

By: Moak, Weathersby

To: Education;  
Appropriations

HOUSE BILL NO. 618

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 INCREASE TEACHERS' SALARIES TO THE SOUTHEASTERN AVERAGE; TO AMEND  
3 SECTION 37-19-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE  
4 ALLOTMENT FOR SUPPORTIVE SERVICES UNDER THE MINIMUM EDUCATION  
5 PROGRAM; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO  
6 INCREASE ASSISTANT TEACHERS' SALARIES; AND FOR RELATED PURPOSES.

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

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

10 37-19-7. (1) The allowance in the minimum education program  
11 for teachers' salaries in each county and separate school district  
12 shall be determined and paid in accordance with the scale for  
13 teachers' salaries as provided in this subsection for the number  
14 of teachers employed not in excess of the number of teacher units  
15 allotted. For teachers holding the following types of licenses or  
16 the equivalent as determined by the State Board of Education, and  
17 the following number of years of teaching experience, the scale  
18 shall be as follows:

19 **2000-2001 School Year**

20 **and School Years Thereafter**

21 **Less Than 25 Years of Teaching Experience**

22	AAAA.....	\$ <u>29,790.00</u>
23	AAA.....	<u>28,940.00</u>
24	AA.....	<u>28,090.00</u>
25	A.....	<u>27,040.00</u>

26 **25 or More Years of Teaching Experience**

27	AAAA.....	\$ <u>30,790.00</u>
28	AAA.....	<u>29,940.00</u>

29 AA.....29,090.00

30 A.....28,040.00

31 It is the intent of the Legislature that any state funds made  
32 available for salaries of licensed personnel in excess of the  
33 funds paid for such salaries for the 1986-1987 school year shall  
34 be paid to licensed personnel pursuant to a personnel appraisal  
35 and compensation system implemented by the State Board of  
36 Education. The State Board of Education shall have the authority  
37 to adopt and amend rules and regulations as are necessary to  
38 establish, administer and maintain the system.

39 All teachers employed on a full-time basis shall be paid a  
40 minimum salary in accordance with the above scale. However, no  
41 school district shall receive any funds under this section for any  
42 school year during which the local supplement paid to any  
43 individual teacher shall have been reduced to a sum less than that  
44 paid to that individual teacher for performing the same duties  
45 from local supplement during the immediately preceding school  
46 year. The amount actually spent for the purposes of group health  
47 and/or life insurance shall be considered as a part of the  
48 aggregate amount of local supplement but shall not be considered  
49 a part of the amount of individual local supplement.

50 For teachers holding a Class AAAA license, the minimum base  
51 pay specified in this subsection shall be increased by the sum of  
52 Seven Hundred Eighty Dollars (\$780.00) for each year of teaching  
53 experience possessed by the person holding such license until such  
54 person shall have twenty-five (25) years of teaching experience.

55 For teachers holding a Class AAA license, the minimum base  
56 pay specified in this subsection shall be increased by the sum of  
57 Seven Hundred Fifteen Dollars (\$715.00) for each year of teaching  
58 experience possessed by the person holding such license until such  
59 person shall have twenty-five (25) years of teaching experience.

60 For teachers holding a Class AA license, the minimum base pay  
61 specified in this subsection shall be increased by the sum of Six

62 Hundred Fifty Dollars (\$650.00) for each year of teaching  
63 experience possessed by the person holding such license until such  
64 person shall have twenty-five (25) years of teaching experience.

65 For teachers holding a Class A license, the minimum base pay  
66 specified in this subsection shall be increased by the sum of Five  
67 Hundred Fifty-five Dollars (\$555.00) for each year of teaching  
68 experience possessed by the person holding such license until such  
69 person shall have twenty-one (21) years of teaching experience.

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

75 (2) (a) The following employees shall receive an annual  
76 salary supplement in the amount of Six Thousand Dollars  
77 (\$6,000.00), plus fringe benefits, in addition to any other  
78 compensation to which the employee may be entitled:

79 (i) Any licensed teacher who has met the  
80 requirements and acquired a Master Teacher certificate from the  
81 National Board for Professional Teaching Standards and who is  
82 employed by a local school board or the State Board of Education  
83 as a teacher and not as an administrator. In the 1999-2000 and  
84 2000-2001 school year, such teacher shall submit documentation to  
85 the State Department of Education that the certificate was  
86 received prior to April 15 in order to be eligible for the full  
87 salary supplement in the current school year. In the 2001-2002  
88 school year and in school years thereafter, such teacher shall  
89 submit documentation to the State Department of Education that the  
90 certificate was received prior to October 15 in order to be  
91 eligible for the full salary supplement in the current school  
92 year, or the teacher shall submit such documentation to the State  
93 Department of Education prior to February 15 in order to be  
94 eligible for a prorated salary supplement beginning with the

95 second term of the school year.

96 (ii) From and after July 1, 1999, any licensed  
97 school counselor who has met the requirements and acquired a  
98 National Certified School Counselor (NCSC) endorsement from the  
99 National Board of Certified Counselors and who is employed by a  
100 local school board or the State Board of Education as a counselor  
101 and not as an administrator. Such licensed school counselor  
102 shall submit documentation to the State Department of Education  
103 that the endorsement was received prior to October 15 in order to  
104 be eligible for the full salary supplement in the current school  
105 year, or the licensed school counselor shall submit such  
106 documentation to the State Department of Education prior to  
107 February 15 in order to be eligible for a prorated salary  
108 supplement beginning with the second term of the school year.  
109 However, the salary supplement authorized under this item shall be  
110 discontinued two (2) years after the date on which the National  
111 Board for Professional Teaching Standards offers a certification  
112 process for a Master Teacher certificate for school counselors,  
113 and any school counselor receiving the salary supplement will be  
114 required to complete the Master Teacher certificate process under  
115 item (i) of this paragraph in order to continue receiving such  
116 salary supplement.

117 (iii) From and after July 1, 1999, any licensed  
118 speech-language pathologist and audiologist who has met the  
119 requirements and acquired a Certificate of Clinical Competence  
120 from the American Speech-Language-Hearing Association and who is  
121 employed by a local school board. Such licensed speech-language  
122 pathologist and audiologist shall submit documentation to the  
123 State Department of Education that the certificate or endorsement  
124 was received prior to October 15 in order to be eligible for the  
125 full salary supplement in the current school year, or the licensed  
126 speech-language pathologist and audiologist shall submit such  
127 documentation to the State Department of Education prior to

128 February 15 in order to be eligible for a prorated salary  
129 supplement beginning with the second term of the school year.  
130 However, the salary supplement authorized under this item shall be  
131 discontinued two (2) years after the date on which the National  
132 Board for Professional Teaching Standards offers a certification  
133 process for a Master Teacher certificate for school speech  
134 pathologists and audiologists, and any school speech pathologist  
135 and audiologist receiving the salary supplement will be required  
136 to complete the Master Teacher certificate process under item (i)  
137 of this paragraph in order to continue receiving such salary  
138 supplement.

139           (b) An employee shall be reimbursed one (1) time for  
140 the actual cost of completing the process of acquiring the  
141 certificate or endorsement, excluding any costs incurred for  
142 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)  
143 for a school counselor or speech-language pathologist and  
144 audiologist, regardless of whether or not the process resulted in  
145 the award of the certificate or endorsement. A local school  
146 district or any private individual or entity may pay the cost of  
147 completing the process of acquiring the certificate or endorsement  
148 for any employee of the school district described under paragraph  
149 (a), and the State Department of Education shall reimburse the  
150 school district for such cost, regardless of whether or not the  
151 process resulted in the award of the certificate or endorsement.  
152 If a private individual or entity has paid the cost of completing  
153 the process of acquiring the certificate or endorsement for an  
154 employee, the local school district may agree to directly  
155 reimburse the individual or entity for such cost on behalf of the  
156 employee.

157           (c) All salary supplements, fringe benefits and process  
158 reimbursement authorized under this subsection shall be paid  
159 directly by the State Department of Education to the local school  
160 district and shall be in addition to its minimum education program

161 allotments and not a part thereof in accordance with regulations  
162 promulgated by the State Board of Education, and subject to  
163 appropriation by the Legislature. Local school districts shall  
164 not reduce the local supplement paid to any employee receiving  
165 such salary supplement, and the employee shall receive any local  
166 supplement to which employees with similar training and experience  
167 otherwise are entitled.

168 (d) The State Department of Education may not pay any  
169 process reimbursement to a school district for an employee who  
170 does not complete the certification or endorsement process  
171 required to be eligible for the certificate or endorsement. If an  
172 employee for whom such cost has been paid in full or in part by a  
173 local school district or private individual or entity fails to  
174 complete the certification or endorsement process, the employee  
175 shall be liable to the school district or individual or entity for  
176 all amounts paid by the school district or individual or entity on  
177 behalf of that employee toward his or her certificate or  
178 endorsement.

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

181 37-19-21. In addition to other funds allowed in this  
182 chapter, each school district shall be allotted Six Thousand Two  
183 Hundred Forty-four (\$6,244.00) annually per teacher unit for use  
184 in supportive services.

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

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

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

189 37-21-7. (1) This section shall be referred to as the  
190 "Mississippi Elementary Schools Assistant Teacher Program," the  
191 purpose of which shall be to provide an early childhood education  
192 program that assists in the instruction of basic skills. The  
193 State Board of Education is authorized, empowered and directed to

194 implement a statewide system of assistant teachers in kindergarten  
195 classes and in the first, second and third grades. The assistant  
196 teacher shall assist pupils in actual instruction under the strict  
197 supervision of a licensed teacher.

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

200 The superintendent of each district shall assign the assistant  
201 teachers to the kindergarten, first-, second- and third-grade  
202 classes in the district in a manner that will promote the maximum  
203 efficiency, as determined by the superintendent, in the  
204 instruction of skills such as verbal and linguistic skills,  
205 logical and mathematical skills, and social skills.

206 (b) If a licensed teacher to whom an assistant teacher  
207 has been assigned is required to be absent from the classroom, the  
208 assistant teacher may assume responsibility for the classroom in  
209 lieu of a substitute teacher. However, no assistant teacher shall  
210 assume sole responsibility of the classroom for more than three

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

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

220 (4) (a) In order to receive funding, each school district  
221 shall:

222 (i) Submit a plan on the implementation of a  
223 reading improvement program to the State Department of Education;  
224 and

225 (ii) Develop a plan of educational accountability  
226 and assessment of performance, including pretests and posttests,

227 for reading in Grades 1 through 6.

228 (b) Additionally, each school district shall:

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

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

237 (iii) Provide training annually on specific  
238 instructional skills for assistant teachers;

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

242 (v) Designate the necessary personnel to supervise  
243 and report on their program.

244 (5) The State Department of Education shall:

245 (a) Develop and assist in the implementation of a  
246 statewide uniform training module, subject to the availability of  
247 funds specifically appropriated therefor by the Legislature, which  
248 shall be used in all school districts for training administrators,  
249 teachers and assistant teachers. The module shall provide for the  
250 consolidated training of each assistant teacher and teacher to  
251 whom the assistant teacher is assigned, working together as a  
252 team, and shall require further periodical training for  
253 administrators, teachers and assistant teachers regarding the role  
254 of assistant teachers;

255 (b) Annually evaluate the program on the district and  
256 state level. Subject to the availability of funds specifically  
257 appropriated therefor by the Legislature, the department shall  
258 develop: (i) uniform evaluation reports, to be performed by the  
259 principal or assistant principal, to collect data for the annual



260 overall program evaluation conducted by the department; or (ii) a  
261 program evaluation model that, at a minimum, addresses process  
262 evaluation; and

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

270 (6) In addition to other funds allotted under the Minimum  
271 Education Program, each school district shall be allotted Ten  
272 Thousand Seven Hundred Ninety-three Dollars (\$10,793.00) per  
273 teacher unit as prescribed in Section 37-19-5 for Grades 1, 2 and  
274 3 for the purpose of employing an assistant teacher. Assistant  
275 teachers shall be paid a minimum annual salary of Ten Thousand  
276 Seven Hundred Ninety-three Dollars (\$10,973.00). However, no  
277 assistant teacher shall be paid less than the amount he or she  
278 received in the prior school year. \* \* \* No school district shall  
279 receive any funds under this section for any school year during  
280 which the aggregate amount of the local contribution to the  
281 salaries of assistant teachers by the district shall have been  
282 reduced below such amount for the previous year. The assistant  
283 teachers shall not be restricted to working only in the grades for  
284 which the funds were allotted, but may be assigned to other  
285 classes as provided in subsection (2)(a) of this section.

286 (7) (a) As an alternative to employing assistant teachers,  
287 the State Board of Education may authorize any school district  
288 meeting Level 3, 4 or 5 accreditation requirements to use the  
289 minimum program allotment provided under subsection (6) of this  
290 section for the purpose of employing licensed teachers for  
291 kindergarten, first-, second- and third-grade classes; however, no  
292 school district shall be authorized to use the minimum program

293 allotment for assistant teachers for the purpose of employing  
294 licensed teachers unless the district has established that the  
295 employment of licensed teachers using such funds will reduce the  
296 teacher:student ratio in the kindergarten, first-, second- and  
297 third-grade classes. All minimum program funds for assistant  
298 teachers shall be applied to reducing teacher:student ratio in  
299 Grades K-3.

300 It is the intent of the Legislature that no school district  
301 shall dismiss any assistant teacher for the purpose of using the  
302 minimum program assistant teacher allotment to employ licensed  
303 teachers. School districts may rely only upon normal attrition to  
304 reduce the number of assistant teachers employed in that district.

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

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

311 37-21-7. (1) This section shall be referred to as the  
312 "Mississippi Elementary Schools Assistant Teacher Program," the  
313 purpose of which shall be to provide an early childhood education  
314 program that assists in the instruction of basic skills. The  
315 State Board of Education is authorized, empowered and directed to  
316 implement a statewide system of assistant teachers in kindergarten  
317 classes and in the first, second and third grades. The assistant  
318 teacher shall assist pupils in actual instruction under the strict  
319 supervision of a licensed teacher.

320 (2) (a) Each school district shall employ the total number  
321 of assistant teachers funded under the adequate education program.

322 The superintendent of each district shall assign the assistant  
323 teachers to the kindergarten, first-, second- and third-grade  
324 classes in the district in a manner that will promote the maximum  
325 efficiency, as determined by the superintendent, in the

326 instruction of skills such as verbal and linguistic skills,  
327 logical and mathematical skills, and social skills.

328 (b) If a licensed teacher to whom an assistant teacher  
329 has been assigned is required to be absent from the classroom, the  
330 assistant teacher may assume responsibility for the classroom in  
331 lieu of a substitute teacher. However, no assistant teacher shall  
332 assume sole responsibility of the classroom for more than three  
333 (3) consecutive school days. Further, in no event shall any  
334 assistant teacher be assigned to serve as a substitute teacher for  
335 any teacher other than the licensed teacher to whom that assistant  
336 teacher has been assigned.

337 (3) Assistant teachers shall have, at a minimum, a high  
338 school diploma or a GED equivalent, and shall show demonstratable  
339 proficiency in reading and writing skills. The State Department  
340 of Education shall develop a testing procedure for assistant  
341 teacher applicants to be used in all school districts in the  
342 state.

343 (4) (a) In order to receive funding, each school district  
344 shall:

345 (i) Submit a plan on the implementation of a  
346 reading improvement program to the State Department of Education;  
347 and

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

351 (b) Additionally, each school district shall:

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

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

359 teachers;

360 (iii) Provide training annually on specific  
361 instructional skills for assistant teachers;

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

365 (v) Designate the necessary personnel to supervise  
366 and report on their program.

367 (5) The State Department of Education shall:

368 (a) Develop and assist in the implementation of a  
369 statewide uniform training module, subject to the availability of  
370 funds specifically appropriated therefor by the Legislature, which  
371 shall be used in all school districts for training administrators,  
372 teachers and assistant teachers. The module shall provide for the  
373 consolidated training of each assistant teacher and teacher to  
374 whom the assistant teacher is assigned, working together as a  
375 team, and shall require further periodical training for  
376 administrators, teachers and assistant teachers regarding the role  
377 of assistant teachers;

378 (b) Annually evaluate the program on the district and  
379 state level. Subject to the availability of funds specifically  
380 appropriated therefor by the Legislature, the department shall  
381 develop: (i) uniform evaluation reports, to be performed by the  
382 principal or assistant principal, to collect data for the annual  
383 overall program evaluation conducted by the department; or (ii) a  
384 program evaluation model that, at a minimum, addresses process  
385 evaluation; and

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

392 School Accreditation.

393 (6) No assistant teacher shall be paid less than the amount  
394 he or she received in the prior school year. \* \* \* No school  
395 district shall receive any funds under this section for any school  
396 year during which the aggregate amount of the local contribution  
397 to the salaries of assistant teachers by the district shall have  
398 been reduced below such amount for the previous year. The  
399 assistant teachers shall not be restricted to working only in the  
400 grades for which the funds were allotted, but may be assigned to  
401 other classes as provided in subsection (2)(a) of this section.

402 (7) (a) As an alternative to employing assistant teachers,  
403 the State Board of Education may authorize any school district  
404 meeting Level 3, 4 or 5 accreditation requirements to use the  
405 adequate education program allotments for the purpose of employing  
406 licensed teachers for kindergarten, first-, second- and  
407 third-grade classes; however, no school district shall be  
408 authorized to use the funds for assistant teachers for the purpose  
409 of employing licensed teachers unless the district has established  
410 that the employment of licensed teachers using such funds will  
411 reduce the teacher:student ratio in the kindergarten, first-,  
412 second- and third-grade classes. All adequate education program  
413 funds for assistant teachers shall be applied to reducing  
414 teacher:student ratio in Grades K-3.

415 It is the intent of the Legislature that no school district  
416 shall dismiss any assistant teacher for the purpose of using state  
417 funds to employ licensed teachers. School districts may rely only  
418 upon normal attrition to reduce the number of assistant teachers  
419 employed in that district.

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

425           SECTION 4. This act shall take effect and be in force from  
426 and after July 1, 2000.