

**REPORT OF CONFERENCE COMMITTEE**

**MR. SPEAKER AND MR. PRESIDENT:**

**We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:**

H.B. No. 471: Teachers, assistant teachers and certain other school employees; increase salaries.

**We, therefore, respectfully submit the following report and recommendation:**

- 1. That the Senate recede from its Amendment No. 1.**
- 2. That the House and Senate adopt the following amendment:**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

23 SECTION 1. Section 37-19-7, Mississippi Code of 1972, is  
24 amended 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	<b>1999-2000 School Year</b>	
35	<b>and School Years Thereafter</b>	
36	<b>Less Than 25 Years of Teaching Experience</b>	
37	AAAA.....	<u>\$25,790.00</u>
38	AAA.....	<u>24,940.00</u>
39	AA.....	<u>24,090.00</u>
40	A.....	<u>23,040.00</u>
41	<b>25 or More Years of Teaching Experience</b>	
42	AAAA.....	<u>\$26,790.00</u>
43	AAA.....	<u>25,940.00</u>
44	AA.....	<u>25,090.00</u>
45	A.....	<u>24,040.00</u>

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

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

65           For teachers holding a Class AAAA license, the minimum base  
66 pay specified in this subsection shall be increased by the sum of  
67 Six Hundred Sixty Dollars (\$660.00) for each year of teaching  
68 experience possessed by the person holding such license until such  
69 person shall have twenty-five (25) years of teaching experience.

70           For teachers holding a Class AAA license, the minimum base  
71 pay specified in this subsection shall be increased by the sum of  
72 Five Hundred Ninety-five Dollars (\$595.00) for each year of  
73 teaching experience possessed by the person holding such license  
74 until such person shall have twenty-five (25) years of teaching  
75 experience.

76           For teachers holding a Class AA license, the minimum base pay  
77 specified in this subsection shall be increased by the sum of Five  
78 Hundred Thirty Dollars (\$530.00) for each year of teaching  
79 experience possessed by the person holding such license until such  
80 person shall have twenty-five (25) years of teaching experience.

81 For teachers holding a Class A license, the minimum base pay  
82 specified in this subsection shall be increased by the sum of Four  
83 Hundred Thirty-five Dollars (\$435.00) for each year of teaching  
84 experience possessed by the person holding such license until such  
85 person shall have twenty-one (21) years of teaching experience.

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

91 (2) (a) The following employees shall receive an annual  
92 salary supplement in the amount of Six Thousand Dollars  
93 (\$6,000.00), plus fringe benefits, in addition to any other  
94 compensation to which the employee may be entitled:

95 (i) \* \* \* Any licensed teacher who has met the  
96 requirements and acquired a Master Teacher certificate from the  
97 National Board for Professional Teaching Standards and who is  
98 employed by a local school board or the State Board of Education  
99 as a teacher and not as an administrator \* \* \*. \* \* \* In the  
100 1999-2000 and 2000-2001 school year, such teacher shall submit  
101 documentation to the State Department of Education that the  
102 certificate was received prior to April 15 in order to be eligible  
103 for the full salary supplement in the current school year. In the  
104 2001-2002 school year and in school years thereafter, such teacher  
105 shall submit documentation to the State Department of Education  
106 that the certificate was received prior to October 15 in order to  
107 be eligible for the full salary supplement in the current school  
108 year, or the teacher shall submit such documentation to the State  
109 Department of Education prior to February 15 in order to be  
110 eligible for a prorated salary supplement beginning with the  
111 second term of the school year.

112 (ii) From and after July 1, 1999, any licensed  
113 school counselor who has met the requirements and acquired a  
114 National Certified School Counselor (NCSC) endorsement from the  
115 National Board of Certified Counselors and who is employed by a

116 local school board or the State Board of Education as a counselor  
117 and not as an administrator. Such licensed school counselor  
118 shall submit documentation to the State Department of Education  
119 that the endorsement was received prior to October 15 in order to  
120 be eligible for the full salary supplement in the current school  
121 year, or the licensed school counselor shall submit such  
122 documentation to the State Department of Education prior to  
123 February 15 in order to be eligible for a prorated salary  
124 supplement beginning with the second term of the school year.  
125 However, the salary supplement authorized under this item shall be  
126 discontinued two (2) years after the date on which the National  
127 Board for Professional Teaching Standards offers a certification  
128 process for a Master Teacher certificate for school counselors,  
129 and any school counselor receiving the salary supplement will be  
130 required to complete the Master Teacher certificate process under  
131 item (i) of this paragraph in order to continue receiving such  
132 salary supplement.

133 (iii) From and after July 1, 1999, any licensed  
134 speech-language pathologist and audiologist who has met the  
135 requirements and acquired a Certificate of Clinical Competence  
136 from the American Speech-Language-Hearing Association and who is  
137 employed by a local school board. Such licensed speech-language  
138 pathologist and audiologist shall submit documentation to the  
139 State Department of Education that the certificate or endorsement  
140 was received prior to October 15 in order to be eligible for the  
141 full salary supplement in the current school year, or the licensed  
142 speech-language pathologist and audiologist shall submit such  
143 documentation to the State Department of Education prior to  
144 February 15 in order to be eligible for a prorated salary  
145 supplement beginning with the second term of the school year.  
146 However, the salary supplement authorized under this item shall be  
147 discontinued two (2) years after the date on which the National  
148 Board for Professional Teaching Standards offers a certification  
149 process for a Master Teacher certificate for school speech  
150 pathologists and audiologists, and any school speech pathologists

151 and audiologist receiving the salary supplement will be required  
152 to complete the Master Teacher certificate process under item (i)  
153 of this paragraph in order to continue receiving such salary  
154 supplement.

155 (b) An employee shall be reimbursed one (1) time for  
156 the actual cost of completing the process of acquiring the  
157 certificate or endorsement, excluding any costs incurred for  
158 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)  
159 for a school counselor or speech-language pathologist and  
160 audiologist, regardless of whether or not the process resulted in  
161 the award of the certificate or endorsement. A local school  
162 district or any private individual or entity may pay the cost of  
163 completing the process of acquiring the certificate or endorsement  
164 for any employee of the school district described under paragraph  
165 (a), and the State Department of Education shall reimburse the  
166 school district for such cost, regardless of whether or not the  
167 process resulted in the award of the certificate or endorsement.  
168 If a private individual or entity has paid the cost of completing  
169 the process of acquiring the certificate or endorsement for an  
170 employee, the local school district may agree to directly  
171 reimburse the individual or entity for such cost on behalf of the  
172 employee.

173 (c) All salary supplements, fringe benefits and process  
174 reimbursement authorized under this subsection shall be paid  
175 directly by the State Department of Education to the local school  
176 district and shall be in addition to its minimum education program  
177 allotments and not a part thereof in accordance with regulations  
178 promulgated by the State Board of Education, and subject to  
179 appropriation by the Legislature. Local school districts shall  
180 not reduce the local supplement paid to any employee receiving  
181 such salary supplement, and the employee shall receive any local  
182 supplement to which employees with similar training and experience  
183 otherwise are entitled.

184 (d) The State Department of Education may not pay any  
185 process reimbursement to a school district for an employee who

186 does not complete the certification or endorsement process  
187 required to be eligible for the certificate or endorsement. If an  
188 employee for whom such cost has been paid in full or in part by a  
189 local school district or private individual or entity fails to  
190 complete the certification or endorsement process, the employee  
191 shall be liable to the school district or individual or entity for  
192 all amounts paid by the school district or individual or entity on  
193 behalf of that employee toward his or her certificate or  
194 endorsement.

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

197 37-19-21. In addition to other funds allowed in this  
198 chapter, each school district shall be allotted Four Thousand Nine  
199 Hundred Sixty-three Dollars (\$4,963.00) annually per teacher unit  
200 for use in supportive services.

201 This section shall be repealed on July 1, 2002.

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

204 37-21-7. (1) This section shall be referred to as the  
205 "Mississippi Elementary Schools Assistant Teacher Program," the  
206 purpose of which shall be to provide an early childhood education  
207 program that assists in the instruction of basic skills. The  
208 State Board of Education is authorized, empowered and directed to  
209 implement a statewide system of assistant teachers in kindergarten  
210 classes and in the first, second and third grades. The assistant  
211 teacher shall assist pupils in actual instruction under the strict  
212 supervision of a licensed teacher.

213 (2) (a) Each school district shall employ the total number  
214 of assistant teachers funded under subsection (6) of this  
215 section. The superintendent of each district shall assign the  
216 assistant teachers to the kindergarten, first-, second- and  
217 third-grade classes in the district in a manner that will promote  
218 the maximum efficiency, as determined by the superintendent, in  
219 the instruction of skills such as verbal and linguistic skills,  
220 logical and mathematical skills, and social skills.

221           (b) If a licensed teacher to whom an assistant teacher  
222 has been assigned is required to be absent from the classroom, the  
223 assistant teacher may assume responsibility for the classroom in  
224 lieu of a substitute teacher. However, no assistant teacher shall  
225 assume sole responsibility of the classroom for more than three  
226 (3) consecutive school days. Further, in no event shall any  
227 assistant teacher be assigned to serve as a substitute teacher for  
228 any teacher other than the licensed teacher to whom that assistant  
229 teacher has been assigned.

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

235           (4) (a) In order to receive funding, each school district  
236 shall:

237                   (i) Submit a plan on the implementation of a  
238 reading improvement program to the State Department of Education;  
239 and

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

243           (b) Additionally, each school district shall:

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

249                   (ii) Hold periodic workshops for administrators  
250 and teachers on the effective use and supervision of assistant  
251 teachers;

252                   (iii) Provide training annually on specific  
253 instructional skills for assistant teachers;

254                   (iv) Annually evaluate their program in accordance  
255 with their educational accountability and assessment of

256 performance plan; and

257 (v) Designate the necessary personnel to supervise  
258 and report on their program.

259 (5) The State Department of Education shall:

260 (a) Develop and assist in the implementation of a  
261 statewide uniform training module, subject to the availability of  
262 funds specifically appropriated therefor by the Legislature, which  
263 shall be used in all school districts for training administrators,  
264 teachers and assistant teachers. The module shall provide for the  
265 consolidated training of each assistant teacher and teacher to  
266 whom the assistant teacher is assigned, working together as a  
267 team, and shall require further periodical training for  
268 administrators, teachers and assistant teachers regarding the role  
269 of assistant teachers;

270 (b) Annually evaluate the program on the district and  
271 state level. Subject to the availability of funds specifically  
272 appropriated therefor by the Legislature, the department shall  
273 develop: (i) uniform evaluation reports, to be performed by the  
274 principal or assistant principal, to collect data for the annual  
275 overall program evaluation conducted by the department; or (ii) a  
276 program evaluation model that, at a minimum, addresses process  
277 evaluation; and

278 (c) Promulgate rules, regulations and such other  
279 standards deemed necessary to effectuate the purposes of this  
280 section. Noncompliance with the provisions of this section and  
281 any rules, regulations or standards adopted by the department may  
282 result in a violation of compulsory accreditation standards as  
283 established by the State Board of Education and Commission on  
284 School Accreditation.

285 (6) In addition to other funds allotted under the Minimum  
286 Education Program, each school district shall be allotted Nine  
287 Thousand One Hundred Fifteen Dollars (\$9,115.00) per teacher unit  
288 as prescribed in Section 37-19-5 for Grades 1, 2 and 3 for the  
289 purpose of employing an assistant teacher. Assistant teachers  
290 shall be paid a minimum annual salary of Nine Thousand One Hundred



291 Fifteen Dollars (\$9,115.00). However, no assistant teacher shall  
292 be paid less than the amount he or she received in the prior  
293 school year. In the 1995-1996 school year and school years  
294 thereafter, no school district shall receive any funds under this  
295 section for any school year during which the aggregate amount of  
296 the local contribution to the salaries of assistant teachers by  
297 the district shall have been reduced below such amount for the  
298 previous year. The assistant teachers shall not be restricted to  
299 working only in the grades for which the funds were allotted, but  
300 may be assigned to other classes as provided in subsection (2)(a)  
301 of this section.

302 (7) (a) As an alternative to employing assistant teachers,  
303 the State Board of Education may authorize any school district  
304 meeting Level 3, 4 or 5 accreditation requirements to use the  
305 minimum program allotment provided under subsection (6) of this  
306 section for the purpose of employing licensed teachers for  
307 kindergarten, first-, second- and third-grade classes; however, no  
308 school district shall be authorized to use the minimum program  
309 allotment for assistant teachers for the purpose of employing  
310 licensed teachers unless the district has established that the  
311 employment of licensed teachers using such funds will reduce the  
312 teacher:student ratio in the kindergarten, first-, second- and  
313 third-grade classes. All minimum program funds for assistant  
314 teachers shall be applied to reducing teacher:student ratio in  
315 Grades K-3.

316 It is the intent of the Legislature that no school district  
317 shall dismiss any assistant teacher for the purpose of using the  
318 minimum program assistant teacher allotment to employ licensed  
319 teachers. School districts may rely only upon normal attrition to  
320 reduce the number of assistant teachers employed in that district.

321 (b) In the event any school district meets Level 4 or 5  
322 accreditation requirements, the State Board of Education, in its  
323 discretion, may exempt such school district from any accreditation  
324 requirements for the district's early childhood education program  
325 or reading improvement program.

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

327 37-21-7. (1) This section shall be referred to as the  
328 "Mississippi Elementary Schools Assistant Teacher Program," the  
329 purpose of which shall be to provide an early childhood education  
330 program that assists in the instruction of basic skills. The  
331 State Board of Education is authorized, empowered and directed to  
332 implement a statewide system of assistant teachers in kindergarten  
333 classes and in the first, second and third grades. The assistant  
334 teacher shall assist pupils in actual instruction under the strict  
335 supervision of a certified teacher.

336 (2) (a) Each school district shall employ the total number  
337 of assistant teachers funded under subsection (6) of this section.  
338 The superintendent of each district shall assign the assistant  
339 teachers to the kindergarten, first-, second- and third-grade  
340 classes in the district in a manner that will promote the maximum  
341 efficiency, as determined by the superintendent, in the  
342 instruction of skills such as verbal and linguistic skills,  
343 logical and mathematical skills, and social skills.

344 (b) If a certified teacher to whom an assistant teacher  
345 has been assigned is required to be absent from the classroom, the  
346 assistant teacher may assume responsibility for the classroom in  
347 lieu of a substitute teacher. However, no assistant teacher shall  
348 assume sole responsibility of the classroom for more than three

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

353 (3) Assistant teachers shall have, at a minimum, a high  
354 school diploma or a GED equivalent, and shall show demonstratable  
355 proficiency in reading and writing skills. The State Department  
356 of Education shall develop a testing procedure for assistant  
357 teacher applicants to be used in all school districts in the  
358 state.

359 (4) (a) In order to receive funding, each school district  
360 shall:

361 (i) Submit a plan on the implementation of a  
362 reading improvement program to the State Department of Education;  
363 and

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

367 (b) Additionally, each school district shall:

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

373 (ii) Hold periodic workshops for administrators  
374 and teachers on the effective use and supervision of assistant  
375 teachers;

376 (iii) Provide training annually on specific  
377 instructional skills for assistant teachers;

378 (iv) Annually evaluate their program in accordance  
379 with their educational accountability and assessment of  
380 performance plan; and

381 (v) Designate the necessary personnel to supervise  
382 and report on their program.

383 (5) The State Department of Education shall:

384 (a) Develop and assist in the implementation of a  
385 statewide uniform training module, subject to the availability of  
386 funds specifically appropriated therefor by the Legislature, which  
387 shall be used in all school districts for training administrators,  
388 teachers and assistant teachers. The module shall provide for the  
389 consolidated training of each assistant teacher and teacher to  
390 whom the assistant teacher is assigned, working together as a  
391 team, and shall require further periodical training for  
392 administrators, teachers and assistant teachers regarding the role  
393 of assistant teachers;

394 (b) Annually evaluate the program on the district and  
395 state level. Subject to the availability of funds specifically

396 appropriated therefor by the Legislature, the department shall  
397 develop: (i) uniform evaluation reports, to be performed by the  
398 principal or assistant principal, to collect data for the annual  
399 overall program evaluation conducted by the department; or (ii) a  
400 program evaluation model that, at a minimum, addresses process  
401 evaluation; and

402 (c) Promulgate rules, regulations and such other  
403 standards deemed necessary to effectuate the purposes of this  
404 section. Noncompliance with the provisions of this section and  
405 any rules, regulations or standards adopted by the department may  
406 result in a violation of compulsory accreditation standards as  
407 established by the State Board of Education and Commission on  
408 School Accreditation.

409 (6) No assistant teacher shall be paid less than the amount  
410 he or she received in the prior school year. In the 1995-1996  
411 school year and school years thereafter, no school district shall  
412 receive any funds under this section for any school year during  
413 which the aggregate amount of the local contribution to the  
414 salaries of assistant teachers by the district shall have been  
415 reduced below such amount for the previous year. The assistant  
416 teachers shall not be restricted to working only in the grades for  
417 which the funds were allotted, but may be assigned to other  
418 classes as provided in subsection (2)(a) of this section.

419 (7) (a) As an alternative to employing assistant teachers,  
420 the State Board of Education may authorize any school district  
421 meeting Level 3, 4 or 5 accreditation requirements to use the  
422 adequate education program allotments for the purpose of employing  
423 certified teachers for kindergarten, first-, second- and  
424 third-grade classes; however, no school district shall be  
425 authorized to use the funds for assistant teachers for the purpose  
426 of employing certified teachers unless the district has  
427 established that the employment of certified teachers using such  
428 funds will reduce the teacher:student ratio in the kindergarten,  
429 first-, second- and third-grade classes. All adequate education  
430 program funds for assistant teachers shall be applied to reducing

431 teacher:student ratio in Grades K-3.

432 It is the intent of the Legislature that no school district  
433 shall dismiss any assistant teacher for the purpose of using state  
434 funds to employ certified teachers. School districts may rely  
435 only upon normal attrition to reduce the number of assistant  
436 teachers employed in that district.

437 (b) In the event any school district meets Level 4 or 5  
438 accreditation requirements, the State Board of Education, in its  
439 discretion, may exempt such school district from any accreditation  
440 requirements for the district's early childhood education program  
441 or reading improvement program.

442 SECTION 4. The following provision shall be codified as  
443 Section 37-19-24, Mississippi Code of 1972:

444 37-19-24. Beginning with the 1999-2000 school year, in  
445 addition to other funds allotted under this chapter, an amount  
446 subject to appropriation shall be provided to fund the local cost  
447 of state mandated salary increases as provided through Section  
448 37-19-7. Such funds are provided where amounts provided through  
449 Section 37-19-21 are insufficient to fund such increases and shall  
450 be distributed based on district staffing for the immediate  
451 preceding school year, as determined by the State Department of  
452 Education.

453 This section shall be repealed on July 1, 2002.

454 SECTION 5. This act shall take effect and be in force from  
455 and after July 1, 1999.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE THE SALARIES OF PUBLIC SCHOOL TEACHERS TO REQUIRE THE  
3 PAYMENT OF AN ANNUAL SALARY SUPPLEMENT AND A ONE-TIME PROCESS  
4 REIMBURSEMENT TO SCHOOL DISTRICT COUNSELORS ACQUIRING THE NATIONAL  
5 BOARD FOR CERTIFIED COUNSELORS' ENDORSEMENT AS A NATIONAL  
6 CERTIFIED SCHOOL COUNSELOR AND TO SPEECH-LANGUAGE PATHOLOGISTS AND  
7 AUDIOLOGISTS ACQUIRING THE CERTIFICATE OF CLINICAL COMPETENCE FROM  
8 THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION, TO PROVIDE THAT  
9 THE STATE DEPARTMENT OF EDUCATION SHALL PAY FRINGE BENEFITS ON THE  
10 SALARY SUPPLEMENTS AWARDED UNDER THIS STATUTE, TO AUTHORIZE LOCAL  
11 SCHOOL DISTRICTS OR ANY PRIVATE ENTITY TO PAY THE PROCESS COST FOR  
12 ACQUIRING SUCH NATIONAL BOARD CERTIFICATION WHICH SHALL BE  
13 REIMBURSED BY THE STATE DEPARTMENT OF EDUCATION, TO CLARIFY THE  
14 ELIGIBILITY DATE FOR SUCH SALARY SUPPLEMENTS; TO AMEND SECTION  
15 37-19-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM

16 PROGRAM ALLOTMENT FOR SUPPORTIVE SERVICES; TO AMEND SECTION  
17 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF  
18 ASSISTANT TEACHERS; TO CODIFY SECTION 37-19-24, MISSISSIPPI CODE  
19 OF 1972, TO PROVIDE AN ALLOTMENT OF MINIMUM PROGRAM FUNDS TO FUND  
20 THE LOCAL COST OF TEACHER SALARY INCREASES; AND FOR RELATED  
21 PURPOSES.

CONFEREES FOR THE HOUSE:

CONFEREES FOR THE SENATE:

X  
William J. McCoy

X  
Grey F. Ferris

X  
Charlie Capps, Jr.

X  
Bennie L. Turner

X  
Herb Frierson

          
Dick Hall