

By: Representative Scott (17th)

To: Education;
Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 999

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE ANY SCHOOL DISTRICT, REGARDLESS OF ACCREDITATION LEVEL,
3 TO USE MINIMUM PROGRAM ASSISTANT TEACHER FUNDS TO EMPLOY
4 ADDITIONAL LICENSED TEACHERS IN GRADES K-3 AND TO INCREASE THE
5 SALARIES OF ASSISTANT TEACHERS; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 37-21-7, Mississippi Code of 1972, is
8 amended as follows:

9 [From and after July 1, 1999, and until July 1, 2002, Section
10 37-21-7 will read as follows:]

11 37-21-7. (1) This section shall be referred to as the
12 "Mississippi Elementary Schools Assistant Teacher Program," the
13 purpose of which shall be to provide an early childhood education
14 program that assists in the instruction of basic skills. The
15 State Board of Education is authorized, empowered and directed to
16 implement a statewide system of assistant teachers in kindergarten
17 classes and in the first, second and third grades. The assistant
18 teacher shall assist pupils in actual instruction under the strict
19 supervision of a licensed teacher.

20 (2) (a) Each school district shall employ the total number
21 of assistant teachers funded under subsection (6) of this
22 section. The superintendent of each district shall assign the
23 assistant teachers to the kindergarten, first-, second- and
24 third-grade classes in the district in a manner that will promote
25 the maximum efficiency, as determined by the superintendent, in
26 the instruction of skills such as verbal and linguistic skills,
27 logical and mathematical skills, and social skills.

28 (b) If a licensed teacher to whom an assistant teacher

29 has been assigned is required to be absent from the classroom, the
30 assistant teacher may assume responsibility for the classroom in
31 lieu of a substitute teacher. However, no assistant teacher shall
32 assume sole responsibility of the classroom for more than three
33 (3) consecutive school days. Further, in no event shall any
34 assistant teacher be assigned to serve as a substitute teacher for
35 any teacher other than the licensed teacher to whom that assistant
36 teacher has been assigned.

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

42 (4) (a) In order to receive funding, each school district
43 shall:

44 (i) Submit a plan on the implementation of a
45 reading improvement program to the State Department of Education;
46 and

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

50 (b) Additionally, each school district shall:

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

56 (ii) Hold periodic workshops for administrators
57 and teachers on the effective use and supervision of assistant
58 teachers;

59 (iii) Provide training annually on specific
60 instructional skills for assistant teachers;

61 (iv) Annually evaluate their program in accordance
62 with their educational accountability and assessment of

63 performance plan; and

64 (v) Designate the necessary personnel to supervise
65 and report on their program.

66 (5) The State Department of Education shall:

67 (a) Develop and assist in the implementation of a
68 statewide uniform training module, subject to the availability of
69 funds specifically appropriated therefor by the Legislature, which
70 shall be used in all school districts for training administrators,
71 teachers and assistant teachers. The module shall provide for the
72 consolidated training of each assistant teacher and teacher to
73 whom the assistant teacher is assigned, working together as a
74 team, and shall require further periodical training for
75 administrators, teachers and assistant teachers regarding the role
76 of assistant teachers;

77 (b) Annually evaluate the program on the district and
78 state level. Subject to the availability of funds specifically
79 appropriated therefor by the Legislature, the department shall
80 develop: (i) uniform evaluation reports, to be performed by the
81 principal or assistant principal, to collect data for the annual
82 overall program evaluation conducted by the department; or (ii) a
83 program evaluation model that, at a minimum, addresses process
84 evaluation; and

85 (c) Promulgate rules, regulations and such other
86 standards deemed necessary to effectuate the purposes of this
87 section. Noncompliance with the provisions of this section and
88 any rules, regulations or standards adopted by the department may
89 result in a violation of compulsory accreditation standards as
90 established by the State Board of Education and Commission on
91 School Accreditation.

92 (6) In addition to other funds allotted under the Minimum
93 Education Program, each school district shall be allotted Nine
94 Thousand Seventy Dollars (\$9,070.00) per teacher unit as
95 prescribed in Section 37-19-5 for Grades 1, 2 and 3 for the
96 purpose of employing an assistant teacher. Assistant teachers

97 shall be paid a minimum annual salary of Nine Thousand Seventy
98 Dollars (\$9,070.00). However, no assistant teacher shall be paid
99 less than the amount he or she received in the prior school year.

100 In the 1995-1996 school year and school years thereafter, no
101 school district shall receive any funds under this section for any
102 school year during which the aggregate amount of the local
103 contribution to the salaries of assistant teachers by the district
104 shall have been reduced below such amount for the previous year.
105 The assistant teachers shall not be restricted to working only in
106 the grades for which the funds were allotted, but may be assigned
107 to other classes as provided in subsection (2)(a) of this section.

108 (7) (a) As an alternative to employing assistant
109 teachers, * * * any school district * * * may use the minimum
110 program allotment provided under subsection (6) of this section
111 for the purpose of employing licensed teachers for kindergarten,
112 first-, second- and third-grade classes; however, no school
113 district shall be authorized to use the minimum program allotment
114 for assistant teachers for the purpose of employing licensed
115 teachers unless the district has established that the employment
116 of licensed teachers using such funds will reduce the
117 teacher:student ratio in the kindergarten, first-, second- and
118 third-grade classes. All minimum program funds for assistant
119 teachers shall be applied to reducing teacher:student ratio in
120 Grades K-3.

121 It is the intent of the Legislature that no school district
122 shall dismiss any assistant teacher for the purpose of using the
123 minimum program assistant teacher allotment to employ licensed
124 teachers. School districts may rely only upon normal attrition to
125 reduce the number of assistant teachers employed in that district.

126 (b) In the event any school district meets Level 4 or 5
127 accreditation requirements, the State Board of Education, in its
128 discretion, may exempt such school district from any accreditation
129 requirements for the district's early childhood education program
130 or reading improvement program.

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

132 37-21-7. (1) This section shall be referred to as the
133 "Mississippi Elementary Schools Assistant Teacher Program," the
134 purpose of which shall be to provide an early childhood education
135 program that assists in the instruction of basic skills. The
136 State Board of Education is authorized, empowered and directed to
137 implement a statewide system of assistant teachers in kindergarten
138 classes and in the first, second and third grades. The assistant
139 teacher shall assist pupils in actual instruction under the strict
140 supervision of a licensed teacher.

141 (2) (a) Each school district shall employ the total number
142 of assistant teachers funded under subsection (6) of this
143 section. The superintendent of each district shall assign the
144 assistant teachers to the kindergarten, first-, second- and
145 third-grade classes in the district in a manner that will promote
146 the maximum efficiency, as determined by the superintendent, in
147 the instruction of skills such as verbal and linguistic skills,
148 logical and mathematical skills, and social skills.

149 (b) If a licensed teacher to whom an assistant teacher
150 has been assigned is required to be absent from the classroom, the
151 assistant teacher may assume responsibility for the classroom in
152 lieu of a substitute teacher. However, no assistant teacher shall
153 assume sole responsibility of the classroom for more than three

154 (3) consecutive school days. Further, in no event shall any
155 assistant teacher be assigned to serve as a substitute teacher for
156 any teacher other than the licensed teacher to whom that assistant
157 teacher has been assigned.

158 (3) Assistant teachers shall have, at a minimum, a high
159 school diploma or a GED equivalent, and shall show demonstratable
160 proficiency in reading and writing skills. The State Department
161 of Education shall develop a testing procedure for assistant
162 teacher applicants to be used in all school districts in the
163 state.

164 (4) (a) In order to receive funding, each school district

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177 role of assistant teachers, with emphasis on program goals;

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179 and teachers on the effective use and supervision of assistant
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182 instructional skills for assistant teachers;

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184 with their educational accountability and assessment of
185 performance plan; and

186 (v) Designate the necessary personnel to supervise
187 and report on their program.

188 (5) The State Department of Education shall:

189 (a) Develop and assist in the implementation of a
190 statewide uniform training module, subject to the availability of
191 funds specifically appropriated therefor by the Legislature, which
192 shall be used in all school districts for training administrators,
193 teachers and assistant teachers. The module shall provide for the
194 consolidated training of each assistant teacher and teacher to
195 whom the assistant teacher is assigned, working together as a
196 team, and shall require further periodical training for
197 administrators, teachers and assistant teachers regarding the role
198 of assistant teachers;

199 (b) Annually evaluate the program on the district and
200 state level. Subject to the availability of funds specifically
201 appropriated therefor by the Legislature, the department shall
202 develop: (i) uniform evaluation reports, to be performed by the
203 principal or assistant principal, to collect data for the annual
204 overall program evaluation conducted by the department; or (ii) a
205 program evaluation model that, at a minimum, addresses process
206 evaluation; and

207 (c) Promulgate rules, regulations and such other
208 standards deemed necessary to effectuate the purposes of this
209 section. Noncompliance with the provisions of this section and
210 any rules, regulations or standards adopted by the department may
211 result in a violation of compulsory accreditation standards as
212 established by the State Board of Education and Commission on
213 School Accreditation.

214 (6) No assistant teacher shall be paid less than the amount
215 he or she received in the prior school year. In the 1995-1996
216 school year and school years thereafter, no school district shall
217 receive any funds under this section for any school year during
218 which the aggregate amount of the local contribution to the
219 salaries of assistant teachers by the district shall have been
220 reduced below such amount for the previous year. The assistant
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223 classes as provided in subsection (2)(a) of this section.

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226 education program allotment for the purpose of employing licensed
227 teachers for kindergarten, first-, second- and third-grade
228 classes; however, no school district shall be authorized to use
229 the funds for assistant teachers for the purpose of employing
230 licensed teachers unless the district has established that the
231 employment of licensed teachers using such funds will reduce the
232 teacher:student ratio in the kindergarten, first-, second- and

233 third-grade classes. All adequate education program funds for
234 assistant teachers shall be applied to reducing teacher:student
235 ratio in Grades K-3.

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237 shall dismiss any assistant teacher for the purpose of using state
238 funds to employ licensed teachers. School districts may rely only
239 upon normal attrition to reduce the number of assistant teachers
240 employed in that district.

241 (b) In the event any school district meets Level 4 or 5
242 accreditation requirements, the State Board of Education, in its
243 discretion, may exempt such school district from any accreditation
244 requirements for the district's early childhood education program
245 or reading improvement program.

246 SECTION 2. This act shall take effect and be in force from
247 and after July 1, 1999.