

OFFICE OF CHIEF OPERATIONS OFFICER
Summary of State Board of Education Agenda Items
September 29, 2022

OFFICE OF SCHOOL FINANCIAL SERVICES

06. Approval to revise selected policies and procedures for programs within the Office of School Financial Services [Goals 1, 2, 3, 4, 5, and 6 – MBE Strategic Plan]
(Has cleared the Administrative Procedures Act process without public comments)
(Felicia Gavin)

Background Information: This item revises the rule to update the *Contract of Employment with Public School Districts for Assistant Superintendent, Principal, and Licensed Employee*; Revises the policies and procedures for salary supplements and the processing of cost reimbursements for master teacher certificates, national certified school counselors and certificate of clinical competence for speech pathologists and audiologists and national school nurse certification; Revises the rules and regulations regarding the administration of funds appropriated for Education Enhancement Funds for classroom supplies and materials; Revises rules governing the Section 504 Teacher Units; Revises rules for the selection of Successful School Districts; Revises the rules regarding the licensure of School Business Administrators; Revises the rules and regulations concerning the type of financial reports required to be submitted by the superintendent of schools to the local school board, and the frequency with which the reports shall be submitted; and Revises the rules regarding teacher experience, housing, and moving expenses

The following policies are recommended for revision and approval:

01. Mississippi Admin. Code 7-3: State Board Policy Chapter 24, Rule 24.1 – Contracts, Teachers
02. Mississippi Admin. Code 7-3: State Board Policy Chapter 24, Rule 24.2 – Contingent Contract of Employment with Mississippi Public School Districts
03. Mississippi Admin. Code 7-3: State Board Policy Chapter 26, Rule 26.1 – Cost Reimbursement/Salary Supplements
04. Mississippi Admin. Code 7-3: State Board Policy Chapter 32, Rule 32.1 – Education Enhancement Funds
05. Mississippi Admin. Code 7-3: State Board Policy Chapter 48, Rule 48.1 – Section 504 Teacher Units
06. Mississippi Admin. Code 7-3: State Board Policy Chapter 48, Rule 48.2 – Special Education Teacher Approval
07. Mississippi Admin. Code 7-3: State Board Policy Chapter 48, Rule 48.5 – Effective At-Risk Programs

08. Mississippi Admin. Code 7-3: State Board Policy Chapter 48, Rule 48.6 – Selection of Successful School District
09. Mississippi Admin. Code 7-3: State Board Policy Chapter 71, Rule 71.2 – Licensure of School Business Administrator
10. Mississippi Admin. Code 7-3: State Board Policy Chapter 71, Rule 71.3 – Required Monthly Reports to be furnished to Local School Board
11. Mississippi Admin. Code 7-3: State Board Policy Chapter 76, Rule 76.3 – Experience
12. Mississippi Admin. Code 7-3: State Board Policy Chapter 76, Rule 76.4 – Housing Back-up material
13. Mississippi Admin. Code 7-3: State Board Policy Chapter 76, Rule 76.5 – Moving Expenses
14. Mississippi Admin. Code 7-3: State Board Policy Chapter 76, Rule 76.10 – West Tallahatchie Rental Housing

These items reference Goals 1, 2, 3, 4, 5, and 6 of the *Mississippi Board of Education 2018-2022 Strategic Plan*.

Recommendation: Approval

Back-up material attached

Part Chapter 24: Contracts, Teachers

Rule 24.1

CONTRACT OF EMPLOYMENT WITH MISSISSIPPI PUBLIC SCHOOL DISTRICTS FOR ASSISTANT SUPERINTENDENT, PRINCIPAL AND LICENSED EMPLOYEE

This agreement is made and entered into as of the dates indicated below, by and between

First Name	Middle Name	Last Name	Social Security Number
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(employee), and the _____ School District (employer), with the employee having been duly elected and approved for employment by the school board of the employer.

This agreement provides:

That the employee will be employed by the employer for the scholastic year(s) 20__ - 20__ and shall hold the position of

Assistant Superintendent, Principal, Licensed Employee

That the employee will be employed for _____ days during said scholastic year. And that the employee shall be available to perform assigned duties beginning on _____, 20__ and ending on _____, 20__, or otherwise, as may be amended by the employer due to an emergency or other good cause in accordance with the policies of the employer.

That the employee will perform assigned duties during the school term. And that the school term will consist of _____ days and will commence and end on dates established in accordance with the policies of the employer.

That the employee agrees to reassignment during the school term to any area for which a valid license is held.

That in consideration for the duties performed under this agreement, the employer agrees to compensate the employee with an annual salary of \$_____, which shall be paid on a basis as determined by the local school board. And that the annual salary is established in accordance with the policies of the employer and is based on an amount from the Adequate Education Program Salary scale for the appropriate license and years of experience of the employee and an amount from the local salary supplement scale of the employer, and/or an amount from the employer as compensation for which other duties are to be performed by the employee. The school district may reduce the employee's state minimum salary by a pro rata daily amount ~~in order~~ to comply with the school district employee furlough provisions provided

in statute. The payment of such salary is conditioned upon the availability of adequate education funds provided for salaries. Employee's salary shall be payable in accordance with applicable state and federal law and the Constitution of the State of Mississippi. ~~equal monthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee.~~ If employee fails to complete the contractual obligation and receives any overpayment ~~in excess of the monthly installment for the period which such employee ceases employment with the district,~~ employee shall become liable immediately to the school board of the employing district for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time employee discontinues service.

This contract shall be subject to all applicable policies, resolutions, rules and regulations of the employer, the Mississippi Educator Code of Ethics and Standard of Conduct adopted by the Sstate Board of Education, and the laws of the State of Mississippi, copies of which are available from the Superintendent's office. This contract is subject to being terminated immediately prior to the end of the school year by a Conservator Interim Superintendent appointed by the State Board of Education in a ~~conservatorship school district~~ District of Transformation established pursuant to Miss. Code Ann. §§Section 37-17-6 and/or Section 37-17-13 ~~of the Mississippi Code.~~

This contract of employment has been executed in duplicate on the dates indicated as witnessed by the signature of the employee and the duly authorized superintendent.

Superintendent

Employee

Date

Date

The employer does not discriminate on the basis of sex, race, religion, color, national origin, age or handicap.

NOTE: In accordance with state law, if the employee should arbitrarily and willfully breach this contract and abandon his or her employment without first being released by the school board of the school district, then the school board may recommend to the Mississippi State Board of Education that the teaching license of the employee be suspended for a period of one (1) scholastic year.

NOTE: This contract shall only be used for school district personnel whose positions require certification by the Mississippi Department of Education.

Source: *Miss. Code Ann. § 37-1-3 (Revised 4/18/202209/2022)*

Rule 24.2 CONTINGENT CONTRACT OF EMPLOYMENT WITH MISSISSIPPI PUBLIC SCHOOL DISTRICTS.

**CONTINGENT CONTRACT OF EMPLOYMENT
WITH
MISSISSIPPI PUBLIC SCHOOL DISTRICTS**

This agreement is made and entered into as of the dates indicated below, by and between

First Name Middle Name Last Name Social Security Number

(employee), and the _____ School District
(employer), with the employee having been duly elected and approved for employment by the school board of the employer.

Check (x) the appropriate box

This agreement is contingent upon the employee's graduation from an approved teacher education program before September 1, 20 ____, or the issuance of a proper license by the Mississippi Board of Education before October 15, 20 ____.

This agreement is contingent upon employee's graduation from an approved teacher education program before December 31, 20 ____, or the issuance of a proper license by the Mississippi Board of Education before February 15, 20 ____.

This agreement will be null and void should this condition not be satisfied by the employee.

If the agreement is declared null and void in accordance with the terms and conditions set out above, both parties do hereby agree that the employee will be paid for services to that date only for such amounts as are paid to substitute teachers in the district. The employee further agrees that the district may withhold from the employee's final salary payment, or take such legal action as may be necessary to collect from the employee, any amounts previously paid in excess of the amount paid to substitute teachers.

This agreement provides:

That the employee will be employed by the employer for the scholastic year(s) 20__ - 20__ and shall hold the position of

Assistant Superintendent, Principal, Licensed Employee

That the employee will be employed for _____ days during said scholastic year. And that the employee shall be available to perform assigned duties beginning on _____,

20____ and ending on _____, 20____, or otherwise, as may be amended by the employer due to an emergency or other good cause in accordance with the policies of the employer.

That the employee will perform assigned duties during the school term. And that the school term will consist of _____ days and will commence and end on dates established in accordance with the policies of the employer.

That the employee agrees to reassignment during the school term to any area for which a valid license is held.

That in consideration for the duties performed under this agreement, the employer agrees to compensate the employee with an annual salary of \$_____, which shall be paid on a basis as determined by the local school board. And that the annual salary is established in accordance with the policies of the employer and is based on an amount from the Adequate Education Program scale for the appropriate license and years of experience of the employee and an amount from the local salary supplement scale of the employer, and/or an amount from the employer as compensation for which other duties are to be performed by the employee. The school district may reduce the employee's state minimum salary by a pro rata daily amount ~~in order~~ to comply with the school district employee furlough provisions provided in statute. The payment of such salary is conditioned upon the availability of adequate education funds provided for salaries. Employee's salary shall be payable in accordance with applicable state and federal law and the Constitution of the State of Mississippi. ~~equal monthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee.~~ If employee fails to complete the contractual obligation and receives any overpayment in excess of the monthly installment for the period which such employee ceases employment with the district, employee shall become liable immediately to the school board of the employing district for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time employee discontinues service.

This contract shall be subject to all applicable policies, resolutions, rules and regulations of the employer, the Mississippi Educator Code of Ethics and Standards of Conduct as adopted by the State Board of Education, and the laws of the State of Mississippi, copies of which are available from the Superintendent's office. This contract is subject to being terminated immediately prior to the end of the school year by a ~~Conservator~~ Interim Superintendent appointed by the State Board of Education in a ~~conservatorship school district~~ District of Transformation established pursuant to Miss. Code Ann. §§Section 37-17-6 and/or Section 37-17-13 of the Mississippi Code.

This contract of employment has been executed in duplicate on the dates indicated as witnessed by the signature of the employee and the duly authorized superintendent.

Superintendent

Employee

Date

Date

The employer does not discriminate on the basis of sex, race, religion, color, national origin, age or handicap.

NOTE: In accordance with state law, if the employee should arbitrarily and willfully breach this contract and abandon his or her employment without first being released by the school board of the school district, then the school board may recommend to the Mississippi State Board of Education that the teaching license of the employee be suspended for a period of one (1) scholastic year.

NOTE: This contract shall only be used for school district personnel whose positions require certification by the Mississippi Department of Education.

Source: Miss. Code Ann. § 37-1-3 (Revised ~~4/18/2022~~09/2022)

Rule 24

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Part Chapter 24: Contracts, Teachers

Rule 24.1

CONTRACT OF EMPLOYMENT WITH MISSISSIPPI PUBLIC SCHOOL DISTRICTS FOR ASSISTANT SUPERINTENDENT, PRINCIPAL AND LICENSED EMPLOYEE

This agreement is made and entered into as of the dates indicated below, by and between

First Name	Middle Name	Last Name	Social Security Number
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(employee), and the _____ School District (employer), with the employee having been duly elected and approved for employment by the school board of the employer.

This agreement provides:

That the employee will be employed by the employer for the scholastic year(s) 20__ - 20__ and shall hold the position of

Assistant Superintendent, Principal, Licensed Employee

That the employee will be employed for _____ days during said scholastic year. And that the employee shall be available to perform assigned duties beginning on _____, 20__ and ending on _____, 20__, or otherwise, as may be amended by the employer due to an emergency or other good cause in accordance with the policies of the employer.

That the employee will perform assigned duties during the school term. And that the school term will consist of _____ days and will commence and end on dates established in accordance with the policies of the employer.

That the employee agrees to reassignment during the school term to any area for which a valid license is held.

That in consideration for the duties performed under this agreement, the employer agrees to compensate the employee with an annual salary of \$_____, which shall be paid on a basis as determined by the local school board. And that the annual salary is established in accordance with the policies of the employer and is based on an amount from the Adequate Education Program Salary scale for the appropriate license and years of experience of the employee and an amount from the local salary supplement scale of the employer, and/or an amount from the employer as compensation for which other duties are to be performed by the employee. The school district may reduce the employee's state minimum salary by a pro rata daily amount to comply with the school district employee furlough provisions provided in

statute. The payment of such salary is conditioned upon the availability of adequate education funds provided for salaries. Employee’s salary shall be payable in accordance with applicable state and federal law and the Constitution of the State of Mississippi. equal monthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee. If employee fails to complete the contractual obligation and receives any overpayment in excess of the monthly installment for the period which such employee ceases employment with the district, employee shall become liable immediately to the school board of the employing district for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time employee discontinues service.

This contract shall be subject to all applicable policies, resolutions, rules and regulations of the employer, the Mississippi Educator Code of Ethics and Standard of Conduct adopted by the Sstate Board of Education, and the laws of the State of Mississippi, copies of which are available from the Superintendent’s office. This contract is subject to being terminated immediately prior to the end of the school year by a Conservator Interim Superintendent appointed by the State Board of Education in a conservatorship school district District of Transformation established pursuant to Miss. Code Ann. §§ 37-17-6 and/or 37-17-13.

This contract of employment has been executed in duplicate on the dates indicated as witnessed by the signature of the employee and the duly authorized superintendent.

Superintendent

Employee

Date

Date

The employer does not discriminate on the basis of sex, race, religion, color, national origin, age or handicap.

NOTE: In accordance with state law, if the employee should arbitrarily and willfully breach this contract and abandon his or her employment without first being released by the school board of the school district, then the school board may recommend to the Mississippi State Board of Education that the teaching license of the employee be suspended for a period of one (1) scholastic year.

NOTE: This contract shall only be used for school district personnel whose positions require certification by the Mississippi Department of Education.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 24.2 CONTINGENT CONTRACT OF EMPLOYMENT WITH MISSISSIPPI PUBLIC SCHOOL DISTRICTS.

**CONTINGENT CONTRACT OF EMPLOYMENT
WITH
MISSISSIPPI PUBLIC SCHOOL DISTRICTS**

This agreement is made and entered into as of the dates indicated below, by and between

First Name Middle Name Last Name Social Security Number

(employee), and the _____ School District
(employer), with the employee having been duly elected and approved for employment by the
school board of the employer.

Check (x) the appropriate box

This agreement is contingent upon the employee's graduation from an approved teacher
education program before September 1, 20 ____, or the issuance of a proper license by the
Mississippi Board of Education before
October 15, 20 ____.

This agreement is contingent upon employee's graduation from an approved teacher education
program before December 31, 20 ____, or the issuance of a proper license by the Mississippi
Board of Education before February 15, 20 ____.

This agreement will be null and void should this condition not be satisfied by the employee.

If the agreement is declared null and void in accordance with the terms and conditions set out
above, both parties do hereby agree that the employee will be paid for services to that date only
for such amounts as are paid to substitute teachers in the district. The employee further agrees
that the district may withhold from the employee's final salary payment, or take such legal action
as may be necessary to collect from the employee, any amounts previously paid in excess of the
amount paid to substitute teachers.

This agreement provides:

That the employee will be employed by the employer for the scholastic year(s) 20__ - 20__
and shall hold the position of

Assistant Superintendent, Principal, Licensed Employee

That the employee will be employed for _____ days during said scholastic year. And that the
employee shall be available to perform assigned duties beginning on _____,
20____ and ending on _____, 20____, or otherwise, as may be amended by the

employer due to an emergency or other good cause in accordance with the policies of the employer.

That the employee will perform assigned duties during the school term. And that the school term will consist of _____ days and will commence and end on dates established in accordance with the policies of the employer.

That the employee agrees to reassignment during the school term to any area for which a valid license is held.

That in consideration for the duties performed under this agreement, the employer agrees to compensate the employee with an annual salary of \$ _____, which shall be paid on a basis as determined by the local school board. And that the annual salary is established in accordance with the policies of the employer and is based on an amount from the Adequate Education Program scale for the appropriate license and years of experience of the employee and an amount from the local salary supplement scale of the employer, and/or an amount from the employer as compensation for which other duties are to be performed by the employee. The school district may reduce the employee's state minimum salary by a pro rata daily amount in order to comply with the school district employee furlough provisions provided in statute. The payment of such salary is conditioned upon the availability of adequate education funds provided for salaries. Employee's salary shall be payable in accordance with applicable state and federal law and the Constitution of the State of Mississippi. equal monthly installments beginning in the first month of employment, regardless of the number of days worked in any particular month by the employee. If employee fails to complete the contractual obligation and receives any overpayment in excess of the monthly installment for the period which such employee ceases employment with the district, employee shall become liable immediately to the school board of the employing district for the sum of all amounts received in payment less the corresponding amount of any compensation paid for which service has been rendered, plus interest accruing at the current Stafford Loan rate at the time employee discontinues service.

This contract shall be subject to all applicable policies, resolutions, rules and regulations of the employer, the Mississippi Educator Code of Ethics and Standards of Conduct as adopted by the State Board of Education, and the laws of the State of Mississippi, copies of which are available from the Superintendent's office. This contract is subject to being terminated immediately prior to the end of the school year by a Conservator Interim Superintendent appointed by the State Board of Education in a conservatorship school district District of Transformation established pursuant to Miss. Code Ann. §§ 37-17-6 and/or 37-17-13.

This contract of employment has been executed in duplicate on the dates indicated as witnessed by the signature of the employee and the duly authorized superintendent.

Superintendent

Employee

Date

Date

The employer does not discriminate on the basis of sex, race, religion, color, national origin, age or handicap.

NOTE: In accordance with state law, if the employee should arbitrarily and willfully breach this contract and abandon his or her employment without first being released by the school board of the school district, then the school board may recommend to the Mississippi State Board of Education that the teaching license of the employee be suspended for a period of one (1) scholastic year.

NOTE: This contract shall only be used for school district personnel whose positions require certification by the Mississippi Department of Education.

Source: Miss. Code Ann. § 37-1-3 (Revised 09/2022)

Part 3 Chapter 26: Cost Reimbursement/Salary Supplements

Rule 26.1 Cost Reimbursement/Salary Supplements. Policy and procedure salary supplements and process cost reimbursement for master teacher certificates, national certified school counselors and certificate of clinical competence for speech pathologists and audiologists and national school nurse certification.

Introduction. The maximum salary supplement for any individual under this policy is limited to \$6,000 per school year.

1. MASTER TEACHER CERTIFICATE - \$6,000 SALARY SUPPLEMENT

The term teacher is defined to include any teacher who is required by law to obtain a teacher's license from the Mississippi Board of Education and is assigned to an instructional area of work as defined by the State Department of Education the equivalent of a minimum of three (3) normal periods per school day.

~~a~~A teacher will receive the full \$6,000 salary supplement if the certificate is awarded to the teacher prior to October 15 and the teacher's district time is reported as 100 percent on the district personnel report. The teacher will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the teacher's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all teachers who have successfully obtained the Master Teacher Certificate from the National Board for Professional Teaching Standards. Upon identifying those teachers, the employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each teacher for which the employer is requesting funds.

For teachers who the salary supplement is being initially requested, the employer must provide a copy of the candidate notification letter contained in the Candidate Score Report and, when available, a copy of the Master Teacher Certificate both of which are issued by the National Board for Professional Teaching Standards.

2. MASTER TEACHER CERTIFICATE - PROCESS COST REIMBURSEMENT

The employer must establish a system that identifies all teachers that have completed the process of acquiring the Master Teacher Certificate, regardless of whether or not the teacher successfully obtained the certification. The employer must submit a letter to the Office of Financial Accountability requesting reimbursement for the teacher for the cost of completing the process. A copy of the candidate notification letter contained in the Candidate Score Report issued by the National Board for Professional Teaching Standards along with proof of expenditure (canceled

check or receipt from the National Board for Professional Teaching Standards) must accompany the letter.

3. NATIONAL CERTIFIED SCHOOL COUNSELOR - \$6,000 SALARY SUPPLEMENT

From and after July 1, 1999, any licensed school counselor who has met the requirements and acquired a National Certified School Counselor endorsement for the National Board of Certified Counselors shall receive a \$6,000 salary supplement. The individual must be employed as a counselor and not as an administrator by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). The term counselor is defined to include any individual who is required by law to obtain a license with a school counselor endorsement from the Mississippi Board of Education and, when employed by a local school board, is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) in one or more of the following Course/Work Areas as defined in Appendix A of the Personnel/Accreditation Reference Manual:

- a. 601006 Counselor, Vocational
- b. 601005 Counselor, Non -Vocational, Elementary
- c. 601107 Counselor, Non -Vocational, Secondary

The equivalent of such course areas is required when the individual is employed by the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). When a counselor is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) to course/work areas other than those outlined above, a letter from the employer must be submitted to verify that the counselor is working directly with children.

The counselor will receive the full \$6,000 salary supplement if the certificate is awarded to the counselor prior to October 15 and the counselor's district time is reported as 100 percent on the district personnel report. The counselor will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the counselor's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all counselors that have successfully obtained the National Certified School Counselor certification from the National Board of Certified Counselors. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each counselor for which funds are being requested.

For counselors who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the National Board of Certified Counselors (if not

previously provided), and an official letter of verification from the National Board of Certified Counselors stating that the certificate is valid for the school year for which funds are being requested.

4. NATIONAL CERTIFIED SCHOOL COUNSELOR -- PROCESS COST REIMBURSEMENT

The counselor shall be reimbursed one (1) time for the actual cost, not to exceed \$500, of completing the process of acquiring the National Certified School Counselor certification from the National Board of Certified Counselors, regardless of whether or not the counselor successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by the counselor. The employer, an individual or entity may pay the cost of completing the process on behalf of the counselor. However, the Department of Education shall only reimburse the employer. If an individual or entity has paid the cost of completing the process for the counselor, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the teacher. If the cost of completing the process is paid by the employer, an individual or entity and the counselor fails to complete the process, the counselor shall be liable to the employer, individual or entity for all amounts paid on behalf of the counselor.

The employer must establish a system that identifies all counselors that have completed the process of acquiring the National Certified School Counselor certification from the National Board of Certified Counselors. Upon identifying those counselors, the employer must submit a letter to the Office of Financial Accountability requesting reimbursement for the counselor for the cost of completing the process. Proof of expenditure (canceled check or receipt from the National Board of Certified Counselors) must accompany the letter.

5. CERTIFICATE OF CLINICAL COMPETENCE FOR SPEECH PATHOLOGISTS AND AUDIOLOGISTS -- \$6,000 SALARY SUPPLEMENT

From and after July 1, 1999, any licensed speech-language pathologist or audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language Hearing Association shall receive a \$6,000 salary supplement. The individual must be employed as a speech-language pathologist or audiologist, and not as an administrator, by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). The terms speech- language pathologist and audiologist are defined to include any individual who is required by law to obtain a license with a speech pathologist or audiologist endorsement from the Mississippi Board of Education and is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) in one or more of the following Course/Work Areas as defined in Appendix A of the Personnel/Accreditation Reference Manual:

- a. 131012 Audiologist
- b. 132001 Early Childhood

- c. 132002 Language/Speech Therapy
- d. 132003 Language Impaired/Other Combination
- e. 132004 Hearing Impaired/Other Combination
- f. 132010 Elementary (K-8) Specific Learning Disability (SLD)/Other Combinations
- g. 132011 Secondary (7-12) Specific Learning Disability (SLD)/Other Combinations
- h. 132020 Home/Hospital (HH)
- i. 132021 Special Education/ Assessment Team Member
- j. 132023 Infant and Toddler
- k. 132024 Elementary DD/Other Combinations

The equivalent of such course areas is required when the individual is employed by the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). When a speech language pathologist or audiologist is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) to course/work areas other than those outlined above, a letter from the employer must be submitted to verify that the speech language pathologist or audiologist is working directly with children.

The speech-language pathologist or audiologist will receive the full \$6,000 salary supplement if the certificate is awarded to the speech-language pathologist and audiologist prior to October 15 and the speech-language pathologist's or audiologist's district time is reported as 100 percent on the district personnel report. The speech-language pathologist or audiologist will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the speech-language pathologist's or audiologist's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all speech-language pathologists and audiologists who have successfully obtained the Certificate of Clinical Competence from the American Speech-Language Hearing Association. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each speech-language pathologist or audiologist for which funds are being requested.

For speech-language pathologists and audiologists who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the American Speech-Language Hearing Association (if not previously provided), and a copy of the

certification card issued by the American Speech-Language Hearing Association indicating that the certificate is valid for the school year for which funds are being requested.

6. CERTIFICATE OF CLINICAL COMPETENCE FOR SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS -- PROCESS COST REIMBURSEMENT

Each speech-language pathologist or audiologist shall be reimbursed one (1) time for the actual cost, not to exceed \$500, of completing the process of acquiring the Certificate of Clinical Competence from the American Speech-Language Hearing Association, regardless of whether or not each speech-language pathologist and audiologist successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by each speech-language pathologist or audiologist. The employer, an individual or entity may pay the cost of completing the process on behalf of each speech-language pathologist or audiologist. However, the Department of Education shall only reimbursement the employer. If an individual or entity has paid the cost of completing the process for each speech-language pathologist or audiologist, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the teacher. If the cost of completing the process is paid by the employer, an individual or entity and the speech- language pathologist or audiologist fails to complete the process, the speech-language pathologist or audiologist shall be liable to the employer, individual or entity for all amounts paid on behalf of each speech-language pathologist or audiologist.

The employer must establish a system that identifies each speech-language pathologist and each audiologist who have completed the process of acquiring the Certificate of Clinical Competence from the American Speech-Language Hearing Association. Upon identifying each speech-language pathologist and audiologist, the employer, must submit a letter to the Office of Financial Accountability requesting reimbursement for each speech-language pathologist and audiologist for the cost of completing the process. Proof of expenditure (canceled check or receipt from the American Speech-Language Hearing Association) must accompany the letter.

7. NATIONAL CERTIFIED SCHOOL NURSE - \$6,000 SALARY SUPPLEMENT

From and after July 1, 2004, any licensed nurse who has met the requirements and acquired a National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc. shall receive a \$6,000 salary supplement. The individual must be employed as a school nurse and not as an administrator by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.) Provided, however, that the total number of licensed school nurses eligible for a salary supplement shall not exceed twenty (20). This will be determined by the time and date that the complete request is received by the Office of Financial Accountability from the school district. A complete application will list the name, social security number, percent of district time as reported on the personnel report, the amount of salary supplement for each school nurse and a copy of the National School Nurse Certificate issued to the individual teacher. Incomplete applications will not be recognized as received by the Office of Financial Accountability and the local school district will be duly notified.

The school nurse will receive the full \$6,000 salary supplement if the certificate is awarded to the school nurse prior to October 15 and the school nurse's district time is reported as 100 percent on the district personnel report. The school nurse will be entitled to a prorated salary supplement of

\$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the school nurse's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all school nurses that have successfully obtained the National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each school nurse for which funds are being requested.

For school nurses who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the National Board for Certification of School Nurses, Inc. (if not previously provided), and an official letter of verification from the National Board for Certification of School Nurses, Inc. stating that the certificate is valid for the school year for which funds are being requested.

8. NATIONAL CERTIFIED SCHOOL NURSE -- PROCESS COST REIMBURSEMENT

The school nurse shall be reimbursed one (1) time for the actual cost of completing the process of acquiring the National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc., regardless of whether or not the school nurse successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by the school nurse. The employer, an individual or entity may pay the cost of completing the process on behalf of the school nurse. However, the Department of Education shall only reimburse the employer. If an individual or entity has paid the cost of completing the process for the school nurse, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the school nurse. If the cost of completing the process is paid by the employer, an individual or entity and the school nurse fails to complete the process, the school nurse shall be liable to the employer, individual or entity for all amounts paid on behalf of the school nurse.

The employer must establish a system that identifies all school nurses that have completed the process of acquiring the National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc. Upon identifying those school nurses, the employer must submit a letter to the Office of Financial Accountability requesting reimbursement for the school nurse for the cost of completing the process. Proof of expenditure (canceled check or receipt from the National Board for Certification of School Nurses, Inc.) must accompany the letter.

Source: *Miss. Code Ann.* § 37-1-3; ~~§ 37-19-7~~ (Revised 8/2004 09/2022)

Rule 26

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Part 3 Chapter 26: Cost Reimbursement/Salary Supplements

Rule 26.1 Cost Reimbursement/Salary Supplements. Policy and procedure salary supplements and process cost reimbursement for master teacher certificates, national certified school counselors and certificate of clinical competence for speech pathologists and audiologists and national school nurse certification.

Introduction. The maximum salary supplement for any individual under this policy is limited to \$6,000 per school year.

1. MASTER TEACHER CERTIFICATE - \$6,000 SALARY SUPPLEMENT

The term teacher is defined to include any teacher who is required by law to obtain a teacher's license from the Mississippi Board of Education and is assigned to an instructional area of work as defined by the State Department of Education the equivalent of a minimum of three (3) normal periods per school day.

A teacher will receive the full \$6,000 salary supplement if the certificate is awarded to the teacher prior to October 15 and the teacher's district time is reported as 100 percent on the district personnel report. The teacher will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the teacher's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all teachers who have successfully obtained the Master Teacher Certificate from the National Board for Professional Teaching Standards. Upon identifying those teachers, the employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each teacher for which the employer is requesting funds.

For teachers who the salary supplement is being initially requested, the employer must provide a copy of the candidate notification letter contained in the Candidate Score Report and, when available, a copy of the Master Teacher Certificate both of which are issued by the National Board for Professional Teaching Standards.

2. MASTER TEACHER CERTIFICATE - PROCESS COST REIMBURSEMENT

The employer must establish a system that identifies all teachers that have completed the process of acquiring the Master Teacher Certificate, regardless of whether or not the teacher successfully obtained the certification. The employer must submit a letter to the Office of Financial Accountability requesting reimbursement for the teacher for the cost of completing the process. A copy of the candidate notification letter contained in the Candidate Score Report issued by the National Board for Professional Teaching Standards along with proof of expenditure (canceled check or receipt from the National Board for Professional Teaching Standards) must accompany the letter.

3. NATIONAL CERTIFIED SCHOOL COUNSELOR - \$6,000 SALARY SUPPLEMENT

From and after July 1, 1999, any licensed school counselor who has met the requirements and acquired a National Certified School Counselor endorsement for the National Board of Certified Counselors shall receive a \$6,000 salary supplement. The individual must be employed as a counselor and not as an administrator by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). The term counselor is defined to include any individual who is required by law to obtain a license with a school counselor endorsement from the Mississippi Board of Education and, when employed by a local school board, is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) in one or more of the following Course/Work Areas as defined in Appendix A of the Personnel/Accreditation Reference Manual:

- a. 601006 Counselor, Vocational
- b. 601005 Counselor, Non -Vocational, Elementary
- c. 601107 Counselor, Non -Vocational, Secondary

The equivalent of such course areas is required when the individual is employed by the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). When a counselor is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) to course/work areas other than those outlined above, a letter from the employer must be submitted to verify that the counselor is working directly with children.

The counselor will receive the full \$6,000 salary supplement if the certificate is awarded to the counselor prior to October 15 and the counselor's district time is reported as 100 percent on the district personnel report. The counselor will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the counselor's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all counselors that have successfully obtained the National Certified School Counselor certification from the National Board of Certified Counselors. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each counselor for which funds are being requested.

For counselors who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the National Board of Certified Counselors (if not previously provided), and an official letter of verification from the National Board of Certified Counselors stating that the certificate is valid for the school year for which funds are being requested.

4. NATIONAL CERTIFIED SCHOOL COUNSELOR -- PROCESS COST REIMBURSEMENT

The counselor shall be reimbursed one (1) time for the actual cost, not to exceed \$500, of completing the process of acquiring the National Certified School Counselor certification from the National Board of Certified Counselors, regardless of whether or not the counselor successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by the counselor. The employer, an individual or entity may pay the cost of completing the process on behalf of the counselor. However, the Department of Education shall only reimburse the employer. If an individual or entity has paid the cost of completing the process for the counselor, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the teacher. If the cost of completing the process is paid by the employer, an individual or entity and the counselor fails to complete the process, the counselor shall be liable to the employer, individual or entity for all amounts paid on behalf of the counselor.

The employer must establish a system that identifies all counselors that have completed the process of acquiring the National Certified School Counselor certification from the National Board of Certified Counselors. Upon identifying those counselors, the employer must submit a letter to the Office of Financial Accountability requesting reimbursement for the counselor for the cost of completing the process. Proof of expenditure (canceled check or receipt from the National Board of Certified Counselors) must accompany the letter.

5. CERTIFICATE OF CLINICAL COMPETENCE FOR SPEECH PATHOLOGISTS AND AUDIOLOGISTS -- \$6,000 SALARY SUPPLEMENT

From and after July 1, 1999, any licensed speech-language pathologist or audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language Hearing Association shall receive a \$6,000 salary supplement. The individual must be employed as a speech-language pathologist or audiologist, and not as an administrator, by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). The terms speech- language pathologist and audiologist are defined to include any individual who is required by law to obtain a license with a speech pathologist or audiologist endorsement from the Mississippi Board of Education and is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) in one or more of the following Course/Work Areas as defined in Appendix A of the Personnel/Accreditation Reference Manual:

- a. 131012 Audiologist
- b. 132001 Early Childhood
- c. 132002 Language/Speech Therapy
- d. 132003 Language Impaired/Other Combination

- e. 132004 Hearing Impaired/Other Combination
- f. 132010 Elementary (K-8) Specific Learning Disability (SLD)/Other Combinations
- g. 132011 Secondary (7-12) Specific Learning Disability (SLD)/Other Combinations
- h. 132020 Home/Hospital (HH)
- i. 132021 Special Education/ Assessment Team Member
- j. 132023 Infant and Toddler
- k. 132024 Elementary DD/Other Combinations

The equivalent of such course areas is required when the individual is employed by the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.). When a speech language pathologist or audiologist is assigned the majority of the day (the equivalent of a minimum of three (3) normal periods) to course/work areas other than those outlined above, a letter from the employer must be submitted to verify that the speech language pathologist or audiologist is working directly with children.

The speech-language pathologist or audiologist will receive the full \$6,000 salary supplement if the certificate is awarded to the speech-language pathologist and audiologist prior to October 15 and the speech-language pathologist's or audiologist's district time is reported as 100 percent on the district personnel report. The speech-language pathologist or audiologist will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the speech-language pathologist's or audiologist's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all speech-language pathologists and audiologists who have successfully obtained the Certificate of Clinical Competence from the American Speech-Language Hearing Association. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each speech-language pathologist or audiologist for which funds are being requested.

For speech-language pathologists and audiologists who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the American Speech-Language Hearing Association (if not previously provided), and a copy of the certification card issued by the American Speech-Language Hearing Association indicating that the certificate is valid for the school year for which funds are being requested.

6. CERTIFICATE OF CLINICAL COMPETENCE FOR SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS -- PROCESS COST REIMBURSEMENT

Each speech-language pathologist or audiologist shall be reimbursed one (1) time for the actual cost, not to exceed \$500, of completing the process of acquiring the Certificate of Clinical Competence from the American Speech-Language Hearing Association, regardless of whether or not each speech-language pathologist and audiologist successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by each speech-language pathologist or audiologist. The employer, an individual or entity may pay the cost of completing the process on behalf of each speech-language pathologist or audiologist. However, the Department of Education shall only reimbursement the employer. If an individual or entity has paid the cost of completing the process for each speech-language pathologist or audiologist, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the teacher. If the cost of completing the process is paid by the employer, an individual or entity and the speech- language pathologist or audiologist fails to complete the process, the speech-language pathologist or audiologist shall be liable to the employer, individual or entity for all amounts paid on behalf of each speech-language pathologist or audiologist.

The employer must establish a system that identifies each speech-language pathologist and each audiologist who have completed the process of acquiring the Certificate of Clinical Competence from the American Speech-Language Hearing Association. Upon identifying each speech-language pathologist and audiologist, the employer, must submit a letter to the Office of Financial Accountability requesting reimbursement for each speech-language pathologist and audiologist for the cost of completing the process. Proof of expenditure (canceled check or receipt from the American Speech-Language Hearing Association) must accompany the letter.

7. NATIONAL CERTIFIED SCHOOL NURSE - \$6,000 SALARY SUPPLEMENT

From and after July 1, 2004, any licensed nurse who has met the requirements and acquired a National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc. shall receive a \$6,000 salary supplement. The individual must be employed as a school nurse and not as an administrator by a local school board, the Mississippi Board of Education or a state supported university or college when such institution is providing a program of education in accordance with Section 37-23-31, Mississippi Code of 1972 (Ann.) Provided, however, that the total number of licensed school nurses eligible for a salary supplement shall not exceed twenty (20). This will be determined by the time and date that the complete request is received by the Office of Financial Accountability from the school district. A complete application will list the name, social security number, percent of district time as reported on the personnel report, the amount of salary supplement for each school nurse and a copy of the National School Nurse Certificate issued to the individual teacher. Incomplete applications will not be recognized as received by the Office of Financial Accountability and the local school district will be duly notified.

The school nurse will receive the full \$6,000 salary supplement if the certificate is awarded to the school nurse prior to October 15 and the school nurse's district time is reported as 100 percent on the district personnel report. The school nurse will be entitled to a prorated salary supplement of \$3,000 beginning with the second school term if the certificate is awarded after October 15 but prior to February 15 of the school year and the school nurse's district time is reported as 100 percent on the district personnel report. The salary supplement will be prorated when the reported district time is less than 100%.

The employer must establish a process that identifies all school nurses that have successfully obtained the National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc. The employer must submit a letter to the Office of Financial Accountability requesting funds to pay the salary supplement. The letter must list the name, social security number, percent of district time as reported on the personnel report and the amount of salary supplement for each school nurse for which funds are being requested.

For school nurses who the employer is requesting a salary supplement, the employer must provide a copy of the certificate awarded by the National Board for Certification of School Nurses, Inc. (if not previously provided), and an official letter of verification from the National Board for Certification of School Nurses, Inc. stating that the certificate is valid for the school year for which funds are being requested.

8. NATIONAL CERTIFIED SCHOOL NURSE -- PROCESS COST REIMBURSEMENT

The school nurse shall be reimbursed one (1) time for the actual cost of completing the process of acquiring the National Certified School Nurse certification from the National Board for Certification of School Nurses, Inc., regardless of whether or not the school nurse successfully obtained the certification. The reimbursement shall not include any cost incurred for postgraduate work by the school nurse. The employer, an individual or entity may pay the cost of completing the process on behalf of the school nurse. However, the Department of Education shall only reimburse the employer. If an individual or entity has paid the cost of completing the process for the school nurse, the employer may agree to directly reimburse the individual or entity for such cost on behalf of the school nurse. If the cost of completing the process is paid by the employer, an individual or entity and the school nurse fails to complete the process, the school nurse shall be liable to the employer, individual or entity for all amounts paid on behalf of the school nurse.

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Source: *Miss. Code Ann. § 37-1-3; § 37-19-7* Revised 09/2022

Part 3 Chapter 32: Education Enhancement Funds

Rule 32.1 Education Enhancement Funds. Rules and Regulations Regarding the Administration of Funds Appropriated for Education Enhancement Funds for Classroom Supplies and Materials.

1. Authorization and Dissemination

Pursuant to ~~Mississippi Code Section~~ [Miss. Code Ann. § 37-61-33\(3\)\(a\)\(iii\)](#), ~~As Amended~~, this policy provides rules and regulations for the administration of Education Enhancement Funds appropriated for classroom supplies, materials and equipment to be distributed to all eligible teachers within the state through the use of procurement cards. The intent of the policy is to allow individual teachers to expend such funds, as they deem appropriate, to support the overall goals of the school. Classroom supply funds may not be expended for administrative purposes. These funds may only be used to supplement, not replace, other local and state funds available for the same purpose.

2. Allocation of Funds

On or before September 1 of each year, local school districts shall determine and submit to the State Department of Education the number of teachers eligible to receive an allocation for the current year. To determine eligibility, consult the statute for the definition of the term "teacher." ~~The term "teacher" shall mean any employee of the school district who is required by law to obtain a teacher's license from the State Board of Education and is assigned to an instructional area of work, but shall not include a federally funded teacher. The term "teacher" includes all licensed regular teachers and licensed state or locally funded special education teachers, vocational teachers, gifted teachers, counselors and librarians.~~ Procurement cards shall be issued with equal dollar amounts per "teacher" determined by the total number of qualifying personnel and the current state appropriation for classroom supplies with the Education Enhancement Fund combined with the total of any carryover amounts from the previous year's allocation.

3. Carry Forward of Funds

Teachers are encouraged to expend their funds in the year in which they receive them. Procurement cards will expire on March 31 of each year. If a teacher does not fully expend the allocation, the unexpended balance will carry forward to the next school year, combine with the next school year's allocation and the total will be allocated equally to all teachers in the state.

4. Documentation

School districts are required to maintain adequate documentation to demonstrate compliance with the distribution of the procurement cards. At a minimum, each district shall maintain a listing of all eligible teachers, the card number distributed to each teacher, and a copy of the signed Teacher Cardholder Agreement form.

5. Definitions

- a. Administrative Purposes - shall mean expenditures properly accounted for under expenditure function codes 2300, General Administration; 2400, Office of the Principal

Services; and 2500, Business Services, as defined by the Office of the School Financial Services, in the Mississippi Department of Education in the Financial Accounting Manual for Mississippi Public School Districts.

- b. Classroom Teacher - shall mean any employee of the school district who is required by law to obtain a teacher's license from the State Board of Education and is assigned to an instructional area of work, but shall not include a federally funded teacher. The term "teacher" includes all licensed regular teachers and licensed state or locally funded special education teachers, vocational teachers, gifted teachers, counselors and librarians. Federally funded teacher is a teacher who is paid, in any part, with Federal funds.
- c. Instructional Area of Work - shall mean an area of work dealing directly with the provision of academic instruction, vocational instruction or guidance to students by an employee who is required by law to obtain a teacher's license from the State Board of Education. The instruction or guidance may be provided in the classroom or in another location, such as a library or a counselor's office. This definition applies to teachers, librarians and guidance counselors.

| Source: *Miss Code Ann. 37-61-33(3)(a)(iii)* (Revised ~~11/14~~ 09/2022)

Rule 32

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- a. **Administrative Purposes** - shall mean expenditures properly accounted for under expenditure function codes 2300, General Administration; 2400, Office of the Principal Services; and 2500, Business Services, as defined by the Office of the School Financial Services, in the Mississippi Department of Education in the Financial Accounting Manual for Mississippi Public School Districts.
- b. **Classroom Teacher** - shall mean any employee of the school district who is required by law to obtain a teacher's license from the State Board of Education and is assigned to an

instructional area of work, but shall not include a federally funded teacher. The term "teacher" includes all licensed regular teachers and licensed state or locally funded special education teachers, vocational teachers, gifted teachers, counselors and librarians. Federally funded teacher is a teacher who is paid, in any part, with Federal funds.

- c. Instructional Area of Work - shall mean an area of work dealing directly with the provision of academic instruction, vocational instruction or guidance to students by an employee who is required by law to obtain a teacher's license from the State Board of Education. The instruction or guidance may be provided in the classroom or in another location, such as a library or a counselor's office. This definition applies to teachers, librarians and guidance counselors.

| Source: *Miss Code Ann. 37-61-33(3)(a)(iii) (Revised 09/2022)*

Part 3 Chapter 48: MAEP (Mississippi Adequate Education Program)

Rule 48.1 Section 504 Teacher Units.

1. Children counted for the allocation and approval of a teacher unit(s) must meet the following criteria:
 - a. Documented birth date verifying age of five (5) through twenty-one (21) years,
 - b. Indication of being a resident citizen of the State of Mississippi,
 - c. Cannot have their educational needs met in the regular public school programs,
 - d. Have not finished or graduated from high school,
 - e. Determined by competent medical authorities and psychologists to need placement in a state licensed facility as designated below,
 - f. Cannot be counted in average daily attendance when determining the regular teacher unit allocation, and
 - g. Are not eligible for special education as defined under Part B of the Individuals with Disabilities Education Act and in state regulations.

Documentation of numbers a-g above must be maintained on file for each child served by an approved state funded teacher and be available upon request by the Mississippi Department of Education (MDE).

2. State Licensed Facility

A state licensed facility is a private facility which has been granted a license by a state agency within the state of Mississippi and is located within the state. The facility is licensed for inpatient treatment, day treatment, residential treatment, or as a group therapeutic home.

3. Teacher Units Approved for a School District

- a. A tutorial instructional education program for children in a state licensed facility may be provided by a school district in which the state licensed facility is located. Such a program would be the responsibility of the school district and would be under the direct supervision of the district.
- b. The district is responsible for verifying the criteria are met for each child served as outlined above under the heading of Criteria for Children Served. Also, documentation which verifies all criteria are met for each child must be on file for review upon request by the MDE. An assurance from the district superintendent that data for each child served has been verified and is maintained on file must be forwarded to the MDE when the teacher unit is requested for approval.

- c. The district must submit a copy of the facility's state license to the MDE when requesting an allocation for a teacher unit.
- d. The district must submit Teacher Allocation data in accordance with the requirements of the Office of Special Education. Each teacher will be responsible for the educational instruction of a minimum of ten (10) children. A maximum of children served per teacher is fourteen (14). Any request for a teacher to serve fewer than ten (10) or more than fourteen (14) children must be made in writing to the Office of Special Education. Approval will be based on the schedule of the teacher and instructional needs of the children, including the number of beds allocated to the facility and the average length of stay for each child. All exemptions of the minimum and maximum number of children served by a teacher will be reviewed and approved by the Deputy Superintendent of Education.
- e. Requests for approval of teacher units will be made in accordance with the requirements of the MDE Personnel Report. **Minimum Adequate Education** program funds will be allocated based on the type of teaching certificate and number of years teaching experience held by each teacher. Also, the number of days employed during the regular school year and the amount of instructional time based on the schedule of each teacher will be calculated when allocating funds for the teacher unit.

4. Teacher Units Approved for a State Licensed Facility

- a. A private school providing an instructional education program which is operated as an integral part of a state licensed facility may request funding for teacher units. Such an educational program must meet the standards for a special school and be approved by the State Board of Education prior to the allocation and approval of a teacher unit. The facility shall be responsible for providing for any additional costs of the program beyond a teacher unit(s).
- b. The administrative head of the facility is responsible for verifying the criteria is met for each child served by an approved teacher as outlined above under the heading Criteria for Children Served. Also, documentation which verifies all criteria are met for each child must be on file for review upon request by the MDE. An assurance from the administrative head of the facility indicating criteria for each child served has been verified for correctness and documentation of such is maintained on file must be forwarded to the MDE when the teacher unit is requested for approval.
- c. A copy of the facility's current state license must be submitted to the MDE when requesting an allocation for a teacher unit.
- d. The administrator of the facility must submit Teacher Allocation data in accordance with the requirements of the Office of Special Education. Teacher units will be allocated based on the teacher certificate requirements of special schools under the Office of Accreditation and each teacher being responsible for the educational instruction of a

minimum of ten (10) children. The Maximum number of children served per teacher is fourteen (14). Any request for a teacher to serve fewer than ten (10) or more than fourteen (14) children must be made in writing to the Office of Special Education. Approval will be based on the schedule of the teacher and instructional needs of the children, including the number of beds allocated to the facility and the average length of stay for each child. All exemptions of the minimum and maximum number of children served by a teacher will be reviewed and approved by the Deputy Superintendent of Education.

- e. Requests for approval of teacher units will be made in accordance with the requirements of the MDE Personnel Report. Minimum program funds will be allocated based on the type of teaching certificate and number of years teaching experience held by each teacher. Also, the number of days employed during the regular school year to provide educational instruction and the amount of instructional time based on the schedule of each teacher will be used to calculate the amount of funds for the teacher unit.
- f. The administrative head of the facility is responsible for ensuring a teacher approved for a teacher unit will be paid **a minimum salary for class of license and years of experience** based on the salary scale and salary schedule requirements in Section 37-19-7 ~~and 37-19-17~~ of the Mississippi State Code.
- g. Teacher units will be allocated and approved for the regular school session. The number of days the facility will provide a regular school session must be in accordance with the MDE's regulations. The calendar dates of the beginning and ending of the regular school session must be submitted to the Office of Special Education when requesting an allocation for a teacher unit.

Source: *Miss. Code Ann. § 37-1-3* (~~Adopted~~

~~8/1994~~ **Revised 09/2022**)

Rule 48.2 Special Education Teacher Approval

1. Each district will receive an allocation of exceptional student teacher units for the next school session by April 5 of the current year. The allocation will be based on the numbers of students being served during the current year and in line with the minimum/maximum numbers for exceptional student programs as outlined in State regulations. ~~In the event that~~ If the total allocation is more than the number of units approved by the Legislature, districts will be notified of this deficit.

2. District exceptional student programs will be approved by December 15 of the current year. Approval will be based on State regulations covering teacher certification standards, justification of separate facilities, justification of EMR resourcing, justification of unusual combinations of students, and the superintendent's assurance of compliance with regulations.

3. Allocations of exceptional student teacher units based on the previous year's numbers may be increased if the district can show the need by October 15 of the current year.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 3/1998)*

Rule 48.3 Teacher Selection. When a certified secondary teacher is assigned to teach in a 5th or 6th grade departmentalized situation and is appropriately endorsed in the subject he/she is teaching, that teacher may be selected as a Minimum Foundation Program teacher in the State Department of Education's process and, if the teacher is selected, the district shall be reimbursed under the Minimum Program for that teacher.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 12/1992)*

Rule 48.4 Withholding Funds. WITHHOLDING OF FUNDS FOR FAILURE TO SUBMIT STUDENT, FISCAL, AND PERSONNEL DATA. The State Superintendent of Education may withhold payment of Mississippi Adequate Education Program (MAEP) funds to a school district which fails to submit any reports containing student, fiscal and personnel data necessary to meet state and/or federal requirements on or before the required due dates of the report. Notice of a report being subject to withholding of MAEP funds, along with the due date of the report, must be given at the time of the request of the report.

Upon written notification to the Department of Education from the Department of Finance and Administration, Office of Insurance, the State Superintendent of Education shall withhold payment of Mississippi Adequate Education Program funds to those districts that fail to remit premiums, interest penalties and/or late charges under the State and School Employees' Life and Health Insurance Plan. Noncompliance with these rules and regulations shall result in a violation of compulsory accreditation standards as established by the State Board of Education and Commission on School Accreditation.

Source: *Miss. Code Ann. § 37-151-95 (Revise 6/2015)*

Rule 48.5 Effective At-Risk Programs.

1. The definition of an effective at-risk program shall be any program designed to target the unique needs of the student ~~in order to~~ allow that student to perform on grade level and ultimately graduate from high school. These programs may be offered before, during or after school, but cannot be any regular course offering available to all students. An example of an allowable program is an after-school program designed to accelerate a student's reading grade level. An example of a non-allowable program is a regularly offered English class made up entirely of students currently participating in the free and reduced lunch program.

School districts are required to make annual reports to the Department of Education on the district's programs serving at-risk School Districts shall budget and spend Mississippi Adequate Education Program (MAEP) At-Risk funds, earned as prescribed by Section 37-151-7(1)(d), on effective programs specifically targeted to serve at-risk students. These programs must be in addition to all other regular or required programs offered by the school district to all students. The accounting of the expenditure of these funds shall be as required by the Mississippi School District Financial Accounting Manual as prescribed by the Department of Education.

The definition of an at-risk student will be as determined by each individual school district.

Examples of student groups a school district could use as a guideline in making a determination as to whether a student is considered at risk are:

- a. A student who is currently participating in the USDA Free and Reduced Lunch Program (if the school or district is 100 percent free and reduced lunch an additional at-risk determination is required).
- b. A student who is not meeting the requirements necessary for promotion to the next grade level or graduation from high school.
- c. A student whose education attainment is below other students of their age or grade level.
- d. A student who is a potential dropout.
- e. A student who is failing two or more courses of study.
- f. A student who has been retained.
- g. A student who is not reading on grade level.
- h. A student who is pregnant.
- i. A student who is a students.

The form, content and due dates of these reports will be prescribed by the Department of Education.

2. STATE BOARD POLICY - MAEP AT-RISK FUNDS

As a guideline, at-risk programs may include, but are not limited to:

- a. Alternative School Programs,
- b. Dropout Prevention Programs,
- c. Drug Awareness Programs,
- d. GED Programs,
- e. School Nurse Programs,
- f. Social Work Services,
- g. Mentoring Programs,
- h. Summer School Programs,

- i. After-School Programs,
- j. Homebound Programs,
- k. School Counselors,
- l. Class Size Reduction,
- m. Extra Support within a Class,
- n. Career Counselors,
- o. Classroom Intervention,
- p. Parent Center,
- q. Extended Year,
- r. Assistant Teachers,
- s. Software Programs,
- t. Tutorial Assistance,
- u. Curriculum Development,
- v. Professional Development (specifically addressing at-risk student needs),
- w. Remedial Instruction,
- x. Safety & Health,
- y. School Attendance,
- z. Performance Assessments,
- aa. Screening Assessments,
- bb. Homeless/Migrant,
- cc. Crisis/Behavioral Intervention,
- dd. Dyslexia.

The Department of Education shall review each district's At-Risk program request and based upon the district's ability to logically explain the purpose, stated goals and objectives, and the

methodology for determining success of the program will make a determination as to whether the program is a valid use of MAEP At-Risk funds. In the event that the Department of Education determines that the program is not valid then the Department will notify the district in writing of that determination. The Department of Education will provide assistance to these districts by providing information on programs determined to be valid.

Before a school district can spend MAEP At-Risk dollars on any program targeting at-risk students other than what was originally approved by the Department of Education, the school district must seek approval from the Department. The district's request must include documented research as to the effectiveness of the program.

Districts failing to comply with any requirements of this policy shall be in violation of the Mississippi Public School Accountability Standards and upon determination of a violation the district's accreditation level will be downgraded by the Accreditation Commission.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 3/2009 Revised 09/2022)*

~~*Rule 48.6 Selection of Successful School District.* Prior to November 1, 2009, for the purpose of selecting successful school districts for use in the Mississippi Adequate Education Program (MAEP) base student cost calculations, "successful school district" is defined as a school district that has a Quality of Distribution Index (QDI) of 133 to 199 as established in the State Accountability Rating System adopted by the Board in March 2009. From and after November 1, 2009 for the purpose of selecting successful school districts for use in the MAEP base student cost calculations, "successful school district" is the definition of "successful school district" as defined in the State Rating Accountability Rating System adopted by the Board in March 2009.~~

Source: *Miss. Code Ann. § 37-1-3 (Revised 7/2009)*

Rule 48.6 Selection of Successful School District

The purpose of selecting successful school districts for use in the Mississippi Adequate Education Program (MAEP) base student cost calculations, "successful school district" is defined as a school district that has earned a "Successful" rating which shall be designated a "C" school or school district. The State Board of Education, acting through the State Department of Education, shall apply a simple "A," "B," "C," "D" and "F" designation to the current school and school district statewide accountability performance classification labels beginning with the State Accountability Results for the 2011-2012 school year and following, and in the school, district and state report cards required under state and federal law.

Source: *Miss. Code Ann. § 37-17-6 (Revised 9/2024)*

Rule 48.7 Determination of "inordinately large number of absentees. To determine "inordinately large" as that term is used in 37-151-103(3) a school district must notify the State Superintendent of Education in writing by December 1 of the current school year of a decrease in attendance and the reason for the decrease in attendance. If the State Superintendent determines that the reason for the decrease in attendance is a result of epidemic, natural disaster, or any concerted activity

discouraging school attendance then the following process will be used to determine if there is “an inordinately large number of absentees”.

1. The State Department of Education shall divide the school district’s months two and three average daily attendance (ADA) by the school district’s months two and three average daily enrollment (ADM) for grades kindergarten through 12th grade (exclusive of self-contained special education grades) for the current school year to determine the percentage of attendance to enrollment for the current school year.
2. The State Department of Education shall determine the school district’s five- year average of the percentage of months two and three average daily attendance to the school district’s months two and three average daily enrollment (ADM) for the same grades defined in step 1 above using the last five years of attendance and enrollment data as reported through the Mississippi Student Information System (MSIS). Current year’s enrollment and attendance data are excluded from the five-year average calculation.
3. Subtract the result of Step 1 from the result of Step 2. If the resulting percentage is two percent (2%) or greater the district will be considered to have an inordinately large number of absentees.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 48

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Part 3 Chapter 48: MAEP (Mississippi Adequate Education Program)

Rule 48.1 Section 504 Teacher Units.

1. Children counted for the allocation and approval of a teacher unit(s) must meet the following criteria:
 - a. Documented birth date verifying age of five (5) through twenty-one (21) years,
 - b. Indication of being a resident citizen of the State of Mississippi,
 - c. Cannot have their educational needs met in the regular public school programs,
 - d. Have not finished or graduated from high school,
 - e. Determined by competent medical authorities and psychologists to need placement in a state licensed facility as designated below,
 - f. Cannot be counted in average daily attendance when determining the regular teacher unit allocation, and
 - g. Are not eligible for special education as defined under Part B of the Individuals with Disabilities Education Act and in state regulations.

Documentation of numbers a-g above must be maintained on file for each child served by an approved state funded teacher and be available upon request by the Mississippi Department of Education (MDE).

2. State Licensed Facility

A state licensed facility is a private facility which has been granted a license by a state agency within the state of Mississippi and is located within the state. The facility is licensed for inpatient treatment, day treatment, residential treatment, or as a group therapeutic home.

3. Teacher Units Approved for a School District

- a. A tutorial instructional education program for children in a state licensed facility may be provided by a school district in which the state licensed facility is located. Such a program would be the responsibility of the school district and would be under the direct supervision of the district.
- b. The district is responsible for verifying the criteria are met for each child served as outlined above under the heading of Criteria for Children Served. Also, documentation which verifies all criteria are met for each child must be on file for review upon request by the MDE. An assurance from the district superintendent that data for each child served has been verified and is maintained on file must be forwarded to the MDE when the teacher unit is requested for approval.

- c. The district must submit a copy of the facility's state license to the MDE when requesting an allocation for a teacher unit.
- d. The district must submit Teacher Allocation data in accordance with the requirements of the Office of Special Education. Each teacher will be responsible for the educational instruction of a minimum of ten (10) children. A maximum of children served per teacher is fourteen (14). Any request for a teacher to serve fewer than ten (10) or more than fourteen (14) children must be made in writing to the Office of Special Education. Approval will be based on the schedule of the teacher and instructional needs of the children, including the number of beds allocated to the facility and the average length of stay for each child. All exemptions of the minimum and maximum number of children served by a teacher will be reviewed and approved by the Deputy Superintendent of Education.
- e. Requests for approval of teacher units will be made in accordance with the requirements of the MDE Personnel Report. Adequate Education program funds will be allocated based on the type of teaching certificate and number of years teaching experience held by each teacher. Also, the number of days employed during the regular school year and the amount of instructional time based on the schedule of each teacher will be calculated when allocating funds for the teacher unit.

4. Teacher Units Approved for a State Licensed Facility

- a. A private school providing an instructional education program which is operated as an integral part of a state licensed facility may request funding for teacher units. Such an educational program must meet the standards for a special school and be approved by the State Board of Education prior to the allocation and approval of a teacher unit. The facility shall be responsible for providing for any additional costs of the program beyond a teacher unit(s).
- b. The administrative head of the facility is responsible for verifying the criteria is met for each child served by an approved teacher as outlined above under the heading Criteria for Children Served. Also, documentation which verifies all criteria are met for each child must be on file for review upon request by the MDE. An assurance from the administrative head of the facility indicating criteria for each child served has been verified for correctness and documentation of such is maintained on file must be forwarded to the MDE when the teacher unit is requested for approval.
- c. A copy of the facility's current state license must be submitted to the MDE when requesting an allocation for a teacher unit.
- d. The administrator of the facility must submit Teacher Allocation data in accordance with the requirements of the Office of Special Education. Teacher units will be allocated based on the teacher certificate requirements of special schools under the Office of Accreditation and each teacher being responsible for the educational instruction of a

minimum of ten (10) children. The Maximum number of children served per teacher is fourteen (14). Any request for a teacher to serve fewer than ten (10) or more than fourteen (14) children must be made in writing to the Office of Special Education. Approval will be based on the schedule of the teacher and instructional needs of the children, including the number of beds allocated to the facility and the average length of stay for each child. All exemptions of the minimum and maximum number of children served by a teacher will be reviewed and approved by the Deputy Superintendent of Education.

- e. Requests for approval of teacher units will be made in accordance with the requirements of the MDE Personnel Report. Minimum program funds will be allocated based on the type of teaching certificate and number of years teaching experience held by each teacher. Also, the number of days employed during the regular school year to provide educational instruction and the amount of instructional time based on the schedule of each teacher will be used to calculate the amount of funds for the teacher unit.
- f. The administrative head of the facility is responsible for ensuring a teacher approved for a teacher unit will be paid a minimum salary for class of license and years of experience based on the salary scale and salary schedule requirements in Section 37-19-7 of the Mississippi State Code.
- g. Teacher units will be allocated and approved for the regular school session. The number of days the facility will provide a regular school session must be in accordance with the MDE's regulations. The calendar dates of the beginning and ending of the regular school session must be submitted to the Office of Special Education when requesting an allocation for a teacher unit.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 48.2 Special Education Teacher Approval

1. Each district will receive an allocation of exceptional student teacher units for the next school session by April 5 of the current year. The allocation will be based on the numbers of students being served during the current year and in line with the minimum/maximum numbers for exceptional student programs as outlined in State regulations. If the total allocation is more than the number of units approved by the Legislature, districts will be notified of this deficit.
2. District exceptional student programs will be approved by December 15 of the current year. Approval will be based on State regulations covering teacher certification standards, justification of separate facilities, justification of EMR resourcing, justification of unusual combinations of students, and the superintendent's assurance of compliance with regulations.
3. Allocations of exceptional student teacher units based on the previous year's numbers may be increased if the district can show the need by October 15 of the current year.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 48.3 Teacher Selection. When a certified secondary teacher is assigned to teach in a 5th or 6th grade departmentalized situation and is appropriately endorsed in the subject he/she is teaching, that teacher may be selected as a Minimum Foundation Program teacher in the State Department of Education's process and, if the teacher is selected, the district shall be reimbursed under the Minimum Program for that teacher.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 12/1992)*

Rule 48.4 Withholding Funds. WITHHOLDING OF FUNDS FOR FAILURE TO SUBMIT STUDENT, FISCAL, AND PERSONNEL DATA. The State Superintendent of Education may withhold payment of Mississippi Adequate Education Program (MAEP) funds to a school district which fails to submit any reports containing student, fiscal and personnel data necessary to meet state and/or federal requirements on or before the required due dates of the report. Notice of a report being subject to withholding of MAEP funds, along with the due date of the report, must be given at the time of the request of the report.

Upon written notification to the Department of Education from the Department of Finance and Administration, Office of Insurance, the State Superintendent of Education shall withhold payment of Mississippi Adequate Education Program funds to those districts that fail to remit premiums, interest penalties and/or late charges under the State and School Employees' Life and Health Insurance Plan. Noncompliance with these rules and regulations shall result in a violation of compulsory accreditation standards as established by the State Board of Education and Commission on School Accreditation.

Source: *Miss. Code Ann. § 37-151-95 (Revise 6/2015)*

Rule 48.5 Effective At-Risk Programs.

1. The definition of an effective at-risk program shall be any program designed to target the unique needs of the student to allow that student to perform on grade level and ultimately graduate from high school. These programs may be offered before, during or after school, but cannot be any regular course offering available to all students. An example of an allowable program is an after-school program designed to accelerate a student's reading grade level. An example of a non-allowable program is a regularly offered English class made up entirely of students currently participating in the free and reduced lunch program.

School districts are required to make annual reports to the Department of Education on the district's programs serving at-risk School Districts shall budget and spend Mississippi Adequate Education Program (MAEP) At-Risk funds, earned as prescribed by Section 37-151-7(1)(d), on effective programs specifically targeted to serve at-risk students. These programs must be in addition to all other regular or required programs offered by the school district to all students. The accounting of the expenditure of these funds shall be as required by the Mississippi School District Financial Accounting Manual as prescribed by the Department of Education.

The definition of an at-risk student will be as determined by each individual school district.

Examples of student groups a school district could use as a guideline in making a determination as to whether a student is considered at risk are:

- a. A student who is currently participating in the USDA Free and Reduced Lunch Program (if the school or district is 100 percent free and reduced lunch an additional at-risk determination is required).
- b. A student who is not meeting the requirements necessary for promotion to the next grade level or graduation from high school.
- c. A student whose education attainment is below other students of their age or grade level.
- d. A student who is a potential dropout.
- e. A student who is failing two or more courses of study.
- f. A student who has been retained.
- g. A student who is not reading on grade level.
- h. A student who is pregnant.
- i. A student who is a student.

The form, content and due dates of these reports will be prescribed by the Department of Education.

2. STATE BOARD POLICY - MAEP AT-RISK FUNDS

As a guideline, at-risk programs may include, but are not limited to:

- a. Alternative School Programs,
- b. Dropout Prevention Programs,
- c. Drug Awareness Programs,
- d. GED Programs,
- e. School Nurse Programs,
- f. Social Work Services,
- g. Mentoring Programs,
- h. Summer School Programs,
- i. After-School Programs,

- j. Homebound Programs,
- k. School Counselors,
- l. Class Size Reduction,
- m. Extra Support within a Class,
- n. Career Counselors,
- o. Classroom Intervention,
- p. Parent Center,
- q. Extended Year,
- r. Assistant Teachers,
- s. Software Programs,
- t. Tutorial Assistance,
- u. Curriculum Development,
- v. Professional Development (specifically addressing at-risk student needs),
- w. Remedial Instruction,
- x. Safety & Health,
- y. School Attendance,
- z. Performance Assessments,
- aa. Screening Assessments,
- bb. Homeless/Migrant,
- cc. Crisis/Behavioral Intervention,
- dd. Dyslexia.

The Department of Education shall review each district's At-Risk program request and based upon the district's ability to logically explain the purpose, stated goals and objectives, and the methodology for determining success of the program will make a determination as to whether the

program is a valid use of MAEP At-Risk funds. In the event that the Department of Education determines that the program is not valid then the Department will notify the district in writing of that determination. The Department of Education will provide assistance to these districts by providing information on programs determined to be valid.

Before a school district can spend MAEP At-Risk dollars on any program targeting at-risk students other than what was originally approved by the Department of Education, the school district must seek approval from the Department. The district's request must include documented research as to the effectiveness of the program.

Districts failing to comply with any requirements of this policy shall be in violation of the Mississippi Public School Accountability Standards and upon determination of a violation the district's accreditation level will be downgraded by the Accreditation Commission.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 48.6 Selection of Successful School District

The purpose of selecting successful school districts for use in the Mississippi Adequate Education Program (MAEP) base student cost calculations, "successful school district" is defined as a school district that has earned a "Successful" rating which shall be designated a "C" school or school district. The State Board of Education, acting through the State Department of Education, shall apply a simple "A," "B," "C," "D" and "F" designation to the current school and school district statewide accountability performance classification labels beginning with the State Accountability Results for the 2011-2012 school year and following, and in the school, district and state report cards required under state and federal law.

Source: *Miss. Code Ann. § 37-17-6 (Revised 9/2022)*

Rule 48.7 Determination of "inordinately large number of absentees. To determine "inordinately large" as that term is used in 37-151-103(3) a school district must notify the State Superintendent of Education in writing by December 1 of the current school year of a decrease in attendance and the reason for the decrease in attendance. If the State Superintendent determines that the reason for the decrease in attendance is a result of epidemic, natural disaster, or any concerted activity discouraging school attendance then the following process will be used to determine if there is "an inordinately large number of absentees".

1. The State Department of Education shall divide the school district's months two and three average daily attendance (ADA) by the school district's months two and three average daily enrollment (ADM) for grades kindergarten through 12th grade (exclusive of self-contained special education grades) for the current school year to determine the percentage of attendance to enrollment for the current school year.
2. The State Department of Education shall determine the school district's five-year average of the percentage of months two and three average daily attendance to the school district's months two and three average daily enrollment (ADM) for the same grades

defined in step 1 above using the last five years of attendance and enrollment data as reported through the Mississippi Student Information System (MSIS). Current year's enrollment and attendance data are excluded from the five-year average calculation.

3. Subtract the result of Step 1 from the result of Step 2. If the resulting percentage is two percent (2%) or greater the district will be considered to have an inordinately large number of absentees.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 10/2009)*

Part 3 Chapter 71: School Business Officials

Rule 71.1 REPEALED

Rule 71.2 Licensure of School Business Administrator.

Purpose

1. In order to provide a financial management system which ensures the proper accountability for funds administered through the local school districts on a timely and accurate basis, to provide and interpret financial information by which the local school board makes educational decisions, and to promote professional growth, the State Department of Education is authorized to create a Licensed School Business Administrator position for the public school districts of this state beginning with the 2012–2013 school year. This license shall be issued by the Mississippi Department of Education, Office of Educator Licensure and the license holder shall be bound by the MS Educator Code of Ethics, Standards of Conduct.

2. Accreditation Standard

~~Per~~ The Commission on School Accreditation process standard 2.5, the school district shall employ a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. ~~is directed to develop a PROCESS STANDARD that one such position shall be required to meet minimum accreditation standards beginning with the 2012–2013 school year.~~ Although any individual who meets the minimum requirements may obtain the license, the district may only designate one individual as the Licensed School Business Administrator. The individual designated as the Licensed School Business Administrator shall hold the School Business Administrator License. Individuals in a school district holding the School Business Administrator license, but who are not the designated ~~the~~ Licensed School Business Administrator and are not employed in a position in the district requiring any other license issued by the Mississippi Department of Education Office of Educator Licensure shall not be considered a licensed employee as that term is used in Mississippi Code, Annotated.

Any ~~current~~ School Business Administrator or Officer who ~~was has been~~ satisfactorily performing in that position on or before June 30, 2012, and ~~did does~~ not meet the minimum requirements for obtaining a School Business Administrator License ~~is will be~~ required to maintain the School Business Administrator/Officer certificate issued by the Mississippi Department of Education, Office of School Financial Services by completing 20 hours of continuing training each fiscal year. One hour of credit will be given for each hour of training. Hours may be obtained by participating in approved local, state, regional, or national school business related conferences, courses or workshops. Districts that have a certified School Business Administrator or Officer in lieu of a Licensed School Business Administrator ~~are will be~~ considered to be in compliance with the accreditation standard requiring a Licensed School Business Administrator. However, these individuals are ~~will not be~~ considered a licensed employee as the term is used in Mississippi Code, 1972

Annotated.

Any individual newly hired or appointed as a school district's Licensed School Business Administrator ~~after June 30, 2012~~, shall meet the minimum requirements of the Licensed School Business Administrator and obtain the license from the Mississippi Department of Education, Office of Educator Licensure prior to being named as the school district's Licensed School Business Administrator.

3. Initial Licensure

The following minimum qualifications shall be met for initial licensing:

A baccalaureate degree from an accredited four-year college or university in Accounting. Other baccalaureate degrees from an accredited four-year college or university in Finance, Business Administration, or other business-related curriculum may be considered but shall include a minimum of fifteen (15) specified semester hours successfully completed in accounting from the following course list:

- a. Principles of Accounting I and II (6 semester hours)
- b. Intermediate Accounting I and II (6 semester hours)
- c. Advanced Accounting (3 semester hours)
- d. Governmental Accounting (3 semester hours)
- e. Managerial Accounting (3 semester hours)
- f. Auditing (3 semester hours)
- g. Cost Accounting (3 semester hours)
- h. Business Law (3 semester hours)
- i. Financial Management (3 semester hours)
- j. School Finance or School Law (3 hours)

The State Department of Education, Office of School Financial Services, shall approve all courses titled differently than those listed.

4. Administration

This process shall be administered jointly through the State Department of Education Office of School Financial Services and Office of Educator Licensure.

5. Rule and Regulation Authority

The State Department of Education is authorized to promulgate other rules and regulations necessary to implement and administer this matter.

Source: *Miss. Code Ann. § 37-1-3* (~~Adopted 7/2012~~ *Revised 09/2022*)

Rule 71.3 Required Monthly Reports to be furnished to Local School Board.

1. The State Board of Education is directed by Miss. Code Ann. §37-9-18 to promulgate rules and regulations concerning the type of financial reports required to be submitted by the superintendent of schools to the local school board, and the frequency with which the reports shall be submitted. At a minimum, the superintendent of schools shall furnish to the local

school board the following required financial reports each month at the regular school board meeting:

a. Reconciled Bank Statements

All bank statements should be reconciled within 30 days of receipt. Presentation of reconciled bank statements should be made at the next regular board meeting after the bank statements are reconciled. Bank statements should be reconciled to the district's general ledger cash balances in a timely, accurate manner.

In lieu of actual bank reconciliations, a certification from a designated individual listing all current district bank accounts by name, the specific time period covered, and a statement that the accounts have been reconciled is acceptable. Districts submitting a certification to the board should also submit a summary of the bank reconciliations. Full bank reconciliations should be available for review at the board meeting if requested. A copy of the certification and the summary should be made a part of the board minutes.

b. Statement of Revenues and Expenditures

The Statement of Revenues and Expenditures should capture the monthly revenues and expenditures of each fund. At a minimum, a total amount of revenues and a total amount of expenditures should be presented for each fund for the month. Additional detail would be added at the discretion of the district.

c. Current Budget Status

The school district ~~should will~~ present the board with a current listing of budgeted annual amounts for revenue and expenditures for all funds. The report ~~should will~~ present cumulative revenue and expenditures ~~in comparison to compare~~ to budgeted amounts for each fund.

d. Cash Flow Statement by Month

The Cash Flow Statement should capture cash in and cash out for the District Maintenance fund with each month presented separately. The cumulative total of all months should be listed. Projected cash flow for the remaining months may be presented at the discretion of the district.

e. Combined Balance Sheet

The school district ~~should will~~ present the board with a Combined Balance Sheet to include, at a minimum, all general funds and special revenue funds. Additional funds may be presented at the discretion of the district.

OR

f. Current Fund Equity Balances

~~In lieu of the Combined Balance Sheet t~~The school district ~~may will~~ present the board with a current listing of fund balances. The listing should include, at a minimum, all general funds, special revenue funds, and any other funds supported by district maintenance.

Two or more of the required reports listed above may be combined if all information is included and can be presented in the detail listed above for each report.

2. At each regular monthly school board meeting:

The financial reports shall be listed as an agenda item for discussion at each regularly scheduled meeting of the local school board. The minutes of the local school board meeting shall reflect that the financial reports were discussed. Each board member present shall be provided a copy of all required financial reports. A copy of all required financial reports shall be included in the official minutes of the board meeting at which the reports were discussed.

The Office of School Financial Services may require a school district to provide one or all of the required monthly reports listed in this policy **along with board minutes as evidence of compliance.** ~~The Office of School Financial Services may require a school district to submit evidence that one or all of the required monthly reports listed in this policy have been provided to the local school board, the financial items were listed as a separate agenda item, the minutes reflect that the financial reports were discussed and a copy of each required report is included in the official minutes of the board meeting at which the reports were discussed.~~

Failure to comply with any of the rules and regulations established by the State Board of Education ~~with regard to~~ regarding financial reporting requirements shall constitute a violation **resulting in a letter of warning issued by the Office of Accreditation. The deficient will remain on the district record until a successful demonstration of compliance** of the Mississippi Public School Accountability Standards.

Source: Miss. Code Ann. §S-Code 37-9-18 (~~Adopted 11/2013~~ Revised 09/2022)

Rule 71

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Part 3 Chapter 71: School Business Officials

Rule 71.1 REPEALED

Rule 71.2 Licensure of School Business Administrator.

Purpose

1. In order to provide a financial management system which ensures the proper accountability for funds administered through the local school districts on a timely and accurate basis, to provide and interpret financial information by which the local school board makes educational decisions, and to promote professional growth, the State Department of Education is authorized to create a Licensed School Business Administrator position for the public school districts of this state beginning with the 2012–2013 school year. This license shall be issued by the Mississippi Department of Education, Office of Educator Licensure and the license holder shall be bound by the MS Educator Code of Ethics, Standards of Conduct.

2. Accreditation Standard

Per the Commission on School Accreditation process standard 2.5, the school district shall employ a school business officer/administrator whose qualifications meet the criteria established by the Mississippi Department of Education and whose primary job responsibilities are conducting, supervising, and/or directing the financial affairs and operations of the school district. Although any individual who meets the minimum requirements may obtain the license, the district may only designate one individual as the Licensed School Business Administrator. The individual designated as the Licensed School Business Administrator shall hold the School Business Administrator License. Individuals in a school district holding the School Business Administrator license, but who are not the designated Licensed School Business Administrator and are not employed in a position in the district requiring any other license issued by the Mississippi Department of Education Office of Educator Licensure shall not be considered a licensed employee as that term is used in Mississippi Code, Annotated.

Any School Business Administrator or Officer who was satisfactorily performing in that position on or before June 30, 2012, and did not meet the minimum requirements for obtaining a School Business Administrator License is required to maintain the School Business Administrator/Officer certificate issued by the Mississippi Department of Education, Office of School Financial Services by completing 20 hours of continuing training each fiscal year. One hour of credit will be given for each hour of training. Hours may be obtained by participating in approved local, state, regional, or national school business related conferences, courses or workshops. Districts that have a certified School Business Administrator or Officer in lieu of a Licensed School Business Administrator are considered to be in compliance with the accreditation standard requiring a Licensed School Business Administrator. However, these individuals are not considered a licensed employee as the term is used in Mississippi Code, 1972 Annotated.

Any individual newly hired or appointed as a school district's Licensed School Business

Administrator, shall meet the minimum requirements of the Licensed School Business Administrator and obtain the license from the Mississippi Department of Education, Office of Educator Licensure prior to being named as the school district's Licensed School Business Administrator.

3. Initial Licensure

The following minimum qualifications shall be met for initial licensing:

A baccalaureate degree from an accredited four-year college or university in Accounting. Other baccalaureate degrees from an accredited four-year college or university in Finance, Business Administration, or other business-related curriculum may be considered but shall include a minimum of fifteen (15) specified semester hours successfully completed in accounting from the following course list:

- a. Principles of Accounting I and II (6 semester hours)
- b. Intermediate Accounting I and II (6 semester hours)
- c. Advanced Accounting (3 semester hours)
- d. Governmental Accounting (3 semester hours)
- e. Managerial Accounting (3 semester hours)
- f. Auditing (3 semester hours)
- g. Cost Accounting (3 semester hours)
- h. Business Law (3 semester hours)
- i. Financial Management (3 semester hours)
- j. School Finance or School Law (3 hours)

The State Department of Education, Office of School Financial Services, shall approve all courses titled differently than those listed.

4. Administration

This process shall be administered jointly through the State Department of Education Office of School Financial Services and Office of Educator Licensure.

5. Rule and Regulation Authority

The State Department of Education is authorized to promulgate other rules and regulations necessary to implement and administer this matter.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*

Rule 71.3 Required Monthly Reports to be furnished to Local School Board.

1. The State Board of Education is directed by Miss. Code Ann. §37-9-18 to promulgate rules and regulations concerning the type of financial reports required to be submitted by the superintendent of schools to the local school board, and the frequency with which the reports shall be submitted. At a minimum, the superintendent of schools shall furnish to the local school board the following required financial reports each month at the regular school board meeting:

a. Reconciled Bank Statements

All bank statements should be reconciled within 30 days of receipt. Presentation of reconciled bank statements should be made at the next regular board meeting after the bank statements are reconciled. Bank statements should be reconciled to the district's general ledger cash balances in a timely, accurate manner.

In lieu of actual bank reconciliations, a certification from a designated individual listing all current district bank accounts by name, the specific time period covered, and a statement that the accounts have been reconciled is acceptable. Districts submitting a certification to the board should also submit a summary of the bank reconciliations. Full bank reconciliations should be available for review at the board meeting if requested. A copy of the certification and the summary should be made a part of the board minutes.

b. Statement of Revenues and Expenditures

The Statement of Revenues and Expenditures should capture the monthly revenues and expenditures of each fund. At a minimum, a total amount of revenues and a total amount of expenditures should be presented for each fund for the month. Additional detail would be added at the discretion of the district.

c. Current Budget Status

The school district should present the board with a current listing of budgeted annual amounts for revenue and expenditures for all funds. The report should present cumulative revenue and expenditures in comparison to budgeted amounts for each fund.

d. Cash Flow Statement by Month

The Cash Flow Statement should capture cash in and cash out for the District Maintenance fund with each month presented separately. The cumulative total of all months should be listed. Projected cash flow for the remaining months may be presented at the discretion of the district.

e. Combined Balance Sheet

The school district should present the board with a Combined Balance Sheet to include, at a minimum, all general funds and special revenue funds. Additional funds may be presented at the discretion of the district.

OR

f. Current Fund Equity Balances

In lieu of the Combined Balance Sheet the school district may present the board with a current listing of fund balances. The listing should include, at a minimum, all general funds, special revenue funds, and any other funds supported by district maintenance.

Two or more of the required reports listed above may be combined if all information is included and can be presented in the detail listed above for each report.

2. At each regular monthly school board meeting:

The financial reports shall be listed as an agenda item for discussion at each regularly scheduled meeting of the local school board. The minutes of the local school board meeting shall reflect that the financial reports were discussed. Each board member present shall be provided a copy of all required financial reports. A copy of all required financial reports shall be included in the official minutes of the board meeting at which the reports were discussed.

The Office of School Financial Services may require a school district to provide one or all of the required monthly reports listed in this policy along with board minutes as evidence of compliance.

Failure to comply with any of the rules and regulations established by the State Board of Education regarding financial reporting requirements shall constitute a violation resulting in a letter of warning issued by the Office of Accreditation. The deficient will remain on the district record until a successful demonstration of compliance of the Mississippi Public School Accountability Standards.

Source: *Miss. Code Ann. § 37-9-18 (Revised 09/2022)*

Part 3 Chapter 76: Teachers

Rule 76.1 Awards. The Mississippi Teacher of the Year Program recognizes outstanding achievement and performance by our public school teachers. Each local school district has the opportunity to honor its teachers and nominate one for the state title. The 1995 Mississippi Teacher of the Year must be a certified classroom teacher (K-12) in a state-accredited public school who plans to teach next year. The teacher should have superior ability to inspire students, should possess leadership capabilities, and should be an active member of the community. Official entry forms and instructions will be mailed to each district's central office. The local Teacher of the Year entry form, signed by the local superintendent, is returned to the Mississippi Department of Education for judging during the summer. Five finalists (one from each Congressional District) are chosen and a selection committee visits the classroom of each near the beginning of the school year. The teacher selected as the Mississippi Teacher of the Year will be the state's nominee for National Teacher of the Year.

Entries are limited to one per school district. These are judged on a biography, professional development activities, community involvement, philosophy of teaching, insight on education issues and trends, personal teaching style, comments on the teaching profession, letters of recommendation, and how one would handle the duties of National Teacher of the Year.

The Mississippi Teacher of the Year Program is sponsored by the Mississippi Department of Education, Southern Educators Life Insurance Company of Atlanta, Georgia, and Bryan Foods, Inc. of West Point, Mississippi. The national program is sponsored by the Council of Chief State School Officers and Encyclopedia Britannica.

The Mississippi Teacher of the Year (TOY), alternate and finalists receive the following honors and awards:

1. \$5,000 for the state TOY from the Mississippi Department of Education, if approved;
2. \$500 for the alternate and \$250 for regional finalists from Southern Educators;
3. \$500 for the state TOY and \$250 for the TOY's school from Bryan Food;
4. a set of encyclopedias from the Britannica Company (TOY only);
5. a dinner honoring all five teachers and their guests, hosted by Southern Educators;
6. TOY and alternate receive formal recognition at a State Board of Education meeting;
7. TOY and finalists included in the Milken Educator Award Pool.

Source: *Miss. Code Ann. § 37-1-3*, *Miss. Code Ann. §37-151-11* (~~Adopted 8/1994~~ *Revised 09/2022*)

Rule 76.2 Contracts (Repealed 1/21/2011)

Rule 76.3 Experience

Review Miss. Code Ann. §37-151-5 for details on this rule.

~~The number of days shall not exceed forty five (45) consecutive school days during which a teacher may not be under contract of employment during any school year and still be considered to have been in full-time employment for a regular scholastic term.~~

Source: *Miss. Code Ann. § 37-1-3 Miss. Code Ann. § 37-151-5 (Revised 9/2005 09/2022)*

Rule 76.4 Housing. The Mississippi Employer-Assisted Housing Teacher Program is a special home loan program available to licensed teachers who render services in geographical areas of the state that are designated by the State Board of Education as having a critical shortage of teachers. **The program is authorized by Miss. Code Ann. 37-159-11 and will be administered by the The Department of Education. The Department of Education** will advertise for the purpose of contracting with one or more public or private entities to assist with the implementation and administration of the program.

Eligible teachers shall include any state required licensed teacher of a local school district who serves in the role of teacher providing direct instruction to students, the equivalent of a minimum of three (3) normal periods per school day. The program is available to eligible teachers of any income level.

A maximum loan amount of \$6,000.00 will be available to eligible teachers to assist in paying closing costs associated with the purchase of a house located in the county in which the school district, or any portion of the school district, is located. The loan is not limited to first-time home buyers.

Closing costs will include:

1. Down payment (limited to 2% of the sales price)
2. Lender Loan Origination
3. Teacher Grant Program Administrator
4. Attorney
5. Title Insurance
6. Appraisal
7. Credit Report
8. Pest Inspection
9. Survey
10. Recording Fees
11. Private Mortgage Insurance Premium

The amount loaned to any teacher will be converted to an interest-free grant **if the teacher completed three (3) years of employment in a critical shortage area. based on one (1)-years' service in a geographical area of the state that is designated by the State Board of Education as having a critical shortage of teachers for one-third (1/3) of the amount of the loan.** Any teacher who fails to render three (3) years of service in a geographical area of the state that is designated by the State Board of Education as having a critical shortage of teachers will be liable to the Department of Education for one-third (1/3) of the amount of the loan for each year that the teacher fails to render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues service. If a claim for repayment is placed in the hands of an attorney for collection, the teacher will be liable for an additional amount equal to a reasonable attorney's fee.

Overview of Loan Process

1. The teacher shall contact the program administrator to confirm whether they are eligible for the program.
2. The teacher shall execute a contract for the purchase of a house in the county in which the school district, or any portion of the school district, is located.
3. The teacher shall make a loan application with any participating lender.
4. The lender shall approve the loan and submit a copy of the loan approval to the program administrator with the anticipated closing date.
5. Closing attorney shall send the program administrator a copy of HUD-1 Form forty-eight (48) hours prior to closing. The program administrator shall wire the funds for the loan and mail a promissory note to be executed by the teacher at closing.
6. After closing, the lender shall send the program administrator the signed promissory note.

MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM LOAN
AGREEMENT

Date of Agreement: _____

Teacher: _____

School District: _____

Loan Amount upto \$6,000.00: _____

Beginning School Year: _____

This Agreement is made and entered into upon the above stated date by and between named Teacher ("Teacher") and the Mississippi State Department of Education ("Department"),

For purposes of this agreement "School District" or "District" shall mean any school district that has been designated by the State Board of Education as a geographical area where there exists a critical shortage of teachers.

WITNESSETH:

- a. **Purpose.** Teacher has applied to the Department for a loan for the purpose of

purchasing a residence pursuant to the Mississippi Employer-Assisted Housing Teacher Program (Program). *See* Miss. Code Ann. § 37-159-11. The Department agrees to lend to Teacher the above stated Loan Amount pursuant to the terms of the Program, of which the Teacher is aware, and upon the terms and conditions herein stated.

- b. **Use of Loan Amount.** Teacher shall only use the Loan Amount for the purposes of acquiring a residence within the County in which the District or any part of the District is located.
- c. **Term of Agreement.** The term of this Agreement shall commence upon the Beginning School Year or the date of this Agreement above stated, whichever is later.
- d. **Grant for Service.** Commencing with the Beginning School Year above stated, Teacher shall receive a grant for each year of service rendered as a teacher in the District of one-third (1/3) of the total Loan Amount with no interest accrued upon such grant.
- e. **Service of Teacher.** Teacher agrees to render service as a teacher in the District for three (3) consecutive years commencing with the Beginning School Year and that the school year in which the Agreement is executed will be considered the Beginning School Year provided the Agreement is executed by December 1 of the school year, otherwise, the Beginning School Year will be the next school year. Teacher may choose to accept employment in another district that is located in whole or in part within the county in which the residence is located so long as that school district has been designated by the State Board of Education as a geographical area where a critical shortage of teachers exist. In the event of this occurrence Teacher shall still be considered compliant with this agreement and the years of service in each of the school districts served shall be added together in determining that three consecutive years have been served.
- f. **Residence of Teacher.** Teacher agrees to reside and occupy the residence acquired with the use of the Loan Amount during the term of this Agreement. Teacher may not lease or rent to any person the said residence or any part thereof during the term of this Agreement.
- g. **Tax Liability.** Teacher acknowledges that the grant or forgiveness for rendering service as a teacher to the District may result in taxable income to Teacher for federal and/or state income tax purposes, and further acknowledges that liability for any and all taxes due upon such taxable income will be the sole responsibility and liability of Teacher, that the Department will withhold no sums from the amounts forgiven and will pay no withholdings thereon to the appropriate taxing authority. Teacher further acknowledges that the Department may furnish to the Internal Revenue Service and/or to the Mississippi State Tax Commission, such information and upon such forms as are required to give notice to the said Internal Revenue Service and/or to the Mississippi State Tax Commission of the grant or forgiveness to Teacher.
- h. **Events of Default.** Default shall consist of the occurrence of any one or more of the following events: (1.) failure of Teacher to render service to the District for three consecutive school years commencing with the Beginning School Year above stated; (2.) failure of Teacher to continuously reside in the residence acquired with the use of the Loan

Amount for three consecutive school years commencing with the Beginning School Year above stated; (3.) any breach of any condition of this Agreement by Teacher; or (4.) breach of any condition under the Program by the Teacher.

- i. **Interest upon Default.** Upon the occurrence of any event specified in Section (h) of this Agreement, interest shall accrue upon the unforgiven and unpaid portion of the Loan Amount as of the date of this Agreement and continuing until paid in full. The interest rate shall be the Stafford Loan rate in effect upon the occurrence of an Event of Default, as said rate is from time to time determined by the United States Department of Education.
- j. **Actions upon Default.** Upon the occurrence of any event specified in Section (h) of the Agreement, the unforgiven and unpaid portion of the Loan Amount together, with all interest accrued from the date of the Agreement, shall be due. The Department shall give written notice to Teacher of the sums due as of the date of default and the interest amount thereafter. Such notice shall be sent via certified mail, return receipt request to Teacher at the address of Teacher upon the records of the Department. Teacher shall have 30 days from the time he or she received written notice to pay the sums due the Department. The Department may consider a repayment plan with the Teacher.
- k. **Collection Costs.** If Teacher fails to pay the sum due the Department by the deadline or in accordance with the repayment plan, if applicable, the Department may employ an attorney(s) for the collection of sums due, and shall be liable for an additional amount equal to reasonable attorneys' fees and court costs.
- l. **Duties of the District.** By its execution hereof, the District agrees that this Agreement has been fully approved by order duly entered upon the minutes of its local school board, and that its President/Chair has been duly authorized to execute same. District further agrees to notify Department in writing within three business days of the occurrence of any of the following: (1.) Teacher ceases to render service to the District as a teacher at any time during the term hereof; (2.) Teacher ceases to reside in and occupy the actual residence purchased with the use of the Loan Amount.
- m. **Acts of God.** Teacher's performance of any duty herein required to be performed shall not be excused by the occurrence of war, tornado, fire, earthquake, flood, or death or disability of Teacher, regardless of cause, or any other act of God, or by Teacher's termination by the District.
- n. **Administration.** Department may contract with one or more public or private entities that it is permitted to contract with under the Program, to perform all or some of its duties under the Program.
- o. **Applicable Laws and Rules and Regulations.** This Agreement is subject to and shall be governed by and construed in accordance with the laws of the State of Mississippi in such cases made and provided and by the rules and regulations adopted by the State Board of Education pursuant to the Program. In the event of a conflict between the terms of this Agreement and the laws of the State of Mississippi, the laws shall control; in the event of a conflict between the terms of this Agreement and the rules and regulations adopted by the State Board of Education pursuant to the Program, the rules and regulations shall control.
- p. **Advancement of Loan Amount.** It is agreed that the Loan Amount shall not be advanced until the closing of the purchase of a residence aforesaid by Teacher. It is

further agreed that the above stated Loan Amount may be decreased due to lesser cash requirements at closing, and that if the Loan Amount is so decreased, this Agreement shall be deemed amended to reflect the amount actually advanced, and in all other respects shall remain in full force and effect. It is further agreed that the Loan Amount shall not be increased after execution hereof unless this Agreement is amended in writing and executed, by all parties hereto.

WITNESS the signatures of Teacher, of the duly authorized officer of the Department and of the President of the Board of Trustees of District as of the date first above mentioned.

TEACHER

_____ Teacher

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 20_____.

_____ NOTARY PUBLIC

My Commission Expires: _____

DISTRICT

School District

By: _____

Title: _____

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 20_____.

_____ NOTARY PUBLIC

My Commission Expires: _____

DEPARTMENT

Mississippi Department of Education

By: _____

Title: _____

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____,
20 _____.

NOTARY PUBLIC

My Commission Expires: _____

Source: *Miss. Code Ann. § 37-1-3; 37-159-11 (Revised 08/202009/2022)*

Rule 76.5 Moving Expense. In accordance with Mississippi Code Section 37-159-5, the Department of Education will reimburse the moving expenses for teachers who enter into a contract with a school district **situated** within a geographical area of the state that is designated by the Mississippi Board of Education as having a critical shortage of teachers. The moving expenses will only be reimbursed if the **employing school district is contract for employment necessitates the relocation. Employment which necessitates the relocation of a teacher is defined as being** greater than or equal to a thirty mile radius **and must be within the boundaries of the State of Mississippi.** It is not required that the actual residence to which the teacher relocates be within the boundaries of the school district which has executed a contract for employment. **However, the teacher must relocate within the boundaries of the State of Mississippi.** To be eligible for the reimbursement, the teacher must apply to the school district and the school district must obtain prior approval **for reimbursement** from the Department of Education **for reimbursement** before the relocation occurs. The school superintendent **must will** request prior approval by completing and submitting the form Request of Prior Approval from the Department of Education **for Reimbursement of Teacher Moving Expenses.** The Department of Education will timely notify the school superintendent of its action on the request. Upon approval, the Department of Education will provide funds to the school district to reimburse the teacher an amount not to exceed \$1,000 for documented actual expenses incurred for relocation. The school superintendent **should will** request reimbursement by completing and submitting the form Reimbursement for Moving Expenses. Upon receipt of the funds, the school superintendent **should will** reimburse the teacher accordingly.

Eligible moving expenses consist of:

1. Professional moving companies (documented by actual invoice which indicates a zero balance or paid in full.)
2. Persons employed to assist with the move (documented by original receipts or canceled checks (front & back) or notarized statement signed by both the person employed to assist with the move and the individual moving.)

3. Rented moving vehicles or equipment (documented by actual invoice which indicates a zero balance or paid in full.)
4. Mileage in the amount authorized for state employees under Section 25-3-41, Mississippi Code of 1972 (Ann.), if the teacher uses his/her personal vehicle or vehicles for the move, limited to the shortest distance - one trip - one way only
5. Hotel expense incurred during the move not to exceed \$75.00, limited to one night. (documented by actual invoice which indicates a zero balance or paid in full.)
6. Meal expense incurred during the move not to exceed \$30.00 per day, limited to two days. (documented by actual meal receipts.)

No teacher may be reimbursed for moving expenses on more than one (1) occasion. Two or more teachers who have the same initial address and are moving to the same anticipated address are considered one household, and therefore only one teacher may claim moving expense reimbursement, not to exceed the \$1,000 maximum allowable reimbursement.

REIMBURSEMENT FOR MOVING EXPENSES

School District _____ District No. _____

Teacher:

Name _____

Address _____

City, State, Zip _____

Social Security Number _____

Moving Expense

Amount _____

Documentation Attached
Professional Moving Company

Documentation Attached
Employed Persons Assisting with Move

Documentation Attached
Rented Vehicles and Equipment

Documentation Attached
Meals (not to exceed \$30 per day - limited to two days)

Documentation Attached
Mileage - based on amount authorized for state employees (MS Code Section 25-3-41. (limited to one trip - one way - shortest distance - one personal vehicle.

Note: Attached documentation must include points of travel. Total (Not to exceed \$1,000)

Note: Documentation of moving expenses must accompany this form.

Upon receipt of the reimbursement from the Department of Education, the School District will forward said reimbursement to the teacher identified above.

NOTE: No teacher may be reimbursed for moving expenses on more than one (1) occasion.

_____, Superintendent

(Print)

Date

Submit request to:
Office of ~~School Financial Services~~ ~~Financial Accountability~~
Mississippi Department of Education
P. O. Box 771
Jackson MS 39205-0771

REQUEST OF PRIOR APPROVAL
FROM THE DEPARTMENT OF EDUCATION FOR REIMBURSEMENT OF TEACHER
MOVING EXPENSES

School District _____ District No. _____

Teacher Name _____

Social Security Number _____

Teacher's Current Address _____

Teacher's Anticipated Address _____

Note: A copy of the executed teacher's contract must accompany this request.
No teacher may be reimbursed for moving expenses on more than one (1) occasion.

The school district requests that the Department of Education approve the reimbursement of moving expenses not to exceed \$1,000 for the teacher indicated above.

_____, Superintendent

(Print)

Date

Submit request to:

Office of **School Financial Services** ~~Financial Accountability~~
Mississippi Department of Education
P. O. Box 771
Jackson MS 39205-0771

Source: *Miss. Code Ann. § 37-1-3 Miss. Code Ann. §37-159-5*
(Revised ~~12/2007~~**09/2022**)

Rule 76.6 University Assisted Teacher Recruitment and Retention Grant Program. The goal of the University Assisted Teacher Recruitment and Retention Grant Program, as mandated in House Bill 609 (1998 Legislative Session), shall be to attract qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers 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.

The Mississippi Department of Education is authorized and directed to implement the requirements of House Bill 609, including, but not limited to, the promulgation of rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

1. Rules and Regulations for Administration of the University Assisted Teacher Recruitment and Retention Grant Program

A single university or college shall be selected by the RFP process and shall be responsible for the administration of the University Assisted Teacher Recruitment and Retention Grant Program. That selected university or college shall be responsible for the implementation of program guidelines and the delivery of services under the grant. The selected university or college shall report directly to the Mississippi Teacher Center to ensure the program meets the overall goal of recruitment and retention of teachers for geographic areas of the state where teacher shortages exist as designated by the State Board of Education. The selected university or college shall comply with rules and regulations as stated below.

2. Institution Requirements for the Selected University or College Are As Follows:

- a. Offer a state approved Master of Education degree and/or Educational Specialist degree.
- b. Comply with HB 609, Section 13 and other appropriate subsections, for program operation.
- c. Have available resources to coordinate recruitment of teachers for critical needs areas as designated by the State Board of Education.
- d. Have available resources to provide professional development and support services necessary for the retention of teachers participating in the program.
- e. Have sufficient staff and a written plan of action for implementing the program.
- f. Develop a plan for ensuring the completion of all requirements for teacher participants to obtain a standard Mississippi teacher's license.
- g. Develop a plan for collaboration with other institutions of higher learning within the state.
- h. Give priority to applicants for the program who are relocating from in-state or out-of-state to teach in a critical shortage area.
- i. Establish accountability or performance measures to measure both student and program success.
- j. Comply with appropriate state and federal laws relating to nondiscriminatory practices in the operation of the program.

3. Teacher Participant Requirements Are As Follows:

- a. Hold a Mississippi teacher's license.
- b. Be employed by a school district located in an area of Mississippi where there exists a critical shortage of teachers as designated by the State Board of Education.
- c. Be enrolled in a state approved Master of Education or Educational Specialist program in the state of Mississippi
- d. Comply with all eligibility requirements as outlined in the Application for the University Assisted Teacher Recruitment and Retention Grant Program.

Source: *Miss. Code Ann. § 37-1-3 (Revised 11/2000)*

Rule 76.7 Selection (under MAEP 4903. When a certified secondary teacher is assigned to teach in a 5th or 6th grade departmentalized situation and is appropriately endorsed in the subject he/she is teaching, that teacher may be selected as a Minimum Foundation Program teacher in the State Department of Education's process and, if the teacher is selected, the district shall be reimbursed under the Minimum Program for that teacher.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 12/1992)*

Rule 76.8 Teacher Unit Approval Under Section 504 (Repealed 9/2011)

Rule 76.9 Process and Performance Review (Repealed 4/15/2011)

Rule 76.10 West Tallahatchie Rental Housing. The construction of rental housing units for teachers in the West Tallahatchie School District is a pilot program that ~~is will be~~ administered by the Department of Education. The Department of Education ~~will~~ advertised for bids for the purpose of contracting with a public or private entity to assist in implementing and administering the program.

The West Tallahatchie School District ~~will~~ received proposals from developers, after having advertised for bids, for the construction of the rental housing units and ~~will~~ submitted a recommendation to the State Department of Education ~~as to which developer should construct the units~~. The Department of Education ~~will make selected~~ Mississippi Home Corporation as the ~~final determination about which~~ developer ~~to will~~ construct the units.

After selection of ~~Mississippi Home Corporation the developer~~, the Department of Education ~~will~~ loaned Mississippi Home Corporation ~~the developer not more than~~ \$200,000 for the construction of the units for a period of time not to exceed fifteen (15) years. The interest rate on the loan ~~is will be~~ equal to one percent (1%) below the discount rate established by the Federal Reserve Bank Mississippi Critical Shortage Fund. If a claim against ~~Mississippi Home Corporation the developer~~ for repayment is placed in the hands of an attorney for collection, ~~Mississippi Home Corporation the developer~~ will be liable for an additional amount equal to a reasonable attorney's fee.

Mississippi Home Corporation ~~The developer will~~ operates the rental housing units. For a period of ten (10) years or until such time that the loan is repaid by Mississippi Home Corporation ~~the developer~~, whichever is longer, the priority for residence in the housing units will first be given to teachers employed in the West Tallahatchie School District, then to other licensed school district employees, and then to any other school district employee.

Source: *Miss. Code Ann. § 37-1-3* (~~Adopted 6/1998~~ Revised 09/2022)

Rule 76

Clean Copy

Part 3 Chapter 76: Teachers

Rule 76.1 Awards. The Mississippi Teacher of the Year Program recognizes outstanding achievement and performance by our public school teachers. Each local school district has the opportunity to honor its teachers and nominate one for the state title. The 1995 Mississippi Teacher of the Year must be a certified classroom teacher (K-12) in a state-accredited public school who plans to teach next year. The teacher should have superior ability to inspire students, should possess leadership capabilities, and should be an active member of the community.

Official entry forms and instructions will be mailed to each district's central office. The local Teacher of the Year entry form, signed by the local superintendent, is returned to the Mississippi Department of Education for judging during the summer. Five finalists (one from each Congressional District) are chosen and a selection committee visits the classroom of each near the beginning of the school year. The teacher selected as the Mississippi Teacher of the Year will be the state's nominee for National Teacher of the Year.

Entries are limited to one per school district. These are judged on a biography, professional development activities, community involvement, philosophy of teaching, insight on education issues and trends, personal teaching style, comments on the teaching profession, letters of recommendation, and how one would handle the duties of National Teacher of the Year.

The Mississippi Teacher of the Year Program is sponsored by the Mississippi Department of Education, Southern Educators Life Insurance Company of Atlanta, Georgia, and Bryan Foods, Inc. of West Point, Mississippi. The national program is sponsored by the Council of Chief State School Officers and Encyclopedia Britannica.

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2. \$500 for the alternate and \$250 for regional finalists from Southern Educators;
3. \$500 for the state TOY and \$250 for the TOY's school from Bryan Food;
4. a set of encyclopedias from the Britannica Company (TOY only);
5. a dinner honoring all five teachers and their guests, hosted by Southern Educators;
6. TOY and alternate receive formal recognition at a State Board of Education meeting;
7. TOY and finalists included in the Milken Educator Award Pool.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 8/1994), Miss. Code Ann. §37-151-11*

Rule 76.2 Contracts (Repealed 1/21/2011)

Rule 76.3 Experience

Review Miss. Code Ann. §37-151-5 for details on this rule.

Source: *Miss. Code Ann. § 37-1-3 Miss. Code Ann. § 37-151-5 (Revised 9/2022)*

Rule 76.4 Housing. The Mississippi Employer-Assisted Housing Teacher Program is a special home loan program available to licensed teachers who render services in geographical areas of the state that are designated by the State Board of Education as having a critical shortage of teachers. The program is authorized by Miss. Code Ann. 37-159-11 and will be administered by the Department of Education. The Department of Education will advertise for the purpose of contracting with one or more public or private entities to assist with the implementation and administration of the program.

Eligible teachers shall include any state required licensed teacher of a local school district who serves in the role of teacher providing direct instruction to students, the equivalent of a minimum of three (3) normal periods per school day. The program is available to eligible teachers of any income level.

A maximum loan amount of \$6,000.00 will be available to eligible teachers to assist in paying closing costs associated with the purchase of a house located in the county in which the school district, or any portion of the school district, is located. The loan is not limited to first-time home buyers.

Closing costs will include:

1. Down payment (limited to 2% of the sales price)
2. Lender Loan Origination
3. Teacher Grant Program Administrator
4. Attorney
5. Title Insurance
6. Appraisal
7. Credit Report
8. Pest Inspection
9. Survey
10. Recording Fees
11. Private Mortgage Insurance Premium

The amount loaned to any teacher will be converted to an interest-free grant if the teacher completed three (3) years of employment in a critical shortage area. Any teacher who fails to render three (3) years of service in a geographical area of the state that is designated by the State Board of Education as having a critical shortage of teachers will be liable to the Department of Education for one-third (1/3) of the amount of the loan for each year that the teacher fails to render such service, plus interest accruing at the current Stafford Loan rate at the time the person discontinues service. If a claim for repayment is placed in the hands of an attorney for collection, the teacher will be liable for an additional amount equal to a reasonable attorney's fee.

Overview of Loan Process

1. The teacher shall contact the program administrator to confirm whether they are eligible for the program.

2. The teacher shall execute a contract for the purchase of a house in the county in which the school district, or any portion of the school district, is located.
3. The teacher shall make a loan application with any participating lender.
4. The lender shall approve the loan and submit a copy of the loan approval to the program administrator with the anticipated closing date.
5. Closing attorney shall send the program administrator a copy of HUD-1 Form forty-eight (48) hours prior to closing. The program administrator shall wire the funds for the loan and mail a promissory note to be executed by the teacher at closing.
6. After closing, the lender shall send the program administrator the signed promissory note.

MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM LOAN AGREEMENT

Date of Agreement: _____

Teacher: _____

School District: _____

Loan Amount upto \$6,000.00: _____

Beginning School Year: _____

This Agreement is made and entered into upon the above stated date by and between named Teacher ("Teacher") and the Mississippi State Department of Education ("Department"),

For purposes of this agreement "School District" or "District" shall mean any school district that has been designated by the State Board of Education as a geographical area where there exists a critical shortage of teachers.

WITNESSETH:

- a. **Purpose.** Teacher has applied to the Department for a loan for the purpose of purchasing a residence pursuant to the Mississippi Employer-Assisted Housing Teacher Program (Program). *See* Miss. Code Ann. § 37-159-11. The Department agrees to lend to Teacher the above stated Loan Amount pursuant to the terms of the Program, of which the Teacher is aware, and upon the terms and conditions herein stated.

- b. **Use of Loan Amount.** Teacher shall only use the Loan Amount for the purposes of acquiring a residence within the County in which the District or any part of the District is located.
- c. **Term of Agreement.** The term of this Agreement shall commence upon the Beginning School Year or the date of this Agreement above stated, whichever is later.
- d. **Grant for Service.** Commencing with the Beginning School Year above stated, Teacher shall receive a grant for each year of service rendered as a teacher in the District of one-third (1/3) of the total Loan Amount with no interest accrued upon such grant.
- e. **Service of Teacher.** Teacher agrees to render service as a teacher in the District for three (3) consecutive years commencing with the Beginning School Year and that the school year in which the Agreement is executed will be considered the Beginning School Year provided the Agreement is executed by December 1 of the school year, otherwise, the Beginning School Year will be the next school year. Teacher may choose to accept employment in another district that is located in whole or in part within the county in which the residence is located so long as that school district has been designated by the State Board of Education as a geographical area where a critical shortage of teachers exist. In the event of this occurrence Teacher shall still be considered compliant with this agreement and the years of service in each of the school districts served shall be added together in determining that three consecutive years have been served.
- f. **Residence of Teacher.** Teacher agrees to reside and occupy the residence acquired with the use of the Loan Amount during the term of this Agreement. Teacher may not lease or rent to any person the said residence or any part thereof during the term of this Agreement.
- g. **Tax Liability.** Teacher acknowledges that the grant or forgiveness for rendering service as a teacher to the District may result in taxable income to Teacher for federal and/or state income tax purposes, and further acknowledges that liability for any and all taxes due upon such taxable income will be the sole responsibility and liability of Teacher, that the Department will withhold no sums from the amounts forgiven and will pay no withholdings thereon to the appropriate taxing authority. Teacher further acknowledges that the Department may furnish to the Internal Revenue Service and/or to the Mississippi State Tax Commission, such information and upon such forms as are required to give notice to the said Internal Revenue Service and/or to the Mississippi State Tax Commission of the grant or forgiveness to Teacher.
- h. **Events of Default.** Default shall consist of the occurrence of any one or more of the following events: (1.) failure of Teacher to render service to the District for three consecutive school years commencing with the Beginning School Year above stated; (2.) failure of Teacher to continuously reside in the residence acquired with the use of the Loan Amount for three consecutive school years commencing with the Beginning School Year above stated; (3.) any breach of any condition of this Agreement by Teacher; or (4.) breach of any condition under the Program by the Teacher.
 - i. **Interest upon Default.** Upon the occurrence of any event specified in Section (h) of this Agreement, interest shall accrue upon the unforgiven and unpaid portion of the

Loan Amount as of the date of this Agreement and continuing until paid in full. The interest rate shall be the Stafford Loan rate in effect upon the occurrence of an Event of Default, as said rate is from time to time determined by the United States Department of Education.

- j. **Actions upon Default.** Upon the occurrence of any event specified in Section (h) of the Agreement, the unforgiven and unpaid portion of the Loan Amount together, with all interest accrued from the date of the Agreement, shall be due. The Department shall give written notice to Teacher of the sums due as of the date of default and the interest amount thereafter. Such notice shall be sent via certified mail, return receipt request to Teacher at the address of Teacher upon the records of the Department. Teacher shall have 30 days from the time he or she received written notice to pay the sums due the Department. The Department may consider a repayment plan with the Teacher.
- k. **Collection Costs.** If Teacher fails to pay the sum due the Department by the deadline or in accordance with the repayment plan, if applicable, the Department may employ an attorney(s) for the collection of sums due, and shall be liable for an additional amount equal to reasonable attorneys' fees and court costs.
- l. **Duties of the District.** By its execution hereof, the District agrees that this Agreement has been fully approved by order duly entered upon the minutes of its local school board, and that its President/Chair has been duly authorized to execute same. District further agrees to notify Department in writing within three business days of the occurrence of any of the following: (1.) Teacher ceases to render service to the District as a teacher at any time during the term hereof; (2.) Teacher ceases to reside in and occupy the actual residence purchased with the use of the Loan Amount.
- m. **Acts of God.** Teacher's performance of any duty herein required to be performed shall not be excused by the occurrence of war, tornado, fire, earthquake, flood, or death or disability of Teacher, regardless of cause, or any other act of God, or by Teacher's termination by the District.
- n. **Administration.** Department may contract with one or more public or private entities that it is permitted to contract with under the Program, to perform all or some of its duties under the Program.
- o. **Applicable Laws and Rules and Regulations.** This Agreement is subject to and shall be governed by and construed in accordance with the laws of the State of Mississippi in such cases made and provided and by the rules and regulations adopted by the State Board of Education pursuant to the Program. In the event of a conflict between the terms of this Agreement and the laws of the State of Mississippi, the laws shall control; in the event of a conflict between the terms of this Agreement and the rules and regulations adopted by the State Board of Education pursuant to the Program, the rules and regulations shall control.
- p. **Advancement of Loan Amount.** It is agreed that the Loan Amount shall not be advanced until the closing of the purchase of a residence aforesaid by Teacher. It is further agreed that the above stated Loan Amount may be decreased due to lesser cash requirements at closing, and that if the Loan Amount is so decreased, this Agreement shall be deemed amended to reflect the amount actually advanced, and in all other respects shall remain in full force and effect. It is further agreed that the Loan Amount shall not be increased after execution hereof unless this Agreement is amended in writing and executed, by all parties hereto.

WITNESS the signatures of Teacher, of the duly authorized officer of the Department and of the President of the Board of Trustees of District as of the date first above mentioned.

TEACHER

_____ Teacher

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 20____.

_____ NOTARY PUBLIC

My Commission Expires: _____

DISTRICT

_____ School District

By: _____

Title: _____

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 20____.

_____ NOTARY PUBLIC

My Commission Expires: _____

DEPARTMENT

Mississippi Department of Education

By: _____

Title: _____

Date: _____

SWORN TO AND SUBSCRIBED before me, this the _____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: _____

Source: *Miss. Code Ann. §§ 37-1-3; 37-159-11 (Revised 09/2022)*

Rule 76.5 Moving Expense. In accordance with Mississippi Code Section 37-159-5, the Department of Education will reimburse the moving expenses for teachers who enter into a contract with a school district within a geographical area of the state that is designated by the Mississippi Board of Education as having a critical shortage of teachers. The moving expenses will only be reimbursed if the employing school district is greater than or equal to a thirty mile radius and must be within the boundaries of the State of Mississippi. It is not required that the actual residence to which the teacher relocates be within the boundaries of the school district which has executed a contract for employment. To be eligible for the reimbursement, the teacher must apply to the school district and the school district must obtain prior approval for reimbursement from the Department of Education before the relocation occurs. The school superintendent must request prior approval by completing and submitting the form Request of Prior Approval from the Department of Education. The Department of Education will timely notify the school superintendent of its action on the request. Upon approval, the Department of Education will provide funds to the school district to reimburse the teacher an amount not to exceed \$1,000 for documented actual expenses incurred for relocation. The school superintendent should request reimbursement by completing and submitting the form Reimbursement for Moving Expenses. Upon receipt of the funds, the school superintendent should reimburse the teacher accordingly.

Eligible moving expenses consist of:

1. Professional moving companies (documented by actual invoice which indicates a zero balance or paid in full.)
2. Persons employed to assist with the move (documented by original receipts or canceled checks (front & back) or notarized statement signed by both the person employed to assist with the move and the individual moving.)
3. Rented moving vehicles or equipment (documented by actual invoice which indicates a zero balance or paid in full.)
4. Mileage in the amount authorized for state employees under Section 25-3-41, Mississippi Code of 1972 (Ann.), if the teacher uses his/her personal vehicle or vehicles for the move, limited to the shortest distance - one trip - one way only
5. Hotel expense incurred during the move not to exceed \$75.00, limited to one night. (documented by actual invoice which indicates a zero balance or paid in full.)
6. Meal expense incurred during the move not to exceed \$30.00 per day, limited to two days. (documented by actual meal receipts.)

No teacher may be reimbursed for moving expenses on more than one (1) occasion. Two or more teachers who have the same initial address and are moving to the same anticipated address are considered one household, and therefore only one teacher may claim moving expense reimbursement, not to exceed the \$1,000 maximum allowable reimbursement.

REIMBURSEMENT FOR MOVING EXPENSES

School District _____ District No. _____

Teacher:

Name _____

Address _____

City, State, Zip _____

Social Security Number _____

Moving Expense

Amount _____

Documentation Attached
Professional Moving Company

Documentation Attached
Employed Persons Assisting with Move

Documentation Attached
Rented Vehicles and Equipment

Documentation Attached
Meals (not to exceed \$30 per day - limited to two days)

Documentation Attached
Mileage - based on amount authorized for state employees (MS Code Section 25-3-41. (limited to one trip - one way - shortest distance - one personal vehicle.

Note: Attached documentation must include points of travel. Total (Not to exceed \$1,000)

Note: Documentation of moving expenses must accompany this form.

Upon receipt of the reimbursement from the Department of Education, the School District will forward said reimbursement to the teacher identified above.

NOTE: No teacher may be reimbursed for moving expenses on more than one (1) occasion.

_____, Superintendent

(Print)

Date

Submit request to:

Office of School Financial Services
Mississippi Department of Education
P. O. Box 771
Jackson MS 39205-0771

REQUEST OF PRIOR APPROVAL
FROM THE DEPARTMENT OF EDUCATION FOR REIMBURSEMENT OF TEACHER
MOVING EXPENSES

School District _____ District No. _____

Teacher Name _____

Social Security Number _____

Teacher's Current Address _____

Teacher's Anticipated Address _____

Note: A copy of the executed teacher's contract must accompany this request.
No teacher may be reimbursed for moving expenses on more than one (1) occasion.

The school district requests that the Department of Education approve the reimbursement of moving expenses not to exceed \$1,000 for the teacher indicated above.

_____, Superintendent

(Print)

Date

Submit request to:
Office of School Financial Services
Mississippi Department of Education
P. O. Box 771
Jackson MS 39205-0771

Source: *Miss. Code Ann. § 37-1-3 Miss. Code Ann. §37-159-5 (Revised 09/2022)*

Rule 76.6 University Assisted Teacher Recruitment and Retention Grant Program. The goal of the University Assisted Teacher Recruitment and Retention Grant Program, as mandated in House Bill 609 (1998 Legislative Session), shall be to attract qualified teachers to those geographical areas of the state where there exists a critical shortage of teachers 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.

The Mississippi Department of Education is authorized and directed to implement the requirements of House Bill 609, including, but not limited to, the promulgation of rules and regulations necessary for the proper administration of the University Assisted Teacher Recruitment and Retention Grant Program.

1. Rules and Regulations for Administration of the University Assisted Teacher Recruitment and Retention Grant Program

A single university or college shall be selected by the RFP process and shall be responsible for the administration of the University Assisted Teacher Recruitment and Retention Grant Program. That selected university or college shall be responsible for the implementation of program guidelines and the delivery of services under the grant. The selected university or college shall report directly to the Mississippi Teacher Center to ensure the program meets the overall goal of recruitment and retention of teachers for geographic areas of the state where teacher shortages exist as designated by the State Board of Education. The selected university or college shall comply with rules and regulations as stated below.

2. Institution Requirements for the Selected University or College Are As Follows:

- a. Offer a state approved Master of Education degree and/or Educational Specialist degree.
- b. Comply with HB 609, Section 13 and other appropriate subsections, for program operation.
- c. Have available resources to coordinate recruitment of teachers for critical needs areas as designated by the State Board of Education.
- d. Have available resources to provide professional development and support services necessary for the retention of teachers participating in the program.
- e. Have sufficient staff and a written plan of action for implementing the program.
- f. Develop a plan for ensuring the completion of all requirements for teacher participants to obtain a standard Mississippi teacher's license.
- g. Develop a plan for collaboration with other institutions of higher learning within the state.
- h. Give priority to applicants for the program who are relocating from in-state or out-of-state to teach in a critical shortage area.
- i. Establish accountability or performance measures to measure both student and program success.
- j. Comply with appropriate state and federal laws relating to nondiscriminatory practices in the operation of the program.

3. Teacher Participant Requirements Are As Follows:

- a. Hold a Mississippi teacher's license.
- b. Be employed by a school district located in an area of Mississippi where there exists a critical shortage of teachers as designated by the State Board of Education.
- c. Be enrolled in a state approved Master of Education or Educational Specialist program in the state of Mississippi
- d. Comply with all eligibility requirements as outlined in the Application for the University Assisted Teacher Recruitment and Retention Grant Program.

Source: *Miss. Code Ann. § 37-1-3 (Revised 11/2000)*

Rule 76.7 Selection (under MAEP 4903. When a certified secondary teacher is assigned to teach in a 5th or 6th grade departmentalized situation and is appropriately endorsed in the subject he/she is teaching, that teacher may be selected as a Minimum Foundation Program teacher in the State Department of Education's process and, if the teacher is selected, the district shall be reimbursed under the Minimum Program for that teacher.

Source: *Miss. Code Ann. § 37-1-3 (Adopted 12/1992)*

Rule 76.8 Teacher Unit Approval Under Section 504 (Repealed 9/2011)

Rule 76.9 Process and Performance Review (Repealed 4/15/2011)

Rule 76.10 West Tallahatchie Rental Housing. The construction of rental housing units for teachers in the West Tallahatchie School District is a pilot program that is administered by the Department of Education. The Department of Education advertised for bids for the purpose of contracting with a public or private entity to assist in implementing and administering the program.

The West Tallahatchie School District received proposals from developers, after having advertised for bids, for the construction of the rental housing units and submitted a recommendation to the State Department of Education. The Department of Education selected Mississippi Home Corporation as the developer to construct the units.

After selection of Mississippi Home Corporation, the Department of Education loaned Mississippi Home Corporation \$200,000 for the construction of the units for a period of time not to exceed fifteen (15) years. The interest rate on the loan is equal to one percent (1%) below the discount rate established by the Federal Reserve Bank Mississippi Critical Shortage Fund. If a claim against Mississippi Home Corporation for repayment is placed in the hands of an attorney for collection, Mississippi Home Corporation will be liable for an additional amount equal to a reasonable attorney's fee.

Mississippi Home Corporation operates the rental housing units. For a period of ten (10) years or until such time that the loan is repaid by Mississippi Home Corporation, whichever is longer, the priority for residence in the housing units will first be given to teachers employed in the West Tallahatchie School District, then to other licensed school district employees, and then to any other school district employee.

Source: *Miss. Code Ann. § 37-1-3 (Revised 09/2022)*