

By: Representative Ketchings

To: Education;
Appropriations

HOUSE BILL NO. 102

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 TEACHERS MOVING TO CRITICAL TEACHER SHORTAGE DISTRICTS
8 TO RENDER THEIR TEACHING SERVICE IN NONPUBLIC SCHOOLS APPROVED BY
9 THE STATE DEPARTMENT OF EDUCATION WHICH ARE LOCATED IN
10 GEOGRAPHICAL AREAS OF THE STATE HAVING A CRITICAL TEACHER
11 SHORTAGE; AND FOR RELATED PURPOSES.

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

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

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

22 (2) Any individual who is enrolled in or accepted for
23 enrollment at a baccalaureate degree-granting institution of
24 higher learning whose teacher education program is approved by the
25 State Board of Education or at an accredited, nonprofit community
26 or junior college in the State of Mississippi who expresses in
27 writing an intention to teach in a geographical area of the state
28 in which there exists a critical shortage of teachers, as
29 designated by the State Board of Education, shall be eligible for
30 a financial scholarship to be applied toward the costs of the
31 individual's college education. The annual amount of the award



32 shall be equal to the total cost for tuition, room and meals,
33 books, materials and fees at the college or university in which
34 the student is enrolled, not to exceed an amount equal to the
35 highest total cost of tuition, room and meals, books, materials
36 and fees assessed by a state institution of higher learning during
37 that school year. Awards made to nonresidents of the state shall
38 not include any amount assessed by the college or university for
39 out-of-state tuition.

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

52 (4) Except in those cases where employment positions may not
53 be available upon completion of licensure requirements, at the
54 beginning of the first school year in which a recipient of a
55 Critical Needs Teacher Scholarship is eligible for employment as a
56 licensed teacher, that person shall begin to render service as a
57 licensed teacher in a public school district or in a nonpublic
58 school that maintains educational standards equivalent to the
59 standards established by the State Department of Education for the
60 state schools, as outlined in the Approval Requirements of the
61 State Board of Education for Nonpublic Schools, in a geographical
62 area of the state where there is a critical shortage of teachers,
63 as approved by the State Board of Education. Any person who
64 received four (4) annual awards, or the equivalent of four (4)



65 annual awards, shall render three (3) years' service as a licensed
66 teacher. Any person who received fewer than four (4) annual
67 awards, or the equivalent of four (4) annual awards, shall render
68 one (1) year's service as a licensed teacher for each year that
69 the person received a full-time student scholarship, or for the
70 number of academic hours equivalent to one (1) school year, as
71 determined by the Board of Trustees of State Institutions of
72 Higher Learning, which a part-time student received a scholarship.

73 (5) Any person failing to complete a program of study which
74 will enable that person to become a licensed teacher shall become
75 liable immediately to the Board of Trustees of State Institutions
76 of Higher Learning for the sum of all Critical Needs Teacher
77 Scholarship awards made to that person, plus interest accruing at
78 the current Stafford Loan rate at the time the person abrogates
79 his participation in the program. Any person failing to complete
80 his teaching obligation, as required under subsection (4) of this
81 section, shall become liable immediately to the board for the sum
82 of all scholarship awards made to that person less the
83 corresponding amount of any awards for which service has been
84 rendered, plus interest accruing at the current Stafford Loan rate
85 at the time the person discontinues his service, except in the
86 case of a deferral of debt for cause by the State Board of
87 Education when there is no employment position immediately
88 available upon a teacher's completion of licensure requirements.
89 After the period of such deferral, such person shall begin or
90 resume teaching duties as required under subsection (4) or shall
91 become liable to the board under this subsection. If a claim for
92 payment under this subsection is placed in the hands of an
93 attorney for collection, the obligor shall be liable for an
94 additional amount equal to a reasonable attorney's fee.

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



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

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

111 (9) All funds received by the Board of Trustees of State
112 Institutions of Higher Learning from the repayment of scholarship
113 awards by program participants shall be deposited in the
114 Mississippi Critical Teacher Shortage Fund.

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

117 37-159-5. The State Board of Education shall prescribe rules
118 and regulations which, subject to available appropriations, allow
119 for reimbursement to the state licensed teachers, from both
120 in-state and out-of-state, who enter into a contract for
121 employment in a school district or in a nonpublic school that
122 maintains educational standards equivalent to the standards
123 established by the State Department of Education for the state
124 schools, as outlined in the Approval Requirements of the State
125 Board of Education for Nonpublic Schools, situated within a
126 geographical area of the state where there exists a critical
127 shortage of teachers, as designated by the State Board of
128 Education, for the expense of moving when the employment
129 necessitates the relocation of the teacher to a different
130 geographical area than that in which the teacher resides before



131 entering into such contract. In order to be eligible for the
132 reimbursement, the teacher must apply to the local district or
133 approved nonpublic school, and the district or approved nonpublic
134 school must obtain the prior approval from the department for
135 reimbursement before the relocation occurs. If the reimbursement
136 is approved, the department shall provide funds to the school
137 district or approved nonpublic school to reimburse the teacher an
138 amount not to exceed One Thousand Dollars (\$1,000.00) for the
139 documented actual expenses incurred in the course of relocating,
140 including the expense of any professional moving company or
141 persons employed to assist with the move, rented moving vehicles
142 or equipment, mileage in the amount authorized for state employees
143 under Section 25-3-41, if the teacher used his personal vehicle or
144 vehicles for the move, meals and such other expenses associated
145 with the relocation in accordance with the department's
146 established rules and regulations. No teacher may be reimbursed
147 for moving expenses under this section on more than one (1)
148 occasion.

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

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

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



164 and to retain the qualified teachers already serving as licensed
165 teachers in geographical critical teacher shortage areas by making
166 available scholarships to persons working towards a Master of
167 Education degree or an Educational Specialist degree at an
168 institution of higher learning whose teacher education program is
169 approved by the State Board of Education.

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

184 (3) The State Department of Education shall provide funds to
185 participating institutions of higher learning for the purpose of
186 awarding scholarships to qualified persons pursuing a Master of
187 Education degree or an Educational Specialist degree at such
188 institutions while rendering service * * * as a licensed teacher
189 in a school district or an approved nonpublic school in a
190 geographical area of the state where there exists a critical
191 shortage of teachers, as approved by the State Board of Education.
192 The financial scholarship shall be applied to the total cost for
193 tuition, books, materials and fees at the institution in which the
194 student is enrolled, not to exceed an amount equal to the highest
195 total cost of tuition, books, materials and fees assessed by a
196 state institution of higher learning during that school year.



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

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

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

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

224 (7) Any person participating in the program who fails to
225 complete a program of study that will enable that person to obtain
226 a Master of Education degree or Educational Specialist degree
227 shall become liable immediately to the State Board of Education
228 for the sum of all awards made to that person under the program,



229 plus interest accruing at the current Stafford Loan rate at the
230 time the person abrogates his participation in the program.

231 (8) As a condition for participation in the program, a
232 teacher shall agree to employment as a licensed teacher in a
233 school district or an approved nonpublic school located in a
234 geographical area of the state where there exists a critical
235 shortage of teachers, as designated by the State Board of
236 Education, for a period of not less than three (3) years, which
237 shall include those years of service rendered while obtaining the
238 Master of Education degree or Educational Specialist degree.
239 However, for any person who obtained a baccalaureate degree in
240 education with a financial scholarship under the Critical Needs
241 Teacher Scholarship Program and who entered the University
242 Assisted Teacher Recruitment and Retention Grant Program before
243 rendering service as a teacher, the period of employment for the
244 purposes of this subsection shall be two (2) years, in addition to
245 the employment commitment required under the Critical Needs
246 Teacher Scholarship Program. Service rendered by a participant as
247 a licensed teacher in a school district in a geographical critical
248 teacher shortage area before that teacher becomes a participant in
249 the program may not be considered to fulfill the employment
250 commitment required under this subsection. Any person failing to
251 comply with this employment commitment in any required school year
252 shall immediately be in breach of contract and become liable
253 immediately to the State Department of Education for the sum of
254 all scholarships awarded and relocation expenses granted to that
255 person, less one-third (1/3) of the amount of that sum for each
256 year that service was rendered, or for those persons whose
257 required period of employment is two (2) years, less one-half
258 (1/2) of the amount of that sum for each year that service was
259 rendered, plus interest accruing at the current Stafford Loan rate
260 at the time the breach occurs, except in the case of a deferral
261 for cause by the State Board of Education when there is no



262 employment position immediately available upon the teacher's
263 obtaining of the Master of Education degree or Educational
264 Specialist degree. After the period of such deferral, the person
265 shall begin or resume the required teaching duties or shall become
266 liable to the board under this subsection. If a claim for
267 repayment under this subsection is placed in the hands of an
268 attorney for collection after default, then the obligor shall be
269 liable for an additional amount equal to a reasonable attorney's
270 fee.

271 (9) All funds received by the State Department of Education
272 from the repayment of scholarship awards and relocation expenses
273 by program participants shall be deposited in the Mississippi
274 Critical Teacher Shortage Fund.

275 (10) The State Board of Education shall promulgate rules and
276 regulations necessary for the proper administration of the
277 University Assisted Teacher Recruitment and Retention Grant
278 Program.

279 **SECTION 4.** Section 37-159-11, Mississippi Code of 1972, is
280 reenacted and amended as follows:

281 37-159-11. (1) There is established the Mississippi
282 Employer-Assisted Housing Teacher Program, which shall be a
283 special home loan program for eligible licensed teachers who
284 render service * * * in a geographical area of the state where
285 there exists a critical shortage of teachers, as designated by the
286 State Board of Education. The home loan program shall be
287 administered by the State Department of Education in conjunction
288 with the Federal National Mortgage Association (Fannie Mae). The
289 department may contract with one or more public or private
290 entities to provide assistance in implementing and administering
291 the program. The State Board of Education shall adopt rules and
292 regulations regarding the implementation and administration of the
293 program.



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

308 (3) Any loan made under the program to a person who actually
309 renders service as a teacher in a geographical area of the state
310 where there exists a critical shortage of teachers, as designated
311 by the State Board of Education, shall be converted to an
312 interest-free grant on the basis of one (1) year's service for
313 one-third (1/3) of the amount of the loan. Any person who does
314 not render three (3) years' service as a teacher in a geographical
315 area of the state where there exists a critical shortage of
316 teachers, as designated by the State Board of Education, shall be
317 liable to the State Department of Education for one-third (1/3) of
318 the amount of the loan for each year that he does not render such
319 service, plus interest accruing at the current Stafford Loan rate
320 at the time the person discontinues his service. If a claim for
321 repayment under this subsection is placed in the hands of an
322 attorney for collection, the obligor shall be liable for an
323 additional amount equal to a reasonable attorney's fee.

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



327 (5) This section shall stand repealed on July 1, 2004.

328 **SECTION 5.** Section 37-159-15, Mississippi Code of 1972, is
329 amended as follows:

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

343 **SECTION 6.** This act shall take effect and be in force from
344 and after July 1, 2002.

