

By: Senator(s) Ferris, Dearing, Gollott,  
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Lee, Jordan (24th), Moffatt, Harden, Jackson,  
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To: Education;  
Appropriations

SENATE BILL NO. 2186  
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE TEACHER SALARY SCALE UNDER THE MINIMUM EDUCATION  
3 PROGRAM; TO AMEND SECTION 37-19-21, MISSISSIPPI CODE OF 1972, TO  
4 INCREASE THE ALLOTMENT OF MINIMUM EDUCATION PROGRAM FUNDS FOR  
5 SUPPORTIVE SERVICES; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF  
6 1972, TO PROVIDE FOR AND INCREASE THE ASSISTANT TEACHER SALARY  
7 SCALE UNDER THE MINIMUM EDUCATION PROGRAM; TO CLARIFY THAT PERSONS  
8 WHO HAVE SUCCESSFULLY COMPLETED THE GENERAL EDUCATIONAL  
9 DEVELOPMENT (GED) TEST MAY SERVE AS ASSISTANT TEACHERS; TO  
10 AUTHORIZE ANY SCHOOL DISTRICT TO USE MINIMUM PROGRAM ASSISTANT  
11 TEACHER FUNDS TO EMPLOY ADDITIONAL CERTIFIED TEACHERS IN GRADES  
12 K-3, REGARDLESS OF ACCREDITATION LEVEL; TO CODIFY SECTION  
13 37-19-24, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ALLOTMENT OF  
14 MINIMUM PROGRAM FUNDS TO FUND THE LOCAL COST OF TEACHER SALARY  
15 INCREASES; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO  
16 PROVIDE THAT FROM AND AFTER JULY 1, 2000, APPROPRIATIONS FROM THE  
17 EDUCATION ENHANCEMENT FUND FOR SCHOOL CAPITAL IMPROVEMENT AND  
18 SCHOOL TRANSPORTATION PURPOSES SHALL BE DETERMINED ON A PERCENTAGE  
19 BASIS; AND FOR RELATED PURPOSES.

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

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

23 **[From and after July 1, 1999, and until July 1, 2000, Section**  
24 **37-19-7 will read as follows:]**

25 37-19-7. (1) The allowance in the minimum education program  
26 for teachers' salaries in each county and separate school district  
27 shall be determined and paid in accordance with the scale for  
28 teachers' salaries as provided in this subsection for the number  
29 of teachers employed not in excess of the number of teacher units  
30 allotted. For teachers holding the following types of licenses or  
31 the equivalent as determined by the State Board of Education, and  
32 the following number of years of teaching experience, the scale  
33 shall be as follows:

34 1999-2000 School Year \* \* \*

35 Less Than 25 Years of Teaching Experience

36	AAAA.....	<u>\$25,795.00</u>
37	AAA.....	<u>24,945.00</u>
38	AA.....	<u>24,095.00</u>
39	A.....	<u>23,045.00</u>
40	25 or More Years of Teaching Experience	
41	AAAA.....	<u>\$26,795.00</u>
42	AAA.....	<u>25,945.00</u>
43	AA.....	<u>25,095.00</u>
44	A.....	<u>24,045.00</u>

45 It is the intent of the Legislature that any state funds made  
46 available for salaries of licensed personnel in excess of the  
47 funds paid for such salaries for the 1986-1987 school year shall  
48 be paid to licensed personnel pursuant to a personnel appraisal  
49 and compensation system implemented by the State Board of  
50 Education. The State Board of Education shall have the authority  
51 to adopt and amend rules and regulations as are necessary to  
52 establish, administer and maintain the system.

53 All teachers employed on a full-time basis shall be paid a  
54 minimum salary in accordance with the above scale. However, no  
55 school district shall receive any funds under this section for any  
56 school year during which the local supplement paid to any  
57 individual teacher shall have been reduced to a sum less than that  
58 paid to that individual teacher for performing the same duties  
59 from local supplement during the immediately preceding school  
60 year. The amount actually spent for the purposes of group health  
61 and/or life insurance shall be considered as a part of the  
62 aggregate amount of local supplement but shall not be considered a  
63 part of the amount of individual local supplement.

64 For teachers holding a Class AAAA license, the minimum base  
65 pay specified in this subsection shall be increased by the sum of  
66 Seven Hundred Fifteen Dollars (\$715.00) for each year of teaching  
67 experience possessed by the person holding such license until such  
68 person shall have twenty-five (25) years of teaching experience.

69 For teachers holding a Class AAA license, the minimum base

70 pay specified in this subsection shall be increased by the sum of  
71 Six Hundred Forty-five Dollars (\$645.00) for each year of teaching  
72 experience possessed by the person holding such license until such  
73 person shall have twenty-five (25) years of teaching experience.

74 For teachers holding a Class AA license, the minimum base pay  
75 specified in this subsection shall be increased by the sum of Five  
76 Hundred Seventy Dollars (\$570.00) for each year of teaching  
77 experience possessed by the person holding such license until such  
78 person shall have twenty-five (25) years of teaching experience.

79 For teachers holding a Class A license, the minimum base pay  
80 specified in this subsection shall be increased by the sum of Four  
81 Hundred Seventy Dollars (\$470.00) for each year of teaching  
82 experience possessed by the person holding such license until such  
83 person shall have twenty-one (21) years of teaching experience.

84 The level of professional training of each teacher to be used  
85 in establishing the salary allotment for the teachers for each  
86 year shall be determined by the type of valid teacher's license  
87 issued to those teachers on or before October 1 of the current  
88 school year.

89 (2) Prior to April 15 of any school year in which a teacher  
90 meets the standard requirements, any licensed teacher who shall  
91 have met the requirements and acquired a Master Teacher  
92 certificate from the National Board for Professional Teaching  
93 Standards and who is employed by a local school board or the State  
94 Board of Education as a teacher and not as an administrator shall  
95 receive a salary supplement in the amount of Six Thousand Dollars  
96 (\$6,000.00) in addition to any other compensation to which the  
97 teacher may be entitled. The teacher shall be reimbursed one (1)  
98 time for the actual cost of completing the process of acquiring  
99 the Master Teacher certificate, regardless of whether or not the  
100 process resulted in the award of the Master Teacher certificate.  
101 All such salary supplements and process reimbursement shall be  
102 paid directly by the State Department of Education to the local  
103 school district and shall be in addition to its minimum education

104 program allotments and not a part thereof in accordance with  
105 regulations promulgated by the State Board of Education, and  
106 subject to appropriation by the Legislature. Local school  
107 districts shall not reduce the local supplement paid to any  
108 teacher receiving such salary supplement, and the teacher shall  
109 receive any local supplement to which teachers with similar  
110 training and experience are otherwise entitled.

111 [From and after July 1, 2000, Section 37-19-7 will read as  
112 follows:]

113 37-19-7. (1) The allowance in the minimum education program  
114 for teachers' salaries in each county and separate school district  
115 shall be determined and paid in accordance with the scale for  
116 teachers' salaries as provided in this subsection for the number  
117 of teachers employed not in excess of the number of teacher units  
118 allotted. For teachers holding the following types of licenses or  
119 the equivalent as determined by the State Board of Education, and  
120 the following number of years of teaching experience, the scale  
121 shall be as follows:

122 <u>2000-2001</u> School Year and School Years Thereafter	
123 Less Than 25 Years of Teaching Experience	
124 AAAA.....	<u>\$27,695.00</u>
125 AAA.....	<u>26,845.00</u>
126 AA.....	<u>25,995.00</u>
127 A.....	<u>24,945.00</u>
128 25 or More Years of Teaching Experience	
129 AAAA.....	<u>\$28,695.00</u>
130 AAA.....	<u>27,845.00</u>
131 AA.....	<u>26,995.00</u>
132 A.....	<u>25,945.00</u>

133 It is the intent of the Legislature that any state funds made  
134 available for salaries of licensed personnel in excess of the  
135 funds paid for such salaries for the 1986-1987 school year shall  
136 be paid to licensed personnel pursuant to a personnel appraisal  
137 and compensation system implemented by the State Board of

138 Education. The State Board of Education shall have the authority  
139 to adopt and amend rules and regulations as are necessary to  
140 establish, administer and maintain the system.

141 All teachers employed on a full-time basis shall be paid a  
142 minimum salary in accordance with the above scale. However, no  
143 school district shall receive any funds under this section for any  
144 school year during which the local supplement paid to any  
145 individual teacher shall have been reduced to a sum less than that  
146 paid to that individual teacher for performing the same duties  
147 from local supplement during the immediately preceding school  
148 year. The amount actually spent for the purposes of group health  
149 and/or life insurance shall be considered as a part of the  
150 aggregate amount of local supplement but shall not be considered a  
151 part of the amount of individual local supplement.

152 For teachers holding a Class AAAA license, the minimum base  
153 pay specified in this subsection shall be increased by the sum of  
154 Eight Hundred Dollars (\$800.00) for each year of teaching  
155 experience possessed by the person holding such license until such  
156 person shall have twenty-six (26) years of teaching experience.

157 For teachers holding a Class AAA license, the minimum base  
158 pay specified in this subsection shall be increased by the sum of  
159 Seven Hundred Twenty Dollars (\$720.00) for each year of teaching  
160 experience possessed by the person holding such license until such  
161 person shall have twenty-six (26) years of teaching experience.

162 For teachers holding a Class AA license, the minimum base pay  
163 specified in this subsection shall be increased by the sum of Six  
164 Hundred Thirty-five Dollars (\$635.00) for each year of teaching  
165 experience possessed by the person holding such license until such  
166 person shall have twenty-six (26) years of teaching experience.

167 For teachers holding a Class A license, the minimum base pay  
168 specified in this subsection shall be increased by the sum of Five  
169 Hundred Twenty-five Dollars (\$525.00) for each year of teaching  
170 experience possessed by the person holding such license until such  
171 person shall have twenty-two (22) years of teaching experience.

172           The level of professional training of each teacher to be used  
173 in establishing the salary allotment for the teachers for each  
174 year shall be determined by the type of valid teacher's license  
175 issued to those teachers on or before October 1 of the current  
176 school year.

177           (2) Prior to April 15 of any school year in which a teacher  
178 meets the standard requirements, any licensed teacher who shall  
179 have met the requirements and acquired a Master Teacher  
180 certificate from the National Board for Professional Teaching  
181 Standards and who is employed by a local school board or the State  
182 Board of Education as a teacher and not as an administrator shall  
183 receive a salary supplement in the amount of Six Thousand Dollars  
184 (\$6,000.00) in addition to any other compensation to which the  
185 teacher may be entitled. The teacher shall be reimbursed one (1)  
186 time for the actual cost of completing the process of acquiring  
187 the Master Teacher certificate, regardless of whether or not the  
188 process resulted in the award of the Master Teacher certificate.  
189 All such salary supplements and process reimbursement shall be  
190 paid directly by the State Department of Education to the local  
191 school district and shall be in addition to its minimum education  
192 program allotments and not a part thereof in accordance with  
193 regulations promulgated by the State Board of Education, and  
194 subject to appropriation by the Legislature. Local school  
195 districts shall not reduce the local supplement paid to any  
196 teacher receiving such salary supplement, and the teacher shall  
197 receive any local supplement to which teachers with similar  
198 training and experience are otherwise entitled.

199           SECTION 2. Section 37-19-21, Mississippi Code of 1972, is  
200 amended as follows:

201           [From and after July 1, 1999, and until July 1, 2000, Section  
202 37-19-21 will read as follows:]

203           37-19-21. In addition to other funds allowed in this  
204 chapter, each school district shall be allotted Five Thousand  
205 Seventy-six Dollars (\$5,076.00) annually per teacher unit for use

206 in supportive services.

207 **[From and after July 1, 2000, Section 37-19-21 will read as**  
208 **follows:]**

209 37-19-21. In addition to other funds allowed in this  
210 chapter, each school district shall be allotted Five Thousand Six  
211 Hundred Forty-five Dollars (\$5,645.00) annually per teacher unit  
212 for use in supportive services.

213 This section shall stand repealed from and after July 1,  
214 2002.

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

217 **[From and after July 1, 1999, and until July 1, 2000, Section**  
218 **37-21-7 will read as follows:]**

219 37-21-7. (1) This section shall be referred to as the  
220 "Mississippi Elementary Schools Assistant Teacher Program," the  
221 purpose of which shall be to provide an early childhood education  
222 program that assists in the instruction of basic skills. The  
223 State Board of Education is authorized, empowered and directed to  
224 implement a statewide system of assistant teachers in kindergarten  
225 classes and in the first, second and third grades. The assistant  
226 teacher shall assist pupils in actual instruction under the strict  
227 supervision of a licensed teacher.

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

230 The superintendent of each district shall assign the assistant  
231 teachers to the kindergarten, first-, second- and third-grade  
232 classes in the district in a manner that will promote the maximum  
233 efficiency, as determined by the superintendent, in the  
234 instruction of skills such as verbal and linguistic skills,  
235 logical and mathematical skills, and social skills.

236 (b) If a licensed teacher to whom an assistant teacher  
237 has been assigned is required to be absent from the classroom, the  
238 assistant teacher may assume responsibility for the classroom in  
239 lieu of a substitute teacher. However, no assistant teacher shall

240 assume sole responsibility of the classroom for more than three  
241 (3) consecutive school days. Further, in no event shall any  
242 assistant teacher be assigned to serve as a substitute teacher for  
243 any teacher other than the licensed teacher to whom that assistant  
244 teacher has been assigned.

245 (3) Assistant teachers shall have, at a minimum, a high  
246 school diploma or shall have successfully completed the General  
247 Educational Development (GED) test and shall show demonstratable  
248 proficiency in reading and writing skills. The State Department  
249 of Education shall develop a testing procedure for assistant  
250 teacher applicants to be used in all school districts in the  
251 state.

252 (4) (a) In order to receive funding, each school district  
253 shall:

254 (i) Submit a plan on the implementation of a  
255 reading improvement program to the State Department of Education;  
256 and

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

260 (b) Additionally, each school district shall:

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

266 (ii) Hold periodic workshops for administrators  
267 and teachers on the effective use and supervision of assistant  
268 teachers;

269 (iii) Provide training annually on specific  
270 instructional skills for assistant teachers;

271 (iv) Annually evaluate their program in accordance  
272 with their educational accountability and assessment of  
273 performance plan; and



274 (v) Designate the necessary personnel to supervise  
275 and report on their program.

276 (5) The State Department of Education shall:

277 (a) Develop and assist in the implementation of a  
278 statewide uniform training module, subject to the availability of  
279 funds specifically appropriated therefor by the Legislature, which  
280 shall be used in all school districts for training administrators,  
281 teachers and assistant teachers. The module shall provide for the  
282 consolidated training of each assistant teacher and teacher to  
283 whom the assistant teacher is assigned, working together as a  
284 team, and shall require further periodical training for  
285 administrators, teachers and assistant teachers regarding the role  
286 of assistant teachers;

287 (b) Annually evaluate the program on the district and  
288 state level. Subject to the availability of funds specifically  
289 appropriated therefor by the Legislature, the department shall  
290 develop: (i) uniform evaluation reports, to be performed by the  
291 principal or assistant principal, to collect data for the annual  
292 overall program evaluation conducted by the department; or (ii) a  
293 program evaluation model that, at a minimum, addresses process  
294 evaluation; and

295 (c) Promulgate rules, regulations and such other  
296 standards deemed necessary to effectuate the purposes of this  
297 section. Noncompliance with the provisions of this section and  
298 any rules, regulations or standards adopted by the department may  
299 result in a violation of compulsory accreditation standards as  
300 established by the State Board of Education and Commission on  
301 School Accreditation.

302 (6) The allowance in the minimum education program for  
303 assistant teacher salaries in each school district shall be  
304 determined and paid in accordance with the scale for assistant  
305 teachers' salaries as provided in this subsection for the number  
306 of teachers employed not in excess of the number of teacher units  
307 as prescribed in Section 37-19-5 allotted for Grades 1, 2 and 3.

308 For assistant teachers holding the following qualifications as  
309 determined by the local school district, the minimum scale shall  
310 be as follows:

311 1999-2000 School Year

312 Bachelor's degree..... \$9,745.00  
313 Sixty (60) credit hours, or more,  
314 undergraduate coursework..... 8,995.00  
315 High school diploma, or the equivalent..... 8,895.00

316 For assistant teachers holding a bachelor's degree, the  
317 minimum base pay specified in this subsection shall be increased  
318 by the sum of One Hundred Twenty Dollars (\$120.00) for each year  
319 of assistant teaching experience possessed by the person holding  
320 such degree until such person shall have fifteen (15) years of  
321 assistant teaching experience.

322 For assistant teachers holding sixty (60) credit hours, or  
323 more, undergraduate coursework, the minimum base pay specified in  
324 this subsection shall be increased by the sum of Eighty Dollars  
325 (\$80.00) for each year of assistant teaching experience possessed  
326 by the person holding such degree until such person shall have ten  
327 (10) years of assistant teaching experience.

328 For assistant teachers holding a high school diploma, or the  
329 equivalent, the minimum base pay specified in this subsection  
330 shall be increased by the sum of Fifty Dollars (\$50.00) for each  
331 year of assistant teaching experience possessed by the person  
332 holding such degree until such person shall have five (5) years of  
333 assistant teaching experience.

334 The local school district shall require an official  
335 transcript of the undergraduate coursework possessed by the  
336 assistant teacher for purposes of determining his salary under the  
337 minimum scale prescribed herein.

338 No assistant teacher shall be paid less than the amount he or  
339 she received in the prior school year. In the 1995-1996 school  
340 year and school years thereafter, no school district shall receive  
341 any funds under this section for any school year during which the

342 aggregate amount of the local contribution to the salaries of  
343 assistant teachers by the district shall have been reduced below  
344 such amount for the previous year. The assistant teachers shall  
345 not be restricted to working only in the grades for which the  
346 funds were allotted, but may be assigned to other classes as  
347 provided in subsection (2)(a) of this section.

348 (7) (a) As an alternative to employing assistant  
349 teachers, \* \* \* any school district is authorized to use the  
350 minimum program allotment provided under subsection (6) of this  
351 section for the purpose of employing licensed teachers for  
352 kindergarten, first-, second- and third-grade classes; however, no  
353 school district shall be authorized to use the minimum program  
354 allotment for assistant teachers for the purpose of employing  
355 licensed teachers unless the district has established that the  
356 employment of licensed teachers using such funds will reduce the  
357 teacher:student ratio in the kindergarten, first-, second- and  
358 third-grade classes. All minimum program funds for assistant  
359 teachers shall be applied to reducing teacher:student ratio in  
360 Grades K-3.

361 It is the intent of the Legislature that no school district  
362 shall dismiss any assistant teacher for the purpose of using the  
363 minimum program assistant teacher allotment to employ licensed  
364 teachers. School districts may rely only upon normal attrition to  
365 reduce the number of assistant teachers employed in that district.  
366 Nothing herein shall prevent the reassignment of an assistant  
367 teacher to another position for comparable compensation for which  
368 the assistant teacher is qualified.

369 (b) In the event any school district meets Level 4 or 5  
370 accreditation requirements, the State Board of Education, in its  
371 discretion, may exempt such school district from any accreditation  
372 requirements for the district's early childhood education program  
373 or reading improvement program.

374 [From and after July 1, 2000, and until July 1, 2002, Section  
375 37-21-7 will read as follows:]

376           37-21-7. (1) This section shall be referred to as the  
377 "Mississippi Elementary Schools Assistant Teacher Program," the  
378 purpose of which shall be to provide an early childhood education  
379 program that assists in the instruction of basic skills. The  
380 State Board of Education is authorized, empowered and directed to  
381 implement a statewide system of assistant teachers in kindergarten  
382 classes and in the first, second and third grades. The assistant  
383 teacher shall assist pupils in actual instruction under the strict  
384 supervision of a licensed teacher.

385           (2) (a) Each school district shall employ the total number  
386 of assistant teachers funded under subsection (6) of this section.  
387 The superintendent of each district shall assign the assistant  
388 teachers to the kindergarten, first-, second- and third-grade  
389 classes in the district in a manner that will promote the maximum  
390 efficiency, as determined by the superintendent, in the  
391 instruction of skills such as verbal and linguistic skills,  
392 logical and mathematical skills, and social skills.

393           (b) If a licensed teacher to whom an assistant teacher  
394 has been assigned is required to be absent from the classroom, the  
395 assistant teacher may assume responsibility for the classroom in  
396 lieu of a substitute teacher. However, no assistant teacher shall  
397 assume sole responsibility of the classroom for more than three

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

402           (3) Assistant teachers shall have, at a minimum, a high  
403 school diploma or shall have successfully completed the General  
404 Educational Development (GED) test and shall show demonstratable  
405 proficiency in reading and writing skills. The State Department  
406 of Education shall develop a testing procedure for assistant  
407 teacher applicants to be used in all school districts in the  
408 state.

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

410 shall:

411 (i) Submit a plan on the implementation of a  
412 reading improvement program to the State Department of Education;  
413 and

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

417 (b) Additionally, each school district shall:

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

423 (ii) Hold periodic workshops for administrators  
424 and teachers on the effective use and supervision of assistant  
425 teachers;

426 (iii) Provide training annually on specific  
427 instructional skills for assistant teachers;

428 (iv) Annually evaluate their program in accordance  
429 with their educational accountability and assessment of  
430 performance plan; and

431 (v) Designate the necessary personnel to supervise  
432 and report on their program.

433 (5) The State Department of Education shall:

434 (a) Develop and assist in the implementation of a  
435 statewide uniform training module, subject to the availability of  
436 funds specifically appropriated therefor by the Legislature, which  
437 shall be used in all school districts for training administrators,  
438 teachers and assistant teachers. The module shall provide for the  
439 consolidated training of each assistant teacher and teacher to  
440 whom the assistant teacher is assigned, working together as a  
441 team, and shall require further periodical training for  
442 administrators, teachers and assistant teachers regarding the role  
443 of assistant teachers;

444 (b) Annually evaluate the program on the district and  
445 state level. Subject to the availability of funds specifically  
446 appropriated therefor by the Legislature, the department shall  
447 develop: (i) uniform evaluation reports, to be performed by the  
448 principal or assistant principal, to collect data for the annual  
449 overall program evaluation conducted by the department; or (ii) a  
450 program evaluation model that, at a minimum, addresses process  
451 evaluation; and

452 (c) Promulgate rules, regulations and such other  
453 standards deemed necessary to effectuate the purposes of this  
454 section. Noncompliance with the provisions of this section and  
455 any rules, regulations or standards adopted by the department may  
456 result in a violation of compulsory accreditation standards as  
457 established by the State Board of Education and Commission on  
458 School Accreditation.

459 (6) The allowance in the minimum education program for  
460 assistant teacher salaries in each school district shall be  
461 determined and paid in accordance with the scale for assistant  
462 teachers' salaries as provided in this subsection for the number  
463 of teachers employed not in excess of the number of teacher units  
464 as prescribed in Section 37-19-5 allotted for Grades 1, 2 and 3.  
465 For assistant teachers holding the following qualifications as  
466 determined by the local school district, the minimum scale shall  
467 be as follows:

	<u>2000-2001 School Year and</u>	
	<u>School Years Thereafter</u>	
470	<u>Bachelor's degree.....</u>	<u>\$10,995.00</u>
471	<u>Sixty (60) credit hours, or more,</u>	
472	<u>undergraduate coursework.....</u>	<u>9,495.00</u>
473	<u>High school diploma, or the equivalent.....</u>	<u>9,170.00</u>

474 For assistant teachers holding a bachelor's degree, the  
475 minimum base pay specified in this subsection shall be increased  
476 by the sum of One Hundred Twenty Dollars (\$120.00) for each year  
477 of assistant teaching experience possessed by the person holding

478 such degree until such person shall have fifteen (15) years of  
479 assistant teaching experience.

480 For assistant teachers holding sixty (60) credit hours, or  
481 more, undergraduate coursework, the minimum base pay specified in  
482 this subsection shall be increased by the sum of Eighty Dollars  
483 (\$80.00) for each year of assistant teaching experience possessed  
484 by the person holding such degree until such person shall have ten  
485 (10) years of assistant teaching experience.

486 For assistant teachers holding a high school diploma, or the  
487 equivalent, the minimum base pay specified in this subsection  
488 shall be increased by the sum of Fifty Dollars (\$50.00) for each  
489 year of assistant teaching experience possessed by the person  
490 holding such degree until such person shall have five (5) years of  
491 assistant teaching experience.

492 The local school district shall require an official  
493 transcript of the undergraduate coursework possessed by the  
494 assistant teacher for purposes of determining his salary under the  
495 minimum scale prescribed herein.

496 No assistant teacher shall be paid less than the amount he or  
497 she received in the prior school year. In the 1995-1996 school  
498 year and school years thereafter, no school district shall receive  
499 any funds under this section for any school year during which the  
500 aggregate amount of the local contribution to the salaries of  
501 assistant teachers by the district shall have been reduced below  
502 such amount for the previous year. The assistant teachers shall  
503 not be restricted to working only in the grades for which the  
504 funds were allotted, but may be assigned to other classes as  
505 provided in subsection (2)(a) of this section.

506 (7) (a) As an alternative to employing assistant  
507 teachers, \* \* \* any school district is authorized to use the  
508 minimum program allotment provided under subsection (6) of this  
509 section for the purpose of employing licensed teachers for  
510 kindergarten, first-, second- and third-grade classes; however, no  
511 school district shall be authorized to use the minimum program

512 allotment for assistant teachers for the purpose of employing  
513 licensed teachers unless the district has established that the  
514 employment of licensed teachers using such funds will reduce the  
515 teacher:student ratio in the kindergarten, first-, second- and  
516 third-grade classes. All minimum program funds for assistant  
517 teachers shall be applied to reducing teacher:student ratio in  
518 Grades K-3.

519 It is the intent of the Legislature that no school district  
520 shall dismiss any assistant teacher for the purpose of using the  
521 minimum program assistant teacher allotment to employ licensed  
522 teachers. School districts may rely only upon normal attrition to  
523 reduce the number of assistant teachers employed in that district.

524 Nothing herein shall prevent the reassignment of an assistant  
525 teacher to another position for comparable compensation for which  
526 the assistant teacher is qualified.

527 (b) In the event any school district meets Level 4 or 5  
528 accreditation requirements, the State Board of Education, in its  
529 discretion, may exempt such school district from any accreditation  
530 requirements for the district's early childhood education program  
531 or reading improvement program.

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

533 37-21-7. (1) This section shall be referred to as the  
534 "Mississippi Elementary Schools Assistant Teacher Program," the  
535 purpose of which shall be to provide an early childhood education  
536 program that assists in the instruction of basic skills. The  
537 State Board of Education is authorized, empowered and directed to  
538 implement a statewide system of assistant teachers in kindergarten  
539 classes and in the first, second and third grades. The assistant  
540 teacher shall assist pupils in actual instruction under the strict  
541 supervision of a certified teacher.

542 (2) (a) Each school district shall employ the total number  
543 of assistant teachers funded under subsection (6) of this section.  
544 The superintendent of each district shall assign the assistant  
545 teachers to the kindergarten, first-, second- and third-grade



546 classes in the district in a manner that will promote the maximum  
547 efficiency, as determined by the superintendent, in the  
548 instruction of skills such as verbal and linguistic skills,  
549 logical and mathematical skills, and social skills.

550 (b) If a certified teacher to whom an assistant teacher  
551 has been assigned is required to be absent from the classroom, the  
552 assistant teacher may assume responsibility for the classroom in  
553 lieu of a substitute teacher. However, no assistant teacher shall  
554 assume sole responsibility of the classroom for more than three  
555 (3) consecutive school days. Further, in no event shall any  
556 assistant teacher be assigned to serve as a substitute teacher for  
557 any teacher other than the certified teacher to whom that  
558 assistant teacher has been assigned.

559 (3) Assistant teachers shall have, at a minimum, a high  
560 school diploma or a GED equivalent, and shall show demonstratable  
561 proficiency in reading and writing skills. The State Department  
562 of Education shall develop a testing procedure for assistant  
563 teacher applicants to be used in all school districts in the  
564 state.

565 (4) (a) In order to receive funding, each school district  
566 shall:

567 (i) Submit a plan on the implementation of a  
568 reading improvement program to the State Department of Education;  
569 and

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

573 (b) Additionally, each school district shall:

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

579 (ii) Hold periodic workshops for administrators

580 and teachers on the effective use and supervision of assistant  
581 teachers;

582 (iii) Provide training annually on specific  
583 instructional skills for assistant teachers;

584 (iv) Annually evaluate their program in accordance  
585 with their educational accountability and assessment of  
586 performance plan; and

587 (v) Designate the necessary personnel to supervise  
588 and report on their program.

589 (5) The State Department of Education shall:

590 (a) Develop and assist in the implementation of a  
591 statewide uniform training module, subject to the availability of  
592 funds specifically appropriated therefor by the Legislature, which  
593 shall be used in all school districts for training administrators,  
594 teachers and assistant teachers. The module shall provide for the  
595 consolidated training of each assistant teacher and teacher to  
596 whom the assistant teacher is assigned, working together as a  
597 team, and shall require further periodical training for  
598 administrators, teachers and assistant teachers regarding the role  
599 of assistant teachers;

600 (b) Annually evaluate the program on the district and  
601 state level. Subject to the availability of funds specifically  
602 appropriated therefor by the Legislature, the department shall  
603 develop: (i) uniform evaluation reports, to be performed by the  
604 principal or assistant principal, to collect data for the annual  
605 overall program evaluation conducted by the department; or (ii) a  
606 program evaluation model that, at a minimum, addresses process  
607 evaluation; and

608 (c) Promulgate rules, regulations and such other  
609 standards deemed necessary to effectuate the purposes of this  
610 section. Noncompliance with the provisions of this section and  
611 any rules, regulations or standards adopted by the department may  
612 result in a violation of compulsory accreditation standards as  
613 established by the State Board of Education and Commission on

614 School Accreditation.

615 (6) For assistant teachers holding the following  
616 qualifications as determined by the local school district, the  
617 minimum scale shall be as follows:

<u>1999-2000 School Year</u>	
<u>Bachelor's degree</u> .....	<u>\$10,995.00</u>
<u>Sixty (60) credit hours, or more,</u> <u>undergraduate coursework</u> .....	<u>9,495.00</u>
<u>High school diploma, or the equivalent</u> .....	<u>9,170.00</u>

623 For assistant teachers holding a bachelor's degree, the  
624 minimum base pay specified in this subsection shall be increased  
625 by the sum of One Hundred Twenty Dollars (\$120.00) for each year  
626 of assistant teaching experience possessed by the person holding  
627 such degree until such person shall have fifteen (15) years of  
628 assistant teaching experience.

629 For assistant teachers holding sixty (60) credit hours, or  
630 more, undergraduate coursework, the minimum base pay specified in  
631 this subsection shall be increased by the sum of Eighty Dollars  
632 (\$80.00) for each year of assistant teaching experience possessed  
633 by the person holding such degree until such person shall have ten  
634 (10) years of assistant teaching experience.

635 For assistant teachers holding a high school diploma, or the  
636 equivalent, the minimum base pay specified in this subsection  
637 shall be increased by the sum of Fifty Dollars (\$50.00) for each  
638 year of assistant teaching experience possessed by the person  
639 holding such degree until such person shall have five (5) years of  
640 assistant teaching experience.

641 The local school district shall require an official  
642 transcript of the undergraduate coursework possessed by the  
643 assistant teacher for purposes of determining his salary under the  
644 minimum scale prescribed herein.

645 No assistant teacher shall be paid less than the amount he or  
646 she received in the prior school year. In the 1995-1996 school  
647 year and school years thereafter, no school district shall receive

648 any funds under this section for any school year during which the  
649 aggregate amount of the local contribution to the salaries of  
650 assistant teachers by the district shall have been reduced below  
651 such amount for the previous year. The assistant teachers shall  
652 not be restricted to working only in the grades for which the  
653 funds were allotted, but may be assigned to other classes as  
654 provided in subsection (2)(a) of this section.

655 (7) (a) As an alternative to employing assistant  
656 teachers, \* \* \* any school district is authorized to use the  
657 minimum program allotment provided under subsection (6) of this  
658 section for the purpose of employing licensed teachers for  
659 kindergarten, first-, second- and third-grade classes; however, no  
660 school district shall be authorized to use the minimum program  
661 allotment for assistant teachers for the purpose of employing  
662 licensed teachers unless the district has established that the  
663 employment of licensed teachers using such funds will reduce the  
664 teacher:student ratio in the kindergarten, first-, second- and  
665 third-grade classes. All minimum program funds for assistant  
666 teachers shall be applied to reducing teacher:student ratio in  
667 Grades K-3.

668 It is the intent of the Legislature that no school district  
669 shall dismiss any assistant teacher for the purpose of using the  
670 minimum program assistant teacher allotment to employ licensed  
671 teachers. School districts may rely only upon normal attrition to  
672 reduce the number of assistant teachers employed in that district.  
673 Nothing herein shall prevent the reassignment of an assistant  
674 teacher to another position for comparable compensation for which  
675 the assistant teacher is qualified.

676 (b) In the event any school district meets Level 4 or 5  
677 accreditation requirements, the State Board of Education, in its  
678 discretion, may exempt such school district from any accreditation  
679 requirements for the district's early childhood education program  
680 or reading improvement program.

681 SECTION 4. The following provision shall be codified as

682 Section 37-19-24, Mississippi Code of 1972:

683 37-19-24. Beginning with the school year 1999-2000, in  
684 addition to other funds allotted in this chapter, an amount  
685 subject to appropriation shall be provided to fund the local cost  
686 of state mandated salary increases as provided through Section  
687 37-19-7. Such funds are provided where amounts provided through  
688 Section 37-19-21 are insufficient to fund such increases and shall  
689 be distributed based on district staffing for the immediate  
690 preceding school year, as determined by the State Department of  
691 Education.

692 This section shall stand repealed July 1, 2002.

693 SECTION 5. Section 37-61-33, Mississippi Code of 1972, is  
694 amended as follows:

695 **[Until July 1, 2002, this section reads as follows:]**

696 37-61-33. (1) There is hereby created within the State  
697 Treasury a special fund to be designated the "Education  
698 Enhancement Fund" into which shall be deposited all the revenues  
699 collected pursuant to Sections 27-65-75(8), 27-67-31(b) and  
700 27-103-203(1).

701 (2) Of the amount deposited into the Education Enhancement  
702 Fund, excluding revenues deposited pursuant to Section  
703 27-103-203(1), Sixteen Million Dollars (\$16,000,000.00), and from  
704 and after July 1, 2000, nine and forty-four one hundredths percent  
705 (9.44%) shall be appropriated each fiscal year to the State  
706 Department of Education to be distributed to all school districts.

707 Such money shall be distributed to all school districts in the  
708 proportion that the average daily attendance of each school  
709 district bears to the average daily attendance of all school  
710 districts within the state for the following purposes:

711 (a) Purchasing, erecting, repairing, equipping,  
712 remodeling and enlarging school buildings and related facilities,  
713 including gymnasiums, auditoriums, lunchrooms, vocational training  
714 buildings, libraries, teachers' homes, school barns,  
715 transportation vehicles (which shall include new and used

716 transportation vehicles) and garages for transportation vehicles,  
717 and purchasing land therefor.

718           (b) Establishing and equipping school athletic fields  
719 and necessary facilities connected therewith, and purchasing land  
720 therefor.

721           (c) Providing necessary water, light, heating, air  
722 conditioning and sewerage facilities for school buildings, and  
723 purchasing land therefor.

724           (d) As a pledge to pay all or a portion of the debt  
725 service on debt issued by the school district under Sections  
726 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351  
727 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302  
728 and 37-41-81, Mississippi Code of 1972, or debt issued by boards  
729 of supervisors for agricultural high schools pursuant to Section  
730 37-27-65, Mississippi Code of 1972, if such pledge is accomplished  
731 pursuant to a written contract or resolution approved and spread  
732 upon the minutes of an official meeting of the district's school  
733 board or board of supervisors. The annual grant to such district  
734 in any subsequent year during the term of the resolution or  
735 contract shall not be reduced below an amount equal to the  
736 district's grant amount for the year in which the contract or  
737 resolution was adopted. The intent of this provision is to allow  
738 school districts to irrevocably pledge a certain, constant stream  
739 of revenue as security for long-term obligations issued under the  
740 code sections enumerated in this paragraph or as otherwise allowed  
741 by law. It is the intent of the Legislature that the provisions  
742 of this paragraph shall be cumulative and supplemental to any  
743 existing funding programs or other authority conferred upon school  
744 districts or school boards. Debt of a district secured by a  
745 pledge of sales tax revenue pursuant to this paragraph shall not  
746 be subject to any debt limitation contained in the foregoing  
747 enumerated code sections.

748           (3) The remainder of the money deposited into the Education  
749 Enhancement Fund, excluding funds deposited pursuant to Section

750 27-103-203(1), shall be appropriated as follows:

751 (a) To the State Department of Education as follows:

752 (i) Eight and thirty-five one-hundredths percent

753 (8.35%) to be distributed to public school districts for the

754 funding of textbooks and other educational materials and to be

755 used by the State Department of Education for the purchase of

756 textbooks to be loaned under Sections 37-43-1 through 37-43-59 to

757 approved nonpublic schools, as described under Section 37-43-1.

758 The amount of funds under this item to be used by the department

759 for purchasing textbooks to loan to approved nonpublic schools

760 shall be in the proportion that the average daily attendance of

761 the nonpublic schools that are loaned textbooks by the state bears

762 to the average daily attendance of all school districts in the

763 state. The funds distributed to the school districts under this

764 item shall be in the proportion that the average daily attendance

765 of each school district bears to the average daily attendance of

766 all school districts within the state and shall be used to assist

767 in the funding of textbooks and other educational materials, to

768 include not more than Two Million Dollars (\$2,000,000.00) each

769 year for technology enhancement projects for elementary and

770 secondary education programs;

771 (ii) Seven and ninety-seven one-hundredths percent

772 (7.97%) to assist the funding of transportation operations and

773 maintenance pursuant to Section 37-19-23;

774 (iii) Eight and twenty-six one-hundredths percent

775 (8.26%) to assist the funding of the Uniform Millage Assistance

776 Grant Program pursuant to Section 37-22-1; and

777 (iv) Nine and sixty-one one-hundredths percent

778 (9.61%) for classroom supplies, instructional materials and

779 equipment, including computers and computer software, to be

780 distributed to all school districts in the proportion that the

781 average daily attendance of each school district bears to the

782 average daily attendance of all school districts within the state.

783 Such funds shall not be expended for administrative purposes.

784 Local school districts shall allocate classroom supply funds  
785 equally among all classroom teachers in the school district. For  
786 purposes of this subparagraph, "teacher" shall mean any employee  
787 of the school board of a school district who is required by law to  
788 obtain a teacher's license from the State Board of Education and  
789 who is assigned to an instructional area of work as defined by the  
790 State Department of Education, but shall not include a federally  
791 funded teacher. Two (2) or more teachers may agree to pool their  
792 classroom supply funds for the benefit of a school within the  
793 district pursuant to the development of a spending plan that  
794 supports the overall goals of the school which includes the type,  
795 quantity and quality of such supplies, instructional materials,  
796 equipment, computers or computer software. This plan shall be  
797 submitted, in writing, to the school principal for approval.  
798 Classroom supply funds allocated under this subparagraph shall  
799 supplement, not replace, other local and state funds available for  
800 the same purposes. School districts need not fully expend the  
801 funds received under this subparagraph in the year in which they  
802 are received, but such funds may be carried forward for  
803 expenditure in any succeeding school year. The State Board of  
804 Education shall develop and promulgate rules and regulations for  
805 the administration of this subparagraph consistent with the above  
806 criteria, with particular emphasis on allowing the individual  
807 teachers to expend funds as they deem appropriate, with minimum  
808 input from school principals.

809 (b) Twenty-two and nine one-hundredths percent (22.09%)  
810 to the Board of Trustees of State Institutions of Higher Learning  
811 for the purpose of supporting institutions of higher learning; and

812 (c) Fourteen and forty-one hundredths percent (14.41%)  
813 to the State Board for Community and Junior Colleges for the  
814 purpose of providing support to community and junior colleges.

815 (4) The amount remaining in the Education Enhancement Fund  
816 after funds are distributed as provided in subsections (2) and (3)  
817 of this section, excluding funds deposited pursuant to Section



818 27-103-203(1), shall be disbursed as follows:

819 (a) Twenty-five Million Dollars (\$25,000,000.00) shall  
820 be deposited into the Working Cash-Stabilization Reserve Fund  
821 created pursuant to Section 27-103-203(1), until the balance in  
822 such fund reaches the maximum balance of seven and one-half  
823 percent (7-1/2%) of the General Fund appropriations in the  
824 appropriate fiscal year. After the maximum balance in the Working  
825 Cash-Stabilization Reserve Fund is reached, such money shall  
826 remain in the Education Enhancement Fund to be appropriated in the  
827 manner provided for in paragraph (b) of this section.

828 (b) The remainder shall be appropriated for other  
829 educational needs.

830 (5) None of the funds appropriated pursuant to subsection  
831 (3)(a) of this section shall be used to reduce the state's general  
832 fund appropriation for the categories listed in an amount below  
833 the following amounts:

834 (a) For subsection (3)(a)(i) of this section, Six  
835 Million Three Hundred Thirty Thousand Nine Hundred Twenty Dollars  
836 (\$6,330,920.00);

837 (b) For subsection (3)(a)(ii) of this section  
838 Thirty-six Million Seven Hundred Thousand Dollars  
839 (\$36,700,000.00);

840 (c) For subsection (3)(a)(iii) of this section,  
841 Twenty-one Million Four Hundred Thousand Dollars (\$21,400,000.00);  
842 and

843 (d) For the aggregate of minimum program allotments  
844 provided for in Chapter 19, Title 37, Mississippi Code of 1972, as  
845 amended, excluding those funds for transportation as provided for  
846 in subsection (5)(b) herein.

847 (6) At the end of a fiscal year such amounts as required by  
848 Section 27-103-203(1) to be transferred to the Education  
849 Enhancement Fund shall be deposited into said Education  
850 Enhancement Fund and shall be kept separate from other monies in  
851 the fund by the State Treasurer. Beginning with the 1994 fiscal

852 year the monies in such special fund deposited pursuant to said  
853 Section 27-103-203(1) shall be subject to appropriation by the  
854 Legislature in the following manner: (a) fifty percent (50%) to  
855 support public education, including but not limited to, Grades K  
856 through 12, Mississippi Educational Television and/or the  
857 Mississippi Library Commission; (b) twenty-five percent (25%) to  
858 support institutions of higher learning; and (c) twenty-five  
859 percent (25%) to support the junior or community colleges. Any  
860 amount of such monies transferred into said separate fund pursuant  
861 to Section 27-103-203(1) which are not appropriated by the  
862 Legislature shall not lapse but shall carry over and be subject to  
863 appropriation by the Legislature in the succeeding fiscal year in  
864 the same manner provided in this subsection (6). The interest  
865 earned on the investment of such monies transferred pursuant to  
866 Section 27-103-203(1) shall be paid into said separate fund within  
867 the Education Enhancement Fund.

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

869 37-61-33. (1) There is hereby created within the State  
870 Treasury a special fund to be designated the "Education  
871 Enhancement Fund" into which shall be deposited all the revenues  
872 collected pursuant to Sections 27-65-75(8), 27-67-32(b) and  
873 27-103-203(1).

874 (2) Of the amount deposited into the Education Enhancement  
875 Fund, excluding revenues deposited pursuant to Section  
876 27-103-203(1), Sixteen Million Dollars (\$16,000,000.00), and from  
877 and after July 1, 2000, nine and forty-four one hundredths percent  
878 (9.44%) shall be appropriated each fiscal year to the State  
879 Department of Education to be distributed to all school districts.

880 Such money shall be distributed to all school districts in the  
881 proportion that the average daily attendance of each school  
882 district bears to the average daily attendance of all school  
883 districts within the state for the following purposes:

884 (a) Purchasing, erecting, repairing, equipping,  
885 remodeling and enlarging school buildings and related facilities,

886 including gymnasiums, auditoriums, lunchrooms, vocational training  
887 buildings, libraries, teachers' homes, school barns,  
888 transportation vehicles (which shall include new and used  
889 transportation vehicles) and garages for transportation vehicles,  
890 and purchasing land therefor.

891 (b) Establishing and equipping school athletic fields  
892 and necessary facilities connected therewith, and purchasing land  
893 therefor.

894 (c) Providing necessary water, light, heating, air  
895 conditioning and sewerage facilities for school buildings, and  
896 purchasing land therefor.

897 (d) As a pledge to pay all or a portion of the debt  
898 service on debt issued by the school district under Sections  
899 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351  
900 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302  
901 and 37-41-81, Mississippi Code of 1972, or debt issued by boards  
902 of supervisors for agricultural high schools pursuant to Section  
903 37-27-65, Mississippi Code of 1972, if such pledge is accomplished  
904 pursuant to a written contract or resolution approved and spread  
905 upon the minutes of an official meeting of the district's school  
906 board or board of supervisors. The annual grant to such district  
907 in any subsequent year during the term of the resolution or  
908 contract shall not be reduced below an amount equal to the  
909 district's grant amount for the year in which the contract or  
910 resolution was adopted. The intent of this provision is to allow  
911 school districts to irrevocably pledge a certain, constant stream  
912 of revenue as security for long-term obligations issued under the  
913 code sections enumerated in this paragraph or as otherwise allowed  
914 by law. It is the intent of the Legislature that the provisions  
915 of this paragraph shall be cumulative and supplemental to any  
916 existing funding programs or other authority conferred upon school  
917 districts or school boards. Debt of a district secured by a  
918 pledge of sales tax revenue pursuant to this paragraph shall not  
919 be subject to any debt limitation contained in the foregoing

920 enumerated code sections.

921 (3) The remainder of the money deposited into the Education  
922 Enhancement Fund, excluding funds deposited pursuant to Section  
923 27-103-203(1), shall be appropriated as follows:

924 (a) To the State Department of Education as follows:

925 (i) Sixteen and sixty-one one-hundredths percent  
926 (16.61%) to the cost of the adequate education program determined  
927 under Section 37-151-7;

928 (ii) Seven and ninety-seven one-hundredths percent  
929 (7.97%) to assist the funding of transportation operations and  
930 maintenance pursuant to Section 37-19-23; and

931 (iii) Nine and sixty-one one-hundredths percent  
932 (9.61%) for classroom supplies, instructional materials and  
933 equipment, including computers and computer software, to be  
934 distributed to all school districts in the proportion that the  
935 average daily attendance of each school district bears to the  
936 average daily attendance of all school districts within the state.

937 It is the intent of the Legislature that all classroom teachers  
938 shall be involved in the development of a spending plan that  
939 addresses individual classroom needs and supports the overall  
940 goals of the school regarding supplies, instructional materials,  
941 equipment, computers or computer software under the provisions of  
942 this subparagraph, including the type, quantity and quality of  
943 such supplies, materials and equipment. This plan shall be  
944 submitted to the school principal for approval. School districts  
945 need not fully expend the funds received under this subparagraph  
946 in the year in which they are received, but such funds may be  
947 carried forward for expenditure in any succeeding school year.

948 (b) Twenty-two and nine one-hundredths percent (22.09%)  
949 to the Board of Trustees of State Institutions of Higher Learning  
950 for the purpose of supporting institutions of higher learning, and  
951 fourteen and forty-one one-hundredths percent (14.41%) to the  
952 State Board for Community and Junior Colleges for the purpose of  
953 providing support to community and junior colleges.

954           (4) The amount remaining in the Education Enhancement Fund  
955 after funds are distributed as provided in subsections (2) and (3)  
956 of this section, excluding funds deposited pursuant to Section  
957 27-103-203(1), shall be disbursed as follows:

958           (a) Twenty-five Million Dollars (\$25,000,000.00) shall  
959 be deposited into the Working Cash-Stabilization Reserve Fund  
960 created pursuant to Section 27-103-203(1), until the balance in  
961 such fund reaches the maximum balance of seven and one-half  
962 percent (7-1/2%) of the General Fund appropriations in the  
963 appropriate fiscal year. After the maximum balance in the Working  
964 Cash-Stabilization Reserve Fund is reached, such money shall  
965 remain in the Education Enhancement Fund to be appropriated in the  
966 manner provided for in paragraph (b) of this section.

967           (b) The remainder shall be appropriated for other  
968 educational needs.

969           (5) None of the funds appropriated pursuant to subsection  
970 (3)(a) of this section shall be used to reduce the state's general  
971 fund appropriation for the categories listed in an amount below  
972 the following amounts:

973           (a) For subsection (3)(a)(ii) of this section  
974 Thirty-six Million Seven Hundred Thousand Dollars  
975 (\$36,700,000.00);

976           (b) For the aggregate of minimum program allotments in  
977 the 1997 fiscal year, formerly provided for in Chapter 19, Title  
978 37, Mississippi Code of 1972, as amended, excluding those funds  
979 for transportation as provided for in subsection (5)(a) herein.

980           (6) At the end of a fiscal year such amounts as required by  
981 Section 27-103-203(1) to be transferred to the Education  
982 Enhancement Fund shall be deposited into said Education  
983 Enhancement Fund and shall be kept separate from other monies in  
984 the fund by the State Treasurer. Beginning with the 1994 fiscal  
985 year the monies in such special fund deposited pursuant to said  
986 Section 27-103-203(1) shall be subject to appropriation by the  
987 Legislature in the following manner: (a) fifty percent (50%) to

988 support public education, including but not limited to, Grades K  
989 through 12, Mississippi Educational Television and/or the  
990 Mississippi Library Commission; (b) twenty-five percent (25%) to  
991 support institutions of higher learning; and (c) twenty-five  
992 percent (25%) to support the junior or community colleges. Any  
993 amount of such monies transferred into said separate fund pursuant  
994 to Section 27-103-203(1) which are not appropriated by the  
995 Legislature shall not lapse but shall carry over and be subject to  
996 appropriation by the Legislature in the succeeding fiscal year in  
997 the same manner provided in this subsection (6). The interest  
998 earned on the investment of such monies transferred pursuant to  
999 Section 27-103-203(1) shall be paid into said separate fund within  
1000 the Education Enhancement Fund.

1001 SECTION 6. This act shall take effect and be in force from  
1002 and after July 1, 1999.