
321 year. For that purpose, and any other provisions of this section



322 to the contrary notwithstanding, the Mississippi Postsecondary
323 Education Financial Assistance Board may limit the acceptance of
324 applications and may limit the number of awards.

325 (* * *6) Among * * * teacher recipients, priority
326 consideration shall be given to persons who are teaching in a
327 public school district designated as a geographical critical
328 teacher shortage area by the State Board of Education.

329 (* * *7) Awards for recipients who have signed a contract
330 to teach in a public school district that is not designated as a
331 geographical critical teacher shortage area shall be as follows:

332 (a) One Thousand Five Hundred Dollars (\$1,500.00) for
333 the * * * initial award;

334 (b) Two Thousand Five Hundred Dollars (\$2,500.00) for
335 the second * * * award; and

336 (c) Three Thousand Five Hundred Dollars (\$3,500.00) for
337 the third * * * award.

338 (* * *8) Awards for recipients who have signed a contract
339 to teach in a public school district that is designated as a
340 geographical critical teacher shortage area shall be as follows:

341 (a) Four Thousand Dollars (\$4,000.00) for the * * *
342 initial award;

343 (b) Five Thousand Dollars (\$5,000.00) for the
344 second * * * award, provided the recipient continues to teach in
345 the same public school district or another public school district



346 designated a geographical shortage area by the State Board of
347 Education; and

348 (c) Six Thousand Dollars (\$6,000.00) for the
349 third * * * award, provided the recipient continues to teach in
350 the same public school district or another public school district
351 designated a geographical shortage area by the State Board of
352 Education.

353 (* * * 9) * * * An initial recipient who moves to another
354 public school district shall be eligible to receive an award based
355 on the amount allowed under the program in the new district where
356 the teacher is employed.

357 (* * * 10) Awards shall be granted on a year-to-year basis,
358 and recipients shall have no obligation to seek a future award.

359 (* * * 11) Awards shall be paid annually, after the
360 expiration of the one-year teaching contract for which the award
361 was granted, to the recipient's lender or loan service provider,
362 and shall be applied to the outstanding balance. Monies paid on
363 the recipient's behalf toward qualifying undergraduate or graduate
364 educational loans prior to receiving payment of the award shall
365 not be eligible for repayment through the program.

366 (* * * 12) During the teaching year for which the award is
367 granted, a recipient must at all times keep the * * * Mississippi
368 Postsecondary Education Financial Assistance Board informed of any
369 changes to the recipient's current contact information and
370 employment status.



371 (* * *13) Recipients who fail to maintain a standard or
372 nontraditional license or fail to fulfill the one-year teaching
373 contract on which the award was based shall forfeit any right to
374 the award.

375 (* * *14) The * * * Mississippi Postsecondary Education
376 Financial Assistance Board, in collaboration with the State Board
377 of Education, shall track recipients of an award under this
378 program through their * * * fourth year after receiving their
379 initial award, unless the recipient shall leave teaching in a
380 public school district at an earlier date. Data collected shall
381 include recipients' undergraduate or graduate institution, school
382 district, subject area/grade level in teaching and any other
383 pertinent information necessary to determine the efficacy of the
384 program in retaining teachers * * *.

385 (* * *15) The * * * Mississippi Postsecondary Education
386 Financial Assistance Board shall promulgate regulations necessary
387 for the proper administration of this section, including rules for
388 ensuring that expenses of the program in a fiscal year do not
389 exceed funding for the program in that fiscal year.

390 (* * *16) There is established in the State Treasury a
391 special fund to be designated the "William F. Winter and Jack
392 Reed, Sr., Loan Repayment Program Fund," into which shall be
393 deposited those funds appropriated by the Legislature, and any
394 other funds that may be made available, for the purpose of
395 implementing the loan repayment program established herein. Money



396 in the fund at the end of the fiscal year shall not lapse into the
397 General Fund, and interest earned on any amounts deposited into
398 the fund shall be credited to the special fund.

399 * * *

400 **SECTION 10.** This act shall take effect and be in force from
401 and after July 1, 2024.

