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Chapter No. 538  
14/SS26/R264SG  
cd / TB/CC

***SENATE BILL NO. 2499***

Originated in Senate *Zigwala* Secretary

SENATE BILL NO. 2499

AN ACT TO CONSOLIDATE AND CLARIFY TERMS AND CONDITIONS RELATED TO MISSISSIPPI STUDENT FORGIVABLE LOAN PROGRAMS; TO AMEND SECTION 37-106-3, MISSISSIPPI CODE OF 1972, TO CLARIFY LEGISLATIVE FINDINGS RELATED TO MISSISSIPPI FORGIVABLE LOAN PROGRAMS; TO AMEND SECTION 37-106-5, MISSISSIPPI CODE OF 1972, TO CLARIFY ELIGIBILITY REQUIREMENTS FOR STUDENT FORGIVABLE LOAN PROGRAMS; TO AMEND SECTION 37-106-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO AMEND SECTION 37-106-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO SEEK COLLECTION COSTS AND ATTORNEY'S FEES AND TO REVISE THE MANNER IN WHICH THE BOARD SHALL SUBMIT ANNUAL LEGISLATIVE REPORTS; TO CREATE SECTION 37-106-12, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE POSTSECONDARY EDUCATION TRUST FUND; TO CREATE SECTION 37-106-14, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTING FORGIVABLE LOAN PROGRAMS; TO AMEND SECTION 37-106-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR STUDENT APPLICATIONS FOR FINANCIAL ASSISTANCE; TO AMEND SECTION 37-106-19, MISSISSIPPI CODE OF 1972, TO CLARIFY WHO MUST SIGN CONTRACTS FOR THE REPAYMENT OF FORGIVABLE LOANS; TO AMEND SECTION 37-106-21, MISSISSIPPI CODE OF 1972, TO CLARIFY AND REVISE THE CONDITIONS AND LIMITATIONS ON DISBURSING FUNDS; TO REPEAL SECTION 37-106-25, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE BOARD TO EXPEND FUNDS FROM A FEDERAL GUARANTEED STUDENT LOAN PROGRAM THAT IS NO LONGER IN OPERATION; TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO DETERMINE THE INSTITUTIONS WHERE A STUDENT MAY ATTEND FOR PURPOSES OF THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM; TO AMEND SECTION 37-106-31, MISSISSIPPI CODE OF 1972, TO CLARIFY TERMS AND CONDITIONS RELATED TO THE MISSISSIPPI EMINENT

SCHOLARS GRANT PROGRAM; TO REPEAL SECTION 37-106-33, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE USE OF FUNDS APPROPRIATED FOR IMPLEMENTING FORGIVABLE LOAN PROGRAMS; TO AMEND SECTION 37-106-35, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE ASSISTANT TEACHER FORGIVABLE LOAN PROGRAM; TO AMEND SECTION 37-106-37, MISSISSIPPI CODE OF 1972, TO CLARIFY TERMS AND CONDITIONS RELATED TO THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-39, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE MISSISSIPPI LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS SCHOLARSHIP PROGRAM; TO CREATE SECTION 37-106-41, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE ARMED FORCES SCHOLARSHIP PROGRAM; TO CREATE SECTION 37-106-43, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE MISSISSIPPI PUBLIC MANAGEMENT GRADUATE INTERN PROGRAM; TO CREATE SECTION 37-106-47, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO CREATE SECTION 37-106-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO EMPLOY A LOAN REPAYMENT MECHANISM FOR THE REPAYMENT OF FORGIVABLE LOANS; TO CREATE SECTION 37-106-51, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ESTABLISHMENT OF A CONSOLIDATED REVOLVING LOAN FUND FOR OPERATING FORGIVABLE LOAN PROGRAMS; TO CREATE SECTION 37-106-53, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR UNIFORM REPAYMENT OPTIONS AND TERMS FOR FORGIVABLE LOAN PROGRAMS; TO CREATE SECTION 37-106-55, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE CRITICAL NEEDS TEACHER FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-57, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-59, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE NURSING EDUCATION FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-61, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE STATE MEDICAL FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-63, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE STATE DENTAL FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-65, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS RELATED TO THE GRADUATE AND PROFESSIONAL SCHOOL FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-67, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE HEALTH CARE PROFESSIONS FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-69, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE

FAMILY PROTECTION SPECIALIST SOCIAL WORKER FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-71, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE MISSISSIPPI DYSLEXIA EDUCATION FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-73, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE SPEECH-LANGUAGE PATHOLOGISTS FORGIVABLE LOAN PROGRAM; TO CREATE SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REESTABLISH AND CLARIFY TERMS AND CONDITIONS OF THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO REPEAL SECTIONS 37-107-1 THROUGH 37-107-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE MISSISSIPPI LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS SCHOLARSHIP PROGRAM NOW PROVIDED FOR IN SECTION 37-106-39; TO REPEAL SECTIONS 37-108-1 THROUGH 37-108-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE ARMED FORCES SCHOLARSHIP PROGRAM NOW PROVIDED FOR IN SECTION 37-106-41; TO REPEAL SECTIONS 37-110-1 THROUGH 37-110-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE MISSISSIPPI PUBLIC MANAGEMENT GRADUATE INTERN PROGRAM NOW PROVIDED FOR IN SECTION 37-106-43; TO REPEAL SECTIONS 37-143-1 THROUGH 37-143-21, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE OMNIBUS LOAN OR SCHOLARSHIP ACT OF 1991; TO REPEAL SECTIONS 37-157-1 AND 37-157-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE STUDENT TUITION ASSISTANCE PROGRAM; TO REPEAL SECTION 37-159-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE CRITICAL NEEDS TEACHER SCHOLARSHIP PROGRAM NOW PROVIDED FOR IN SECTION 37-106-55; TO REPEAL SECTIONS 37-159-51 AND 37-159-53, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE MISSISSIPPI DYSLEXIA EDUCATION SCHOLARSHIP PROGRAM; TO REPEAL SECTION 37-101-221, MISSISSIPPI CODE OF 1972, WHICH PROVIDED FOR THE INSTRUCTION OF MISSISSIPPI STUDENTS IN SCHOOLS OUTSIDE THE STATE; TO AMEND SECTIONS 37-144-21 AND 97-15-29, MISSISSIPPI CODE OF 1972, TO CONFORM; TO CREATE SECTION 37-106-77, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE TEACHING FELLOWS PROGRAM TO PROVIDE FOUR-YEAR SCHOLARSHIPS TO QUALIFIED STUDENTS DECLARING AN INTENTION TO TEACH IN MISSISSIPPI; TO PROVIDE THAT THE SCHOLARSHIP PROGRAM SHALL BE ADMINISTERED BY THE STATE BOARD OF EDUCATION AND THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO PROVIDE FOR ELIGIBILITY; TO PROVIDE FOR EMPLOYMENT REQUIREMENTS AND LIABILITY FOR FAILURE TO COMPLETE THE PROGRAM; TO CREATE SECTION 37-106-79, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION SCHOLARS PROGRAM ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO LIMIT THE ANNUAL AMOUNT OF THE SCHOLARSHIP A QUALIFYING RECIPIENT MAY RECEIVE TO \$5,000.00; TO ESTABLISH THE CRITERIA TO DETERMINE A SCHOLAR ELIGIBILITY FOR RECEIPT OF A SCHOLARSHIP UNDER THE PROGRAM; TO PRESCRIBE THE RESPONSIBILITIES

OWED TO THE STATE UPON COMPLETION OF THE PROGRAM; TO PRESCRIBE THE MANNER BY WHICH SCHOLARSHIP RECIPIENTS ARE REQUIRED TO REPAY THE AMOUNTS PROVIDED UNDER THE PROGRAM IN THE EVENT OF FAILURE TO PERFORM CERTAIN OBLIGATIONS; TO AUTHORIZE THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE RULES NECESSARY TO ADMINISTER THE PROGRAM; TO AMEND SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, TO PHASE OUT THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT SCHOLARSHIP PROGRAM AS STUDENTS ENTER THE TEACHING FELLOWS PROGRAM, AND TO REPEAL THE MISSISSIPPI CRITICAL TEACHER SHORTAGE SCHOLARSHIP PROGRAM EFFECTIVE JULY 1, 2020; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 37-106-3, Mississippi Code of 1972, is amended as follows:

37-106-3. (1) The Legislature hereby finds and declares that:

(a) By legislative enactment, programs are herein created wherein Mississippi residents are granted forgivable loans in certain professional fields in return for their contractual obligation to perform services in such professions under a variety of requirements of location, duration, manner and mode of service, and institution in which performed;

(b) There is a need for the creation of additional forgivable loan programs for the purpose of encouraging eligible Mississippi residents to enter into professional schools, and that, in particular, there should be programs to encourage the participation of minorities in graduate professional programs in the institutions of this state;

(c) There is a need to create an ability within the board to fashion new and innovative systems for the financing of forgivable loan programs by combining the use of private sector loans for education and guaranteed student loans with loan repayment programs promulgated by the board; and

(d) The board should be granted authority to devise and develop such innovative systems to obtain the most efficient use of state funds to encourage entry and service in certain professional fields.

(2) The purpose of the Legislature in the passage of this chapter is to make manifest the belief that the continued growth and development of Mississippi requires that all Mississippi youth be assured ample opportunity for the fullest development of their abilities and to recognize that this opportunity will not fully materialize unless the State of Mississippi moves to encourage and financially assist our young people in their efforts. This chapter shall be broadly construed to accomplish that purpose.

**SECTION 2.** Section 37-106-5, Mississippi Code of 1972, is amended as follows:

37-106-5. (1) For purposes of this chapter, the following words shall be defined as follows unless the context requires otherwise:

(a) "Eligible applicant or eligible student" means an individual who \* \* \* completes an application by the published application deadline for a given student financial assistance

program, meets all initial or continuing eligibility requirements for the program and enrolls in an approved institution for the given program.

(b) "Approved institution" means an institution of higher learning, public or private, which is accredited by the Southern Association of Colleges and Secondary Schools, or its equivalent or a business, vocational, technical or other specialized school recognized and approved by the Postsecondary Education Financial Assistance Board.

(c) "Board" means the Postsecondary Education Financial Assistance Board created by Section 37-106-9 authorized and empowered to administer the provisions of this chapter.

\* \* \*

( \* \* \*d) "Financial need" means anticipated expenses of an eligible student while attending an approved institution which cannot reasonably be met by said student or by the parents thereof as shall be determined according to the criteria established by the rules and regulations of the board. Financial need shall be reevaluated and redetermined at least annually.

( \* \* \*e) "Agency" means the Board of Trustees of State Institutions of Higher Learning.

(f) "Renewal applicant or renewal student" means a student who previously received funding for a given program.

(g) "Resident," "resident status" or "residency" shall be defined and determined in the same manner as resident status

for tuition purposes as set forth in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17. Unless excepted by the rules of a given program, an applicant must be a Mississippi resident to qualify for financial assistance under this chapter.

(h) "Dependent" shall be defined and used in the same manner as the term "minor" in Sections 37-103-1 through 37-103-29. The board will follow the federal guidelines for classifying a student as "dependent" or "independent."

**SECTION 3.** Section 37-106-9, Mississippi Code of 1972, as amended by House Bill No. 460, 2014 Regular Session, is amended as follows:

37-106-9. (1) There is hereby created the Postsecondary Education Financial Assistance Board which shall consist of the following \* \* \* nine (9) members and two (2) nonvoting advisory members: \* \* \* two (2) people to be appointed by the Board of Trustees of State Institutions of Higher Learning, one (1) from its membership to serve for an initial period of four (4) years and one (1) institutional representative to serve for an initial period of three (3) years; \* \* \* two (2) people to be appointed by the \* \* \* Mississippi Community College Board, one (1) from its membership to serve for an initial period of three (3) years and one (1) institutional representative to serve for an initial period of two (2) years; \* \* \* two (2) people to be appointed by the Governor, one (1) to serve for an initial period of two (2)

years and one (1) to serve for an initial period of one (1) year;  
two (2) people to be appointed by the Executive Director of the  
Mississippi Association of Independent Colleges and Universities,  
one (1) association representative to serve for an initial period  
of two (2) years and one (1) institutional representative to serve  
for an initial period of one (1) year; and one (1) person to be  
appointed by the Lieutenant Governor for an initial period of (4)  
years. All subsequent appointments shall be for a period of four  
(4) years. Vacancies shall be filled for the length of the  
unexpired term only. The board shall elect from its membership a  
chairman. Additionally, the Chairmen of the House and Senate  
Universities and Colleges Committees shall serve as nonvoting  
advisory members.

(2) The agency shall designate one (1) member of its staff to serve as director, to administer the provisions of this financial assistance program. The director shall be assigned by the agency sufficient staff, professional and clerical, funds and quarters to administer this program.

(3) The director:

(a) Subject to the review of the board, shall have the power of final approval of any application submitted;

(b) Subject to the approval of the board \* \* \*, shall have authority to promulgate the necessary rules and regulations for effective administration of this chapter, including the method of making application for assistance authorized by this chapter.

**SECTION 4.** Section 37-106-11, Mississippi Code of 1972, is amended as follows:

37-106-11. (1) The members of the board shall serve without pay.

(2) The board is hereby vested with full and complete authority and power to sue in its own name any person for any balance, including principal \* \* \*, interest \* \* \* and reasonable collection costs or attorney's fees, due and owing the state on any uncompleted contract \* \* \*.

(3) The board shall promulgate rules and regulations to govern the state grant and forgivable loan programs authorized in this chapter.

( \* \* \*4) \* \* \* All funds administered by the board shall be accounted for in an annual report that shall be submitted to the Legislature within ten (10) days after the convening thereof each year. The report should detail for each grant or forgivable loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of the assistance. For forgivable loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment.

**SECTION 5.** The following shall be codified as Section 37-106-12, Mississippi Code of 1972:

37-106-12. (1) There is hereby created in the State Treasury a special trust fund to be known as the Postsecondary Education Financial Assistance Trust Fund. The trust fund shall consist of all monies designated by the Legislature for deposit therein and any gift, donation, bequest, trust, grant, endowment, transfer of money or securities, or any other monies from any source whatsoever, designated for deposit in the trust fund.

(2) The principal of the trust fund shall remain inviolate and shall be invested by the State Treasurer in the same manner as provided by Section 27-105-33, Mississippi Code of 1972, for the investment of excess state funds. Interest and income derived from investment of the principal of the trust fund shall be appropriated by the Legislature for expenditure as provided in this chapter.

**SECTION 6.** The following shall be codified as Section 37-106-14, Mississippi Code of 1972:

37-106-14. (1) The Legislature may appropriate funds annually to implement, administer and make awards under the programs provided for in this chapter. The board may seek, accept and expend funds from any source, including private business, industry, foundations and other groups as well as any federal or other governmental funding available for this purpose.

(2) Subject to the availability of funds, it is the intent of the Legislature to first fund grant awards to eligible students. If funds are insufficient to fully fund grant awards to

eligible students, grant awards shall be prorated among all eligible students. No student shall receive any combination of student financial aid in excess of the cost of attendance. After grant awards are made, it is the intent of the Legislature to fund forgivable loan awards to eligible renewal students and then to eligible new students on a first-come, first-served basis.

(3) At the end of the fiscal year, any unexpended balances appropriated by the Legislature for the implementation or administration of programs provided for in this chapter shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, subject to appropriation therefor by the Legislature.

**SECTION 7.** Section 37-106-17, Mississippi Code of 1972, is amended as follows:

37-106-17. Any student desiring financial assistance \* \* \* shall submit an application to the board on an annual basis. The director shall \* \* \* adhere to the board's rules and regulations promulgated under authority of this chapter in determining the eligibility of each applicant and in administering the programs authorized in this chapter. \* \* \*

**SECTION 8.** Section 37-106-19, Mississippi Code of 1972, is amended as follows:

37-106-19. Each eligible applicant before being granted financial assistance through a forgivable loan program under this chapter shall enter into a contract with the board, which shall be

deemed a contract with the State of Mississippi, agreeing to the terms and conditions upon which the financial assistance shall be granted to him, which shall include full repayment of all monies granted. Said contract shall include such terms and provisions as shall carry out the full purpose and intent of this chapter; and the form shall be prepared and approved by the Attorney General of this state, and shall be signed by \* \* \* the director \* \* \*

and \* \* \* the applicant. All disabilities of minority are removed for purposes of this chapter.

**SECTION 9.** Section 37-106-21, Mississippi Code of 1972, is amended as follows:

37-106-21. Unless otherwise required to secure a guarantee of a loan, all funds disbursed under the provisions hereof shall be subject to the following conditions and limitations:

( \* \* \*a) The annual award to any recipient may be paid as required by federal laws and regulations governing the Guaranteed Student Loan Program.

( \* \* \*b) Payments under this chapter shall be made by the State Treasurer upon certification by the board of final approval of the recipient of each loan.

( \* \* \*c) Payments shall be made directly to the approved institution attended or to be attended by the student named in such certificate by check or transfer of funds made payable to \* \* \* the institution \* \* \* and accompanied by a student roster.

( \* \* \*d) In the event a student on whose behalf an award has been paid shall not be enrolled and carrying a minimum academic load or program as of the fifteenth classroom day following the beginning of the term for which such award was paid, the institution shall refund to the state the amount paid on behalf of such student. If at any time during the period of the loan, the student withdraws and is entitled to any refund or remittance of fees or tuition, such amount shall be repaid into the fund.

**SECTION 10.** Section 37-106-25, Mississippi Code of 1972, which provided a preference for renewals, is repealed.

**SECTION 11.** Section 37-106-29, Mississippi Code of 1972, as amended by House Bill No. 426, 2014 Regular Session, is amended as follows:

37-106-29. (1) There is established the Mississippi Resident Tuition Assistance Grant Program for college or university freshmen, sophomores, juniors and seniors to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9, Mississippi Code of 1972, which shall set the dates and deadlines for applying for an award under this section. The board shall establish such rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

(2) The \* \* \* board shall approve grants to full-time freshmen, sophomore, junior and senior Mississippi residents who

meet the general requirements for student eligibility as provided in subsection (4) of this section.

(3) Mississippi Resident Tuition Assistance Grants shall be for Mississippi resident students from any Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for full Pell Grant eligibility and campus-based federal aid. Those Mississippi students \* \* \* qualifying for less than the full Pell Grant award \* \* \* shall receive a Mississippi Resident Tuition Assistance Grant in an amount not to exceed the maximum Pell Grant allowable for that individual student. The award shall be applied to tuition, rooms and meals, books, materials and fees not to exceed One Thousand Dollars (\$1,000.00) for junior and senior students attending state institutions of higher learning in Mississippi or four-year regionally accredited, state-approved, nonprofit colleges and universities in Mississippi, and Five Hundred Dollars (\$500.00) for freshmen and sophomores attending state institutions of higher learning or public community or junior colleges in Mississippi, or regionally accredited, state-approved, nonprofit two-year or four-year colleges in Mississippi, which will be prorated per term, semester or quarter of the academic year for costs of attendance, calculated according to the formula specified in subsection (8) of this section.

(4) The general requirements for initial eligibility of students for Mississippi Resident Tuition Assistance Grants consist of the following:

(a) Member of a Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for Pell Grant eligibility and campus-based federal aid.

(b) Acceptance for enrollment at any state institution of higher learning or public community or junior college located in Mississippi, or any regionally accredited, state-approved, nonprofit \* \* \* two-year or four-year college or university located in Mississippi \* \* \* and approved by the board.

(c) Completion of a secondary education as follows:

(i) Graduation from high school verified by the institution before disbursement of award with a minimum grade point average of 2.5 calculated on a 4.0 scale after seven (7) semesters as certified by the high school counselor or other authorized school official on the application \* \* \*; or

(ii) \* \* \* Attendance at a home education program during grade levels 9 through 12 \* \* \*; or

(iii) Satisfactory completion of the \* \* \* High School Equivalency Diploma; or

(iv) \* \* \* Successful completion of the International Baccalaureate Program \* \* \*.

(d) A minimum score of fifteen (15) on the ACT test except that any student entering a vocational or technical program

of study, or who has satisfactorily completed the \* \* \* High School Equivalency Diploma Test and attends a community or junior college will not be required to have a test score under the \* \* \* ACT unless a student enrolls in courses of academic study.

(e) Any student currently enrolled in any qualified institution shall have to only meet the same requirements as students who are applying for a renewal award.

\* \* \*

(5) By accepting a Mississippi Resident Tuition Assistance Grant, the student is attesting to the accuracy, completeness and correctness of information provided to demonstrate the student's eligibility. Falsification of such information shall result in the denial of any pending grant and revocation of any award currently held to the extent that no further payments shall be made. Any student knowingly making false statements in order to receive a grant shall be guilty of a misdemeanor punishable, upon conviction thereof, by a fine of up to Ten Thousand Dollars (\$10,000.00), a prison sentence of up to one (1) year in the county jail, or both, and shall be required to return all Mississippi Resident Tuition Assistance Grants wrongfully obtained.

(6) Eligibility for renewal of Mississippi Resident Tuition Assistance Grants shall be evaluated at the end of each semester, or term, of each academic year. As a condition for renewal, a student shall:

(a) Make steady academic progress toward a certificate or degree, as outlined in the school Satisfactory Academic Progress Standards and certified by the institution's registrar.

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the administering \* \* \* board; examples of cause may include student participation in a cooperative program, internship program or foreign study program. If a student fails to maintain continuous enrollment, and is not granted an exception for cause by the administering \* \* \* board, the student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following semester or trimester or term of the regular academic year.

(c) Have a cumulative grade point average of at least 2.50 calculated on a 4.0 scale at the end of each semester or trimester or term.

(7) Each student, each year, must complete a Free Application for Federal Student Aid form or a Statement of Certification as designed by the administering board to determine his/her eligibility for a Mississippi Resident Tuition Assistance Grant.

(8) (a) The amount of the Mississippi Resident Tuition Assistance Grant awarded to any one (1) student, up to the maximum amount provided in subsection (3) of this section, shall be the

difference of the student's cost of attendance at his accredited college of choice and the amount of federal aid such student may receive, not to supplant but to supplement the amount of any federal aid awarded to the student. Cost of attendance is the tuition and fees of the applicable institution plus an allowance for room and meals and books and materials.

(b) Payment of the Mississippi Resident Tuition

Assistance Grant shall be made payable to the recipient and the educational institution and mailed directly to the institution, to be applied first to tuition.

(9) In order for an institution to remain eligible for its students to participate in the Mississippi Resident Tuition Assistance Grant Program, the institution shall comply with the following requirements:

(a) A complete and accurate roster of the eligibility status of each awarded student shall be made to the board for each term, semester or quarter of the academic year the student receives a Mississippi Resident Tuition Assistance Grant.

(b) The institution is required to make refunds to the Mississippi Resident Tuition Assistance Grant Fund for any funds which have not been disbursed to the recipient, in the case of students who have received a grant but who terminate enrollment during the academic term, semester or quarter of the academic year if an institution's refund policies permit a student to receive a refund in such instance. The recipient shall be responsible for

the refund of any funds which have been disbursed by the institution in such instance.

(c) If a student drops below full-time status but does not terminate all enrollment during the term, semester or quarter of the academic year no refund will be required for that term. However, that student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following term, semester or quarter of the regular academic year.

(d) The board may conduct its own annual audits of any institution participating in the Mississippi Resident Tuition Assistance Grant Program. The board may suspend or revoke an institution's eligibility to receive future monies under the program if it finds that the institution has not complied with the provisions of this section. In determining a student's initial eligibility, the number of prior semesters enrolled will not be counted against the student.

(10) No student may receive a Mississippi Resident Tuition Assistance Grant for more than the equivalent semesters or quarters required to complete one (1) baccalaureate degree or one (1) certificate or associate degree program per institution.

\* \* \*

( \* \* \*11) No student receiving a Mississippi Eminent Scholars Grant as provided in Section 37-106-31 shall be eligible to receive the Mississippi Resident Tuition Assistance Grant pursuant to this section \* \* \* unless he is eligible for such

award after the Mississippi Eminent Scholars Grant has been considered by the board when conducting an assessment of the financial resources available to the student. In no case shall any student receive any combination of student financial aid that would exceed the cost of attendance, as defined in subsection (8)(a).

For purposes of this section, certificated shall mean, but not be limited to, all postsecondary vocational programs in eligible institutions \* \* \* approved by the board.

**SECTION 12.** Section 37-106-31, Mississippi Code of 1972, is amended as follows:

37-106-31. (1) There is created a Mississippi Eminent Scholars \* \* \* Grant Program, to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9. The board shall set the dates that will serve as the deadlines for applying for an award under this section and award scholarships to each Mississippi student who:

(a) (i) Is recognized by the merit or achievement programs of the National Merit Scholarship Corporation or the National Achievement Scholarship as a semifinalist or finalist, and has obtained a minimum cumulative grade point average of 3.5 calculated on a 4.0 scale in high school subjects acceptable for credit toward a diploma, after seven (7) semesters certified by the high school counselor or other authorized school official on

the application and graduation from high school verified by the institution before disbursement of award; or

(ii) Has scored twenty-nine (29) on the American College Testing Program or its equivalent and has obtained a minimum cumulative grade point average of 3.5 calculated on a 4.0 scale after seven (7) semesters certified by the high school counselor or other authorized school official on the application and graduation from high school verified by the institution before disbursement of award, or the equivalent in high school subjects acceptable for credit toward a diploma; or

(iii) Has attended a home education program during grade levels 9 through 12 and has scored twenty-nine (29) on the American College Testing Program or its equivalent. \* \* \*

\* \* \*

(b) Meets the general requirements for student eligibility, except as otherwise provided in this section.

\* \* \*

( \* \* \*c) Files, before the deadline, an application for an award during his last year in high school, or before the expiration of the third school year succeeding the year of his high school graduation.

( \* \* \*d) Attends, on a full-time basis, any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved,

nonprofit \* \* \* two-year or four-year college or university located in the State of Mississippi \* \* \* approved by the board.

( \* \* \*e) Enrolls \* \* \* as a "first-time \* \* \* in college" student in Mississippi. \* \* \* Postsecondary academic credit earned prior to or during the summer immediately subsequent to receiving a high school diploma, \* \* \* or while dually enrolled in secondary and postsecondary educational institutions, or \* \* \* while enrolled in the early admission program of a postsecondary institution shall not be \* \* \* considered when determining if a student is enrolling for the first time. However, any student who earns postsecondary academic credit at an institution of higher learning located outside the state shall meet the requirements on grade point average and maximum credit hours set forth in subsection (2)(b) of this section.

( \* \* \*f) Is a resident of the State of Mississippi. \* \* \*

(2) (a) Except for students who earn credits at institutions of higher learning located outside the state, students who apply for awards but do not accept their initial awards may \* \* \* apply to receive awards during subsequent application periods occurring before the expiration of the third school year succeeding the year of their high school graduation. The eligibility of these applicants shall be determined in the same manner as first-time applicants.

(b) \* \* \* Students who receive initial awards and who later do not accept renewal awards may \* \* \* apply to receive awards during subsequent application periods occurring before the expiration of the third school year succeeding the year of their high school graduation. \* \* \* Reinstatement applications will be accepted from these students according to dates set by the Mississippi Postsecondary Education Financial Assistance Board. \* \* \* The eligibility of \* \* \* these applicants shall be determined in the same manner as first-time applicants, except that these students \* \* \* shall be required to have maintained the equivalent of a 3.5 cumulative grade point average on a 4.0 scale for all college work attempted and if the student attended an out-of-state institution, to have completed no more than thirty-six (36) credit hours. The board shall not make awards to reinstatement applicants who submit applications that are received after the deadline set by the Mississippi Postsecondary Education Financial Assistance Board.

( \* \* \*c) The board shall create a renewal application for each student who received the award for one or more terms during the immediately preceding academic year.

(3) (a) The annual award to a student shall be up to Two Thousand Five Hundred Dollars (\$2,500.00) for tuition and fees. Payment of the Mississippi Eminent Scholars Grant shall be made payable to the recipient and the educational institution and

mailed directly to the institution, to be applied first to tuition.

(b) Within six (6) weeks of the end of regular registration, inclusive of a drop-add period, institutions shall certify to the board the eligibility status of each awarded student. The eligibility status of each student to receive a disbursement shall be determined by each institution as of this date. Institutions shall not be required to reevaluate a student's eligibility status after this date for purposes of amending eligibility determinations previously made. However, an institution shall be requested to make refunds for students who receive award disbursements and terminate enrollment for any reason during the academic term when an institution's refund policies permit a student to receive a refund under the circumstances.

(c) Institutions shall certify to the board the amount of funds disbursed to each student and shall remit to the board any undisbursed advances within sixty (60) days of the end of regular registration.

(4) A recipient shall maintain the equivalent of a 3.5 cumulative grade point average on a 4.0 scale, or shall maintain an approved equivalent student progress evaluation plan, on at least twelve (12) hours per quarter, trimester or semester in order to be eligible for a continuation of the award. No student may receive a Mississippi Eminent Scholars \* \* \* Grant for more

than the equivalent semesters or quarters required to complete one (1) degree or certificate program per institution. The award may be renewed annually upon certification of eligibility by the eligible institutions that the recipient meets the necessary qualifications. If any recipient transfers from one university, community college or junior college to another, his award will be transferable, provided he is otherwise eligible for the award. If a student fails to maintain continuous enrollment, and is not granted an exception for cause by the administering \* \* \* board, the student is ineligible to receive the Mississippi Eminent Scholars Grant during the following semester or trimester or term of the regular academic year.

(5) The board may conduct its own annual audits of any institution participating in the Mississippi Eminent Scholars Grant Program. The board may suspend or revoke an institution's eligibility to receive future monies under the program if it finds that the institution has not complied with the provisions of this section.

(6) For purposes of this section, certificated shall mean, but not be limited to, all postsecondary vocational programs in eligible institutions \* \* \* approved by the board.

**SECTION 13.** Section 37-106-33, Mississippi Code of 1972, which provided for the use of funds appropriated to support certain programs, is repealed.

**SECTION 14.** Section 37-106-35, Mississippi Code of 1972, is amended as follows:

37-106-35. (1) There is established the assistant teacher \* \* \* forgivable loan program for the purpose of assisting eligible assistant teachers to become certificated teachers through the awarding of \* \* \* forgivable loans and to attract and retain qualified teachers for those geographical areas of the state and academic subject areas in which there exist a critical shortage of teachers. The \* \* \* forgivable loan program shall be implemented and administered by the board \* \* \* and is subject to the availability of funds appropriated specifically therefor by the Legislature.

(2) Under the assistant teacher \* \* \* forgivable loan program, qualified assistant teachers may be awarded financial assistance in an amount that is equal to the actual cost of three (3) three-hour academic courses per year. However, no assistant teacher may receive assistance through the program for more than fifteen (15) three-hour academic courses. An assistant teacher \* \* \* forgivable loan shall not be based upon an applicant's \* \* \* financial \* \* \* need, and the receipt of any other \* \* \* forgivable loan or financial assistance shall not affect an assistant teacher's eligibility under the program.

(3) In order to qualify for an assistant teacher \* \* \*, forgivable loan, an applicant must satisfy the following requirements:

(a) The applicant must be employed full-time as an assistant teacher with a local school district;

(b) The applicant must be accepted for enrollment at a baccalaureate degree-granting institution of higher learning in the State of Mississippi \* \* \* that is regionally accredited and approved by the board;

(c) The assistant teacher must maintain a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale for all courses funded through the assistant teacher \* \* \* forgivable loan program; and

(d) The assistant teacher must have expressed in writing a present intention to teach in a critical teacher shortage geographic or academic subject area.

\* \* \*

( \* \* \*4) At the beginning of the school year next succeeding the date on which a person who has received an assistant teacher \* \* \* forgivable loan obtains a baccalaureate degree, that person shall begin to render service as a certificated teacher in a school district or academic subject area, or both, designated by the State Board of Education. The \* \* \* board shall establish by rule and regulation the duration of teaching service due for recipients of \* \* \* forgivable loans based upon the number of academic hours funded through the assistant teacher \* \* \* forgivable loan program. \* \* \*

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

**SECTION 15.** Section 37-106-37, Mississippi Code of 1972, is amended as follows:

37-106-37. (1) There is created the Teacher Education Scholars Forgivable Loan Program to be administered by the board \* \* \*. The program shall provide an annual \* \* \* forgivable loan not to exceed Fifteen Thousand Dollars (\$15,000.00) for each approved teacher education scholar who is enrolled in one of Mississippi's public or private universities in the junior year and is admitted into a teacher education program. Additionally, the program shall provide an annual scholarship not to exceed Fifteen Thousand Dollars (\$15,000.00) for each approved teacher education scholar who is enrolled in one (1) of Mississippi's public or private universities in the freshman year and intends to enter into a teacher education program.

(2) Qualifying teacher education scholars must hold a minimum 28 ACT score and a 3.5 GPA.

(3) A student may receive a \* \* \* forgivable loan from the program for four (4) consecutive years if the student remains enrolled full time in the program and makes satisfactory progress toward a baccalaureate degree with a major in education.

(4) (a) If a teacher education scholar graduates and is employed as a teacher by a Mississippi district school board, the scholar is not required to repay the \* \* \* forgivable loan amount

so long as the scholar teaches in a Mississippi public school. The entire \* \* \* forgivable loan amount shall be forgiven if the scholar remains employed as a Mississippi public school teacher for five (5) years.

(b) Any teacher who enters the education scholar program and graduates, and is employed as a teacher by a Mississippi public school board, in a school rated as "D" or "F," \* \* \* in addition to being exempt from the repayment of loan requirement while employed as a Mississippi public school teacher, such teacher education scholar shall also receive an annual salary supplement of Six Thousand Dollars (\$6,000.00) for each year the scholar remains in the "D" or "F" school, up to a maximum of five (5) years. Each scholar employed in a Mississippi public school under the provisions of this paragraph shall endeavor, within the five-year period of initial employment, to fulfill the necessary requirements to acquire a Master Teacher certificate from the National Board of Professional Teaching Standards, at which time the scholar shall be eligible to receive an annual salary supplement for such National Board Certified teachers under the provisions of Section 37-19-7(2)(a)(i). However, if any teacher education scholar graduate receiving an annual salary supplement provided for in this paragraph (b) shall complete the certification requirements to become a National Board Certified teacher within the five-year period of eligibility for salary supplementation, that teacher shall be entitled to only the annual

salary supplement provided for such National Board Certified teachers, such that the teacher receives only one (1) annual salary supplement of Six Thousand Dollars (\$6,000.00).

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

\* \* \*

(6) The board \* \* \* shall promulgate such rules as are necessary to administer the teacher education scholars program and establish necessary eligibility criteria not specifically set forth in this section.

**SECTION 16.** The following shall be codified as Section 37-106-39, Mississippi Code of 1972:

37-106-39. (1) There is established the Mississippi Law Enforcement Officers and Firefighters Scholarship.

(2) Except as provided in this section, if any Mississippi law enforcement officer, full-time firefighter or volunteer firefighter shall suffer or has suffered fatal injuries or wounds or become permanently and totally disabled as a result of injuries or wounds which occurred in the performance of the official and appointed duties of his or her office, his or her spouse, child or children shall be entitled to an eight-semester scholarship without cost, exclusive of books, food, school supplies, materials and dues or fees for extracurricular activities, at any state-supported college or university of his or her choice within this state.

(a) No child shall be entitled to receive benefits during any semester or quarter when said child has reached the age of twenty-three (23) years on the first day of said semester or quarter. However, any child who has begun the process of acquiring college credits under the provisions of this section prior to attaining the age of twenty-three (23) years shall be entitled to the full eight-semester scholarship if his or her college instruction was interrupted for any reason.

(b) Scholarship benefits shall not accrue hereunder to any person if the wounds or injuries suffered by any law enforcement officer, full-time firefighter or volunteer firefighter are self-inflicted or if his death is self-induced.

(3) Eligibility for renewal of the scholarship shall be evaluated each academic year at the end of each semester or term. As a condition for renewal, a student shall:

(a) Make steady academic progress toward a certificate or degree, as outlined in the school Satisfactory Academic Progress Standards and certified by the institution's registrar; and

(b) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of each academic year.

(4) For the purposes of this section, these words and phrases shall be defined as follows:

(a) "Mississippi law enforcement officers" shall be defined as follows:

(i) "State highway patrolmen" means all law enforcement officers, regardless of department or bureau, of the Mississippi Highway Safety Patrol.

(ii) "Municipal police officers" means all law enforcement officers of any municipality who are regular duty personnel on full-time status, auxiliary or reserve officers, or those serving on a temporary or part-time status.

(iii) "Sheriffs" and "deputy sheriffs" means all law enforcement officers of full-time duty status on a regular basis serving the sheriff's department of any county, deputy sheriffs who are engaged in administrative or civil duty, auxiliary or reserve deputies, or deputy sheriffs serving in a temporary capacity or part-time basis.

(iv) "Constables" means all duly elected constables of any beat of any county within the state while actually engaged in the performance of their duties concerning the criminal laws of the county and state.

(v) "Conservation officers" means all duly appointed game wardens employed by the State of Mississippi on a full-time duty status while actually engaged in the performance of their duties concerning the game laws of the state.

(vi) "Alcoholic Beverage Control Division agents and inspectors" means all duly appointed agents and investigators of the Alcoholic Beverage Control Division of the Mississippi Department of Revenue on a full-time duty status while actually

engaged in the performance of their duties concerning the alcoholic beverage control laws of the state.

(vii) Members of the National Guard serving as peace officers when ordered to state emergency duty under authority vested in the Governor by the Constitution and laws of the state.

(viii) "Tax commission scales enforcement officers" means all duly appointed scales enforcement officers of the Mississippi Department of Revenue on a full-time duty status while actually engaged in the performance of their duties.

(ix) Duly appointed agents of the Mississippi Bureau of Narcotics.

(x) Correctional, probation and parole officers employed by the Mississippi Department of Corrections.

(b) "Mississippi full-time firefighters" shall be defined as all firefighters employed by any subdivision of the State of Mississippi on a full-time duty status while actually engaged in the performance of their duties, and volunteer firefighters shall be defined as any volunteer firefighter registered with the State of Mississippi or a political subdivision thereof on a volunteer firefighting status while actually engaged in the performance of firefighting duties.

(c) "Child" or "children" means natural children, adopted children or stepchildren.

(d) "Spouse" means a person who was, at the time of the death of the decedent, legally married to a Mississippi law enforcement officer, full-time firefighter, or volunteer firefighter, or in the case of a law enforcement officer, full-time firefighter or volunteer firefighter who suffered fatal injuries or wounds, prior to or after March 13, 1990, who has not remarried.

(5) (a) Any law enforcement officer, full-time firefighter or volunteer firefighter claiming permanent and total disability shall be qualified or disqualified for a claim under this section based on examination and review of the following four (4) documents:

(i) A letter from the officer's or firefighter's former supervisor or employer stating whether the officer or firefighter is disabled as a result of injuries or wounds that occurred in the performance of the official duties of his office;

(ii) A statement from the officer's or firefighter's physician stating whether the officer or firefighter is disabled and the reason for that disability;

(iii) Verification from the Public Employees' Retirement System; and

(iv) Verification from the Social Security Administration.

(b) If the law enforcement officer, full-time firefighter or volunteer firefighter suffered fatal injuries or

wounds, a claim under this section shall be based on examination and review of the following two (2) documents:

(i) A letter from the officer's or firefighter's former supervisor or employer stating whether he suffered fatal injuries in the performance of the official duties of his office; and

(ii) A death certificate.

(6) Any applicant qualified and desiring a scholarship under the provisions of this section shall apply in writing to the board. The board shall make inquiries into each application and shall make the investigation as it deems proper to establish and validate all claims before a scholarship is granted.

**SECTION 17.** The following shall be codified as Section 37-106-41, Mississippi Code of 1972:

37-106-41. (1) If any member of the armed services, whose official house of record and residence is within the State of Mississippi, is officially reported as being either a prisoner of war or missing in action in Southeast Asia or has been a prisoner of a foreign government as the result of a military action against the United States naval vessel, Pueblo, his child or children shall be entitled to an eight-semester scholarship without cost, exclusive of books, food, school supplies, materials and dues or fees for extracurricular activities at any state-supported college or university of his choice within this state. However, no child will be entitled to receive benefits during any semester or

quarter when said child has reached the age of twenty-three (23) years on the first day of the semester or quarter.

(2) The provisions of this section shall apply to the child or children of any member of the armed services who is officially reported as being either a prisoner of war or missing in action in Southeast Asia whose spouse was a resident of this state for a period of not less than ten (10) years during her minority and is a resident or physically resides within this state and does continually reside within this state at the time of enrollment and during the enrollment, and is a resident or physically resides within this state as of April 9, 1973.

(3) It is further provided that the provisions of this section shall apply to the child or children of any person who was a resident of this state at the time he was inducted into the Armed Forces of the United States of America and who is either a former prisoner of war or officially reported as being a prisoner of war or missing in action in Southeast Asia and who, or his spouse if she was a resident of this state for a period of not less than ten (10) years during her minority, is a resident of this state and at the time of enrollment and during the enrollment of his child or children at any state-supported college or university in this state resided or resides in this state.

(4) Any applicant qualified and desiring a scholarship under this section shall apply in writing to the board. The board shall make inquiries into each such application and shall make the

investigation as it deems proper to establish and validate all claims made under this section before a scholarship is granted.

**SECTION 18.** The following shall be codified as Section 37-106-43, Mississippi Code of 1972:

37-106-43. (1) There is hereby established an intern educational program to be designated as the Mississippi Public Management Graduate Intern Program to be administered by the board through a program coordinator. The program shall consist of not more than thirty-six (36) positions in the general fields of public management, program analysis and public administration. These positions shall not be included in the number of employees allowed by law within a particular state agency. Graduate intern students shall be temporarily assigned by the program coordinator to specific state or local agencies and offices, including offices of the Legislature. Each participating agency or office shall not employ more than four (4) graduate intern students per year. To qualify for the program, a student must (a) be enrolled as a graduate student in a state university masters program in public administration, public policy and administration, or criminal justice administration; and (b) have committed himself to a field of graduate study directly related to a state or local government public managerial position.

(2) There is hereby created the Mississippi Intern Public Management Education Council to consist of the following members: The chairmen of the various departments of Mississippi

institutions of higher learning that offer graduate programs in one of the following: public administration, public policy and administration, and criminal justice administration. The council shall elect from its membership a chairman, which shall be a rotating, one-year appointment. The council shall meet at the place and time designated by the chairman at least twice but no more than six (6) times per year.

(3) The council shall adopt, amend and repeal the rules and regulations as it deems necessary to establish standards and ensure the orderly execution of the objectives of the intern educational program, not inconsistent with the provisions of this section. The regulations shall be submitted to the board for implementation by the program coordinator. The council shall review and evaluate the program on a yearly basis and submit its findings to the program coordinator.

(4) There is hereby created the position of Program Coordinator who shall be the Chief Administrative Officer of the Mississippi Public Management Graduate Intern Program. The program coordinator shall be appointed by and be an employee of the agency.

(5) The program coordinator shall administer the policies of the council and supervise and direct all technical activities of the program. The coordinator shall select students to participate in the program based upon the nominees of the participating state institutions of higher learning. No participating university

shall be allotted less than three (3) intern students per year unless the university nominates less than three (3) students. The coordinator shall place the intern students in state or local agencies which agree in writing to participate in the program.

(6) The program coordinator shall prepare and deliver to the Legislature and to the Governor an annual report describing the operation and progress of the Mississippi Public Management Graduate Intern Program, including a detailed statement of expenditures and any recommendations the board may have.

(7) It shall be the duty and responsibility of universities participating in the intern program to nominate qualified graduate students to the program and to keep the program coordinator fully apprised of the academic development of the intern student, including any change in the student's educational status.

(8) State or local agencies participating in the intern program shall employ intern students with the expectation that they shall contribute to agency policy decisions, participate in managerial activities, and deliver agency services. Intern graduate students shall receive compensation on the basis of their professional work experience, but shall receive no less than Seven Hundred Fifty Dollars (\$750.00) per month or Four Thousand Five Hundred Dollars (\$4,500.00) for a six-month work period. In addition to the salary, students shall be reimbursed for necessary expenses and mileage authorized by law for travel to seminars, workshops and training sessions, as well as other related

professional travel expenses. When the student has received his graduate degree, the agency may offer him a permanent position with the state or local agency or office, assuming funding and position openings are available.

(9) Intern students shall submit an evaluation of the intern program and an assessment of its educational value to the program coordinator at the end of each work period.

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**SECTION 19.** The following shall be codified as Section 37-106-47, Mississippi Code of 1972:

37-106-47. (1) The board is authorized and empowered to operate the following forgivable loan programs of like character, operation and purpose to the foregoing enumerated programs to encourage the participation of eligible worthy persons in courses of instruction in its institutions: Graduate Teacher Forgivable Loan, Counselor and School Administrator Forgivable Loan, Southern Regional Education Board Doctoral Scholars Forgivable Loan, and Veterinary Medicine Minority Forgivable Loan.

(2) In furtherance of such power and authority, the board is authorized to adopt and implement rules and regulations declaring and describing the goals and objectives of such forgivable loan programs; to establish the eligibility requirements for entry into such program and required for continuing participation for succeeding years; to determine the maximum amount to be made available to recipients; to delineate the terms and conditions of contracts with recipients and establish the service requirements

for such contracts, if any; to enter into contracts pertaining to such programs with recipients; to enter into loan agreements and other contracts with financial institutions or other providers of loan monies for forgivable loan and loan repayment participants; and to allocate and utilize such funds as may be necessary for the operation of such forgivable loan programs from the annual appropriation for student financial aid. In issuing rules and regulations governing the administration of the Graduate Teacher Summer Scholarship (GTSS) program, the board shall provide that certified teachers at the Oakley Youth Development Center under the jurisdiction of the Department of Human Services shall be fully eligible to participate in the program.

**SECTION 20.** The following shall be codified as Section 37-106-49, Mississippi Code of 1972:

37-106-49. In connection with the forgivable loan programs administered by the board, and in addition to the funding of the same through the use of state funds, the board is authorized to establish a loan repayment mechanism employing agreements to repay private sector loans for education or guaranteed student loans. As an alternative to the forgivable loans administered by the board, the board is authorized to develop contractual relations with eligible applicants to repay, for and on behalf of the applicants, any or all outstanding private sector loans for education or guaranteed student loans, by undertaking to repay installments of interest and principal according to the

requirement of the loans, so long as the applicants perform the terms of their loan or scholarship contracts with the board. The board may establish by rule and regulation the terms of the contracts so as to accomplish the purposes of the loan repayment programs, including, but not limited to: the maximum amount the board will undertake to repay; the maximum duration of the repayment arrangement or the period of required service; the geographical location for approved service; the nature of the service to be rendered; the needed professional occupations; the critical majors or subject areas of concentration; the criteria to determine need and the degree of need required for eligibility; and the scholastic achievement level required to be maintained by the student participants. The board may prescribe other rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

**SECTION 21.** The following shall be codified as Section 37-106-51, Mississippi Code of 1972:

37-106-51. The board is authorized to establish a consolidated revolving loan fund for the purpose of providing monies for the operation of all forgivable loan programs authorized to the board and for the purpose of providing monies for the operation of such other loan programs as may be deemed appropriate and authorized by the board from time to time for the furtherance of education of eligible applicants. The board shall be charged with the duty of directing the dispensing of such funds

in a manner so as to best effectuate the purpose of this section. Any monies collected in the form of repayment of loans, both principal and interest, shall be deposited in this fund. The board is authorized to maintain such revolving fund in an official state depository and, in accordance with Section 27-105-21, Mississippi Code of 1972, shall invest such funds, less the amount required for current operation, at interest as required by said section. All interest earned on such investments shall likewise be deposited in said fund.

From and after the effective date of this chapter [Laws, 1991, Chapter 547, effective July 1, 1991], the sums maintained in the respective revolving funds being repealed by Chapter 547, Laws, 1991, or other revolving funds being maintained by the board shall become and constitute the monies of the consolidated revolving fund created by this section, wherever such funds may be physically located. The board is hereby authorized to transfer said funds to an official state depository, as aforesaid.

**SECTION 22.** The following shall be codified as Section 37-106-53, Mississippi Code of 1972:

37-106-53. (1) Forgivable loans shall be made and based upon the following options for repayment or conversion to interest-free scholarships:

(a) Payment in full of principal plus a penalty of five percent (5%) of the principal and interest on the combined principal and penalty must be made in monthly installments, the

maximum number of which will be determined by the board, unless set forth in this chapter. Interest will begin to accrue at the date of separation from the approved program of study at a rate equal to the unsubsidized Federal Stafford loan rate at the time of separation. Repayment will commence one (1) month after separation from the program of study, unless the recipient is granted a grace period or deferment by the board. The availability and length of a grace period will be determined by the board. The availability and length of any deferments will be determined by the board.

(b) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into service employment. Service requirements for each forgivable loan program will be determined by the board, unless set forth in this chapter. Unless excepted by this chapter, repayment under this option shall convert loan to scholarship, and discharge the same, on the basis of one (1) year's full-time service for one (1) year's loan amount or its equivalent if the recipient attended part-time, or the appropriate proportion of the total outstanding balance of principal and interest, all as shall be established by rule and regulation of the board. The period of service shall in no event be less than one (1) year. If at any time prior to the repayment in full of the total obligation the recipient abandons or abrogates repayment by this option, the provisions of Section 37-106-53(1)(c) shall apply.

(c) In the event of abandonment or abrogation of the option for repayment as provided for in Section 37-106-53(1)(b), the remaining balance of unpaid or undischarged principal plus a penalty of five percent (5%) of the unpaid or undischarged principal and interest on the combined principal and penalty shall become due and payable over the remaining period of time as if the option provided for in Section 37-106-53(1)(a) had been elected upon separation and the conclusion of any applicable grace and deferment periods.

(2) Any person failing to complete a program of study which will enable that person to enter service employment, or failing to obtain any required licensure or additional credentials necessary for that person to enter service employment shall become liable to the board for the sum of all forgivable loan awards made to that person plus a penalty of five percent (5%) of the loan awards and interest on the combined amount accruing at the current unsubsidized Federal Stafford loan rate at the time the person abrogates his participation in the program.

(3) If a claim for payment under this subsection is placed in the hands of a collection agency or an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable collection commission or attorney's fee as well as any court costs.

(4) The obligations made by the recipient of a forgivable loan award shall not be voidable by reason of the age of the student at the time of receiving the scholarship.

**SECTION 23.** The following shall be codified as Section 37-106-55, Mississippi Code of 1972:

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 July 1, 2020.

**SECTION 24.** The following shall be codified as Section 37-106-57, Mississippi Code of 1972:

37-106-57. (1) It is the intention of the Legislature to attract and retain qualified teachers by awarding incentive loans to persons declaring an intention to serve in the teaching field and who actually render service to the state while possessing an appropriate teaching license.

(2) There is established the "William F. Winter Teacher Forgivable Loan Program."

(3) Subject to the availability of funds, students who are enrolled in any baccalaureate degree-granting institution of higher learning in the State of Mississippi that is regionally accredited and approved by the board and who have expressed in writing a present intention to teach in Mississippi shall be eligible for student loans to be applied to the costs of their college education. Persons who have been admitted to a teacher education program or a nontraditional teacher internship licensure program authorized under Section 37-3-2(6)(b), as approved by the State Board of Education, shall also qualify for loans at approved institutions. The board shall provide that teacher education majors and noneducation majors shall have equal access to forgivable loans under authority of this section.

(4) A junior establishing initial eligibility shall be eligible for a maximum of two (2) annual loans and a senior shall be eligible for one (1) annual loan.

(5) The maximum annual loan shall be set by the board at an amount not to exceed the cost of attendance at any baccalaureate degree-granting institution of higher learning in the State of Mississippi. However, it is the intent of the Legislature that the maximum annual loan amounts under the William F. Winter Teacher Forgivable Loan Program shall not be of such amounts that would compete with the Critical Needs Teacher Forgivable Loan Program.

(6) The loans of persons who actually render service as licensed teachers or nontraditional teacher interns authorized under Section 37-3-2(6)(b) in a public school, including a charter school, in Mississippi for a major portion of the school day for at least seventy-eight (78) school days shall be converted to interest-free scholarships. Repayment and conversion terms shall be the same as those outlined in Section 37-106-53.

(7) 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 Department of Education.

(8) The board shall promulgate regulations necessary for the proper administration of this section.

**SECTION 25.** The following shall be codified as Section 37-106-59, Mississippi Code of 1972:

37-106-59. (1) There is created a forgivable loan program for baccalaureate study in nursing. Forgivable loans are established and shall be allocated to students who: (a) are accepted and enrolled in an accredited Mississippi School of Nursing approved by the board; (b) complete an application by the deadline established by the board; and (c) enter into contract with the board, obligating themselves to pursue to completion the course of study agreed upon, and following the completion of such work, to spend a period of time in teaching nursing at any accredited school of nursing in Mississippi, approved by the board, or in performing other work in the interest of public health in the state, to be approved by the board. Repayment and conversion terms shall be the same as outlined in Section 37-106-53.

(2) There is created a program for advanced study in nursing. Forgivable loans are established and shall be allocated to students who: (a) have graduated from an accredited high school and from a school of nursing and are licensed registered nurses in Mississippi; and (b) are approved by the board; and (c) enter into contract with the board, obligating themselves to pursue to completion the course of study agreed upon, and immediately following the completion of such work, to spend a period of time, equal to the period of study provided under the scholarship, in teaching nursing at any accredited school of nursing in Mississippi, approved by the board, or in performing

other work in the interest of public health in the state, to be approved by the board. Repayment and conversion terms shall be the same as outlined in Section 37-106-53.

(3) In addition to a forgivable loan, any such student may be allocated a loan not to exceed One Thousand Dollars (\$1,000.00) per month for each month of full-time study in a graduate nursing program. The repayment of the principal and interest of such loans shall be eligible for deferment during attendance as a full-time student in an approved program for advanced study in an accredited school of nursing. For any student who receives this loan, the student's contract with the board shall obligate the student, immediately following completion of the course of study, to repay the loan by teaching nursing for not less than two (2) years at any accredited school of nursing in Mississippi approved by the board. Repayment and conversion terms shall be the same as those outlined in Section 37-106-53, except that teaching service shall convert the loan to an interest-free scholarship, and discharge the same, on the basis of two (2) years of service for one (1) year's loan amount, or the appropriate proportion of the total outstanding balance of principal and interest, all as established by rule and regulation of the board.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

**SECTION 26.** The following shall be codified as Section 37-106-61, Mississippi Code of 1972:

37-106-61. (1) There is hereby created the state medical forgivable loan program. The purpose of such program shall be to enable eligible applicants who desire to become physicians to obtain a medical education in the University of Mississippi School of Medicine, which will qualify them to become licensed, practicing physicians and surgeons.

(2) The board shall establish, by rule and regulation, the maximum annual award which may be made under this program at an amount not to exceed the cost of tuition and other expenses, and shall establish the maximum number of awards which may be made not to exceed the length of time required to complete the degree requirements and internship or residency.

(3) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53 and shall include the following:

(a) Payment in full of principal and interest must be made in sixty (60) or less equal monthly installments;

(b) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into public health work at a state health institution as defined in Section 37-106-67(2), or community health centers that are grantees under Section 330 of the United States Public Health Service Act;

(c) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into the practice of medicine in a primary health care field in an area outside of a metropolitan statistical area, as defined and established by the United States Census Bureau, and within a region ranking between 1 and 54, inclusively, on the Relative Needs Index of Five Factors for Primary Care Physicians, as annually determined by the State Board of Health, for a period of five (5) years.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

**SECTION 27.** The following shall be codified as Section 37-106-63, Mississippi Code of 1972:

37-106-63. (1) There is hereby created the state dental forgivable loan program. The purpose of the program shall be to enable eligible applicants who desire to become dentists to obtain a standard four-year education in the study of dentistry in the University of Mississippi School of Dentistry, which will qualify them to become licensed, practicing dentists.

(2) The board shall establish, by rule and regulation, the maximum annual award which may be made under this program at an amount not to exceed the cost of tuition and other expenses, and shall establish the maximum number of awards, which may be made

not to exceed the length of time required to complete the degree requirements.

(3) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53 and shall include the following:

(a) Payment in full of principal and interest must be made in sixty (60) or less equal monthly installments;

(b) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into public health work at a state health institution as defined in Section 37-106-67(2), or community health centers that are grantees under Section 330 of the United States Public Health Service Act;

(c) In lieu of payment in full of both principal and interest, a loan recipient may elect to repay by entry into the practice of dentistry in an area outside of a metropolitan statistical area, as defined and established by the United States Census Bureau, and within a region ranking between 1 and 54, inclusively, on the Relative Needs Index of Four Factors for Dentists, as annually determined by the State Board of Health, for a period of five (5) years.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

**SECTION 28.** The following shall be codified as Section 37-106-65, Mississippi Code of 1972:

37-106-65. The board, under such rules and regulations as it shall determine may provide forgivable loans for instruction in graduate and professional schools for qualified students, who are residents of Mississippi, in institutions outside the state boundaries, when such instruction is not available for them in the regularly supported Mississippi institutions of higher learning. The board shall, by its rules and regulations, determine the qualifications of such students as may be aided by this section, and the decision by the board as to the qualifications of such students shall be final. Subject to the availability of funding, the board shall provide forgivable loans for such graduate and professional instruction at a cost to students, not exceeding the cost, as estimated by the board, of such instruction, if it were available at a state supported institution of higher learning in the State of Mississippi. Repayment and conversion terms shall be the same as those outlined in Section 37-106-53.

**SECTION 29.** The following shall be codified as Section 37-106-67, Mississippi Code of 1972:

37-106-67. (1) There is established a health care professions' forgivable loan program. It is the intent of the Legislature that persons declaring an intention to work at certain state health institutions as nurses, nurse practitioners, speech pathologists, psychologists, occupational therapists and physical therapists shall be eligible for a loan for the purpose of acquiring an education in such professions. The board shall enter

into contracts with applicants, providing that such loans may be discharged by working as a health care professional in a state health institution, as defined in this section. Repayment and conversion terms shall be the same as those outlined in Section 37-106-53.

(2) "State health institution" shall mean any of the following: any facility or program operated by the Department of Mental Health; the State Board of Health; mental health/intellectual disability facilities under the administration of a regional commission as established under Section 41-19-31 which are certified by the Department of Mental Health; and health care facilities under the Department of Corrections.

(3) The board shall establish rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

**SECTION 30.** The following shall be codified as Section 37-106-69, Mississippi Code of 1972:

37-106-69. (1) There is established a forgivable loan program to encourage family protection workers employed by the Department of Human Services to obtain the college education necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department.

(2) Any person who is employed as a family protection worker for the Department of Human Services shall be eligible for a

forgivable loan from the board which shall be used to pay the costs of the person's education at a state institution of higher learning in Mississippi to obtain a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department. The annual amount of a forgivable loan award under the program shall be equal to the total cost of tuition 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 and fees assessed by a state institution of higher learning during that school year.

(3) Forgivable loans made under the 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 forgivable loans 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 the necessary degree, shall be established by rules and regulations of the board. Forgivable loans made under the program shall not be based upon an applicant's financial need. A student must maintain a "C" average or higher in his or her college coursework in order to continue receiving the forgivable loan.

(4) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53, except for the following:

(a) After a person who received a forgivable loan under the program has obtained a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and has received such a license from the Board of Examiners for Social Workers and Marriage and Family Therapists, the person shall render service as a family protection specialist for the Department of Human Services for a period of not less than three (3) years from the date that the person became a family protection specialist;

(b) Any person who fails to complete his or her service obligation as a family protection specialist for the Department of Human Services for not less than three (3) years, as required under subsection (4)(a) of this section, shall become liable immediately to the board for the sum of all forgivable loan awards made to that person, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his or her service.

(5) It is the intent of the Legislature that the pursuit of necessary college education by family protection workers through the forgivable loan program shall not interfere with the duties of the family protection workers with the Department of Human Services. The department shall promulgate regulations regarding family protection workers who participate in the forgivable loan program to ensure that such participation does not interfere with their duties with the department.

(6) The board shall promulgate rules and regulations necessary for the proper administration of the forgivable loan program established under this section. The board shall be the administering agency of the program.

(7) The total amount of state funds that may be expended for this program shall not exceed Three Hundred Twenty Thousand Dollars (\$320,000.00) in any fiscal year.

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**SECTION 31.** The following shall be codified as Section 37-106-71, Mississippi Code of 1972:

37-106-71. (1) There is established the Mississippi Dyslexia Education Forgivable Loan Program for the purpose of identifying and recruiting qualified university and college students from the state for schooling in education with a focus on dyslexia therapy.

(2) The receipt of a forgivable loan under the program shall be solely limited to those students who are enrolled in or who have been accepted for enrollment into a master's degree program of study for dyslexia therapy at any public or private institution of higher learning within the State of Mississippi at the time an application for a forgivable loan is filed with the board.

(3) The annual amount of the forgivable loan award shall be equal to the total cost for tuition, materials and fees at the college or university in which the student is enrolled. Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(4) Upon completion of the master's program and licensure requirements, a forgivable loan recipient who has not been previously licensed by the State Department of Education shall render service as licensed teacher of dyslexia therapy in a public school district in the state.

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

(6) The board shall prepare and submit a report to the Legislature by January 1, 2015, outlining in detail the number of participants who have received forgivable loans under the program, the record of service provided by those recipients as they transition out of the degree program into the public school districts of this state, and the projection for expanding the program to include more participants annually as determined by the need for such qualified professionals in the public school setting. Additionally, the report shall include a summary of allocations and expenditures for the administration of the program and the total amount of funds issued to recipients of forgivable loan from the inception of the program until such time as the report has been prepared and submitted to the Legislature.

(7) The Mississippi Dyslexia Education Forgivable Loan Program shall be administered in the same manner as the Critical Needs Teacher Forgivable Loan Program established under Section 37-106-55 and shall be incorporated into the Critical Needs Teacher Forgivable Loan Program for all purposes.

(8) Funding for the establishment and continued operation of the Mississippi Dyslexia Education Forgivable Loan Program shall be administered by the board through a special fund established within the Critical Needs Teacher Forgivable Loan Program. The board may accept and receive monetary gifts and donations from any source, public or private, which such funds shall be deposited in the special fund for the benefit of the Mississippi Dyslexia Education Forgivable Loan Program with the Critical Needs Teacher Forgivable Loan Program.

(9) No more than twenty (20) students per cohort shall be selected annually to be admitted into the program for receipt of forgivable loans beginning with the 2013-2014 academic year. However, forgivable loans awarded under the program shall be provided only to students who have been accepted into a Dyslexia Therapy Master's Degree Cohort Program approved by the State Department of Education that provides instructional training as required under Chapter 173, Title 37, Mississippi Code of 1972, for dyslexia therapy in preparation of those cohort students for AA licensure by the department.

**SECTION 32.** The following shall be codified as Section 37-106-73, Mississippi Code of 1972:

**37-106-73. Speech-Language Pathologists Forgivable Loan Program.** (1) There is established a Speech-Language Pathologists Forgivable Loan Program. It is the intent of the Legislature that persons declaring an intention to work in an accredited public

school (K-12), including a charter school, located in the State of Mississippi as a speech-language pathologist shall be eligible for a loan for the purpose of acquiring a master's level education in such profession. The board shall enter into contracts with applicants, providing that such loans may be discharged by working as a master's level speech-language pathologist in an accredited public school (K-12), including a charter school, located in the State of Mississippi.

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

(2) The board shall establish rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

The provisions of this section shall be subject to specific appropriation therefor by the Legislature.

**SECTION 33.** The following shall be codified as Section 37-106-75, Mississippi Code of 1972:

**[From and July 1, 2014, and until June 30, 2015, this section shall read as follows:]**

37-106-75. (1) The Legislature hereby establishes the Higher Education Legislative Plan Grant Program.

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved, nonprofit

two-year or four-year college or university located in the State of Mississippi approved by the board.

(b) "Tuition" shall mean the semester or trimester or term charges and all required fees imposed by an institution of higher education as a condition of enrollment by all students. However, for a two-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the two-year public institutions of higher education defined in paragraph (a), and for a four-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the four-year public institutions of higher education defined in paragraph (a).

(3) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree who apply for the assistance under the program and who meet all of the following qualifications:

(a) Resident of the State of Mississippi. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;

(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

(c) Successfully complete, as certified by the high school counselor or other school official, seventeen and one-half (17-1/2) units of high school course work which includes the College Preparatory Curriculum (CPC) approved by the Board of Trustees of State Institutions of Higher Learning and required for admission into a state university, plus one (1) unit of art which may include one (1) unit or two (2) one-half (1/2) units from the approved Mississippi Department of Education Arts-Visual and Performing series, and one (1) additional advanced elective unit, which may include Foreign Language II;

(d) Have a composite score on the American College Test of at least twenty (20) on the 1989 version or an equivalent concordant value on an enhanced version of such test;

(e) Have no criminal record, except for misdemeanor traffic violations; and

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular

requirements established by paragraph (b), (c) or (d) of subsection (3) by an amount of ten percent (10%) or less.

(5) To maintain continued state payment of tuition, once enrolled in an institution of higher education, a student shall meet all of the following requirements:

(a) Make steady academic progress toward a degree, earning not less than the minimum number of hours of credit required for full-time standing in each academic period requiring such enrollment;

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the board;

(c) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point average as evaluated at the end of each academic year;

(d) Have no criminal record, except for misdemeanor traffic violations; and

(e) Be in financial need.

(6) The provisions of this section shall be administered by the board. The board may promulgate rules for all matters necessary for the implementation of this section. By rule, the board shall provide for:

(a) A mechanism for informing all students of the availability of the assistance provided under this section early

enough in their schooling that a salutary motivational effect is possible;

(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

(c) A procedure for waiver through the 1996-1997 academic year of the program eligibility requirement for successful completion of a specified core curriculum upon proper documentation by the applicant that failure to comply with the requirement is due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(7) An applicant shall be found to be in financial need if:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-six Thousand Five Hundred Dollars (\$36,500.00); or

(b) The family has an annual adjusted gross income of less than Thirty-six Thousand Five Hundred Dollars (\$36,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

The annual adjusted gross income of the family shall be verified by completion of the Free Application for Federal Student Aid (FAFSA) and the completion of the verification process if the applicant is selected for it.

As used in this subsection, the term "family" for an unemancipated applicant means the applicant, the applicant's parents and other children under age twenty-one (21) of the applicant's parents. The term "family" for an emancipated applicant means the applicant, an applicant's spouse, and any children under age twenty-one (21) of the applicant and spouse.

(8) No student shall receive a grant under this section in an amount greater than the tuition charged by the school. The student must apply for a federal grant prior to receiving state funds.

**[From and after July 1, 2015, and until June 30, 2016, this section shall read as follows:]**

37-106-75. (1) The Legislature hereby establishes the Higher Education Legislative Plan Grant Program.

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved, nonprofit two-year or four-year college or university located in the State of Mississippi approved by the board.

(b) "Tuition" shall mean the semester or trimester or term charges and all required fees imposed by an institution of higher education as a condition of enrollment by all students. However, for a two-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed

the average charges and fees required by all of the two-year public institutions of higher education defined in paragraph (a), and for a four-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the four-year public institutions of higher education defined in paragraph (a).

(3) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree who apply for the assistance under the program and who meet all of the following qualifications:

(a) Resident of the State of Mississippi. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;

(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

(c) Successfully complete, as certified by the high school counselor or other school official, seventeen and one-half (17-1/2) units of high school course work which includes the College Preparatory Curriculum (CPC) approved by the Board of Trustees of State Institutions of Higher Learning and required for admission into a state university, plus one (1) unit of art which

may include one (1) unit or two (2) one-half (1/2) units from the approved Mississippi Department of Education Arts-Visual and Performing series, and one (1) additional advanced elective unit, which may include Foreign Language II;

(d) Have a composite score on the American College Test of at least twenty (20) on the 1989 version or an equivalent concordant value on an enhanced version of such test;

(e) Have no criminal record, except for misdemeanor traffic violations; and

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular requirements established by paragraph (b), (c) or (d) of subsection (3) by an amount of ten percent (10%) or less.

(5) To maintain continued state payment of tuition, once enrolled in an institution of higher education, a student shall meet all of the following requirements:

(a) Make steady academic progress toward a degree, earning not less than the minimum number of hours of credit required for full-time standing in each academic period requiring such enrollment;

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the board;

(c) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point average as evaluated at the end of each academic year;

(d) Have no criminal record, except for misdemeanor traffic violations; and

(e) Be in financial need.

(6) The provisions of this section shall be administered by the board. The board may promulgate rules for all matters necessary for the implementation of this section. By rule, the board shall provide for:

(a) A mechanism for informing all students of the availability of the assistance provided under this section early enough in their schooling that a salutary motivational effect is possible;

(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

(c) A procedure for waiver through the 1996-1997 academic year of the program eligibility requirement for successful completion of a specified core curriculum upon proper documentation by the applicant that failure to comply with the

requirement is due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(7) An applicant shall be found to be in financial need if:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has an annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

The annual adjusted gross income of the family shall be verified by completion of the Free Application for Federal Student Aid (FAFSA) and the completion of the verification process if the applicant is selected for it.

As used in this subsection, the term "family" for an unemancipated applicant means the applicant, the applicant's parents and other children under age twenty-one (21) of the applicant's parents. The term "family" for an emancipated applicant means the applicant, an applicant's spouse, and any children under age twenty-one (21) of the applicant and spouse.

(8) No student shall receive a grant under this section in an amount greater than the tuition charged by the school. The

student must apply for a federal grant prior to receiving state funds.

**[From and after July 1, 2016, this section shall read as follows:]**

37-106-75. (1) The Legislature hereby establishes the Higher Education Legislative Plan Grant Program.

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved, nonprofit two-year or four-year college or university located in the State of Mississippi approved by the board.

(b) "Tuition" shall mean the semester or trimester or term charges and all required fees imposed by an institution of higher education as a condition of enrollment by all students. However, for a two-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the two-year public institutions of higher education defined in paragraph (a), and for a four-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the four-year public institutions of higher education defined in paragraph (a).

(3) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of

higher education to pursue an academic undergraduate degree who apply for the assistance under the program and who meet all of the following qualifications:

(a) Resident of the State of Mississippi. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;

(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

(c) Successfully complete, as certified by the high school counselor or other school official, seventeen and one-half (17-1/2) units of high school course work which includes the College Preparatory Curriculum (CPC) approved by the Board of Trustees of State Institutions of Higher Learning and required for admission into a state university, plus one (1) unit of art which may include one (1) unit or two (2) one-half (1/2) units from the approved Mississippi Department of Education Arts-Visual and Performing series, and one (1) additional advanced elective unit, which may include Foreign Language II;

(d) Have a composite score on the American College Test of at least twenty (20) on the 1989 version or an equivalent concordant value on an enhanced version of such test;

(e) Have no criminal record, except for misdemeanor traffic violations; and

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular requirements established by paragraph (b), (c) or (d) of subsection (3) by an amount of ten percent (10%) or less.

(5) To maintain continued state payment of tuition, once enrolled in an institution of higher education, a student shall meet all of the following requirements:

(a) Make steady academic progress toward a degree, earning not less than the minimum number of hours of credit required for full-time standing in each academic period requiring such enrollment;

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the board;

(c) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point average as evaluated at the end of each academic year;

(d) Have no criminal record, except for misdemeanor traffic violations; and

(e) Be in financial need.

(6) The provisions of this section shall be administered by the board. The board may promulgate rules for all matters necessary for the implementation of this section. By rule, the board shall provide for:

(a) A mechanism for informing all students of the availability of the assistance provided under this section early enough in their schooling that a salutary motivational effect is possible;

(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

(c) A procedure for waiver through the 1996-1997 academic year of the program eligibility requirement for successful completion of a specified core curriculum upon proper documentation by the applicant that failure to comply with the requirement is due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(7) An applicant shall be found to be in financial need if:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the

family is less than Forty-two Thousand Five Hundred Dollars (\$42,500.00); or

(b) The family has an annual adjusted gross income of less than Forty-two Thousand Five Hundred Dollars (\$42,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

The annual adjusted gross income of the family shall be verified by completion of the Free Application for Federal Student Aid (FAFSA) and the completion of the verification process if the applicant is selected for it.

As used in this subsection, the term "family" for an unemancipated applicant means the applicant, the applicant's parents and other children under age twenty-one (21) of the applicant's parents. The term "family" for an emancipated applicant means the applicant, an applicant's spouse, and any children under age twenty-one (21) of the applicant and spouse.

(8) No student shall receive a grant under this section in an amount greater than the tuition charged by the school. The student must apply for a federal grant prior to receiving state funds.

**SECTION 34.** Sections 37-107-1, 37-107-3, 37-107-5, 37-107-7 and 37-107-9, Mississippi Code of 1972, which provided scholarships for children of deceased for disabled law enforcement officers or firemen, are repealed.

**SECTION 35.** Sections 37-108-1, 37-108-3 and 37-108-5, Mississippi Code of 1972, which provided scholarships for children of certain Armed Forces members, are repealed.

**SECTION 36.** Sections 37-110-1, 37-110-3, 37-110-5, 37-110-9 and 37-110-11, Mississippi Code of 1972, which provided for the Mississippi Public Management Graduate Intern Program, are repealed.

**SECTION 37.** Sections 37-143-1, 37-143-3, 37-143-5, 37-143-6, 37-143-7, 37-143-9, 37-143-11, 37-143-12, 37-143-13, 37-143-14, 37-143-15, 37-143-17, 37-143-19 and 37-143-21, Mississippi Code of 1972, which provided for the Omnibus Loan or Scholarship Act of 1991, are repealed.

**SECTION 38.** Sections 37-157-1 and 37-157-3, Mississippi Code of 1972, which provided for the student tuition assistance program, are repealed.

**SECTION 39.** Section 37-159-3, Mississippi Code of 1972, which provides for the Critical Needs Teacher Scholarship Program, is repealed.

**SECTION 40.** Sections 37-159-51 and 37-159-53, Mississippi Code of 1972, which provided for the Mississippi Dyslexia Education Scholarship Program, are repealed.

**SECTION 41.** Section 37-101-221, Mississippi Code of 1972, which provides for the instruction of Mississippi students in schools outside the state, is repealed.

**SECTION 42.** Section 37-144-21, Mississippi Code of 1972, is amended as follows:

37-144-21. This chapter may not be construed as granting the Mississippi Rural Physicians Scholarship Program or its governing commission any governing or administrative authority over any program administered by any college, university, medical school or residency program in this state or any other program established by state law \* \* \*.

**SECTION 43.** Section 97-15-29, Mississippi Code of 1972, is amended as follows:

97-15-29. (1) Anyone who shall put, throw, dump or leave on the roads and highways of this state, or within the limits of the rights-of-way of such roads and highways, or upon any private property, any cigarette or cigar stubs, or any other thing or substance likely to ignite the grass or underbrush on a road or highway, in addition to being civilly liable for all damages caused by such act shall, upon conviction, be guilty of a misdemeanor and punished as provided by subsection (3) of this section.

(2) The Department of Transportation is authorized to erect warning signs along the roads and highways of this state advising the public of the existence of this section and of the penalty for the violation thereof and is further authorized to install receptacles at reasonable intervals along the roads and highways

of this state to be used as containers for trash and rubbish and for the convenience of the public using such roads and highways.

(3) Any person found guilty of the violation of this section shall, upon conviction, be fined not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00). The proceeds of such fines shall be expended by the collecting jurisdiction solely for the purpose of funding local litter prevention programs or projects or local or school litter education programs as recommended by the statewide litter prevention program of Keep Mississippi Beautiful, Inc.

(4) As a part of the fine imposed by subsection (3) above, a person convicted for an offense upon which fines are imposed by this section may be required to perform the following, and a person convicted for a second or subsequent offense upon which fines are imposed by this section shall be required to:

(a) Remove or render harmless, in accordance with written direction, as appropriate, from the Department of Environmental Quality or local law enforcement authorities, the unlawfully discarded solid waste;

(b) Repair or restore property damaged by, or pay damages for any damage arising out of the unlawfully discarded solid waste;

(c) Perform community public service relating to the removal of any unlawfully discarded solid waste or to the

restoration of any area polluted by unlawfully discarded solid waste; and

(d) Pay all reasonable investigative and prosecutorial expenses and costs to the investigative and/or prosecutorial agency or agencies.

(5) Upon a second or subsequent conviction of an offense upon which fines are imposed by this section, the minimum and maximum fines shall be doubled.

(6) When any litter is thrown or discarded from a motor vehicle, the operator of the motor vehicle shall be deemed in violation of this section.

(7) There shall be imposed and collected an assessment of Fifty Dollars (\$50.00) on each violation of this section. The assessment shall be deposited into the Law Enforcement Officers Monument Fund created in Section 39-5-71. After the monument is constructed, the assessment shall not be deposited into the fund. The assessment shall then be deposited with the \* \* \* Postsecondary Education Financial Assistance Board to be used for the scholarship program for children of deceased or disabled law enforcement officers and firemen as provided by \* \* \* Section 37-106-39.

(8) It shall be the duty of all law enforcement officers to enforce the provisions of this section.

(9) This section shall not prohibit the storage of ties and machinery by a railroad on its right-of-way where the highway right-of-way extends to within a few feet of the railroad roadbed.

**SECTION 44.** The following shall be codified as Section 37-106-77, Mississippi Code of 1972:

37-106-77. (1) There is established the Teaching Fellows Program to attract qualified teachers by awarding forgivable loans to persons declaring an intention to serve in the teaching field who actually render service in the State of Mississippi while possessing an appropriate teaching license.

(2) Beginning with the 2015-2016 academic year, the Teaching Fellows Program shall be used to provide a four-year forgivable loan of Six Thousand Five Hundred Dollars (\$6,500.00) per year to Mississippi high school seniors interested in preparing to teach in the public schools of the state. The awarding of forgivable loans under the Teaching Fellows Program shall be administered by the Postsecondary Education Financial Assistance Board. The Postsecondary Education Financial Assistance Board shall adopt stringent standards, including a minimum grade point average and scholastic aptitude test scores, for awarding these forgivable loans to ensure that only the highest aptitude high school seniors receive them.

(3) The State Board of Education shall administer the program in cooperation with the schools of education of the universities and colleges selected by the board. Teaching Fellows

should be exposed to a range of extracurricular activities while in college. These activities should be geared to instilling a strong motivation not only to remain in teaching but to provide leadership for tomorrow's schools.

(4) The State Board of Education shall form regional review committees to assist it in identifying the highest aptitude high school seniors for the program. The State Board of Education and the review committees shall make an effort to identify and encourage minority students and students who may not otherwise consider a career in teaching to enter the program.

(5) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53 except that the Postsecondary Education Financial Assistance Board shall forgive the loan in the following circumstances:

(a) Within seven (7) years after graduation, the recipient teaches for four (4) years at a Mississippi public school or at a school operated by the United States government in Mississippi;

(b) Within seven (7) years after graduation, the recipient teaches for three (3) consecutive years, unless the recipient takes an approved leave of absence, at a Mississippi public school in a school district that at the time the recipient accepts reemployment with the district which is under conservatorship or is a low-performing school system identified in

accordance with Section 37-17-6 or is on probation status as defined by the State Board of Education; or

(c) The board finds that it is impossible for the recipient to teach for four (4) years, within seven (7) years after graduation, at a Mississippi public school or at a school operated by the United States government in Mississippi, because of the death or permanent disability of the recipient.

(6) The State Board of Education and the Postsecondary Education Financial Assistance Board shall jointly promulgate rules and regulations for the proper administration of the Teaching Fellows Program established under this section. The State Board of Education shall be the administering agency of the program.

**SECTION 45.** The following shall be codified as Section 37-106-79, Mississippi Code of 1972:

37-106-79. (1) There is created the Teacher Education Alternate Route Certification Scholars Program to be administered by the Postsecondary Education Financial Assistance Board. Beginning with the 2015-2016 academic year, the program shall provide an annual forgivable loan not to exceed Five Thousand Dollars (\$5,000.00) for one (1) of the following alternate route programs:

(a) Mississippi Alternate Path to Quality Teachers Training Institute;

(b) Teach Mississippi Institute;

- (c) Career Tech Education (CTE); or
- (d) Masters of Arts in Teaching (MAT).

(2) Qualifying alternate route certification teacher education scholars must:

(a) Hold a bachelor's degree from a regionally or nationally accredited institution of higher learning;

(b) Have a minimum GPA of 3.0 based on a 4.0 scale on the last sixty (60) credit hours of baccalaureate work, as reported by the graduating institution; and

(c) Meet the Mississippi minimum score requirements for national exams as required for educator certification as determined by the State Department of Education.

(3) A teacher education alternate route certified scholar who completes the program shall render one (1) year's service as a teacher in a Mississippi public school for each year that the scholar received an award under the program. Repayment and conversion terms shall be the same as outlined in Section 37-106-53.

(4) The Postsecondary Education Financial Assistance Board shall promulgate such rules as are necessary to administer the Teacher Education Alternate Route Certification Scholars Program and establish necessary eligibility criteria not specifically set forth in this section.

(5) Awards granted under the Teacher Education Alternate Route Certification Scholars 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. Repayment and conversion terms shall be the same as outlined in Section 37-106-53 except that 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.

(6) The provision of this act shall be subject to appropriation by the Legislature.

**SECTION 46.** Section 37-159-1, Mississippi Code of 1972, is amended as follows:

37-159-1. This act [Laws of 1998, \* \* \* Chapter 544] shall be known and may be cited as the "Mississippi Critical Teacher Shortage Act of 1998."

This section shall stand repealed on July 1, 2020.

**SECTION 47.** Section 37-159-5, Mississippi Code of 1972, is amended as follows:

37-159-5. The State Board of Education shall prescribe rules and regulations which, subject to available appropriations, allow for reimbursement to the state licensed teachers, from both in state and out of state, who enter into a contract for employment in a school district situated within a geographical area of the state where there exists a critical shortage of teachers, as

designated by the State Board of Education, for the expense of moving when the employment necessitates the relocation of the teacher to a different geographical area than that in which the teacher resides before entering into such contract. In order to be eligible for the reimbursement, the teacher must apply to the local district and the district must obtain the prior approval from the department for reimbursement before the relocation occurs. If the reimbursement is approved, the department shall provide funds to the school district to reimburse the teacher an amount not to exceed One Thousand Dollars (\$1,000.00) for the documented actual expenses incurred in the course of relocating, including the expense of any professional moving company or persons employed to assist with the move, rented moving vehicles or equipment, mileage in the amount authorized for state employees under Section 25-3-41 if the teacher used his personal vehicle or vehicles for the move, meals and such other expenses associated with the relocation in accordance with the department's established rules and regulations. No teacher may be reimbursed for moving expenses under this section on more than one (1) occasion.

Nothing in this section shall be construed to require the actual residence to which the teacher relocates to be within the boundaries of the school district which has executed a contract for employment with the teacher or within the boundaries of the area designated by the State Board of Education as the critical

teacher shortage area in order for the teacher to be eligible for reimbursement for his moving expenses. However, teachers must relocate within the boundaries of the State of Mississippi.

This section shall stand repealed July 1, 2020.

**SECTION 48.** Section 37-159-7, Mississippi Code of 1972, is amended as follows:

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

This section shall stand repealed July 1, 2020.

**SECTION 49.** 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.

This section shall stand repealed on July 1, 2020.

**SECTION 50.** Section 37-159-11, Mississippi Code of 1972, is amended as follows:

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

regulations regarding the implementation and administration of the program.

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

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

repayment under this subsection is placed in the hands of an attorney for collection, the obligor shall be liable for an additional amount equal to a reasonable attorney's fee.

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

This section shall stand repealed July 1, 2020.

**SECTION 51.** Section 37-159-13, Mississippi Code of 1972, is amended as follows:

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

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

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

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

This section shall stand repealed July 1, 2020.

**SECTION 52.** Section 37-159-17, Mississippi Code of 1972, is amended as follows:

37-159-17. There is established in the State Treasury a special fund to be designated the "Mississippi Critical Teacher Shortage Fund," into which shall be deposited those funds

appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the programs established under Sections 37-159-5, 37-9-77, 37-3-91 and 37-159-9 through 37-159-13. Money in the fund at the end of a fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

This section shall stand repealed on July 1, 2020.

**SECTION 53.** This act shall take effect and be in force from and after July 1, 2014.

PASSED BY THE SENATE  
April 1, 2014



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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 1, 2014



\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



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GOVERNOR

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