

By: Davis

To: Education;
Appropriations

HOUSE BILL NO. 72

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE SALARIES OF ASSISTANT TEACHERS; AND FOR RELATED
3 PURPOSES.

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

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

7 **[Until July 1, 2002, this section will read as follows:]**

8 37-21-7. (1) This section shall be referred to as the
9 "Mississippi Elementary Schools Assistant Teacher Program," the
10 purpose of which shall be to provide an early childhood education
11 program that assists in the instruction of basic skills. The
12 State Board of Education is authorized, empowered and directed to
13 implement a statewide system of assistant teachers in kindergarten
14 classes and in the first, second and third grades. The assistant
15 teacher shall assist pupils in actual instruction under the strict
16 supervision of a licensed teacher.

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

19 The superintendent of each district shall assign the assistant
20 teachers to the kindergarten, first-, second- and third-grade
21 classes in the district in a manner that will promote the maximum

22 efficiency, as determined by the superintendent, in the
23 instruction of skills such as verbal and linguistic skills,
24 logical and mathematical skills, and social skills.

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

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

39 (4) (a) In order to receive funding, each school district
40 shall:

41 (i) Submit a plan on the implementation of a
42 reading improvement program to the State Department of Education;
43 and

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

47 (b) Additionally, each school district shall:

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

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

56 (iii) Provide training annually on specific
57 instructional skills for assistant teachers;

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

61 (v) Designate the necessary personnel to supervise
62 and report on their program.

63 (5) The State Department of Education shall:

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

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

81 evaluation; and

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

89 (6) In addition to other funds allotted under the Minimum
90 Education Program, each school district shall be allotted Ten
91 Thousand One Hundred Fifteen Dollars (\$10,115.00) per teacher unit
92 as prescribed in Section 37-19-5 for Grades 1, 2 and 3 for the
93 purpose of employing an assistant teacher. Assistant teachers
94 shall be paid a minimum annual salary of Ten Thousand One Hundred
95 Fifteen Dollars (\$10,115.00). However, no assistant teacher shall
96 be paid less than the amount he or she received in the prior
97 school year. In the 1995-1996 school year and school years
98 thereafter, no school district shall receive any funds under this
99 section for any school year during which the aggregate amount of
100 the local contribution to the salaries of assistant teachers by
101 the district shall have been reduced below such amount for the
102 previous year. The assistant teachers shall not be restricted to
103 working only in the grades for which the funds were allotted, but
104 may be assigned to other classes as provided in subsection (2)(a)
105 of this section.

106 (7) (a) As an alternative to employing assistant teachers,
107 the State Board of Education may authorize any school district
108 meeting Level 3, 4 or 5 accreditation requirements to use the

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

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

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

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

131 37-21-7. (1) This section shall be referred to as the
132 "Mississippi Elementary Schools Assistant Teacher Program," the
133 purpose of which shall be to provide an early childhood education
134 program that assists in the instruction of basic skills. The
135 State Board of Education is authorized, empowered and directed to
136 implement a statewide system of assistant teachers in kindergarten

137 classes and in the first, second and third grades. The assistant
138 teacher shall assist pupils in actual instruction under the strict
139 supervision of a certified teacher.

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

142 The superintendent of each district shall assign the assistant
143 teachers to the kindergarten, first-, second- and third-grade
144 classes in the district in a manner that will promote the maximum
145 efficiency, as determined by the superintendent, in the
146 instruction of skills such as verbal and linguistic skills,
147 logical and mathematical skills, and social skills.

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

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

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

163 (4) (a) In order to receive funding, each school district
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166 reading improvement program to the State Department of Education;
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169 and assessment of performance, including pretests and posttests,
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173 orientation session, using an existing in-school service day, for
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175 teachers as part of a team in the classroom setting and on the
176 role of assistant teachers, with emphasis on program goals;

177 (ii) Hold periodic workshops for administrators
178 and teachers on the effective use and supervision of assistant
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180 (iii) Provide training annually on specific
181 instructional skills for assistant teachers;

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

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

187 (5) The State Department of Education shall:

188 (a) Develop and assist in the implementation of a
189 statewide uniform training module, subject to the availability of
190 funds specifically appropriated therefor by the Legislature, which
191 shall be used in all school districts for training administrators,
192 teachers and assistant teachers. The module shall provide for the

193 consolidated training of each assistant teacher and teacher to
194 whom the assistant teacher is assigned, working together as a
195 team, and shall require further periodical training for
196 administrators, teachers and assistant teachers regarding the role
197 of assistant teachers;

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

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

213 (6) No assistant teacher shall be paid less than the amount
214 he or she received in the prior school year. In the 1995-1996
215 school year and school years thereafter, no school district shall
216 receive any funds under this section for any school year during
217 which the aggregate amount of the local contribution to the
218 salaries of assistant teachers by the district shall have been
219 reduced below such amount for the previous year. The assistant
220 teachers shall not be restricted to working only in the grades for

221 which the funds were allotted, but may be assigned to other
222 classes as provided in subsection (2)(a) of this section.

223 (7) (a) As an alternative to employing assistant teachers,
224 the State Board of Education may authorize any school district
225 meeting Level 3, 4 or 5 accreditation requirements to use the
226 adequate education program allotments for the purpose of employing
227 certified teachers for kindergarten, first-, second- and
228 third-grade classes; however, no school district shall be
229 authorized to use the funds for assistant teachers for the purpose
230 of employing certified teachers unless the district has
231 established that the employment of certified teachers using such
232 funds will reduce the teacher:student ratio in the kindergarten,
233 first-, second- and third-grade classes. All adequate education
234 program funds for assistant teachers shall be applied to reducing
235 teacher:student ratio in Grades K-3.

236 It is the intent of the Legislature that no school district
237 shall dismiss any assistant teacher for the purpose of using state
238 funds to employ certified teachers. School districts may rely
239 only upon normal attrition to reduce the number of assistant
240 teachers employed in that district.

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

246 SECTION 2. This act shall take effect and be in force from
247 and after July 1, 2000.