MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Eubanks To: Education

HOUSE BILL NO. 772

AN ACT TO AMEND SECTIONS 37-159-9 AND 37-106-55, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE CRITICAL TEACHER SHORTAGE PROGRAM, TO REQUIRE THE STATE BOARD OF EDUCATION TO DESIGNATE CRITICAL TEACHER SHORTAGE AREAS WITHIN EACH DISTRICT BY IDENTIFYING AND CATEGORIZING TEACHER SHORTAGES BY SCHOOL ATTENDANCE ZONES WITHIN THE DISTRICT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 37-159-9, Mississippi Code of 1972, is amended as follows:

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

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

(3) The State Department of Education shall provide funds to participating institutions of higher learning for the purpose of awarding scholarships to qualified persons pursuing a Master of Education degree or an Educational Specialist degree at such institutions while rendering service to the state as a licensed teacher in a school district in a geographical area of the state where there exists a critical shortage of teachers, as approved by the State Board of Education. The financial scholarship shall be applied to the total cost for tuition, books, materials and fees at the institution in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, books, materials and fees assessed by a state institution of higher learning during that school year. Teachers who relocate within Mississippi from out of state in order to participate in the

program shall be classified as residents of the state for tuition purposes.

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

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

(6) Subject to the availability of funds, the State Board of Education may provide for professional development and support services as may be necessary for the retention of teachers

participating in the program in those geographical areas of the state where there exists a critical shortage of teachers.

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

(8) As a condition for participation in the program, a teacher shall agree to employment as a licensed teacher in a school district located in a geographical area of the state where there exists a critical shortage of teachers, as designated by the State Board of Education, for a period of not less than three (3) years, which shall include those years of service rendered while obtaining the Master of Education degree or Educational Specialist degree. However, for any person who obtained a Baccalaureate degree in education with a financial scholarship under the Critical Needs Teacher Scholarship Program and who entered the University Assisted Teacher Recruitment and Retention Grant Program before rendering service as a teacher, the period of employment for the purposes of this subsection shall be two (2) years, in addition to the employment commitment required under the Critical Needs Teacher Scholarship Program. Service rendered by a participant as a licensed teacher in a school district in a

geographical critical teacher shortage area before that teacher becomes a participant in the program may not be considered to fulfill the employment commitment required under this subsection. Any person failing to comply with this employment commitment in any required school year shall immediately be in breach of contract and become liable immediately to the State Department of Education for the sum of all scholarships awarded and relocation expenses granted to that person, less one-third (1/3) of the amount of that sum for each year that service was rendered, or for those persons whose required period of employment is two (2) years, less one-half (1/2) of the amount of that sum for each year that service was rendered, plus interest accruing at the current Stafford Loan rate at the time the breach occurs, except in the case of a deferral for cause by the State Board of Education when there is no employment position immediately available upon the teacher's obtaining of the Master of Education degree or Educational Specialist degree. After the period of such deferral, the person shall begin or resume the required teaching duties or shall become liable to the board under this subsection. If a claim for repayment under this subsection is placed in the hands of an attorney for collection after default, then the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

(9) All funds received by the State Department of Education from the repayment of scholarship awards and relocation expenses

by program participants shall be deposited in the Mississippi Critical Teacher Shortage Fund.

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

(11) (a) The State Board of Education, with the assistance of each local school board, shall designate critical teacher shortage areas within each district by identifying and categorizing teacher shortages by school attendance zones within the district. The categorization shall identify:

(i) The total number of vacant teacher positions in the entire district, and within in each school attendance zone;

(ii) The subject areas lacking appropriately licensed or certified teachers in the entire district, and further delineation of the same within each school attendance zone along with the number of teacher vacancies by subject matter.

(b) The teacher shortage designation shall be determined by the number of full-time teaching personnel who are not appropriately licensed, as determined by either:

(i) Being licensed, but teaching outside of the subject matter area of academic concentration for which he or she received his or her degree or certification;

(ii) Teaching without a license or certification; and

(iii) Being used as a long term substitute.

(c) In establishing criteria in determining whether a public school district shall be designated as a critical teacher shortage area, the State Board of Education shall take into consideration those school districts:

(i) With sixty (60) or more teaching positions having ten percent (10%) or more of their teaching staff not appropriately licensed as defined in subparagraphs (i), (ii) and (iii) of paragraph (b) of this subsection;

(ii) With less than sixty (60) teaching positions having fifteen percent (15%) or more of their teaching staff not appropriately licensed as defined in subparagraphs (i), (ii) and (iii) of paragraph (b) of this subsection; and

(iii) Having thirty percent (30%) or more of their teaching staff with twenty-five (25) or more years of experience.

SECTION 2. Section 37-106-55, Mississippi Code of 1972, is amended as follows:

37-106-55. (1) There is established the "Critical Needs Teacher Forgivable Loan Program," the purpose of which is to attract qualified teachers to those geographical areas of the state and those subject areas of the curriculum where there exists a critical shortage of teachers by awarding forgivable loans to persons declaring an intention to serve in the teaching field who actually render service to the state while possessing an appropriate teaching license.

(2) Individuals shall not be eligible to enroll in the Critical Needs Teacher Scholarship Program after the 2014-2015 academic year, and in subsequent years individuals are encouraged to apply to the Teaching Fellows Program established in Section 37-106-77. Any individual who is enrolled in or accepted for enrollment at a teacher education program approved by the State Board of Education or other program at a baccalaureate degree-granting institution of higher learning in the State of Mississippi and has a passing score on the Praxis I Basic Skills Test who expresses in writing an intention to teach in a geographical area of the state or a subject area of the public school curriculum in which there exists a critical shortage of teachers, as designated by the State Board of Education, shall be eligible for a forgivable loan to be applied toward the costs of the individual's college education. The annual amount of the award shall be equal to the total cost for tuition, room and meals, books, materials and fees at the college or university in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition, room and meals, books, materials and fees assessed by a state institution of higher learning during that school year. Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(3) Awards granted under the Critical Needs Teacher Forgivable Loan Program shall be available to both full-time and

part-time students. Students enrolling on a full-time basis may receive a maximum of two (2) annual awards. The maximum number of awards that may be made to students attending school on a part-time basis, and the maximum time period for part-time students to complete the number of academic hours necessary to obtain a baccalaureate degree in education, shall be established by rules and regulations promulgated by the board. Critical Needs Teacher Forgivable Loans shall not be based upon an applicant's financial need.

(4) Awards granted under the Critical Needs Teacher Forgivable Loan Program shall be made available to nontraditional licensed teachers showing a documented need for student loan repayment and employed in those school districts designated by the State Board of Education as a geographical area of the state or in a subject area of the curriculum in which there is a critical shortage of teachers. The maximum annual amount of this repayment should not exceed Three Thousand Dollars ($3,000.00) and the maximum time period for repayment shall be no more than four (4) years.

(5) Except in those cases where employment positions may not be available upon completion of licensure requirements, at the beginning of the first school year in which a recipient of a Critical Needs Teacher Forgivable Loan is eligible for employment as a licensed teacher or a nontraditional teacher intern pursuant to Section 37-3-2(6)(b), that person shall begin to render service

as a licensed teacher or nontraditional teacher intern in a public school district in a geographical area of the state or a subject area of the curriculum where there is a critical shortage of teachers, as approved by the State Board of Education.

(6) Failure to repay any loan and interest that becomes due shall be cause for the revocation of a person's teaching license by the State Board of Education.

(7) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53.

(8) The board shall promulgate rules and regulations necessary for the proper administration of the Critical Needs Teacher Forgivable Loan Program.

(9) The State Board of Education shall compile and report, in consultation with the board, an annual report with findings and recommendations to the legislative committees on education by December 1, 2003, and annually thereafter, on the following:

(a) The number of participants in the Critical Needs Teacher Forgivable Loan Program, by institution and by freshman, sophomore, junior and senior level;

(b) The number of nontraditional teacher license program participants;

(c) The number of individuals who completed the Critical Needs Teacher Forgivable Loan Program and the school district in which they are employed;

(d) The number of individuals who are in default of their obligation under the Critical Needs Teacher Forgivable Loan Program and the status of their obligation;

(e) The number of participants in the program who have successfully completed the Praxis examination in their junior year; and

(f) The number of noneducation majors participating in the program.

(10) Where local school districts exhibit financial need, the State Department of Education may, subject to the availability of funds specifically appropriated therefor by the Legislature, provide financial assistance for the recruitment of certified teachers in an amount not to exceed Seventy-five Thousand Dollars ($75,000.00) annually.

This section shall stand repealed on July 1, * * * 2024.

(11) (a) The State Board of Education, with the assistance of each local school board, shall designate critical teacher shortage areas within each district by identifying and categorizing teacher shortages by school attendance zones within the district. The categorization shall identify:

(i) The total number of vacant teacher positions in the entire district, and within in each school attendance zone;

(ii) The subject areas lacking appropriately licensed or certified teachers in the entire district, and further

delineation of the same within each school attendance zone along with the number of teacher vacancies by subject matter.

(b) The teacher shortage designation shall be determined by the number of full-time teaching personnel who are not appropriately licensed, as determined by either:

(i) Being licensed, but teaching outside of the subject matter area of academic concentration for which he or she received his or her degree or certification;

(ii) Teaching without a license or certification; and

(iii) Being used a long term substitute.

(c) In establishing criteria in determining whether a public school district shall be designated as a critical teacher shortage area, the State Board of Education shall take into consideration those school districts:

(i) With sixty (60) or more teaching positions having ten percent (10%) or more of their teaching staff not appropriately licensed as defined in subparagraphs (i), (ii) and (iii) of paragraph (b) of this subsection;

(ii) With less than sixty (60) teaching positions having fifteen percent (15%) or more of their teaching staff not appropriately licensed as defined in subparagraphs (i), (ii) and (iii) of paragraph (b) of this subsection; and

(iii) Having thirty percent (30%) or more of their teaching staff with twenty-five (25) or more years of experience.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.