

By: Senator(s) DeBar, Tate, Norwood, Simmons
(12th)

To: Education;
Appropriations

SENATE BILL NO. 2682
(As Passed the Senate)

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 THE
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 THE AWARD
12 CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN
13 REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD
14 SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A
15 FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL
16 YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE
17 ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; AND
18 FOR RELATED PURPOSES.

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

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

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

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



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



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

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

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

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

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



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

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

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



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

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

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



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

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

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

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



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



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

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

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

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

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



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

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

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



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

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

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

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

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



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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

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

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



323 notwithstanding, the State Financial Aid Board may limit the
324 acceptance of 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 State Financial
368 Aid Board informed of any changes to the recipient's current
369 contact information and employment status.

370 (* * * 13) Recipients who fail to maintain a standard or
371 nontraditional license or fail to fulfill the one-year teaching



372 contract on which the award was based shall forfeit any right to
373 the award.

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

383 (* * *15) The State Financial Aid Board shall promulgate
384 regulations necessary for the proper administration of this
385 section, including rules for ensuring that expenses of the program
386 in a fiscal year do not exceed funding for the program in that
387 fiscal year.

388 (* * *16) There is established in the State Treasury a
389 special fund to be designated the "William F. Winter and Jack
390 Reed, Sr., Loan Repayment Program Fund," into which shall be
391 deposited those funds appropriated by the Legislature, and any
392 other funds that may be made available, for the purpose of
393 implementing the loan repayment program established herein. Money
394 in the fund at the end of the fiscal year shall not lapse into the
395 General Fund, and interest earned on any amounts deposited into
396 the fund shall be credited to the special fund.



397 *(16) This section shall stand repealed on July 1, ****
398 2028.

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

