

By: Ketchings

To: Education;
Appropriations

HOUSE BILL NO. 691

1 AN ACT TO AMEND SECTIONS 37-159-3, 37-159-5, 37-159-9,
2 37-159-11 AND 37-159-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE
3 PERSONS PARTICIPATING IN THE CRITICAL NEEDS TEACHER SCHOLARSHIP
4 PROGRAM, THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION
5 GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER
6 PROGRAM AND THE PROGRAM PROVIDING REIMBURSEMENT OF RELOCATION
7 EXPENSES TO RENDER THEIR TEACHING SERVICE IN NONPUBLIC SCHOOLS
8 APPROVED BY THE STATE DEPARTMENT OF EDUCATION WHICH ARE LOCATED IN
9 GEOGRAPHICAL AREAS OF THE STATE HAVING A CRITICAL TEACHER
10 SHORTAGE; AND FOR RELATED PURPOSES.

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

12 SECTION 1. Section 37-159-3, Mississippi Code of 1972, is
13 amended as follows:

14 37-159-3. (1) There is established the "Critical Needs
15 Teacher Scholarship Program," the purpose of which is to attract
16 qualified teachers to those geographical areas of the state where
17 there exists a critical shortage of teachers by awarding full
18 scholarships to persons declaring an intention to serve in the
19 teaching field who actually render service * * * while possessing
20 an appropriate teaching license.

21 (2) Any individual who is enrolled in or accepted for
22 enrollment at a baccalaureate degree-granting institution of
23 higher learning whose teacher education program is approved by the
24 State Board of Education or at an accredited, nonprofit community
25 or junior college in the State of Mississippi who expresses in

26 writing an intention to teach in a geographical area of the state
27 in which there exists a critical shortage of teachers, as
28 designated by the State Board of Education, shall be eligible for
29 a financial scholarship to be applied toward the costs of the
30 individual's college education. The annual amount of the award
31 shall be equal to the total cost for tuition, room and meals,
32 books, materials and fees at the college or university in which
33 the student is enrolled, not to exceed an amount equal to the
34 highest total cost of tuition, room and meals, books, materials
35 and fees assessed by a state institution of higher learning during
36 that school year. Awards made to nonresidents of the state shall
37 not include any amount assessed by the college or university for
38 out-of-state tuition.

39 (3) Awards granted under the Critical Needs Teacher
40 Scholarship Program shall be available to both full-time and
41 part-time students. Students enrolling on a full-time basis may
42 receive a maximum of four (4) annual awards. The maximum number
43 of awards that may be made to students attending school on a
44 part-time basis, and the maximum time period for part-time
45 students to complete the number of academic hours necessary to
46 obtain a baccalaureate degree in education, shall be established
47 by rules and regulations jointly promulgated by the Board of
48 Trustees of State Institutions of Higher Learning and the State
49 Board of Education. Critical Needs Teacher Scholarships shall not
50 be based upon an applicant's eligibility for financial aid.

51 (4) Except in those cases where employment positions may not
52 be available upon completion of licensure requirements, at the
53 beginning of the first school year in which a recipient of a
54 Critical Needs Teacher Scholarship is eligible for employment as a
55 licensed teacher, that person shall begin to render service as a
56 licensed teacher in a public school district or in a nonpublic

57 school that maintains educational standards equivalent to the
58 standards established by the State Department of Education for the
59 state schools, as outlined in the Approval Requirements of the
60 State Board of Education for Nonpublic Schools, in a geographical
61 area of the state where there is a critical shortage of teachers,
62 as approved by the State Board of Education. Any person who
63 received four (4) annual awards, or the equivalent of four (4)
64 annual awards, shall render three (3) years' service as a licensed
65 teacher. Any person who received fewer than four (4) annual
66 awards, or the equivalent of four (4) annual awards, shall render
67 one (1) year's service as a licensed teacher for each year that
68 the person received a full-time student scholarship, or for the
69 number of academic hours equivalent to one (1) school year, as
70 determined by the Board of Trustees of State Institutions of
71 Higher Learning, which a part-time student received a scholarship.

72 (5) Any person failing to complete a program of study which
73 will enable that person to become a licensed teacher shall become
74 liable immediately to the Board of Trustees of State Institutions
75 of Higher Learning for the sum of all Critical Needs Teacher
76 Scholarship awards made to that person, plus interest accruing at
77 the current Stafford Loan rate at the time the person abrogates
78 his participation in the program. Any person failing to complete
79 his teaching obligation, as required under subsection (4) of this
80 section, shall become liable immediately to the board for the sum
81 of all scholarship awards made to that person less the
82 corresponding amount of any awards for which service has been
83 rendered, plus interest accruing at the current Stafford Loan rate
84 at the time the person discontinues his service, except in the

85 case of a deferral of debt for cause by the State Board of
86 Education when there is no employment position immediately
87 available upon a teacher's completion of licensure requirements.
88 After the period of such deferral, such person shall begin or
89 resume teaching duties as required under subsection (4) or shall
90 become liable to the board under this subsection. If a claim for
91 payment under this subsection is placed in the hands of an
92 attorney for collection, the obligor shall be liable for an
93 additional amount equal to a reasonable attorney's fee.

94 (6) The obligations made by the recipient of a Critical
95 Needs Teacher Scholarship award shall not be voidable by reason of
96 the age of the student at the time of receiving the scholarship.

97 (7) The Board of Trustees of State Institutions of Higher
98 Learning and the State Board of Education shall jointly promulgate
99 rules and regulations necessary for the proper administration of
100 the Critical Needs Teacher Scholarship Program. The Board of
101 Trustees of State Institutions of Higher Learning shall be the
102 administering agency of the program.

103 (8) If insufficient funds are available to fully fund
104 scholarship awards to all eligible students, the Board of Trustees
105 of State Institutions of Higher Learning shall make the awards to
106 first-time students on a first-come, first-served basis; however,
107 priority consideration shall be given to persons previously
108 receiving awards under the Critical Needs Teacher Scholarship
109 Program.

110 (9) All funds received by the Board of Trustees of State
111 Institutions of Higher Learning from the repayment of scholarship
112 awards by program participants shall be deposited in the

113 Mississippi Critical Teacher Shortage Fund.

114 SECTION 2. Section 37-159-5, Mississippi Code of 1972, is
115 amended as follows:

116 37-159-5. The State Board of Education shall prescribe rules
117 and regulations which, subject to available appropriations, allow
118 for reimbursement to the state licensed teachers, from both
119 in-state and out-of-state, who enter into a contract for
120 employment in a school district or in a nonpublic school that
121 maintains educational standards equivalent to the standards
122 established by the State department of Education for the state
123 schools, as outlined in the Approval Requirements of the State
124 Board of Education for Nonpublic Schools, situated within a
125 geographical area of the state where there exists a critical
126 shortage of teachers, as designated by the State Board of
127 Education, for the expense of moving when the employment
128 necessitates the relocation of the teacher to a different
129 geographical area than that in which the teacher resides before
130 entering into such contract. In order to be eligible for the
131 reimbursement, the teacher must apply to the local district or
132 approved nonpublic school, and the district or approved nonpublic
133 school must obtain the prior approval from the department for
134 reimbursement before the relocation occurs. If the reimbursement
135 is approved, the department shall provide funds to the school
136 district or approved nonpublic school to reimburse the teacher an
137 amount not to exceed One Thousand Dollars (\$1,000.00) for the
138 documented actual expenses incurred in the course of relocating,
139 including the expense of any professional moving company or
140 persons employed to assist with the move, rented moving vehicles

141 or equipment, mileage in the amount authorized for state employees
142 under Section 25-3-41, if the teacher used his personal vehicle or
143 vehicles for the move, meals and such other expenses associated
144 with the relocation in accordance with the department's
145 established rules and regulations. No teacher may be reimbursed
146 for moving expenses under this section on more than one (1)
147 occasion.

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

156 SECTION 3. Section 37-159-9, Mississippi Code of 1972, is
157 amended as follows:

158 37-159-9. (1) There is established the University Assisted
159 Teacher Recruitment and Retention Grant Program within the State
160 Department of Education. The purpose of the program shall be to
161 attract qualified teachers to those geographical areas of the
162 state where there exists a critical shortage of teachers by making
163 available scholarships to persons working towards a Master of
164 Education degree or an Educational Specialist degree at an
165 institution of higher learning whose teacher education program is
166 approved by the State Board of Education.

167 (2) Any institution of higher learning in the State of
168 Mississippi which offers a Master of Education degree or an

169 Educational Specialist degree may apply to the department for
170 participation in the program. Under the program, participating
171 institutions shall collaborate with the Mississippi Teacher Center
172 to identify, recruit and place teacher education graduates, from
173 both within the state and out-of-state, in school districts or in
174 nonpublic schools that maintain educational standards equivalent
175 to the standards established by the State Department of Education
176 for the state schools, as outlined in the Approval Requirements of
177 the State Board of Education for Nonpublic Schools, situated
178 within those areas of the state where there exists a critical
179 shortage of teachers, as designated by the State Board of
180 Education.

181 (3) The State Department of Education shall provide funds to
182 participating institutions of higher learning for the purpose of
183 awarding scholarships to qualified persons pursuing a Master of
184 Education degree or an Educational Specialist degree at such
185 institutions while rendering service * * * as a licensed teacher
186 in a school district or an approved nonpublic school in a
187 geographical area of the state where there exists a critical
188 shortage of teachers, as approved by the State Board of Education.

189 The financial scholarship shall be applied to the total cost for
190 tuition, books, materials and fees at the institution in which the
191 student is enrolled, not to exceed an amount equal to the highest
192 total cost of tuition, books, materials and fees assessed by a
193 state institution of higher learning during that school year.

194 Teachers who relocate within Mississippi from out-of-state in
195 order to participate in the program shall be classified as
196 residents of the state for tuition purposes.

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

206 (5) Persons relocating to a geographical area of the state
207 where there exists a critical shortage of teachers, as approved by
208 the State Board of Education, to participate in the University
209 Assisted Teacher Recruitment and Retention Grant Program shall be
210 eligible for reimbursement for their moving expenses to the
211 critical teacher shortage from the State Board of Education. The
212 State Board of Education shall promulgate rules and regulations
213 necessary for the administration of the relocation expense
214 reimbursement component of the University Assisted Teacher
215 Recruitment and Retention Grant Program.

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

221 (7) Any person participating in the program who fails to
222 complete a program of study that will enable that person to obtain
223 a Master of Education degree or Educational Specialist degree
224 shall become liable immediately to the State Board of Education

225 for the sum of all awards made to that person under the program,
226 plus interest accruing at the current Stafford Loan rate at the
227 time the person abrogates his participation in the program.

228 (8) As a condition for participation in the program, a
229 teacher shall agree to employment as a licensed teacher in a
230 school district or an approved nonpublic school located in a
231 geographical area of the state where there exists a critical
232 shortage of teachers, as designated by the State Board of
233 Education, for a period of not less than three (3) years, which
234 shall include those years of service rendered while obtaining the
235 Master of Education degree or Educational Specialist degree.
236 However, for any person who obtained a baccalaureate degree in
237 education with a financial scholarship under the Critical Needs
238 Teacher Scholarship Program and who entered the University
239 Assisted Teacher Recruitment and Retention Grant Program before
240 rendering service as a teacher, the period of employment for the
241 purposes of this subsection shall be two (2) years, in addition to
242 the employment commitment required under the Critical Needs
243 Teacher Scholarship Program. Any person failing to comply with
244 this employment commitment in any required school year shall
245 immediately be in breach of contract and become liable immediately
246 to the State Department of Education for the sum of all
247 scholarships awarded and relocation expenses granted to that
248 person, less one-third (1/3) of the amount of that sum for each
249 year that service was rendered, or for those persons whose
250 required period of employment is two (2) years, less one-half
251 (1/2) of the amount of that sum for each year that service was
252 rendered, plus interest accruing at the current Stafford Loan rate

253 at the time the breach occurs, except in the case of a deferral
254 for cause by the State Board of Education when there is no
255 employment position immediately available upon the teacher's
256 obtaining of the Master of Education degree or Educational
257 Specialist degree. After the period of such deferral, the person
258 shall begin or resume the required teaching duties or shall become
259 liable to the board under this subsection. If a claim for
260 repayment under this subsection is placed in the hands of an
261 attorney for collection after default, then the obligor shall be
262 liable for an additional amount equal to a reasonable attorney's
263 fee.

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

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

272 SECTION 4. Section 37-159-11, Mississippi Code of 1972, is
273 amended as follows:

274 37-159-11. (1) There is established the Mississippi
275 Employer-Assisted Housing Teacher Program, which shall be a
276 special home loan program for eligible licensed teachers who
277 render service * * * in a geographical area of the state where
278 there exists a critical shortage of teachers, as designated by the
279 State Board of Education. The home loan program shall be
280 administered by the State Department of Education in conjunction

281 with the Federal National Mortgage Association (Fannie Mae). The
282 department may contract with one or more public or private
283 entities to provide assistance in implementing and administering
284 the program. The State Board of Education shall adopt rules and
285 regulations regarding the implementation and administration of the
286 program.

287 (2) Participation in the loan program shall be available to
288 any licensed teacher who renders service in a school district or
289 in a nonpublic school that maintains educational standards
290 equivalent to the standards established by the State Department of
291 Education for the state schools, as outlined in the Approval
292 Requirements of the State Board of Education for Nonpublic
293 Schools, in a geographical area of the state where there exists a
294 critical shortage of teachers, as designated by the State Board of
295 Education. Any person who receives a loan under the program shall
296 be required to purchase a house and reside in a county in which
297 the approved nonpublic school or school district for which the
298 teacher is rendering service, or any portion of the school
299 district, is located. The maximum amount of a loan that may be
300 made under the program to any person shall be Six Thousand Dollars
301 (\$6,000.00).

302 (3) Any loan made under the program to a person who actually
303 renders service as a teacher in a geographical area of the state
304 where there exists a critical shortage of teachers, as designated
305 by the State Board of Education, shall be converted to an
306 interest-free grant on the basis of one (1) year's service for
307 one-third (1/3) of the amount of the loan. Any person who does
308 not render three (3) years' service as a teacher in a geographical

309 area of the state where there exists a critical shortage of
310 teachers, as designated by the State Board of Education, shall be
311 liable to the State Department of Education for one-third (1/3) of
312 the amount of the loan for each year that he does not render such
313 service, plus interest accruing at the current Stafford Loan rate
314 at the time the person discontinues his service. If a claim for
315 repayment under this subsection is placed in the hands of an
316 attorney for collection, the obligor shall be liable for an
317 additional amount equal to a reasonable attorney's fee.

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

321 (5) This section shall stand repealed on July 1, 2000.

322 SECTION 5. Section 37-159-15, Mississippi Code of 1972, is
323 amended as follows:

324 37-159-15. The State Department of Education and the Board
325 of Trustees of State Institutions of Higher Learning shall jointly
326 prepare an annual report for the Legislature, to be submitted by
327 December 1 of each year beginning in 1998, which shall assess the
328 impact of the teacher recruitment incentive programs authorized
329 under House Bill No. 609, 1998 Regular Session [Laws, 1998,
330 Chapter 544], on the employment of licensed teachers in critical
331 teacher shortage areas. The report shall include, at a minimum,
332 the numbers of persons who have participated in each of the
333 programs each year, and the numbers of persons who have
334 participated in the programs who have rendered service as teachers
335 in critical teacher shortage areas each year by school district or
336 nonpublic school.

337 SECTION 6. This act shall take effect and be in force from
338 and after July 1, 2000.