

By: Representatives McCoy, Frierson, Scott (17th), Manning, Franks, Morris, Coleman (65th), Rogers, McBride, Barnett (92nd), Moss, Smith (35th), Vince, McInnis, Chaney, Holden, Cummings, King, Livingston, Eaton, Davis, Weathersby, Warren, Stringer, Miles, Read, Peranich

To: Education; Appropriations

HOUSE BILL NO. 471 (As Passed the House)

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARIES OF PUBLIC SCHOOL TEACHERS; TO AMEND SECTION
3 37-19-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM
4 PROGRAM ALLOTMENT FOR SUPPORTIVE SERVICES; TO AMEND SECTION
5 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF
6 ASSISTANT TEACHERS; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-19-7, Mississippi Code of 1972, is
9 amended as follows:

10 37-19-7. (1) The allowance in the minimum education program
11 for teachers' salaries in each county and separate school district
12 shall be determined and paid in accordance with the scale for
13 teachers' salaries as provided in this subsection for the number
14 of teachers employed not in excess of the number of teacher units
15 allotted. For teachers holding the following types of licenses or
16 the equivalent as determined by the State Board of Education, and
17 the following number of years of teaching experience, the scale
18 shall be as follows:

19 1999-2000 School Year

20 and School Years Thereafter

21 Less Than 25 Years of Teaching Experience

Table with 2 columns: License type and Salary. Rows include AAAA (\$25,480.00), AAA (24,630.00), AA (23,780.00), and A (22,730.00).

26 25 or More Years of Teaching Experience

Table with 2 columns: License type and Salary. Rows include AAAA (\$26,480.00), AAA (25,630.00), and AA (24,780.00).

30 A..... 23,730.00

31 It is the intent of the Legislature that any state funds made
32 available for salaries of licensed personnel in excess of the
33 funds paid for such salaries for the 1986-1987 school year shall
34 be paid to licensed personnel pursuant to a personnel appraisal
35 and compensation system implemented by the State Board of
36 Education. The State Board of Education shall have the authority
37 to adopt and amend rules and regulations as are necessary to
38 establish, administer and maintain the system.

39 All teachers employed on a full-time basis shall be paid a
40 minimum salary in accordance with the above scale. However, no
41 school district shall receive any funds under this section for any
42 school year during which the local supplement paid to any
43 individual teacher shall have been reduced to a sum less than that
44 paid to that individual teacher for performing the same duties
45 from local supplement during the immediately preceding school
46 year. The amount actually spent for the purposes of group health
47 and/or life insurance shall be considered as a part of the
48 aggregate amount of local supplement but shall not be considered
49 a part of the amount of individual local supplement.

50 For teachers holding a Class AAAA license, the minimum base
51 pay specified in this subsection shall be increased by the sum of
52 Six Hundred Fifty-five Dollars (\$655.00) for each year of teaching
53 experience possessed by the person holding such license until such
54 person shall have twenty-five (25) years of teaching experience.

55 For teachers holding a Class AAA license, the minimum base
56 pay specified in this subsection shall be increased by the sum of
57 Five Hundred Ninety Dollars (\$590.00) for each year of teaching
58 experience possessed by the person holding such license until such
59 person shall have twenty-five (25) years of teaching experience.

60 For teachers holding a Class AA license, the minimum base pay
61 specified in this subsection shall be increased by the sum of Five
62 Hundred Twenty Dollars (\$520.00) for each year of teaching
63 experience possessed by the person holding such license until such

64 person shall have twenty-five (25) years of teaching experience.

65 For teachers holding a Class A license, the minimum base pay
66 specified in this subsection shall be increased by the sum of Four
67 Hundred Twenty-five Dollars (\$425.00) for each year of teaching
68 experience possessed by the person holding such license until such
69 person shall have twenty-one (21) years of teaching experience.

70 The level of professional training of each teacher to be used
71 in establishing the salary allotment for the teachers for each
72 year shall be determined by the type of valid teacher's license
73 issued to those teachers on or before October 1 of the current
74 school year.

75 (2) Prior to April 15 of any school year in which a teacher
76 meets the standard requirements, any licensed teacher who shall
77 have met the requirements and acquired a Master Teacher
78 certificate from the National Board for Professional Teaching
79 Standards and who is employed by a local school board or the State
80 Board of Education as a teacher and not as an administrator shall
81 receive a salary supplement in the amount of Six Thousand Dollars
82 (\$6,000.00) in addition to any other compensation to which the
83 teacher may be entitled. The teacher shall be reimbursed one (1)
84 time for the actual cost of completing the process of acquiring
85 the Master Teacher certificate, regardless of whether or not the
86 process resulted in the award of the Master Teacher certificate.
87 All such salary supplements and process reimbursement shall be
88 paid directly by the State Department of Education to the local
89 school district and shall be in addition to its minimum education
90 program allotments and not a part thereof in accordance with
91 regulations promulgated by the State Board of Education, and
92 subject to appropriation by the Legislature. Local school
93 districts shall not reduce the local supplement paid to any
94 teacher receiving such salary supplement, and the teacher shall
95 receive any local supplement to which teachers with similar
96 training and experience are otherwise entitled.

97 SECTION 2. Section 37-19-21, Mississippi Code of 1972, is

98 amended as follows:

99 37-19-21. In addition to other funds allowed in this
100 chapter, each school district shall be allotted Four Thousand
101 Eight Hundred Seventy-seven (\$4,877.00) annually per teacher unit
102 for use in supportive services.

103 SECTION 3. Section 37-21-7, Mississippi Code of 1972, is
104 amended as follows:

105 **[From and after July 1, 1999, and until July 1, 2002, Section**
106 **37-21-7 will read as follows:]**

107 37-21-7. (1) This section shall be referred to as the
108 "Mississippi Elementary Schools Assistant Teacher Program," the
109 purpose of which shall be to provide an early childhood education
110 program that assists in the instruction of basic skills. The
111 State Board of Education is authorized, empowered and directed to
112 implement a statewide system of assistant teachers in kindergarten
113 classes and in the first, second and third grades. The assistant
114 teacher shall assist pupils in actual instruction under the strict
115 supervision of a licensed teacher.

116 (2) (a) Each school district shall employ the total number
117 of assistant teachers funded under subsection (6) of this
118 section. The superintendent of each district shall assign the
119 assistant teachers to the kindergarten, first-, second- and
120 third-grade classes in the district in a manner that will promote
121 the maximum efficiency, as determined by the superintendent, in
122 the instruction of skills such as verbal and linguistic skills,
123 logical and mathematical skills, and social skills.

124 (b) If a licensed teacher to whom an assistant teacher
125 has been assigned is required to be absent from the classroom, the
126 assistant teacher may assume responsibility for the classroom in
127 lieu of a substitute teacher. However, no assistant teacher shall
128 assume sole responsibility of the classroom for more than three

129 (3) consecutive school days. Further, in no event shall any
130 assistant teacher be assigned to serve as a substitute teacher for
131 any teacher other than the licensed teacher to whom that assistant

132 teacher has been assigned.

133 (3) Assistant teachers shall have, at a minimum, a high
134 school diploma and shall show demonstratable proficiency in
135 reading and writing skills. The State Department of Education
136 shall develop a testing procedure for assistant teacher applicants
137 to be used in all school districts in the state.

138 (4) (a) In order to receive funding, each school district
139 shall:

140 (i) Submit a plan on the implementation of a
141 reading improvement program to the State Department of Education;
142 and

143 (ii) Develop a plan of educational accountability
144 and assessment of performance, including pretests and posttests,
145 for reading in Grades 1 through 6.

146 (b) Additionally, each school district shall:

147 (i) Provide annually a mandatory preservice
148 orientation session, using an existing in-school service day, for
149 administrators and teachers on the effective use of assistant
150 teachers as part of a team in the classroom setting and on the
151 role of assistant teachers, with emphasis on program goals;

152 (ii) Hold periodic workshops for administrators
153 and teachers on the effective use and supervision of assistant
154 teachers;

155 (iii) Provide training annually on specific
156 instructional skills for assistant teachers;

157 (iv) Annually evaluate their program in accordance
158 with their educational accountability and assessment of
159 performance plan; and

160 (v) Designate the necessary personnel to supervise
161 and report on their program.

162 (5) The State Department of Education shall:

163 (a) Develop and assist in the implementation of a
164 statewide uniform training module, subject to the availability of
165 funds specifically appropriated therefor by the Legislature, which

166 shall be used in all school districts for training administrators,
167 teachers and assistant teachers. The module shall provide for the
168 consolidated training of each assistant teacher and teacher to
169 whom the assistant teacher is assigned, working together as a
170 team, and shall require further periodical training for
171 administrators, teachers and assistant teachers regarding the role
172 of assistant teachers;

173 (b) Annually evaluate the program on the district and
174 state level. Subject to the availability of funds specifically
175 appropriated therefor by the Legislature, the department shall
176 develop: (i) uniform evaluation reports, to be performed by the
177 principal or assistant principal, to collect data for the annual
178 overall program evaluation conducted by the department; or (ii) a
179 program evaluation model that, at a minimum, addresses process
180 evaluation; and

181 (c) Promulgate rules, regulations and such other
182 standards deemed necessary to effectuate the purposes of this
183 section. Noncompliance with the provisions of this section and
184 any rules, regulations or standards adopted by the department may
185 result in a violation of compulsory accreditation standards as
186 established by the State Board of Education and Commission on
187 School Accreditation.

188 (6) In addition to other funds allotted under the Minimum
189 Education Program, each school district shall be allotted Nine
190 Thousand Seventy Dollars (\$9,070.00) per teacher unit as
191 prescribed in Section 37-19-5 for Grades 1, 2 and 3 for the
192 purpose of employing an assistant teacher. Assistant teachers
193 shall be paid a minimum annual salary of Nine Thousand Seventy
194 Dollars (\$9,070.00). However, no assistant teacher shall be paid
195 less than the amount he or she received in the prior school year.

196 In the 1995-1996 school year and school years thereafter, no
197 school district shall receive any funds under this section for any
198 school year during which the aggregate amount of the local
199 contribution to the salaries of assistant teachers by the district

200 shall have been reduced below such amount for the previous year.
201 The assistant teachers shall not be restricted to working only in
202 the grades for which the funds were allotted, but may be assigned
203 to other classes as provided in subsection (2)(a) of this section.

204 (7) (a) As an alternative to employing assistant teachers,
205 the State Board of Education may authorize any school district
206 meeting Level 3, 4 or 5 accreditation requirements to use the
207 minimum program allotment provided under subsection (6) of this
208 section for the purpose of employing licensed teachers for
209 kindergarten, first-, second- and third-grade classes; however, no
210 school district shall be authorized to use the minimum program
211 allotment for assistant teachers for the purpose of employing
212 licensed teachers unless the district has established that the
213 employment of licensed teachers using such funds will reduce the
214 teacher:student ratio in the kindergarten, first-, second- and
215 third-grade classes. All minimum program funds for assistant
216 teachers shall be applied to reducing teacher:student ratio in
217 Grades K-3.

218 It is the intent of the Legislature that no school district
219 shall dismiss any assistant teacher for the purpose of using the
220 minimum program assistant teacher allotment to employ licensed
221 teachers. School districts may rely only upon normal attrition to
222 reduce the number of assistant teachers employed in that district.

223 (b) In the event any school district meets Level 4 or 5
224 accreditation requirements, the State Board of Education, in its
225 discretion, may exempt such school district from any accreditation
226 requirements for the district's early childhood education program
227 or reading improvement program.

228 **[From and after July 1, 2002, this section reads as follows:]**

229 37-21-7. (1) This section shall be referred to as the
230 "Mississippi Elementary Schools Assistant Teacher Program," the
231 purpose of which shall be to provide an early childhood education
232 program that assists in the instruction of basic skills. The
233 State Board of Education is authorized, empowered and directed to

234 implement a statewide system of assistant teachers in kindergarten
235 classes and in the first, second and third grades. The assistant
236 teacher shall assist pupils in actual instruction under the strict
237 supervision of a certified teacher.

238 (2) (a) Each school district shall employ the total number
239 of assistant teachers funded under subsection (6) of this section.

240 The superintendent of each district shall assign the assistant
241 teachers to the kindergarten, first-, second- and third-grade
242 classes in the district in a manner that will promote the maximum
243 efficiency, as determined by the superintendent, in the
244 instruction of skills such as verbal and linguistic skills,
245 logical and mathematical skills, and social skills.

246 (b) If a certified teacher to whom an assistant teacher
247 has been assigned is required to be absent from the classroom, the
248 assistant teacher may assume responsibility for the classroom in
249 lieu of a substitute teacher. However, no assistant teacher shall
250 assume sole responsibility of the classroom for more than three

251 (3) consecutive school days. Further, in no event shall any
252 assistant teacher be assigned to serve as a substitute teacher for
253 any teacher other than the certified teacher to whom that
254 assistant teacher has been assigned.

255 (3) Assistant teachers shall have, at a minimum, a high
256 school diploma or a GED equivalent, and shall show demonstratable
257 proficiency in reading and writing skills. The State Department
258 of Education shall develop a testing procedure for assistant
259 teacher applicants to be used in all school districts in the
260 state.

261 (4) (a) In order to receive funding, each school district
262 shall:

263 (i) Submit a plan on the implementation of a
264 reading improvement program to the State Department of Education;
265 and

266 (ii) Develop a plan of educational accountability
267 and assessment of performance, including pretests and posttests,

268 for reading in Grades 1 through 6.

269 (b) Additionally, each school district shall:

270 (i) Provide annually a mandatory preservice
271 orientation session, using an existing in-school service day, for
272 administrators and teachers on the effective use of assistant
273 teachers as part of a team in the classroom setting and on the
274 role of assistant teachers, with emphasis on program goals;

275 (ii) Hold periodic workshops for administrators
276 and teachers on the effective use and supervision of assistant
277 teachers;

278 (iii) Provide training annually on specific
279 instructional skills for assistant teachers;

280 (iv) Annually evaluate their program in accordance
281 with their educational accountability and assessment of
282 performance plan; and

283 (v) Designate the necessary personnel to supervise
284 and report on their program.

285 (5) The State Department of Education shall:

286 (a) Develop and assist in the implementation of a
287 statewide uniform training module, subject to the availability of
288 funds specifically appropriated therefor by the Legislature, which
289 shall be used in all school districts for training administrators,
290 teachers and assistant teachers. The module shall provide for the
291 consolidated training of each assistant teacher and teacher to
292 whom the assistant teacher is assigned, working together as a
293 team, and shall require further periodical training for
294 administrators, teachers and assistant teachers regarding the role
295 of assistant teachers;

296 (b) Annually evaluate the program on the district and
297 state level. Subject to the availability of funds specifically
298 appropriated therefor by the Legislature, the department shall
299 develop: (i) uniform evaluation reports, to be performed by the
300 principal or assistant principal, to collect data for the annual
301 overall program evaluation conducted by the department; or (ii) a

302 program evaluation model that, at a minimum, addresses process
303 evaluation; and

304 (c) Promulgate rules, regulations and such other
305 standards deemed necessary to effectuate the purposes of this
306 section. Noncompliance with the provisions of this section and
307 any rules, regulations or standards adopted by the department may
308 result in a violation of compulsory accreditation standards as
309 established by the State Board of Education and Commission on
310 School Accreditation.

311 (6) No assistant teacher shall be paid less than the amount
312 he or she received in the prior school year. In the 1995-1996
313 school year and school years thereafter, no school district shall
314 receive any funds under this section for any school year during
315 which the aggregate amount of the local contribution to the
316 salaries of assistant teachers by the district shall have been
317 reduced below such amount for the previous year. The assistant
318 teachers shall not be restricted to working only in the grades for
319 which the funds were allotted, but may be assigned to other
320 classes as provided in subsection (2)(a) of this section.

321 (7) (a) As an alternative to employing assistant teachers,
322 the State Board of Education may authorize any school district
323 meeting Level 3, 4 or 5 accreditation requirements to use the
324 adequate education program allotments for the purpose of employing
325 certified teachers for kindergarten, first-, second- and
326 third-grade classes; however, no school district shall be
327 authorized to use the funds for assistant teachers for the purpose
328 of employing certified teachers unless the district has
329 established that the employment of certified teachers using such
330 funds will reduce the teacher:student ratio in the kindergarten,
331 first-, second- and third-grade classes. All adequate education
332 program funds for assistant teachers shall be applied to reducing
333 teacher:student ratio in Grades K-3.

334 It is the intent of the Legislature that no school district
335 shall dismiss any assistant teacher for the purpose of using state

336 funds to employ certified teachers. School districts may rely
337 only upon normal attrition to reduce the number of assistant
338 teachers employed in that district.

339 (b) In the event any school district meets Level 4 or 5
340 accreditation requirements, the State Board of Education, in its
341 discretion, may exempt such school district from any accreditation
342 requirements for the district's early childhood education program
343 or reading improvement program.

344 SECTION 4. This act shall take effect and be in force from
345 and after July 1, 1999.