Adopted AMENDMENT No. 1 PROPOSED TO

Committee Sub. for SB NO. 2186

By Senator(s) Ferris

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

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
37	AAA
38	AA

SS02\SB2186A.5J *SS02\SB2186A.5J* PAGE 1 45 It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the 46 funds paid for such salaries for the 1986-1987 school year shall 47 be paid to licensed personnel pursuant to a personnel appraisal 48 and compensation system implemented by the State Board of 49 Education. The State Board of Education shall have the authority 50 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 minimum salary in accordance with the above scale. However, no 54 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 year. The amount actually spent for the purposes of group health 60 61 and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a 62 part of the amount of individual local supplement. 63

For teachers holding a Class AAAA license, the minimum base pay specified in this subsection shall be increased by the sum of <u>Seven Hundred Fifteen Dollars (\$715.00)</u> for each year of teaching

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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 <u>Six Hundred Forty-five Dollars (\$645.00)</u> 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.

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

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

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

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receive a salary supplement in the amount of Six Thousand Dollars 95 (\$6,000.00) in addition to any other compensation to which the 96 teacher may be entitled. The teacher shall be reimbursed one (1) 97 time for the actual cost of completing the process of acquiring 98 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 paid directly by the State Department of Education to the local 102 school district and shall be in addition to its minimum education 103 program allotments and not a part thereof in accordance with 104 regulations promulgated by the State Board of Education, and 105 106 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 receive any local supplement to which teachers with similar 109 110 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 teachers' salaries as provided in this subsection for the number 116 of teachers employed not in excess of the number of teacher units 117 allotted. For teachers holding the following types of licenses or 118 the equivalent as determined by the State Board of Education, and 119 120 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

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123	Less Than 25 Years of Teaching Experience
124	AAAA
125	AAA
126	AA <u>25,995.00</u>
127	A <u>24,945.00</u>
128	25 or More Years of Teaching Experience
129	AAAA
130	AAA
131	AA
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 minimum salary in accordance with the above scale. However, no 142 school district shall receive any funds under this section for any 143 144 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

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151 part of the amount of individual local supplement.

152 For teachers holding a Class AAAA license, the minimum base pay specified in this subsection shall be increased by the sum of 153 Eight Hundred Dollars (\$800.00) for each year of teaching 154 155 experience possessed by the person holding such license until such 156 person shall have <u>twenty-six (26)</u> years of teaching experience. 157 For teachers holding a Class AAA license, the minimum base pay specified in this subsection shall be increased by the sum of 158 Seven Hundred Twenty Dollars (\$720.00) for each year of teaching 159 experience possessed by the person holding such license until such 160 person shall have <u>twenty-six (26)</u> years of teaching experience. 161 For teachers holding a Class AA license, the minimum base pay 162 163 specified in this subsection shall be increased by the sum of Six Hundred Thirty-five Dollars (\$635.00) for each year of teaching 164 experience possessed by the person holding such license until such 165 person shall have <u>twenty-six (26)</u> years of teaching experience. 166 167 For teachers holding a Class A license, the minimum base pay specified in this subsection shall be increased by the sum of Five 168 169 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 year shall be determined by the type of valid teacher's license 174 issued to those teachers on or before October 1 of the current 175 176 school year.

177 (2) Prior to April 15 of any school year in which a teacher178 meets the standard requirements, any licensed teacher who shall

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179 have met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching 180 Standards and who is employed by a local school board or the State 181 Board of Education as a teacher and not as an administrator shall 182 183 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) time for the actual cost of completing the process of acquiring 186 187 the Master Teacher certificate, regardless of whether or not the process resulted in the award of the Master Teacher certificate. 188 189 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 regulations promulgated by the State Board of Education, and 193 194 subject to appropriation by the Legislature. Local school districts shall not reduce the local supplement paid to any 195 teacher receiving such salary supplement, and the teacher shall 196 197 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 <u>Five Thousand</u>
205 <u>Seventy-six Dollars (\$5,076.00)</u> annually per teacher unit for use
206 in supportive services.

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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 <u>Five Thousand Six</u>
211 <u>Hundred Forty-five Dollars (\$5,645.00)</u> annually per teacher unit
212 for use in supportive services.

213 <u>This section shall stand repealed from and after July 1,</u>
214 <u>2002.</u>

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 purpose of which shall be to provide an early childhood education 221 program that assists in the instruction of basic skills. The 222 223 State Board of Education is authorized, empowered and directed to 224 implement a statewide system of assistant teachers in kindergarten classes and in the first, second and third grades. The assistant 225 226 teacher shall assist pupils in actual instruction under the strict 227 supervision of a licensed teacher.

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

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235 logical and mathematical skills, and social skills.

If a licensed teacher to whom an assistant teacher 236 (b) has been assigned is required to be absent from the classroom, the 237 assistant teacher may assume responsibility for the classroom in 238 239 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 assistant teacher be assigned to serve as a substitute teacher for 242 243 any teacher other than the licensed teacher to whom that assistant teacher has been assigned. 244

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

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

(i) Submit a plan on the implementation of a
reading improvement program to the State Department of Education;
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.

(b) Additionally, each school district shall:
(i) Provide annually a mandatory preservice
orientation session, using an existing in-school service day, for

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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;

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

269 (iii) Provide training annually on specific270 instructional skills for assistant teachers;

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

(v) Designate the necessary personnel to superviseand 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 funds specifically appropriated therefor by the Legislature, which 279 280 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 team, and shall require further periodical training for 284 285 administrators, teachers and assistant teachers regarding the role of assistant teachers; 286

(b) Annually evaluate the program on the district and
state level. Subject to the availability of funds specifically
appropriated therefor by the Legislature, the department shall
develop: (i) uniform evaluation reports, to be performed by the

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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

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

302 (6) The allowance in the minimum education program for 303 assistant teacher salaries in each school district shall be determined and paid in accordance with the scale for assistant 304 teachers' salaries as provided in this subsection for the number 305 306 of teachers employed not in excess of the number of teacher units as prescribed in Section 37-19-5 allotted for Grades 1, 2 and 3. 307 For assistant teachers holding the following qualifications as 308 309 determined by the local school district, the minimum scale shall 310 be as follows:

311

<u>1999-2000 School Year</u>

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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 <u>holding such degree until such person shall have five (5) years of</u> 333 <u>assistant teaching experience.</u>

334 <u>The local school district shall require an official</u>

335 transcript of the undergraduate coursework possessed by the

336 <u>assistant teacher for purposes of determining his salary under the</u> 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 year and school years thereafter, no school district shall receive 340 341 any funds under this section for any school year during which the aggregate amount of the local contribution to the salaries of 342 assistant teachers by the district shall have been reduced below 343 344 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

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347 provided in subsection (2)(a) of this section.

348 (7) (a) As an alternative to employing assistant teachers, * * * any school district is authorized to use the 349 minimum program allotment provided under subsection (6) of this 350 351 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 employment of licensed teachers using such funds will reduce the 356 357 teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All minimum program funds for assistant 358 359 teachers shall be applied to reducing teacher:student ratio in Grades K-3. 360

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.

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

374 [From and after July 1, 2000, and until July 1, 2002, Section 99\SS02\SB2186A.5J *\$\$02/\$B2186A.5J*

375 37-21-7 will read as follows:]

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

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

393 If a licensed teacher to whom an assistant teacher (b) 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 (3) consecutive school days. Further, in no event shall any 398 assistant teacher be assigned to serve as a substitute teacher for 399 400 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

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403 school diploma <u>or shall have successfully completed the General</u> 404 <u>Educational Development (GED) test</u> 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:

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

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

417 (b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the 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 specific427 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

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431 (v) Designate the necessary personnel to supervise432 and report on their program.

433 (5) The State Department of Education shall:

434 Develop and assist in the implementation of a (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 team, and shall require further periodical training for 441 442 administrators, teachers and assistant teachers regarding the role 443 of assistant teachers;

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

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

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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:
468	2000-2001 School Year and
469	School Years Thereafter
470	<u>Bachelor's degree</u>
471	<u>Sixty (60) credit hours, or more,</u>
472	<u>undergraduate coursework</u>
473	<u>High school diploma, or the equivalent</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

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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 <u>assistant teacher for purposes of determining his salary under the</u> 495 <u>minimum scale prescribed herein.</u>

496 No assistant teacher shall be paid less than the amount he or she received in the prior school year. In the 1995-1996 school 497 498 year and school years thereafter, no school district shall receive 499 any funds under this section for any school year during which the aggregate amount of the local contribution to the salaries of 500 assistant teachers by the district shall have been reduced below 501 such amount for the previous year. The assistant teachers shall 502 503 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 kindergarten, first-, second- and third-grade classes; however, no 510 school district shall be authorized to use the minimum program 511 512 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

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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 teacher to another position for comparable compensation for which 525 526 the assistant teacher is qualified.

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

[From and after July 1, 2002, this section reads as follows:] 532 533 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 program that assists in the instruction of basic skills. 536 The 537 State Board of Education is authorized, empowered and directed to implement a statewide system of assistant teachers in kindergarten 538 classes and in the first, second and third grades. The assistant 539 540 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 99\SS02\SB2186A.5J *SS02/SB2186A.5J*

of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction of skills such as verbal and linguistic skills, 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 lieu of a substitute teacher. However, no assistant teacher shall 553 554 assume sole responsibility of the classroom for more than three 555 (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for 556 any teacher other than the certified teacher to whom that 557 assistant teacher has been assigned. 558

(3) Assistant teachers shall have, at a minimum, a high school diploma or a GED equivalent, and shall show demonstratable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the 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 99\SS02\SB2186A.5J *SS02/SB2186A.5J*

571 and assessment of performance, including pretests and posttests, 572 for reading in Grades 1 through 6.

573 Additionally, each school district shall: (b) 574 Provide annually a mandatory preservice (i) orientation session, using an existing in-school service day, for 575 576 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; (ii) Hold periodic workshops for administrators 579 and teachers on the effective use and supervision of assistant 580 581 teachers;

582 (iii) Provide training annually on specific583 instructional skills for assistant teachers;

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

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

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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

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

618

<u>1999-2000 School Year</u>

619 <u>Bachelor's degree</u>..... <u>\$10,995.00</u>

620 <u>Sixty (60) credit hours, or more,</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

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627 <u>such degree until such person shall have fifteen (15) years of</u>
628 <u>assistant teaching experience.</u>

For assistant teachers holding sixty (60) credit hours, or more, undergraduate coursework, the minimum base pay specified in this subsection shall be increased by the sum of Eighty Dollars (\$80.00) for each year of assistant teaching experience possessed by the person holding such degree until such person shall have ten (10) years of assistant teaching experience.
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 <u>holding such degree until such person shall have five (5) years of</u>
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 any funds under this section for any school year during which the 648 649 aggregate amount of the local contribution to the salaries of 650 assistant teachers by the district shall have been reduced below such amount for the previous year. The assistant teachers shall 651 652 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.

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655 (7) (a) As an alternative to employing assistant teachers, * * * any school district is authorized to use the 656 minimum program allotment provided under subsection (6) of this 657 section for the purpose of employing licensed teachers for 658 659 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 third-grade classes. All minimum program funds for assistant 665 666 teachers shall be applied to reducing teacher:student ratio in 667 Grades K-3.

It is the intent of the Legislature that no school district 668 shall dismiss any assistant teacher for the purpose of using the 669 minimum program assistant teacher allotment to employ licensed 670 671 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.

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

681 SECTION 4. The following provision shall be codified as 682 Section 37-19-24, Mississippi Code of 1972:

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37-19-24. Beginning with the school year 1999-2000, in 683 addition to other funds allotted in this chapter, an amount 684 subject to appropriation shall be provided to fund the local cost 685 of state mandated salary increases as provided through Section 686 687 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 preceding school year, as determined by the State Department of 690 691 Education.

This section shall stand repealed July 1, 2002.

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

[Until July 1, 2002, this section reads as follows:]
37-61-33. (1) There is hereby created within the State
Treasury a special fund to be designated the "Education
Enhancement Fund" into which shall be deposited all the revenues
collected pursuant to Sections 27-65-75(8), 27-67-31(b) and
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:

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(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, teachers' homes, school barns, transportation vehicles (which shall include new and used transportation vehicles) and garages for transportation vehicles, and purchasing land therefor.

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

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

(d) As a pledge to pay all or a portion of the debt 724 service on debt issued by the school district under Sections 725 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 726 727 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 upon the minutes of an official meeting of the district's school 732 733 board or board of supervisors. The annual grant to such district in any subsequent year during the term of the resolution or 734 contract shall not be reduced below an amount equal to the 735 736 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

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739 of revenue as security for long-term obligations issued under the code sections enumerated in this paragraph or as otherwise allowed 740 It is the intent of the Legislature that the provisions 741 by law. of this paragraph shall be cumulative and supplemental to any 742 743 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 be subject to any debt limitation contained in the foregoing 746 747 enumerated code sections.

(3) The remainder of the money deposited into the Education P49 Enhancement Fund, excluding funds deposited pursuant to Section P50 27-103-203(1), shall be appropriated as follows:

751

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

(i) Eight and thirty-five one-hundredths percent 752 753 (8.35%) to be distributed to public school districts for the funding of textbooks and other educational materials and to be 754 755 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 to the average daily attendance of all school districts in the 762 state. The funds distributed to the school districts under this 763 764 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

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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;

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

(iii) Eight and twenty-six one-hundredths percent
(8.26%) to assist the funding of the Uniform Millage Assistance
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 distributed to all school districts in the proportion that the 780 average daily attendance of each school district bears to the 781 average daily attendance of all school districts within the state. 782 783 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 of the school board of a school district who is required by law to 787 788 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,

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quantity and quality of such supplies, instructional materials, 795 796 equipment, computers or computer software. This plan shall be submitted, in writing, to the school principal for approval. 797 Classroom supply funds allocated under this subparagraph shall 798 799 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 the administration of this subparagraph consistent with the above 805 806 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

(c) Fourteen and forty-one hundredths percent (14.41%)
to the State Board for Community and Junior Colleges for the
purpose of providing support to community and junior colleges.
(4) The amount remaining in the Education Enhancement Fund
after funds are distributed as provided in subsections (2) and (3)
of this section, excluding funds deposited pursuant to Section
27-103-203(1), shall be disbursed as follows:

(a) Twenty-five Million Dollars (\$25,000,000.00) shall
be deposited into the Working Cash-Stabilization Reserve Fund
created pursuant to Section 27-103-203(1), until the balance in
such fund reaches the maximum balance of seven and one-half

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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 other829 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

(d) For the aggregate of minimum program allotments
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

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the fund by the State Treasurer. Beginning with the 1994 fiscal 851 year the monies in such special fund deposited pursuant to said 852 Section 27-103-203(1) shall be subject to appropriation by the 853 Legislature in the following manner: (a) fifty percent (50%) to 854 855 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 to Section 27-103-203(1) which are not appropriated by the 861 862 Legislature shall not lapse but shall carry over and be subject to 863 appropriation by the Legislature in the succeeding fiscal year in the same manner provided in this subsection (6). The interest 864 earned on the investment of such monies transferred pursuant to 865 Section 27-103-203(1) shall be paid into said separate fund within 866 867 the Education Enhancement Fund.

[From and after July 1, 2002, this section reads as follows:] 37-61-33. (1) There is hereby created within the State Treasury a special fund to be designated the "Education Enhancement Fund" into which shall be deposited all the revenues collected pursuant to Sections 27-65-75(8), 27-67-32(b) and 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

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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:

(a) Purchasing, erecting, repairing, equipping,
remodeling and enlarging school buildings and related facilities,
including gymnasiums, auditoriums, lunchrooms, vocational training
buildings, libraries, teachers' homes, school barns,
transportation vehicles (which shall include new and used
transportation vehicles) and garages for transportation vehicles,
and purchasing land therefor.

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

(c) Providing necessary water, light, heating, air source and sewerage facilities for school buildings, and 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 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 899 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 900 901 and 37-41-81, Mississippi Code of 1972, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 902 903 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

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907 in any subsequent year during the term of the resolution or contract shall not be reduced below an amount equal to the 908 district's grant amount for the year in which the contract or 909 resolution was adopted. The intent of this provision is to allow 910 911 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 by law. It is the intent of the Legislature that the provisions 914 915 of this paragraph shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school 916 districts or school boards. Debt of a district secured by a 917 pledge of sales tax revenue pursuant to this paragraph shall not 918 919 be subject to any debt limitation contained in the foregoing enumerated code sections. 920

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

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average daily attendance of each school district bears to the 935 average daily attendance of all school districts within the state. 936 937 It is the intent of the Legislature that all classroom teachers shall be involved in the development of a spending plan that 938 939 addresses individual classroom needs and supports the overall goals of the school regarding supplies, instructional materials, 940 941 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 need not fully expend the funds received under this subparagraph 945 946 in the year in which they are received, but such funds may be 947 carried forward for expenditure in any succeeding school year.

(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:

(a) Twenty-five Million Dollars (\$25,000,000.00) shall
be deposited into the Working Cash-Stabilization Reserve Fund
created pursuant to Section 27-103-203(1), until the balance in
such fund reaches the maximum balance of seven and one-half
percent (7-1/2%) of the General Fund appropriations in the

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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 the 1997 fiscal year, formerly provided for in Chapter 19, Title 977 37, Mississippi Code of 1972, as amended, excluding those funds 978 979 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 Section 27-103-203(1) shall be subject to appropriation by the 986 Legislature in the following manner: (a) fifty percent (50%) to 987 support public education, including but not limited to, Grades K 988 989 through 12, Mississippi Educational Television and/or the 990 Mississippi Library Commission; (b) twenty-five percent (25%) to

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991 support institutions of higher learning; and (c) twenty-five 992 percent (25%) to support the junior or community colleges. Any amount of such monies transferred into said separate fund pursuant 993 to Section 27-103-203(1) which are not appropriated by the 994 995 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 earned on the investment of such monies transferred pursuant to 998 999 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.

Further, amend by striking the title in its entirety and

inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO 1 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 DEVELOPMENT (GED) TEST MAY SERVE AS ASSISTANT TEACHERS; TO 9 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 MINIMUM PROGRAM FUNDS TO FUND THE LOCAL COST OF TEACHER SALARY 14 15 INCREASES; TO AMEND SECTION 37-61-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JULY 1, 2000, APPROPRIATIONS FROM THE 16 17 EDUCATION ENHANCEMENT FUND FOR SCHOOL CAPITAL IMPROVEMENT AND 18 SCHOOL TRANSPORTATION PURPOSES SHALL BE DETERMINED ON A PERCENTAGE BASIS; AND FOR RELATED PURPOSES. 19

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