

By: Representative Frierson

To: Education;
Appropriations

HOUSE BILL NO. 74

1 AN ACT TO DIVIDE SECTION 37-19-7, MISSISSIPPI CODE OF 1972,
2 WHICH ESTABLISHES THE SALARIES OF TEACHERS INTO THREE SEPARATE
3 CODE SECTIONS; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972,
4 TO PRESCRIBE THE BASE SALARIES OF TEACHERS AND TO DELETE THOSE
5 PROVISIONS RELATING TO THE PAYMENT OF ANNUAL INCREMENTS AND SALARY
6 SUPPLEMENTS; TO CREATE NEW SECTION 37-19-7.1, MISSISSIPPI CODE OF
7 1972, TO PRESCRIBE THE ANNUAL SALARY INCREASES PAYABLE TO TEACHERS
8 FOR YEARS OF TEACHING EXPERIENCE; TO CREATE NEW SECTION 37-19-8,
9 MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PAYMENT OF ANNUAL
10 SALARY SUPPLEMENTS TO TEACHERS AND OTHER SCHOOL EMPLOYEES WHO
11 ACHIEVE NATIONAL CERTIFICATION; TO REPEAL SECTIONS 37-19-7,
12 37-19-7.1 AND 37-19-8, MISSISSIPPI CODE OF 1972, WHEN THE
13 MISSISSIPPI ADEQUATE EDUCATION PROGRAM IS FULLY IMPLEMENTED ON
14 JULY 1, 2002; TO CREATE NEW SECTION 37-151-86, MISSISSIPPI CODE OF
15 1972, EFFECTIVE JULY 1, 2002, TO PRESCRIBE THE BASE SALARIES OF
16 TEACHERS UNDER THE ADEQUATE EDUCATION PROGRAM; TO CREATE NEW
17 SECTION 37-151-86.1, MISSISSIPPI CODE OF 1972, EFFECTIVE JULY 1,
18 2002, TO PRESCRIBE THE ANNUAL SALARY INCREASES PAYABLE TO TEACHERS
19 UNDER THE ADEQUATE EDUCATION PROGRAM FOR YEARS OF TEACHING
20 EXPERIENCE; TO CREATE NEW SECTION 37-151-86.2, MISSISSIPPI CODE OF
21 1972, EFFECTIVE JULY 1, 2002, TO PROVIDE FOR THE PAYMENT OF ANNUAL
22 SALARY SUPPLEMENTS UNDER THE ADEQUATE EDUCATION PROGRAM TO
23 TEACHERS AND OTHER SCHOOL EMPLOYEES WHO ACHIEVE NATIONAL
24 CERTIFICATION; TO AMEND SECTIONS 37-3-51, 37-9-18, 37-9-77,
25 37-151-79, 37-151-81 AND 37-151-91, MISSISSIPPI CODE OF 1972, IN
26 CONFORMITY THERETO; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF
27 1972, TO DELETE THOSE PROVISIONS RELATING TO THE SALARIES OF
28 ASSISTANT TEACHERS FROM THE MISSISSIPPI ELEMENTARY SCHOOLS
29 ASSISTANT TEACHER PROGRAM; TO CREATE NEW SECTION 37-21-9,
30 MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE SALARIES OF ASSISTANT
31 TEACHERS; AND FOR RELATED PURPOSES.

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

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

35 37-19-7. * * * This section shall be known and may be cited
36 as the Mississippi "Teacher Opportunity Program (TOP)." The
37 allowance in the minimum education program * * * for teachers'
38 salaries in each county and separate school district shall be
39 determined and paid in accordance with the scale for teachers'
40 salaries as provided in this section. For teachers holding the
41 following types of licenses or the equivalent as determined by the



42 State Board of Education, and the following number of years of
43 teaching experience, the scale shall be as follows:

44 **1999-2000 School Year**

45 **and School Years Thereafter**

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

47	AAAA.....	\$ 25,790.00
48	AAA.....	24,940.00
49	AA.....	24,090.00
50	A.....	23,040.00

51 **25 or More Years of Teaching Experience**

52	AAAA.....	\$ 26,790.00
53	AAA.....	25,940.00
54	AA.....	25,090.00
55	A.....	24,040.00

56 * * * However, * * * in the event the Sine Die General Fund
57 Revenue Estimate Increase for fiscal year 2002 is at least five
58 percent (5%), as certified by the Legislative Budget Office to the
59 State Board of Education, the scale shall be as follows:

60 **2001-2002 School Year and School Years Thereafter**

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

62	AAAA.....	\$ 26,290.00
63	AAA.....	25,440.00
64	AA.....	24,590.00
65	A.....	23,540.00

66 **25 or More Years of Teaching Experience**

67	AAAA.....	\$ 27,790.00
68	AAA.....	26,940.00
69	AA.....	26,090.00
70	A.....	25,040.00

71 * * * For each one percent (1%) that the Sine Die General
72 Fund Revenue Estimate Growth exceeds the five percent (5%) minimum
73 for fiscal year 2002, as certified by the Legislative Budget
74 Office to the State Board of Education and subject to specific



75 appropriation therefor by the Legislature, the State Board of
76 Education shall revise the salary scale to provide an additional
77 one percent (1%) across the board increase in the base salaries
78 for each type of license.

79 In the event the Sine Die General Fund Revenue Estimate
80 Increase for fiscal year 2003 is at least five percent (5%), as
81 certified by the Legislative Budget Office to the State Board of
82 Education, the scale shall be as follows:

83 **2002-2003 School Year and School Years Thereafter**

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

85	AAAA.....	\$ 27,850.00
86	AAA.....	27,000.00
87	AA.....	26,150.00
88	A.....	24,700.00

89 **25 or More Years of Teaching Experience**

90	AAAA.....	\$ 29,850.00
91	AAA.....	29,000.00
92	AA.....	28,150.00
93	A.....	26,700.00

94 The State Board of Education shall revise the salary scale
95 prescribed above for the 2002-2003 school year to conform to any
96 adjustments made to the salary scale in the prior fiscal year due
97 to revenue growth over and above five percent (5%). * * * For
98 each one percent (1%) that the Sine Die General Fund Revenue
99 Estimate Growth exceeds the five percent (5%) minimum for fiscal
100 year 2003, as certified by the Legislative Budget Office to the
101 State Board of Education and subject to specific appropriation
102 therefor by the Legislature, the State Board of Education shall
103 revise the salary scale to provide an additional one percent (1%)
104 across the board increase in the base salaries for each type of
105 license.

106 In the event the Sine Die General Fund Revenue Estimate
107 Increase for fiscal year 2004 is at least five percent (5%), as



108 certified by the Legislative Budget Office to the State Board of
109 Education, the scale shall be as follows:

110 **2003-2004 School Year and School Years Thereafter**

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

112	AAAA.....	\$ 29,550.00
113	AAA.....	28,700.00
114	AA.....	27,850.00
115	A.....	26,000.00

116 **25 or More Years of Teaching Experience**

117	AAAA.....	\$ 31,550.00
118	AAA.....	30,700.00
119	AA.....	29,850.00
120	A.....	28,000.00

121 The State Board of Education shall revise the salary scale
122 prescribed above for the 2003-2004 school year to conform to any
123 adjustments made to the salary scale in prior fiscal years due to
124 revenue growth over and above five percent (5%). * * * For each
125 one percent (1%) that the Sine Die General Fund Revenue Estimate
126 Growth exceeds the five percent (5%) minimum for fiscal year 2004,
127 as certified by the Legislative Budget Office to the State Board
128 of Education and subject to specific appropriation therefor by the
129 Legislature, the State Board of Education shall revise the salary
130 scale to provide an additional one percent (1%) across the board
131 increase in the base salaries for each type of license.

132 In the event the Sine Die General Fund Revenue Estimate
133 Increase for fiscal year 2005 is at least five percent (5%), as
134 certified by the Legislative Budget Office to the State Board of
135 Education, the scale shall be as follows:

136 **2004-2005 School Year and School Years Thereafter**

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

138	AAAA.....	\$ 31,775.00
139	AAA.....	30,850.00
140	AA.....	29,925.00



141	A.....	28,000.00
142	25 or More Years of Teaching Experience	
143	AAAA.....	\$ 33,775.00
144	AAA.....	32,850.00
145	AA.....	31,925.00
146	A.....	30,000.00

147 The State Board of Education shall revise the salary scale
148 prescribed above for the 2004-2005 school year to conform to any
149 adjustments made to the salary scale in prior fiscal years due to
150 revenue growth over and above five percent (5%). * * * For each
151 one percent (1%) that the Sine Die General Fund Revenue Estimate
152 Growth exceeds the five percent (5%) minimum for fiscal year 2005,
153 as certified by the Legislative Budget Office to the State Board
154 of Education and subject to specific appropriation therefor by the
155 Legislature, the State Board of Education shall revise the salary
156 scale to provide an additional one percent (1%) across the board
157 increase in the base salaries for each type of license.

158 In the event the Sine Die General Fund Revenue Estimate
159 Increase for fiscal year 2006 is at least five percent (5%), as
160 certified by the Legislative Budget Office to the State Board of
161 Education, the scale shall be as follows:

2005-2006 School Year and School Years Thereafter

Less Than 25 Years of Teaching Experience

164	AAAA.....	\$ 34,000.00
165	AAA.....	33,000.00
166	AA.....	32,000.00
167	A.....	30,000.00

25 or More Years of Teaching Experience

169	AAAA.....	\$ 36,000.00
170	AAA.....	35,000.00
171	AA.....	34,000.00
172	A.....	32,000.00



173 The State Board of Education shall revise the salary scale
174 prescribed above for the 2005-2006 school year to conform to any
175 adjustments made to the salary scale in prior fiscal years due to
176 revenue growth over and above five percent (5%). * * * For each
177 one percent (1%) that the Sine Die General Fund Revenue Estimate
178 Growth exceeds the five percent (5%) minimum for fiscal year 2006,
179 as certified by the Legislative Budget Office to the State Board
180 of Education and subject to specific appropriation therefor by the
181 Legislature, the State Board of Education shall revise the salary
182 scale to provide an additional one percent (1%) across the board
183 increase in the base salaries for each type of license.

184 It is the intent of the Legislature that any state funds made
185 available for salaries of licensed personnel in excess of the
186 funds paid for such salaries for the 1986-1987 school year shall
187 be paid to licensed personnel pursuant to a personnel appraisal
188 and compensation system implemented by the State Board of
189 Education. The State Board of Education shall have the authority
190 to adopt and amend rules and regulations as are necessary to
191 establish, administer and maintain the system.

192 All teachers employed on a full-time basis shall be paid a
193 minimum salary in accordance with the above scale. However, no
194 school district shall receive any funds under this section for any
195 school year during which the local supplement paid to any
196 individual teacher shall have been reduced to a sum less than that
197 paid to that individual teacher for performing the same duties
198 from local supplement during the immediately preceding school
199 year. The amount actually spent for the purposes of group health
200 and/or life insurance shall be considered as a part of the
201 aggregate amount of local supplement but shall not be considered
202 a part of the amount of individual local supplement.

203 * * *

204 The level of professional training of each teacher to be used
205 in establishing the salary allotment for the teachers for each



206 year shall be determined by the type of valid teacher's license
207 issued to those teachers on or before October 1 of the current
208 school year.

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

210 SECTION 2. The following shall be codified as Section
211 37-19-7.1, Mississippi Code of 1972:

212 37-19-7.1. For teachers holding a Class AAAA license, the
213 minimum base pay specified in Section 37-19-7 shall be increased
214 by the sum of Six Hundred Sixty Dollars (\$660.00) for each year of
215 teaching experience possessed by the person holding such license
216 until such person shall have twenty-five (25) years of teaching
217 experience.

218 For teachers holding a Class AAA license, the minimum base
219 pay specified in Section 37-19-7 shall be increased by the sum of
220 Five Hundred Ninety-five Dollars (\$595.00) for each year of
221 teaching experience possessed by the person holding such license
222 until such person shall have twenty-five (25) years of teaching
223 experience.

224 For teachers holding a Class AA license, the minimum base pay
225 specified in Section 37-19-7 shall be increased by the sum of Five
226 Hundred Thirty Dollars (\$530.00) for each year of teaching
227 experience possessed by the person holding such license until such
228 person shall have twenty-five (25) years of teaching experience.

229 For teachers holding a Class A license, the minimum base pay
230 specified in Section 37-19-7 shall be increased by the sum of Four
231 Hundred Thirty-five Dollars (\$435.00) for each year of teaching
232 experience possessed by the person holding such license until such
233 person shall have twenty-one (21) years of teaching experience.

234 However, in the event the Sine Die General Fund Revenue
235 Estimate Increase for fiscal year 2003 is at least five percent
236 (5%), as certified by the Legislative Budget Office to the State
237 Board of Education, the annual increments shall be as follows:



238 For teachers holding a Class AAAA license, the minimum base
239 pay specified in Section 37-19-7 shall be increased by the sum of
240 Six Hundred Eighty-five Dollars (\$685.00) for each year of
241 teaching experience possessed by the person holding such license
242 until such person shall have twenty-five (25) years of teaching
243 experience.

244 For teachers holding a Class AAA license, the minimum base
245 pay specified in Section 37-19-7 shall be increased by the sum of
246 Six Hundred Twenty Dollars (\$620.00) for each year of teaching
247 experience possessed by the person holding such license until such
248 person shall have twenty-five (25) years of teaching experience.

249 For teachers holding a Class AA license, the minimum base pay
250 specified in Section 37-19-7 shall be increased by the sum of Five
251 Hundred Fifty-five Dollars (\$555.00) for each year of teaching
252 experience possessed by the person holding such license until such
253 person shall have twenty-five (25) years of teaching experience.

254 For teachers holding a Class A license, the minimum base pay
255 specified in Section 37-19-7 shall be increased by the sum of Four
256 Hundred Forty-five Dollars (\$445.00) for each year of teaching
257 experience possessed by the person holding such license until such
258 person shall have twenty-two (22) years of teaching experience.

259 In the event the Sine Die General Fund Revenue Estimate
260 Increase for fiscal year 2004 is at least five percent (5%), as
261 certified by the Legislative Budget Office to the State Board of
262 Education, the annual increments shall be as follows:

263 For teachers holding a Class AAAA license, the minimum base
264 pay specified in Section 37-19-7 shall be increased by the sum of
265 Seven Hundred Ten Dollars (\$710.00) for each year of teaching
266 experience possessed by the person holding such license until such
267 person shall have twenty-five (25) years of teaching experience.

268 For teachers holding a Class AAA license, the minimum base
269 pay specified in Section 37-19-7 shall be increased by the sum of
270 Six Hundred Forty-five Dollars (\$645.00) for each year of teaching



271 experience possessed by the person holding such license until such
272 person shall have twenty-five (25) years of teaching experience.

273 For teachers holding a Class AA license, the minimum base pay
274 specified in Section 37-19-7 shall be increased by the sum of Five
275 Hundred Eighty Dollars (\$580.00) for each year of teaching
276 experience possessed by the person holding such license until such
277 person shall have twenty-five (25) years of teaching experience.

278 For teachers holding a Class A license, the minimum base pay
279 specified in Section 37-19-7 shall be increased by the sum of Four
280 Hundred Fifty-five Dollars (\$455.00) for each year of teaching
281 experience possessed by the person holding such license until such
282 person shall have twenty-three (23) years of teaching experience.

283 In the event the Sine Die General Fund Revenue Estimate
284 Increase for fiscal year 2005 is at least five percent (5%), as
285 certified by the Legislative Budget Office to the State Board of
286 Education, the annual increments shall be as follows:

287 For teachers holding a Class AAAA license, the minimum base
288 pay specified in Section 37-19-7 shall be increased by the sum of
289 Seven Hundred Forty Dollars (\$740.00) for each year of teaching
290 experience possessed by the person holding such license until such
291 person shall have twenty-five (25) years of teaching experience.

292 For teachers holding a Class AAA license, the minimum base
293 pay specified in Section 37-19-7 shall be increased by the sum of
294 Six Hundred Seventy-five Dollars (\$675.00) for each year of
295 teaching experience possessed by the person holding such license
296 until such person shall have twenty-five (25) years of teaching
297 experience.

298 For teachers holding a Class AA license, the minimum base pay
299 specified in Section 37-19-7 shall be increased by the sum of Six
300 Hundred Ten Dollars (\$610.00) for each year of teaching experience
301 possessed by the person holding such license until such person
302 shall have twenty-five (25) years of teaching experience.



303 For teachers holding a Class A license, the minimum base pay
304 specified in Section 37-19-7 shall be increased by the sum of Four
305 Hundred Sixty-five Dollars (\$465.00) for each year of teaching
306 experience possessed by the person holding such license until such
307 person shall have twenty-four (24) years of teaching experience.

308 In the event the Sine Die General Fund Revenue Estimate
309 Increase for fiscal year 2006 is at least five percent (5%), as
310 certified by the Legislative Budget Office to the State Board of
311 Education, the annual increments shall be as follows:

312 For teachers holding a Class AAAA license, the minimum base
313 pay specified in Section 37-19-7 shall be increased by the sum of
314 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
315 experience possessed by the person holding such license until such
316 person shall have twenty-five (25) years of teaching experience.

317 For teachers holding a Class AAA license, the minimum base
318 pay specified in Section 37-19-7 shall be increased by the sum of
319 Seven Hundred Five Dollars (\$705.00) for each year of teaching
320 experience possessed by the person holding such license until such
321 person shall have twenty-five (25) years of teaching experience.

322 For teachers holding a Class AA license, the minimum base pay
323 specified in Section 37-19-7 shall be increased by the sum of Six
324 Hundred Forty Dollars (\$640.00) for each year of teaching
325 experience possessed by the person holding such license until such
326 person shall have twenty-five (25) years of teaching experience.

327 For teachers holding a Class A license, the minimum base pay
328 specified in Section 37-19-7 shall be increased by the sum of Four
329 Hundred Eighty Dollars (\$480.00) for each year of teaching
330 experience possessed by the person holding such license until such
331 person shall have twenty-four (24) years of teaching experience.

332 The level of professional training of each teacher to be used
333 in establishing the annual increment for the teachers for each
334 year shall be determined by the type of valid teacher's license



335 issued to those teachers on or before October 1 of the current
336 school year.

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

338 SECTION 3. The following shall be codified as Section
339 37-19-8, Mississippi Code of 1972:

340 37-19-8. (1) The following persons shall receive an annual
341 salary supplement in the amount of Six Thousand Dollars
342 (\$6,000.00), plus fringe benefits, in addition to any other
343 compensation to which the person may be entitled:

344 (a) Any licensed teacher who has met the requirements
345 and acquired a Master Teacher certificate from the National Board
346 for Professional Teaching Standards and who is employed by a local
347 school board or the State Board of Education as a teacher and not
348 as an administrator. In the 1999-2000 and 2000-2001 school year,
349 such teacher shall submit documentation to the State Department of
350 Education that the certificate was received prior to April 15 in
351 order to be eligible for the full salary supplement in the current
352 school year. In the 2001-2002 school year and in school years
353 thereafter, such teacher shall submit documentation to the State
354 Department of Education that the certificate was received prior to
355 October 15 in order to be eligible for the full salary supplement
356 in the current school year, or the teacher shall submit such
357 documentation to the State Department of Education prior to
358 February 15 in order to be eligible for a prorated salary
359 supplement beginning with the second term of the school year.

360 (b) From and after July 1, 1999, any licensed school
361 counselor who has met the requirements and acquired a National
362 Certified School Counselor (NCSC) endorsement from the National
363 Board of Certified Counselors and who is employed by a local
364 school board or the State Board of Education as a counselor and
365 not as an administrator. Such licensed school counselor shall
366 submit documentation to the State Department of Education that the
367 endorsement was received prior to October 15 in order to be



368 eligible for the full salary supplement in the current school
369 year, or the licensed school counselor shall submit such
370 documentation to the State Department of Education prior to
371 February 15 in order to be eligible for a prorated salary
372 supplement beginning with the second term of the school year.
373 However, the salary supplement authorized under this item shall be
374 discontinued two (2) years after the date on which the National
375 Board for Professional Teaching Standards offers a certification
376 process for a Master Teacher certificate for school counselors,
377 and any school counselor receiving the salary supplement will be
378 required to complete the Master Teacher certificate process under
379 paragraph (a) of this subsection in order to continue receiving
380 such salary supplement.

381 (c) From and after July 1, 1999, any licensed
382 speech-language pathologist and audiologist who has met the
383 requirements and acquired a Certificate of Clinical Competence
384 from the American Speech-Language-Hearing Association and who is
385 employed by a local school board. Such licensed speech-language
386 pathologist and audiologist shall submit documentation to the
387 State Department of Education that the certificate or endorsement
388 was received prior to October 15 in order to be eligible for the
389 full salary supplement in the current school year, or the licensed
390 speech-language pathologist and audiologist shall submit such
391 documentation to the State Department of Education prior to
392 February 15 in order to be eligible for a prorated salary
393 supplement beginning with the second term of the school year.
394 However, the salary supplement authorized under this item shall be
395 discontinued two (2) years after the date on which the National
396 Board for Professional Teaching Standards offers a certification
397 process for a Master Teacher certificate for school speech
398 pathologists and audiologists, and any school speech pathologist
399 and audiologist receiving the salary supplement will be required
400 to complete the Master Teacher certificate process under paragraph



401 (a) of this subsection in order to continue receiving such salary
402 supplement.

403 (2) An employee shall be reimbursed one (1) time for the
404 actual cost of completing the process of acquiring the certificate
405 or endorsement, excluding any costs incurred for postgraduate
406 courses, not to exceed Five Hundred Dollars (\$500.00) for a school
407 counselor or speech-language pathologist and audiologist,
408 regardless of whether or not the process resulted in the award of
409 the certificate or endorsement. A local school district or any
410 private individual or entity may pay the cost of completing the
411 process of acquiring the certificate or endorsement for any
412 employee of the school district described under subsection (1),
413 and the State Department of Education shall reimburse the school
414 district for such cost, regardless of whether or not the process
415 resulted in the award of the certificate or endorsement. If a
416 private individual or entity has paid the cost of completing the
417 process of acquiring the certificate or endorsement for an
418 employee, the local school district may agree to directly
419 reimburse the individual or entity for such cost on behalf of the
420 employee.

421 (3) All salary supplements, fringe benefits and process
422 reimbursement authorized under this section shall be paid directly
423 by the State Department of Education to the local school district
424 and shall be in addition to its minimum education program
425 allotments and not a part thereof in accordance with regulations
426 promulgated by the State Board of Education, and subject to
427 appropriation by the Legislature. Local school districts shall
428 not reduce the local supplement paid to any employee receiving
429 such salary supplement, and the employee shall receive any local
430 supplement to which employees with similar training and experience
431 otherwise are entitled.

432 (4) The State Department of Education may not pay any
433 process reimbursement to a school district for an employee who



434 does not complete the certification or endorsement process
 435 required to be eligible for the certificate or endorsement. If an
 436 employee for whom such cost has been paid in full or in part by a
 437 local school district or private individual or entity fails to
 438 complete the certification or endorsement process, the employee
 439 shall be liable to the school district or individual or entity for
 440 all amounts paid by the school district or individual or entity on
 441 behalf of that employee toward his or her certificate or
 442 endorsement.

443 (5) This section shall be repealed on July 1, 2002.

444 SECTION 4. The following shall be codified as Section
 445 37-151-86, Mississippi Code of 1972:

446 37-151-86. (1) The allowance in the Mississippi Adequate
 447 Education Program for teachers' salaries in each county and
 448 separate school district shall be determined and paid in
 449 accordance with the scale for teachers' salaries as provided in
 450 this section. For teachers holding the following types of
 451 licenses or the equivalent as determined by the State Board of
 452 Education, and the following number of years of teaching
 453 experience, the scale shall be as follows:

454 **1999-2000 School Year**

455 **and School Years Thereafter**

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

457	AAAA.....	\$ 25,790.00
458	AAA.....	24,940.00
459	AA.....	24,090.00
460	A.....	23,040.00

461 **25 or More Years of Teaching Experience**

462	AAAA.....	\$ 26,790.00
463	AAA.....	25,940.00
464	AA.....	25,090.00
465	A.....	24,040.00



466 However, in the event the Sine Die General Fund Revenue
 467 Estimate Increase for fiscal year 2002 is at least five percent
 468 (5%), as certified by the Legislative Budget Office to the State
 469 Board of Education, the scale shall be as follows:

470 **2001-2002 School Year and School Years Thereafter**

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

472	AAAA.....	\$ 26,290.00
473	AAA.....	25,440.00
474	AA.....	24,590.00
475	A.....	23,540.00

476 **25 or More Years of Teaching Experience**

477	AAAA.....	\$ 27,790.00
478	AAA.....	26,940.00
479	AA.....	26,090.00
480	A.....	25,040.00

481 For each one percent (1%) that the Sine Die General Fund
 482 Revenue Estimate Growth exceeds the five percent (5%) minimum for
 483 fiscal year 2002, as certified by the Legislative Budget Office to
 484 the State Board of Education and subject to specific appropriation
 485 therefor by the Legislature, the State Board of Education shall
 486 revise the salary scale to provide an additional one percent (1%)
 487 across the board increase in the base salaries for each type of
 488 license.

489 In the event the Sine Die General Fund Revenue Estimate
 490 Increase for fiscal year 2003 is at least five percent (5%), as
 491 certified by the Legislative Budget Office to the State Board of
 492 Education, the scale shall be as follows:

493 **2002-2003 School Year and School Years Thereafter**

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

495	AAAA.....	\$ 27,850.00
496	AAA.....	27,000.00
497	AA.....	26,150.00
498	A.....	24,700.00



499	25 or More Years of Teaching Experience	
500	AAAA.....	\$ 29,850.00
501	AAA.....	29,000.00
502	AA.....	28,150.00
503	A.....	26,700.00

504 The State Board of Education shall revise the salary scale
505 prescribed above for the 2002-2003 school year to conform to any
506 adjustments made to the salary scale in the prior fiscal year due
507 to revenue growth over and above five percent (5%). For each one
508 percent (1%) that the Sine Die General Fund Revenue Estimate
509 Growth exceeds the five percent (5%) minimum for fiscal year 2003,
510 as certified by the Legislative Budget Office to the State Board
511 of Education and subject to specific appropriation therefor by the
512 Legislature, the State Board of Education shall revise the salary
513 scale to provide an additional one percent (1%) across the board
514 increase in the base salaries for each type of license.

515 In the event the Sine Die General Fund Revenue Estimate
516 Increase for fiscal year 2004 is at least five percent (5%), as
517 certified by the Legislative Budget Office to the State Board of
518 Education, the scale shall be as follows:

519	2003-2004 School Year and School Years Thereafter	
520	Less Than 25 Years of Teaching Experience	
521	AAAA.....	\$ 29,550.00
522	AAA.....	28,700.00
523	AA.....	27,850.00
524	A.....	26,000.00

525	25 or More Years of Teaching Experience	
526	AAAA.....	\$ 31,550.00
527	AAA.....	30,700.00
528	AA.....	29,850.00
529	A.....	28,000.00

530 The State Board of Education shall revise the salary scale
531 prescribed above for the 2003-2004 school year to conform to any



532 adjustments made to the salary scale in prior fiscal years due to
 533 revenue growth over and above five percent (5%). For each one
 534 percent (1%) that the Sine Die General Fund Revenue Estimate
 535 Growth exceeds the five percent (5%) minimum for fiscal year 2004,
 536 as certified by the Legislative Budget Office to the State Board
 537 of Education and subject to specific appropriation therefor by the
 538 Legislature, the State Board of Education shall revise the salary
 539 scale to provide an additional one percent (1%) across the board
 540 increase in the base salaries for each type of license.

541 In the event the Sine Die General Fund Revenue Estimate
 542 Increase for fiscal year 2005 is at least five percent (5%), as
 543 certified by the Legislative Budget Office to the State Board of
 544 Education, the scale shall be as follows:

545 **2004-2005 School Year and School Years Thereafter**

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

547	AAAA.....	\$ 31,775.00
548	AAA.....	30,850.00
549	AA.....	29,925.00
550	A.....	28,000.00

551 **25 or More Years of Teaching Experience**

552	AAAA.....	\$ 33,775.00
553	AAA.....	32,850.00
554	AA.....	31,925.00
555	A.....	30,000.00

556 The State Board of Education shall revise the salary scale
 557 prescribed above for the 2004-2005 school year to conform to any
 558 adjustments made to the salary scale in prior fiscal years due to
 559 revenue growth over and above five percent (5%). For each one
 560 percent (1%) that the Sine Die General Fund Revenue Estimate
 561 Growth exceeds the five percent (5%) minimum for fiscal year 2005,
 562 as certified by the Legislative Budget Office to the State Board
 563 of Education and subject to specific appropriation therefor by the
 564 Legislature, the State Board of Education shall revise the salary



565 scale to provide an additional one percent (1%) across the board
566 increase in the base salaries for each type of license.

567 In the event the Sine Die General Fund Revenue Estimate
568 Increase for fiscal year 2006 is at least five percent (5%), as
569 certified by the Legislative Budget Office to the State Board of
570 Education, the scale shall be as follows:

571 **2005-2006 School Year and School Years Thereafter**

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

573	AAAA.....	\$ 34,000.00
574	AAA.....	33,000.00
575	AA.....	32,000.00
576	A.....	30,000.00

577 **25 or More Years of Teaching Experience**

578	AAAA.....	\$ 36,000.00
579	AAA.....	35,000.00
580	AA.....	34,000.00
581	A.....	32,000.00

582 The State Board of Education shall revise the salary scale
583 prescribed above for the 2005-2006 school year to conform to any
584 adjustments made to the salary scale in prior fiscal years due to
585 revenue growth over and above five percent (5%). For each one
586 percent (1%) that the Sine Die General Fund Revenue Estimate
587 Growth exceeds the five percent (5%) minimum for fiscal year 2006,
588 as certified by the Legislative Budget Office to the State Board
589 of Education and subject to specific appropriation therefor by the
590 Legislature, the State Board of Education shall revise the salary
591 scale to provide an additional one percent (1%) across the board
592 increase in the base salaries for each type of license.

593 It is the intent of the Legislature that any state funds made
594 available for salaries of licensed personnel in excess of the
595 funds paid for such salaries for the 1986-1987 school year shall
596 be paid to licensed personnel pursuant to a personnel appraisal
597 and compensation system implemented by the State Board of



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

601 All teachers employed on a full-time basis shall be paid a
602 minimum salary in accordance with the above scale. However, no
603 school district shall receive any funds under this section for any
604 school year during which the local supplement paid to any
605 individual teacher shall have been reduced to a sum less than that
606 paid to that individual teacher for performing the same duties
607 from local supplement during the immediately preceding school
608 year. The amount actually spent for the purposes of group health
609 and/or life insurance shall be considered as a part of the
610 aggregate amount of local supplement but shall not be considered
611 a part of the amount of individual local supplement.

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

617 SECTION 5. The following shall be codified as Section
618 37-151-86.1, Mississippi Code of 1972:

619 37-151-86.1. For teachers holding a Class AAAA license, the
620 minimum base pay specified in Section 37-151-86 shall be increased
621 by the sum of Six Hundred Sixty Dollars (\$660.00) for each year of
622 teaching experience possessed by the person holding such license
623 until such person shall have twenty-five (25) years of teaching
624 experience.

625 For teachers holding a Class AAA license, the minimum base
626 pay specified in Section 37-151-86 shall be increased by the sum
627 of Five Hundred Ninety-five Dollars (\$595.00) for each year of
628 teaching experience possessed by the person holding such license
629 until such person shall have twenty-five (25) years of teaching
630 experience.



631 For teachers holding a Class AA license, the minimum base pay
632 specified in Section 37-151-86 shall be increased by the sum of
633 Five Hundred Thirty Dollars (\$530.00) for each year of teaching
634 experience possessed by the person holding such license until such
635 person shall have twenty-five (25) years of teaching experience.

636 For teachers holding a Class A license, the minimum base pay
637 specified in Section 37-151-86 shall be increased by the sum of
638 Four Hundred Thirty-five Dollars (\$435.00) for each year of
639 teaching experience possessed by the person holding such license
640 until such person shall have twenty-one (21) years of teaching
641 experience.

642 However, in the event the Sine Die General Fund Revenue
643 Estimate Increase for fiscal year 2003 is at least five percent
644 (5%), as certified by the Legislative Budget Office to the State
645 Board of Education, the annual increments shall be as follows:

646 For teachers holding a Class AAAA license, the minimum base
647 pay specified in Section 37-151-86 shall be increased by the sum
648 of Six Hundred Eighty-five Dollars (\$685.00) for each year of
649 teaching experience possessed by the person holding such license
650 until such person shall have twenty-five (25) years of teaching
651 experience.

652 For teachers holding a Class AAA license, the minimum base
653 pay specified in Section 37-151-86 shall be increased by the sum
654 of Six Hundred Twenty Dollars (\$620.00) for each year of teaching
655 experience possessed by the person holding such license until such
656 person shall have twenty-five (25) years of teaching experience.

657 For teachers holding a Class AA license, the minimum base pay
658 specified in Section 37-151-86 shall be increased by the sum of
659 Five Hundred Fifty-five Dollars (\$555.00) for each year of
660 teaching experience possessed by the person holding such license
661 until such person shall have twenty-five (25) years of teaching
662 experience.



663 For teachers holding a Class A license, the minimum base pay
664 specified in Section 37-151-86 shall be increased by the sum of
665 Four Hundred Forty-five Dollars (\$445.00) for each year of
666 teaching experience possessed by the person holding such license
667 until such person shall have twenty-two (22) years of teaching
668 experience.

669 In the event the Sine Die General Fund Revenue Estimate
670 Increase for fiscal year 2004 is at least five percent (5%), as
671 certified by the Legislative Budget Office to the State Board of
672 Education, the annual increments shall be as follows:

673 For teachers holding a Class AAAA license, the minimum base
674 pay specified in Section 37-151-86 shall be increased by the sum
675 of Seven Hundred Ten Dollars (\$710.00) for each year of teaching
676 experience possessed by the person holding such license until such
677 person shall have twenty-five (25) years of teaching experience.

678 For teachers holding a Class AAA license, the minimum base
679 pay specified in Section 37-151-86 shall be increased by the sum
680 of Six Hundred Forty-five Dollars (\$645.00) for each year of
681 teaching experience possessed by the person holding such license
682 until such person shall have twenty-five (25) years of teaching
683 experience.

684 For teachers holding a Class AA license, the minimum base pay
685 specified in Section 37-151-86 shall be increased by the sum of
686 Five Hundred Eighty Dollars (\$580.00) for each year of teaching
687 experience possessed by the person holding such license until such
688 person shall have twenty-five (25) years of teaching experience.

689 For teachers holding a Class A license, the minimum base pay
690 specified in Section 37-151-86 shall be increased by the sum of
691 Four Hundred Fifty-five Dollars (\$455.00) for each year of
692 teaching experience possessed by the person holding such license
693 until such person shall have twenty-three (23) years of teaching
694 experience.



695 In the event the Sine Die General Fund Revenue Estimate
696 Increase for fiscal year 2005 is at least five percent (5%), as
697 certified by the Legislative Budget Office to the State Board of
698 Education, the annual increments shall be as follows:

699 For teachers holding a Class AAAA license, the minimum base
700 pay specified in Section 37-151-86 shall be increased by the sum
701 of Seven Hundred Forty Dollars (\$740.00) for each year of teaching
702 experience possessed by the person holding such license until such
703 person shall have twenty-five (25) years of teaching experience.

704 For teachers holding a Class AAA license, the minimum base
705 pay specified in Section 37-151-86 shall be increased by the sum
706 of Six Hundred Seventy-five Dollars (\$675.00) for each year of
707 teaching experience possessed by the person holding such license
708 until such person shall have twenty-five (25) years of teaching
709 experience.

710 For teachers holding a Class AA license, the minimum base pay
711 specified in Section 37-151-86 shall be increased by the sum of
712 Six Hundred Ten Dollars (\$610.00) for each year of teaching
713 experience possessed by the person holding such license until such
714 person shall have twenty-five (25) years of teaching experience.

715 For teachers holding a Class A license, the minimum base pay
716 specified in Section 37-151-86 shall be increased by the sum of
717 Four Hundred Sixty-five Dollars (\$465.00) for each year of
718 teaching experience possessed by the person holding such license
719 until such person shall have twenty-four (24) years of teaching
720 experience.

721 In the event the Sine Die General Fund Revenue Estimate
722 Increase for fiscal year 2006 is at least five percent (5%), as
723 certified by the Legislative Budget Office to the State Board of
724 Education, the annual increments shall be as follows:

725 For teachers holding a Class AAAA license, the minimum base
726 pay specified in Section 37-151-86 shall be increased by the sum
727 of Seven Hundred Seventy Dollars (\$770.00) for each year of



728 teaching experience possessed by the person holding such license
729 until such person shall have twenty-five (25) years of teaching
730 experience.

731 For teachers holding a Class AAA license, the minimum base
732 pay specified in Section 37-151-86 shall be increased by the sum
733 of Seven Hundred Five Dollars (\$705.00) for each year of teaching
734 experience possessed by the person holding such license until such
735 person shall have twenty-five (25) years of teaching experience.

736 For teachers holding a Class AA license, the minimum base pay
737 specified in Section 37-151-86 shall be increased by the sum of
738 Six Hundred Forty Dollars (\$640.00) for each year of teaching
739 experience possessed by the person holding such license until such
740 person shall have twenty-five (25) years of teaching experience.

741 For teachers holding a Class A license, the minimum base pay
742 specified in Section 37-151-86 shall be increased by the sum of
743 Four Hundred Eighty Dollars (\$480.00) for each year of teaching
744 experience possessed by the person holding such license until such
745 person shall have twenty-four (24) years of teaching experience.

746 The level of professional training of each teacher to be used
747 in establishing the annual increment for the teachers for each
748 year shall be determined by the type of valid teacher's license
749 issued to those teachers on or before October 1 of the current
750 school year.

751 SECTION 6. The following shall be codified as Section
752 37-151-86.2, Mississippi Code of 1972:

753 37-151-86.2. (1) The following persons shall receive an
754 annual salary supplement in the amount of Six Thousand Dollars
755 (\$6,000.00), plus fringe benefits, in addition to any other
756 compensation to which the person may be entitled:

757 (a) Any licensed teacher who has met the requirements
758 and acquired a Master Teacher certificate from the National Board
759 for Professional Teaching Standards and who is employed by a local
760 school board or the State Board of Education as a teacher and not



761 as an administrator. Such teacher shall submit documentation to
762 the State Department of Education that the certificate was
763 received prior to October 15 in order to be eligible for the full
764 salary supplement in the current school year, or the teacher shall
765 submit such documentation to the State Department of Education
766 prior to February 15 in order to be eligible for a prorated salary
767 supplement beginning with the second term of the school year.

768 (b) Any licensed school counselor who has met the
769 requirements and acquired a National Certified School Counselor
770 (NCSC) endorsement from the National Board of Certified Counselors
771 and who is employed by a local school board or the State Board of
772 Education as a counselor and not as an administrator. Such
773 licensed school counselor shall submit documentation to the State
774 Department of Education that the endorsement was received prior to
775 October 15 in order to be eligible for the full salary supplement
776 in the current school year, or the licensed school counselor shall
777 submit such documentation to the State Department of Education
778 prior to February 15 in order to be eligible for a prorated salary
779 supplement beginning with the second term of the school year.

780 However, the salary supplement authorized under this item shall be
781 discontinued two (2) years after the date on which the National
782 Board for Professional Teaching Standards offers a certification
783 process for a Master Teacher certificate for school counselors,
784 and any school counselor receiving the salary supplement will be
785 required to complete the Master Teacher certificate process under
786 paragraph (a) of this subsection in order to continue receiving
787 such salary supplement.

788 (c) Any licensed speech-language pathologist and
789 audiologist who has met the requirements and acquired a
790 Certificate of Clinical Competence from the American
791 Speech-Language-Hearing Association and who is employed by a local
792 school board. Such licensed speech-language pathologist and
793 audiologist shall submit documentation to the State Department of



794 Education that the certificate or endorsement was received prior
795 to October 15 in order to be eligible for the full salary
796 supplement in the current school year, or the licensed
797 speech-language pathologist and audiologist shall submit such
798 documentation to the State Department of Education prior to
799 February 15 in order to be eligible for a prorated salary
800 supplement beginning with the second term of the school year.
801 However, the salary supplement authorized under this item shall be
802 discontinued two (2) years after the date on which the National
803 Board for Professional Teaching Standards offers a certification
804 process for a Master Teacher certificate for school speech
805 pathologists and audiologists, and any school speech pathologist
806 and audiologist receiving the salary supplement will be required
807 to complete the Master Teacher certificate process under paragraph
808 (a) of this subsection in order to continue receiving such salary
809 supplement.

810 (2) An employee shall be reimbursed one (1) time for the
811 actual cost of completing the process of acquiring the certificate
812 or endorsement, excluding any costs incurred for postgraduate
813 courses, not to exceed Five Hundred Dollars (\$500.00) for a school
814 counselor or speech-language pathologist and audiologist,
815 regardless of whether or not the process resulted in the award of
816 the certificate or endorsement. A local school district or any
817 private individual or entity may pay the cost of completing the
818 process of acquiring the certificate or endorsement for any
819 employee of the school district described under subsection (1),
820 and the State Department of Education shall reimburse the school
821 district for such cost, regardless of whether or not the process
822 resulted in the award of the certificate or endorsement. If a
823 private individual or entity has paid the cost of completing the
824 process of acquiring the certificate or endorsement for an
825 employee, the local school district may agree to directly



826 reimburse the individual or entity for such cost on behalf of the
827 employee.

828 (3) All salary supplements, fringe benefits and process
829 reimbursement authorized under this section shall be paid directly
830 by the State Department of Education to the local school district
831 and shall be in addition to its minimum education program
832 allotments and not a part thereof in accordance with regulations
833 promulgated by the State Board of Education, and subject to
834 appropriation by the Legislature. Local school districts shall
835 not reduce the local supplement paid to any employee receiving
836 such salary supplement, and the employee shall receive any local
837 supplement to which employees with similar training and experience
838 otherwise are entitled.

839 (4) The State Department of Education may not pay any
840 process reimbursement to a school district for an employee who
841 does not complete the certification or endorsement process
842 required to be eligible for the certificate or endorsement. If an
843 employee for whom such cost has been paid in full or in part by a
844 local school district or private individual or entity fails to
845 complete the certification or endorsement process, the employee
846 shall be liable to the school district or individual or entity for
847 all amounts paid by the school district or individual or entity on
848 behalf of that employee toward his or her certificate or
849 endorsement.

850 SECTION 7. Section 37-3-51, Mississippi Code of 1972, is
851 amended as follows:

852 37-3-51. (1) Upon the conviction of any licensed employee,
853 as defined in Section 37-9-1, employed by a public or private
854 elementary or secondary school, of any felony, or of a sex offense
855 as defined in subsection (2) of this section, the district
856 attorney or other prosecuting attorney shall identify those
857 defendants for the circuit clerk. Each circuit clerk shall



858 provide the State Department of Education with notice of the
859 conviction of any such personnel of a felony or a sex offense.

860 (2) "Sex offense" shall mean any of the following offenses:

861 (a) Section 97-3-65, relating to the carnal knowledge
862 of a child under fourteen (14) years of age;

863 (b) Section 97-3-95, relating to sexual battery;

864 (c) Section 97-5-21, relating to seduction of a child
865 under age eighteen (18);

866 (d) Section 97-5-23, relating to the touching of a
867 child for lustful purposes;

868 (e) Section 97-5-27, relating to the dissemination of
869 sexually oriented material to children;

870 (f) Section 97-5-33, relating to the exploitation of
871 children;

872 (g) Section 97-5-41, relating to the carnal knowledge
873 of a stepchild, adopted child, or child of a cohabitating partner;

874 (h) Section 97-29-59, relating to unnatural
875 intercourse; or

876 (i) Any other offense committed in another jurisdiction
877 which, if committed in this state, would be deemed to be such a
878 crime without regard to its designation elsewhere.

879 (3) In addition, the State Department of Education is
880 considered to be the employer of such personnel for purposes of
881 requesting a criminal record background checks.

882 SECTION 8. Section 37-9-18, Mississippi Code of 1972, is
883 amended as follows:

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

885 37-9-18. (1) The superintendent of schools shall furnish to
886 the school board a financial statement of receipts and
887 disbursements, by funds, on or before the last working day of the
888 following month covering the prior month. The school board shall
889 be authorized to investigate and audit all financial records of
890 the superintendent of schools at any and all times.



891 (2) The State Auditor, in his discretion, shall audit the
892 financial records of school districts. The State Auditor shall
893 give reasonable notice to school districts regarding the times
894 during which he will perform such audits. In any fiscal year in
895 which the State Auditor is not scheduled to perform an audit, the
896 school board shall cause all the financial records of the
897 superintendent of schools to be audited by a certified public
898 accountant licensed to practice accounting in the State of
899 Mississippi. If the school board so elects by resolution adopted
900 each year, the audit shall be performed by the State Auditor.
901 Contracts for the audit of public school districts shall be let by
902 the school board in the manner prescribed by the State Auditor.
903 The audit shall be conducted in accordance with generally accepted
904 auditing standards and generally accepted accounting principles,
905 and the report presented thereon shall be in accordance with
906 generally accepted accounting principles. If the auditor's
907 opinion on the general purpose financial statements is a
908 disclaimer, as that term is defined by generally accepted auditing
909 standards, or if the State Auditor determines the existence of
910 serious financial conditions in the district, the State Auditor
911 shall immediately notify the State Board of Education. Upon
912 receiving the notice, the State Superintendent of Public Education
913 shall direct the school district to immediately cease all
914 expenditures until a financial advisor is appointed by the state
915 superintendent. The financial advisor shall be an agent of the
916 State Board of Education and shall be a certified public
917 accountant or a qualified business officer. The financial advisor
918 shall, with the approval of the State Board of Education:

919 (a) Approve or disapprove all expenditures and all
920 financial obligations of the district;

921 (b) Ensure compliance with any statutes and State Board
922 of Education rules or regulations concerning expenditures by
923 school districts;



924 (c) Review salaries and the number of all district
925 personnel and make recommendations to the local school board of
926 any needed adjustments. Should such recommendations necessitate
927 the reduction in local salary supplement, such recommended
928 reductions shall be only to the extent which will result in the
929 salaries being comparable to districts similarly situated, as
930 determined by the State Board of Education. The local school
931 board, in considering either a reduction in personnel or a
932 reduction in local supplements, shall not be required to comply
933 with the time limitations prescribed in Sections 37-9-15 and
934 37-9-105 and, further, shall not be required to comply with
935 Sections 37-19-11 and 37-19-7 * * * in regard to reducing local
936 supplements and the number of personnel.

937 (d) Work with the school district's business office to
938 correct all inappropriate accounting procedures and/or uses of
939 school district funds and to prepare the school district's budget
940 for the next fiscal year; and

941 (e) Report frequently to the State Board of Education
942 on the corrective actions being taken and the progress being made
943 in the school district. The financial adviser shall serve until
944 such time as corrective action and progress is being made in such
945 school district as determined by the State Board of Education with
946 the concurrence of the State Auditor, or until such time as an
947 interim conservator is assigned to such district by the State
948 Board of Education under Section 37-17-6. The school district
949 shall be responsible for all expenses associated with the use of
950 the financial advisor. If the audit report reflects a failure by
951 the school district to meet accreditation standards, the State
952 Board of Education shall proceed under Section 37-17-6.

953 (3) In the event the State Auditor does not perform the
954 audit examination, then the audit report of the school district
955 shall be reviewed by the State Auditor for compliance with
956 applicable state laws before final payment is made on the audit by



957 the school board. All financial records, books, vouchers,
958 cancelled checks and other financial records required by law to be
959 kept and maintained in the case of municipalities shall be
960 faithfully kept and maintained in the office of the superintendent
961 of schools under the same provisions and penalties provided by law
962 in the case of municipal officials.

963 **[From and after July 1, 2002, this section will read as**
964 **follows:]**

965 37-9-18. (1) The superintendent of schools shall furnish to
966 the school board a financial statement of receipts and
967 disbursements, by funds, on or before the last working day of the
968 following month covering the prior month. The school board shall
969 be authorized to investigate and audit all financial records of
970 the superintendent of schools at any and all times.

971 (2) The State Auditor, in his discretion, shall audit the
972 financial records of school districts. The State Auditor shall
973 give reasonable notice to school districts regarding the times
974 during which he will perform such audits. In any fiscal year in
975 which the State Auditor is not scheduled to perform an audit, the
976 school board shall cause all the financial records of the
977 superintendent of schools to be audited by a certified public
978 accountant licensed to practice accounting in the State of
979 Mississippi. If the school board so elects by resolution adopted
980 each year, the audit shall be performed by the State Auditor.
981 Contracts for the audit of public school districts shall be let by
982 the school board in the manner prescribed by the State Auditor.
983 The audit shall be conducted in accordance with generally accepted
984 auditing standards and generally accepted accounting principles,
985 and the report presented thereon shall be in accordance with
986 generally accepted accounting principles. If the auditor's
987 opinion on the general purpose financial statements is a
988 disclaimer, as that term is defined by generally accepted auditing
989 standards, or if the State Auditor determines the existence of



990 serious financial conditions in the district, the State Auditor
991 shall immediately notify the State Board of Education. Upon
992 receiving the notice, the State Superintendent of Public Education
993 shall direct the school district to immediately cease all
994 expenditures until a financial advisor is appointed by the state
995 superintendent. The financial advisor shall be an agent of the
996 State Board of Education and shall be a certified public
997 accountant or a qualified business officer. The financial advisor
998 shall, with the approval of the State Board of Education:

999 (a) Approve or disapprove all expenditures and all
1000 financial obligations of the district;

1001 (b) Ensure compliance with any statutes and State Board
1002 of Education rules or regulations concerning expenditures by
1003 school districts;

1004 (c) Review salaries and the number of all district
1005 personnel and make recommendations to the local school board of
1006 any needed adjustments. Should such recommendations necessitate
1007 the reduction in local salary supplement, such recommended
1008 reductions shall be only to the extent which will result in the
1009 salaries being comparable to districts similarly situated, as
1010 determined by the State Board of Education. The local school
1011 board, in considering either a reduction in personnel or a
1012 reduction in local supplements, shall not be required to comply
1013 with the time limitations prescribed in Sections 37-9-15 and
1014 37-9-105 and, further, shall not be required to comply with
1015 Sections 37-151-86 and 37-151-87 in regard to reducing local
1016 supplements and the number of personnel.

1017 (d) Work with the school district's business office to
1018 correct all inappropriate accounting procedures and/or uses of
1019 school district funds and to prepare the school district's budget
1020 for the next fiscal year; and

1021 (e) Report frequently to the State Board of Education
1022 on the corrective actions being taken and the progress being made



1023 in the school district. The financial adviser shall serve until
1024 such time as corrective action and progress is being made in such
1025 school district as determined by the State Board of Education with
1026 the concurrence of the State Auditor, or until such time as an
1027 interim conservator is assigned to such district by the State
1028 Board of Education under Section 37-17-6. The school district
1029 shall be responsible for all expenses associated with the use of
1030 the financial advisor. If the audit report reflects a failure by
1031 the school district to meet accreditation standards, the State
1032 Board of Education shall proceed under Section 37-17-6.

1033 (3) In the event the State Auditor does not perform the
1034 audit examination, then the audit report of the school district
1035 shall be reviewed by the State Auditor for compliance with
1036 applicable state laws before final payment is made on the audit by
1037 the school board. All financial records, books, vouchers,
1038 cancelled checks and other financial records required by law to be
1039 kept and maintained in the case of municipalities shall be
1040 faithfully kept and maintained in the office of the superintendent
1041 of schools under the same provisions and penalties provided by law
1042 in the case of municipal officials.

1043 SECTION 9. Section 37-9-77, Mississippi Code of 1972, is
1044 amended as follows:

1045 **[Until July 1, 2002, this section will read as follows:]**

1046 37-9-77. (1) There is established the Mississippi School
1047 Administrator Sabbatical Program which shall be available to
1048 licensed teachers employed in Mississippi school districts for not
1049 less than three (3) years, for the purpose of allowing such
1050 teachers to become local school district administrators under the
1051 conditions set forth in this section. The State Board of
1052 Education, in coordination with the Board of Trustees of State
1053 Institutions of Higher Learning, shall develop guidelines for the
1054 program. Application shall be made to the State Department of
1055 Education for the Mississippi School Administrator Sabbatical



1056 Program by qualified teachers meeting the criteria for a
1057 department-approved administration program and who have been
1058 recommended by the local school board. Administration programs
1059 that are eligible for the administrator sabbatical program shall
1060 be limited to those that have been approved by the department by
1061 the January 1 preceding the date of admission to the program.
1062 Admission into the program shall authorize the applicant to take
1063 university course work and training leading to an administrator's
1064 license.

1065 (2) The salaries of the teachers approved for participation
1066 in the administrator sabbatical program shall be paid by the
1067 employing school district from nonminimum education program funds.
1068 However, the State Department of Education shall reimburse the
1069 employing school districts for the cost of the salaries and paid
1070 fringe benefits of teachers participating in the administrator
1071 sabbatical program for one (1) contract year. Reimbursement shall
1072 be made in accordance with the then current minimum education
1073 program salary schedule under Section 37-19-7, except that the
1074 maximum amount of the reimbursement from state funds shall not
1075 exceed the minimum education program salary for a teacher holding
1076 a Class A license and having five (5) years' experience. The
1077 local school district shall be responsible for that portion of a
1078 participating teacher's salary attributable to the local
1079 supplement and for any portion of the teacher's salary that
1080 exceeds the maximum amount allowed for reimbursement from state
1081 funds as provided in this subsection, and the school board may not
1082 reduce the local supplement payable to that teacher. Any
1083 reimbursements made by the State Department of Education to local
1084 school districts under this section shall be subject to available
1085 appropriations and may be made only to school districts determined
1086 by the State Board of Education as being in need of
1087 administrators.



1088 (3) Such teachers participating in the program on a
1089 full-time basis shall continue to receive teaching experience and
1090 shall receive the salary prescribed in Section 37-19-7 and the
1091 annual experience increments prescribed in Section 37-19-7.1.
1092 Such participants shall be fully eligible to continue
1093 participation in the Public Employees Retirement System and the
1094 State and School Employees Life and Health Insurance Plan during
1095 the time they are in the program on a full-time basis.

1096 (4) As a condition for participation in the School
1097 Administrator Sabbatical Program, such teachers shall agree to
1098 employment as administrators in the sponsoring school district for
1099 not less than five (5) years following completion of administrator
1100 licensure requirements. Any person failing to comply with this
1101 employment commitment in any required school year, unless the
1102 commitment is deferred as provided in subsection (5) of this
1103 section, shall immediately be in breach of contract and become
1104 liable to the State Department of Education for that amount of his
1105 salary and paid fringe benefits paid by the state while the
1106 teacher was on sabbatical, less twenty percent (20%) of the amount
1107 of his salary and paid fringe benefits paid by the state for each
1108 year that the person was employed as an administrator following
1109 completion of the administrator licensure requirements. In
1110 addition, the person shall become liable to the local school
1111 district for any portion of his salary and paid fringe benefits
1112 paid by the local school district while the teacher was on
1113 sabbatical that is attributable to the local salary supplement or
1114 is attributable to the amount that exceeds the maximum amount
1115 allowed for reimbursement from state funds as provided in
1116 subsection (2) of this section, less twenty percent (20%) of the
1117 amount of his salary and paid fringe benefits paid by the school
1118 district for each year that the person was employed as an
1119 administrator following completion of the administrator licensure
1120 requirements. Interest on the amount due shall accrue at the



1121 current Stafford Loan rate at the time the breach occurs. If the
1122 claim for repayment of such salary and fringe benefits is placed
1123 in the hands of an attorney for collection after default, then the
1124 obligor shall be liable for an additional amount equal to a
1125 reasonable attorney's fee.

1126 (5) If there is not an administrator position immediately
1127 available in the sponsoring school district after a person has
1128 completed the administrator licensure requirements, or if the
1129 administrator position in the sponsoring school district in which
1130 the person is employed is no longer needed before the completion
1131 of the five-year employment commitment, the local school board
1132 shall defer any part of the employment commitment that has not
1133 been met until such time as an administrator position becomes
1134 available in the sponsoring school district. If such a deferral
1135 is made, the sponsoring school district shall employ the person as
1136 a teacher in the school district during the period of deferral,
1137 unless the person desires to be released from employment by the
1138 sponsoring school district and the district agrees to release the
1139 person from employment. If the sponsoring school district
1140 releases a person from employment, that person may be employed as
1141 an administrator in another school district in the state that is
1142 in need of administrators as determined by the State Board of
1143 Education, and that employment for the other school district shall
1144 be applied to any remaining portion of the five-year employment
1145 commitment required under this section. Nothing in this
1146 subsection shall prevent a school district from not renewing the
1147 person's contract before the end of the five-year employment
1148 commitment in accordance with the School Employment Procedures Law
1149 (Section 37-9-101 et seq.). However, if the person is not
1150 employed as an administrator by another school district after
1151 being released by the sponsoring school district, or after his
1152 contract was not renewed by the sponsoring school district, he



1153 shall be liable for repayment of the amount of his salary and
1154 fringe benefits as provided in subsection (4) of this section.

1155 (6) All funds received by the State Department of Education
1156 from the repayment of salary and fringe benefits paid by the state
1157 from program participants shall be deposited in the Mississippi
1158 Critical Teacher Shortage Fund.

1159 * * *

1160 **[From and after July 1, 2002, this section will read as**
1161 **follows:]**

1162 37-9-77. (1) There is established the Mississippi School
1163 Administrator Sabbatical Program which shall be available to
1164 licensed teachers employed in Mississippi school districts for not
1165 less than three (3) years, for the purpose of allowing such
1166 teachers to become local school district administrators under the
1167 conditions set forth in this section. The State Board of
1168 Education, in coordination with the Board of Trustees of State
1169 Institutions of Higher Learning, shall develop guidelines for the
1170 program. Application shall be made to the State Department of
1171 Education for the Mississippi School Administrator Sabbatical
1172 Program by qualified teachers meeting the criteria for a
1173 department-approved administration program and who have been
1174 recommended by the local school board. Administration programs
1175 that are eligible for the administrator sabbatical program shall
1176 be limited to those that have been approved by the department by
1177 the January 1 preceding the date of admission to the program.
1178 Admission into the program shall authorize the applicant to take
1179 university course work and training leading to an administrator's
1180 license.

1181 (2) The salaries of the teachers approved for participation
1182 in the administrator sabbatical program shall be paid by the
1183 employing school district from * * * funds other than Adequate
1184 Education Program funds. However, the State Department of
1185 Education shall reimburse the employing school districts for the



1186 cost of the salaries and paid fringe benefits of teachers
1187 participating in the administrator sabbatical program for one (1)
1188 contract year. Reimbursement shall be made in accordance with the
1189 then current Adequate Education Program salary schedule under
1190 Section 37-151-86, except that the maximum amount of the
1191 reimbursement from state funds shall not exceed the Adequate
1192 Education Program salary for a teacher holding a Class A license
1193 and having five (5) years' experience. The local school district
1194 shall be responsible for that portion of a participating teacher's
1195 salary attributable to the local supplement and for any portion of
1196 the teacher's salary that exceeds the maximum amount allowed for
1197 reimbursement from state funds as provided in this subsection, and
1198 the school board may not reduce the local supplement payable to
1199 that teacher. Any reimbursements made by the State Department of
1200 Education to local school districts under this section shall be
1201 subject to available appropriations and may be made only to school
1202 districts determined by the State Board of Education as being in
1203 need of administrators.

1204 (3) Such teachers participating in the program on a
1205 full-time basis shall continue to receive teaching experience and
1206 shall receive the salary prescribed in Section 37-151-86 and the
1207 annual experience increments prescribed in Section 37-151-86.1.
1208 Such participants shall be fully eligible to continue
1209 participation in the Public Employees Retirement System and the
1210 State and School Employees Life and Health Insurance Plan during
1211 the time they are in the program on a full-time basis.

1212 (4) As a condition for participation in the School
1213 Administrator Sabbatical Program, such teachers shall agree to
1214 employment as administrators in the sponsoring school district for
1215 not less than five (5) years following completion of administrator
1216 licensure requirements. Any person failing to comply with this
1217 employment commitment in any required school year, unless the
1218 commitment is deferred as provided in subsection (5) of this



1219 section, shall immediately be in breach of contract and become
1220 liable to the State Department of Education for that amount of his
1221 salary and paid fringe benefits paid by the state while the
1222 teacher was on sabbatical, less twenty percent (20%) of the amount
1223 of his salary and paid fringe benefits paid by the state for each
1224 year that the person was employed as an administrator following
1225 completion of the administrator licensure requirements. In
1226 addition, the person shall become liable to the local school
1227 district for any portion of his salary and paid fringe benefits
1228 paid by the local school district while the teacher was on
1229 sabbatical that is attributable to the local salary supplement or
1230 is attributable to the amount that exceeds the maximum amount
1231 allowed for reimbursement from state funds as provided in
1232 subsection (2) of this section, less twenty percent (20%) of the
1233 amount of his salary and paid fringe benefits paid by the school
1234 district for each year that the person was employed as an
1235 administrator following completion of the administrator licensure
1236 requirements. Interest on the amount due shall accrue at the
1237 current Stafford Loan rate at the time the breach occurs. If the
1238 claim for repayment of such salary and fringe benefits is placed
1239 in the hands of an attorney for collection after default, then the
1240 obligor shall be liable for an additional amount equal to a
1241 reasonable attorney's fee.

1242 (5) If there is not an administrator position immediately
1243 available in the sponsoring school district after a person has
1244 completed the administrator licensure requirements, or if the
1245 administrator position in the sponsoring school district in which
1246 the person is employed is no longer needed before the completion
1247 of the five-year employment commitment, the local school board
1248 shall defer any part of the employment commitment that has not
1249 been met until such time as an administrator position becomes
1250 available in the sponsoring school district. If such a deferral
1251 is made, the sponsoring school district shall employ the person as



1252 a teacher in the school district during the period of deferral,
1253 unless the person desires to be released from employment by the
1254 sponsoring school district and the district agrees to release the
1255 person from employment. If the sponsoring school district
1256 releases a person from employment, that person may be employed as
1257 an administrator in another school district in the state that is
1258 in need of administrators as determined by the State Board of
1259 Education, and that employment for the other school district shall
1260 be applied to any remaining portion of the five-year employment
1261 commitment required under this section. Nothing in this
1262 subsection shall prevent a school district from not renewing the
1263 person's contract before the end of the five-year employment
1264 commitment in accordance with the School Employment Procedures Law
1265 (Section 37-9-101 et seq.). However, if the person is not
1266 employed as an administrator by another school district after
1267 being released by the sponsoring school district, or after his
1268 contract was not renewed by the sponsoring school district, he
1269 shall be liable for repayment of the amount of his salary and
1270 fringe benefits as provided in subsection (4) of this section.

1271 (6) All funds received by the State Department of Education
1272 from the repayment of salary and fringe benefits paid by the state
1273 from program participants shall be deposited in the Mississippi
1274 Critical Teacher Shortage Fund.

1275 * * *

1276 SECTION 10. Section 37-151-79, Mississippi Code of 1972, is
1277 amended as follows:

1278 37-151-79. In addition to other funds provided for in this
1279 chapter, there shall be added to the allotment for each school
1280 district for each vocational teacher employed full time during the
1281 regular school term in a vocational education program approved by
1282 the State Department of Education the value of one-half (1/2) of
1283 the Adequate Education Program salary schedule provided in Section
1284 37-151-86 and the annual increments schedule provided in Section



1285 37-151-86.1, based on the type of license and number of years'
1286 teaching experience held by each approved vocational teacher plus
1287 one hundred percent (100%) of the applicable employer's rate for
1288 social security and state retirement.

1289 SECTION 11. Section 37-151-81, Mississippi Code of 1972, is
1290 amended as follows:

1291 37-151-81. (1) In addition to other funds provided for in
1292 this chapter, there shall be added to the allotment for each
1293 school district for each teacher employed in a State Department of
1294 Education approved program for exceptional children, as defined in
1295 Section 37-23-3, the value of one hundred percent (100%) of the
1296 Adequate Education Program salary schedule prescribed in Section
1297 37-151-86 and the annual increments schedule provided in Section
1298 37-151-86.1, based on the type of license and number of years'
1299 teaching experience held by each approved special education
1300 teacher, plus one hundred percent (100%) of the applicable
1301 employer's rate for social security and state retirement, except
1302 that only seventy percent (70%) of the value will be added for the
1303 program for three- and four-year-old exceptional children.

1304 (2) In addition to the allowances provided above, for each
1305 handicapped child who is being educated by a public school
1306 district or is placed in accord with Section 37-23-77, and whose
1307 individualized educational program (IEP) requires an extended
1308 school year in accord with the State Department of Education
1309 criteria, a sufficient amount of funds shall be allocated for the
1310 purpose of providing the educational services the student
1311 requires. The State Board of Education shall promulgate such
1312 regulations as are required to insure the equitable distribution
1313 of these funds. All costs for the extended school year for a
1314 particular summer shall be reimbursed from funds appropriated for
1315 the fiscal year beginning July 1 of that summer. If sufficient
1316 funds are not made available to finance all of the required
1317 educational services, the State Department of Education shall



1318 expend available funds in such a manner that it does not limit the
1319 availability of appropriate education to handicapped students more
1320 severely than it does to nonhandicapped students.

1321 (3) The State Department of Education is hereby authorized
1322 to match adequate education program and other funds allocated for
1323 provision of services to handicapped children with Division of
1324 Medicaid funds to provide language-speech services, physical
1325 therapy and occupational therapy to handicapped students who meet
1326 State Department of Education or Division of Medicaid standards
1327 and who are Medicaid eligible. Provided further, that the State
1328 Department of Education is authorized to pay such funds as may be
1329 required as a match directly to the Division of Medicaid pursuant
1330 to an agreement to be developed between the State Department of
1331 Education and the Division of Medicaid.

1332 (4) In addition to other funds provided for in this chapter,
1333 there shall be added to the allotment for each school district for
1334 each teacher employed in a State Department of Education approved
1335 program for gifted education, as defined in Sections 37-23-173
1336 through 37-23-181, the value of one hundred percent (100%) of the
1337 Adequate Education Program salary schedule prescribed in Section
1338 37-151-86 and the annual increments schedule provided in Section
1339 37-151-86.1, based on the type of license and number of years'
1340 teaching experience held by each approved gifted education teacher
1341 plus one hundred percent (100%) of the applicable employer's rate
1342 for social security and state retirement.

1343 (5) When any children who are residents of the State of
1344 Mississippi and qualify under the provisions of Section 37-23-31,
1345 shall be provided a program of education, instruction and training
1346 within a school under the provisions of said section, the State
1347 Department of Education shall allocate the value of one hundred
1348 percent (100%) of the Adequate Education Program salary schedule
1349 prescribed in Section 37-151-86 and the annual increments schedule
1350 provided in Section 37-151-86.1, for each approved program based



1351 on the type of license and number of years' teaching experience
1352 held by each approved teacher plus one hundred percent (100%) of
1353 the applicable employer's rate for social security and state
1354 retirement. The university or college shall be eligible for state
1355 and federal funds for such programs on the same basis as local
1356 school districts. The university or college shall be responsible
1357 for providing for the additional costs of the program.

1358 (6) In addition to the allotments provided above, a school
1359 district may provide a program of education and instruction to
1360 children ages five (5) years through twenty-one (21) years, who
1361 are resident citizens of the State of Mississippi, who cannot have
1362 their educational needs met in a regular public school program and
1363 who have not finished or graduated from high school, if those
1364 children are determined by competent medical authorities and
1365 psychologists to need placement in a state licensed facility for
1366 inpatient treatment, day treatment or residential treatment or a
1367 therapeutic group home. Such program shall operate under rules,
1368 regulations, policies and standards of school districts as
1369 determined by the State Board of Education. If a private school
1370 approved by the State Board of Education is operated as an
1371 integral part of the state licensed facility that provides for the
1372 treatment of such children, the private school within the facility
1373 may provide a program of education, instruction and training to
1374 such children by requesting the State Department of Education to
1375 allocate one (1) teacher unit or a portion of a teacher unit for
1376 each approved class. The facility shall be responsible for
1377 providing any additional costs of the program.

1378 Such funds will be allotted based on the type of license and
1379 number of years' teaching experience held by each approved
1380 teacher. Such children shall not be counted in average daily
1381 attendance when determining regular teacher unit allocation.

1382 SECTION 12. Section 37-151-91, Mississippi Code of 1972, is
1383 amended as follows:



1384 37-151-91. The school boards of all school districts may
1385 establish salary schedules based on training, experience and other
1386 such factors as may be incorporated therein, including student
1387 progress and performance as developed by the State Board of
1388 Education, paying teachers greater amounts than the scale provided
1389 herein, but no teacher may be paid less than the amount based upon
1390 the minimum scale of pay provided in the Adequate Education
1391 Program as prescribed in Sections 37-151-86 through 37-151-86.2,
1392 and all supplements paid from local funds shall be based upon the
1393 salary schedules so established. The school boards may call upon
1394 the State Department of Education for aid and assistance in
1395 formulating and establishing such salary schedules, and it shall
1396 be the duty of the State Department of Education, when so called
1397 upon, to render such aid and assistance. The amount actually paid
1398 to each teacher shall be based upon and determined by the type of
1399 license held by such teacher.

1400 SECTION 13. Section 37-21-7, Mississippi Code of 1972, is
1401 amended as follows:

1402 **[Until July 1, 2002, this section will read as follows:]**

1403 37-21-7. (1) This section shall be referred to as the
1404 "Mississippi Elementary Schools Assistant Teacher Program," the
1405 purpose of which shall be to provide an early childhood education
1406 program that assists in the instruction of basic skills. The
1407 State Board of Education is authorized, empowered and directed to
1408 implement a statewide system of assistant teachers in kindergarten
1409 classes and in the first, second and third grades. The assistant
1410 teacher shall assist pupils in actual instruction under the strict
1411 supervision of a licensed teacher.

1412 (2) (a) Except as otherwise authorized under subsection
1413 (6), each school district shall employ the total number of
1414 assistant teachers funded under * * * Section 37-21-9. The
1415 superintendent of each district shall assign the assistant
1416 teachers to the kindergarten, first-, second- and third-grade



1417 classes in the district in a manner that will promote the maximum
1418 efficiency, as determined by the superintendent, in the
1419 instruction of skills such as verbal and linguistic skills,
1420 logical and mathematical skills, and social skills.

1421 (b) If a licensed teacher to whom an assistant teacher
1422 has been assigned is required to be absent from the classroom, the
1423 assistant teacher may assume responsibility for the classroom in
1424 lieu of a substitute teacher. However, no assistant teacher shall
1425 assume sole responsibility of the classroom for more than three
1426 (3) consecutive school days. Further, in no event shall any
1427 assistant teacher be assigned to serve as a substitute teacher for
1428 any teacher other than the licensed teacher to whom that assistant
1429 teacher has been assigned.

1430 (3) Assistant teachers shall have, at a minimum, a high
1431 school diploma or a GED equivalent, and shall show demonstratable
1432 proficiency in reading and writing skills. The State Department
1433 of Education shall develop a testing procedure for assistant
1434 teacher applicants to be used in all school districts in the
1435 state.

1436 (4) (a) In order to receive funding, each school district
1437 shall:

1438 (i) Submit a plan on the implementation of a
1439 reading improvement program to the State Department of Education;
1440 and

1441 (ii) Develop a plan of educational accountability
1442 and assessment of performance, including pretests and posttests,
1443 for reading in Grades 1 through 6.

1444 (b) Additionally, each school district shall:

1445 (i) Provide annually a mandatory preservice
1446 orientation session, using an existing in-school service day, for
1447 administrators and teachers on the effective use of assistant
1448 teachers as part of a team in the classroom setting and on the
1449 role of assistant teachers, with emphasis on program goals;



1450 (ii) Hold periodic workshops for administrators
1451 and teachers on the effective use and supervision of assistant
1452 teachers;

1453 (iii) Provide training annually on specific
1454 instructional skills for assistant teachers;

1455 (iv) Annually evaluate their program in accordance
1456 with their educational accountability and assessment of
1457 performance plan; and

1458 (v) Designate the necessary personnel to supervise
1459 and report on their program.

1460 (5) The State Department of Education shall:

1461 (a) Develop and assist in the implementation of a
1462 statewide uniform training module, subject to the availability of
1463 funds specifically appropriated therefor by the Legislature, which
1464 shall be used in all school districts for training administrators,
1465 teachers and assistant teachers. The module shall provide for the
1466 consolidated training of each assistant teacher and teacher to
1467 whom the assistant teacher is assigned, working together as a
1468 team, and shall require further periodical training for
1469 administrators, teachers and assistant teachers regarding the role
1470 of assistant teachers;

1471 (b) Annually evaluate the program on the district and
1472 state level. Subject to the availability of funds specifically
1473 appropriated therefor by the Legislature, the department shall
1474 develop: (i) uniform evaluation reports, to be performed by the
1475 principal or assistant principal, to collect data for the annual
1476 overall program evaluation conducted by the department; or (ii) a
1477 program evaluation model that, at a minimum, addresses process
1478 evaluation; and

1479 (c) Promulgate rules, regulations and such other
1480 standards deemed necessary to effectuate the purposes of this
1481 section. Noncompliance with the provisions of this section and
1482 any rules, regulations or standards adopted by the department may



1483 result in a violation of compulsory accreditation standards as
1484 established by the State Board of Education and Commission on
1485 School Accreditation.

1486 * * *

1487 (6) (a) As an alternative to employing assistant teachers,
1488 any school district may use the minimum program allotment provided
1489 under * * * Section 37-21-9 for the purpose of employing licensed
1490 teachers for kindergarten, first-, second- and third-grade
1491 classes; however, no school district shall be authorized to use
1492 the minimum program allotment for assistant teachers for the
1493 purpose of employing licensed teachers unless the district has
1494 established that the employment of licensed teachers using such
1495 funds will reduce the teacher:student ratio in the kindergarten,
1496 first-, second- and third-grade classes. All minimum program
1497 funds for assistant teachers shall be applied to reducing
1498 teacher:student ratio in Grades K-3.

1499 It is the intent of the Legislature that no school district
1500 shall dismiss any assistant teacher for the purpose of using the
1501 minimum program assistant teacher allotment to employ licensed
1502 teachers. School districts may rely only upon normal attrition to
1503 reduce the number of assistant teachers employed in that district.

1504 (b) In the event any school district meets Level 4 or 5
1505 accreditation requirements, the State Board of Education, in its
1506 discretion, may exempt such school district from any accreditation
1507 requirements for the district's early childhood education program
1508 or reading improvement program.

1509 **[From and after July 1, 2002, this section reads as follows:]**

1510 37-21-7. (1) This section shall be referred to as the
1511 "Mississippi Elementary Schools Assistant Teacher Program," the
1512 purpose of which shall be to provide an early childhood education
1513 program that assists in the instruction of basic skills. The
1514 State Board of Education is authorized, empowered and directed to
1515 implement a statewide system of assistant teachers in kindergarten



1516 classes and in the first, second and third grades. The assistant
1517 teacher shall assist pupils in actual instruction under the strict
1518 supervision of a licensed teacher.

1519 (2) (a) Except as otherwise authorized under subsection
1520 (6), each school district shall employ the total number of
1521 assistant teachers funded under * * * Section 37-21-9. The
1522 superintendent of each district shall assign the assistant
1523 teachers to the kindergarten, first-, second- and third-grade
1524 classes in the district in a manner that will promote the maximum
1525 efficiency, as determined by the superintendent, in the
1526 instruction of skills such as verbal and linguistic skills,
1527 logical and mathematical skills, and social skills.

1528 (b) If a licensed teacher to whom an assistant teacher
1529 has been assigned is required to be absent from the classroom, the
1530 assistant teacher may assume responsibility for the classroom in
1531 lieu of a substitute teacher. However, no assistant teacher shall
1532 assume sole responsibility of the classroom for more than three
1533 (3) consecutive school days. Further, in no event shall any
1534 assistant teacher be assigned to serve as a substitute teacher for
1535 any teacher other than the licensed teacher to whom that assistant
1536 teacher has been assigned.

1537 (3) Assistant teachers shall have, at a minimum, a high
1538 school diploma or a GED equivalent, and shall show demonstratable
1539 proficiency in reading and writing skills. The State Department
1540 of Education shall develop a testing procedure for assistant
1541 teacher applicants to be used in all school districts in the
1542 state.

1543 (4) (a) In order to receive funding, each school district
1544 shall:

1545 (i) Submit a plan on the implementation of a
1546 reading improvement program to the State Department of Education;
1547 and



1548 (ii) Develop a plan of educational accountability
1549 and assessment of performance, including pretests and posttests,
1550 for reading in Grades 1 through 6.

1551 (b) Additionally, each school district shall:

1552 (i) Provide annually a mandatory preservice
1553 orientation session, using an existing in-school service day, for
1554 administrators and teachers on the effective use of assistant
1555 teachers as part of a team in the classroom setting and on the
1556 role of assistant teachers, with emphasis on program goals;

1557 (ii) Hold periodic workshops for administrators
1558 and teachers on the effective use and supervision of assistant
1559 teachers;

1560 (iii) Provide training annually on specific
1561 instructional skills for assistant teachers;

1562 (iv) Annually evaluate their program in accordance
1563 with their educational accountability and assessment of
1564 performance plan; and

1565 (v) Designate the necessary personnel to supervise
1566 and report on their program.

1567 (5) The State Department of Education shall:

1568 (a) Develop and assist in the implementation of a
1569 statewide uniform training module, subject to the availability of
1570 funds specifically appropriated therefor by the Legislature, which
1571 shall be used in all school districts for training administrators,
1572 teachers and assistant teachers. The module shall provide for the
1573 consolidated training of each assistant teacher and teacher to
1574 whom the assistant teacher is assigned, working together as a
1575 team, and shall require further periodical training for
1576 administrators, teachers and assistant teachers regarding the role
1577 of assistant teachers;

1578 (b) Annually evaluate the program on the district and
1579 state level. Subject to the availability of funds specifically
1580 appropriated therefor by the Legislature, the department shall



1581 develop: (i) uniform evaluation reports, to be performed by the
1582 principal or assistant principal, to collect data for the annual
1583 overall program evaluation conducted by the department; or (ii) a
1584 program evaluation model that, at a minimum, addresses process
1585 evaluation; and

1586 (c) Promulgate rules, regulations and such other
1587 standards deemed necessary to effectuate the purposes of this
1588 section. Noncompliance with the provisions of this section and
1589 any rules, regulations or standards adopted by the department may
1590 result in a violation of compulsory accreditation standards as
1591 established by the State Board of Education and Commission on
1592 School Accreditation.

1593 * * *

1594 (6) (a) As an alternative to employing assistant teachers,
1595 any school district may use the Adequate Education Program
1596 allotments for the purpose of employing licensed teachers for
1597 kindergarten, first-, second- and third-grade classes; however, no
1598 school district shall be authorized to use the funds for assistant
1599 teachers for the purpose of employing licensed teachers unless the
1600 district has established that the employment of licensed teachers
1601 using such funds will reduce the teacher:student ratio in the
1602 kindergarten, first-, second- and third-grade classes. All
1603 Adequate Education Program funds for assistant teachers shall be
1604 applied to reducing teacher:student ratio in Grades K-3.

1605 It is the intent of the Legislature that no school district
1606 shall dismiss any assistant teacher for the purpose of using state
1607 funds to employ licensed teachers. School districts may rely only
1608 upon normal attrition to reduce the number of assistant teachers
1609 employed in that district.

1610 (b) In the event any school district meets Level 4 or 5
1611 accreditation requirements, the State Board of Education, in its
1612 discretion, may exempt such school district from any accreditation



1613 requirements for the district's early childhood education program
1614 or reading improvement program.

1615 SECTION 14. The following shall be codified as Section
1616 37-21-9, Mississippi Code of 1972:

1617 **[Until July 1, 2002, this section will read as follows:]**

1618 37-21-9. In addition to other funds allotted under the
1619 Minimum Education Program, each school district shall be allotted
1620 Nine Thousand One Hundred Fifteen Dollars (\$9,115.00) per teacher
1621 unit as prescribed in Section 37-19-5 for Grades 1, 2 and 3 for
1622 the purpose of employing an assistant teacher. Assistant teachers
1623 shall be paid a minimum annual salary of Nine Thousand One Hundred
1624 Fifteen Dollars (\$9,115.00). However, no assistant teacher shall
1625 be paid less than the amount he or she received in the prior
1626 school year. No school district shall receive any funds under
1627 this section for any school year during which the aggregate amount
1628 of the local contribution to the salaries of assistant teachers by
1629 the district shall have been reduced below such amount for the
1630 previous year. However, in the event the Sine Die General Fund
1631 Revenue Estimate Increase for fiscal year 2002 is at least five
1632 percent (5%), as certified by the Legislative Budget Office to the
1633 State Board of Education, the minimum salary for assistant
1634 teachers shall be Nine Thousand Three Hundred Sixty-five Dollars
1635 (\$9,365.00).

1636 For each one percent (1%) that the Sine Die General Fund
1637 Revenue Estimate Growth exceeds the five percent (5%) minimum in
1638 fiscal year 2002, as certified by the Legislative Budget Office to
1639 the State Board of Education and subject to the specific
1640 appropriation therefor by the Legislature, the State Board of
1641 Education shall revise the salary scale to provide an additional
1642 one percent (1%) increase in the salaries for assistant teachers.
1643 The State Board of Education shall revise the salaries prescribed
1644 above for assistant teachers to conform to any adjustments made in
1645 prior fiscal years due to revenue growth over and above five



1646 percent (5%). The assistant teachers shall not be restricted to
1647 working only in the grades for which the funds were allotted, but
1648 may be assigned to other classes as provided in Section 37-21-7.

1649 **[From and after July 1, 2002, this section will read as**
1650 **follows:]**

1651 37-21-9. Assistant teachers shall be paid a minimum annual
1652 salary of Nine Thousand One Hundred Fifteen Dollars (\$9,115.00).
1653 However, no assistant teacher shall be paid less than the amount
1654 he or she received in the prior school year. No school district
1655 shall receive any funds under this section for any school year
1656 during which the aggregate amount of the local contribution to the
1657 salaries of assistant teachers by the district shall have been
1658 reduced below such amount for the previous year. However, in the
1659 event the Sine Die General Fund Revenue Estimate Increase for
1660 fiscal year 2002 is at least five percent (5%), as certified by
1661 the Legislative Budget Office to the State Board of Education, the
1662 minimum salary for assistant teachers shall be Nine Thousand Three
1663 Hundred Sixty-five Dollars (\$9,365.00).

1664 In the event the Sine Die General Fund Revenue Estimate
1665 Increase for fiscal year 2003 is at least five percent (5%), as
1666 certified by the Legislative Budget Office to the State Board of
1667 Education, the minimum salary for assistant teachers shall be Nine
1668 Thousand Nine Hundred Dollars (\$9,900.00).

1669 In the event the Sine Die General Fund Revenue Estimate
1670 Increase for fiscal year 2004 is at least five percent (5%), as
1671 certified by the Legislative Budget Office to the State Board of
1672 Education, the minimum salary for assistant teachers shall be Ten
1673 Thousand Five Hundred Dollars (\$10,500.00).

1674 In the event the Sine Die General Fund Revenue Estimate
1675 Increase for fiscal year 2005 is at least five percent (5%), as
1676 certified by the Legislative Budget Office to the State Board of
1677 Education, the minimum salary for assistant teachers shall be
1678 Eleven Thousand Two Hundred Dollars (\$11,200.00).



1679 In the event the Sine Die General Fund Revenue Estimate
1680 Increase for fiscal year 2006 is at least five percent (5%), as
1681 certified by the Legislative Budget Office to the State Board of
1682 Education, the minimum salary for assistant teachers shall be
1683 Twelve Thousand Dollars (\$12,000.00).

1684 For each one percent (1%) that the Sine Die General Fund
1685 Revenue Estimate Growth exceeds the five percent (5%) minimum in
1686 fiscal year 2002, 2003, 2004, 2005 or 2006, as certified by the
1687 Legislative Budget Office to the State Board of Education and
1688 subject to the specific appropriation therefor by the Legislature,
1689 the State Board of Education shall revise the salary scale in the
1690 appropriate year to provide an additional one percent (1%) across
1691 the board increase in the base salaries for assistant teachers.
1692 The State Board of Education shall revise the salaries prescribed
1693 above for assistant teachers to conform to any adjustments made in
1694 prior fiscal years due to revenue growth over and above five
1695 percent (5%). The assistant teachers shall not be restricted to
1696 working only in the grades for which the funds were allotted, but
1697 may be assigned to other classes as provided in Section 37-21-7.

1698 SECTION 15. Sections 1 through 3, 7 through 9, 13 and 14
1699 shall take effect and be in force from and after July 1, 2001.
1700 Sections 4 through 6 and 10 through 12 shall take effect and be in
1701 force from and after July 1, 2002.

