

By: Representatives Brown, Mayo, Whittington

To: Education; Appropriations

HOUSE BILL NO. 75

1 AN ACT TO AMEND SECTIONS 37-19-7, 37-19-21 AND 37-21-7,
2 MISSISSIPPI CODE OF 1972, TO ELIMINATE THE REQUIREMENT THAT THE
3 SINE DIE GENERAL FUND REVENUE ESTIMATE INCREASE BY AT LEAST FIVE
4 PERCENT ANNUALLY AS A PREREQUISITE TO IMPLEMENTING INCREASES IN
5 SALARIES FOR TEACHERS AND ASSISTANT TEACHERS AND IN THE ALLOTMENT
6 FOR SUPPORTIVE SERVICES IN ACCORDANCE WITH THE PLAN TO RAISE
7 TEACHERS' SALARIES TO THE SOUTHEASTERN AVERAGE OVER THE NEXT FIVE
8 YEARS, AND TO ELIMINATE THE REQUIREMENT THAT SUCH SALARIES BE
9 INCREASED FOR REVENUE GROWTH EXCEEDING FIVE PERCENT; AND FOR
10 RELATED PURPOSES.

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

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

14 37-19-7. (1) This section shall be known and may be cited
15 as the Mississippi "Teacher Opportunity Program (TOP)." The
16 allowance in the minimum education program and the Mississippi
17 Adequate Education Program for teachers' salaries in each county
18 and separate school district shall be determined and paid in
19 accordance with the scale for teachers' salaries as provided in
20 this subsection. For teachers holding the following types of
21 licenses or the equivalent as determined by the State Board of
22 Education, and the following number of years of teaching
23 experience, the scale shall be as follows:

24 * * *

25 2001-2002 School Year * * *

26 Less Than 25 Years of Teaching Experience

27	AAAA.....	\$ 26,290.00
28	AAA.....	25,440.00
29	AA.....	24,590.00
30	A.....	23,540.00

31 25 or More Years of Teaching Experience



32	AAAA.....	\$ 27,790.00
33	AAA.....	26,940.00
34	AA.....	26,090.00
35	A.....	25,040.00

36 * * *

37 **2002-2003 School Year * * ***

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

39	AAAA.....	\$ 27,850.00
40	AAA.....	27,000.00
41	AA.....	26,150.00
42	A.....	24,700.00

43 **25 or More Years of Teaching Experience**

44	AAAA.....	\$ 29,850.00
45	AAA.....	29,000.00
46	AA.....	28,150.00
47	A.....	26,700.00

48 * * *

49 **2003-2004 School Year * * ***

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

51	AAAA.....	\$ 29,550.00
52	AAA.....	28,700.00
53	AA.....	27,850.00
54	A.....	26,000.00

55 **25 or More Years of Teaching Experience**

56	AAAA.....	\$ 31,550.00
57	AAA.....	30,700.00
58	AA.....	29,850.00
59	A.....	28,000.00

60 * * *

61 **2004-2005 School Year * * ***

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

63	AAAA.....	\$ 31,775.00
64	AAA.....	30,850.00



65	AA.....	29,925.00
66	A.....	28,000.00
67	25 or More Years of Teaching Experience	
68	AAAA.....	\$ 33,775.00
69	AAA.....	32,850.00
70	AA.....	31,925.00
71	A.....	30,000.00

72 * * *

73 **2005-2006 School Year and School Years Thereafter**

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

75	AAAA.....	\$ 34,000.00
76	AAA.....	33,000.00
77	AA.....	32,000.00
78	A.....	30,000.00

79 **25 or More Years of Teaching Experience**

80	AAAA.....	\$ 36,000.00
81	AAA.....	35,000.00
82	AA.....	34,000.00
83	A.....	32,000.00

84 * * *

85 It is the intent of the Legislature that any state funds made
86 available for salaries of licensed personnel in excess of the
87 funds paid for such salaries for the 1986-1987 school year shall
88 be paid to licensed personnel pursuant to a personnel appraisal
89 and compensation system implemented by the State Board of
90 Education. The State Board of Education shall have the authority
91 to adopt and amend rules and regulations as are necessary to
92 establish, administer and maintain the system.

93 All teachers employed on a full-time basis shall be paid a
94 minimum salary in accordance with the above scale. However, no
95 school district shall receive any funds under this section for any
96 school year during which the local supplement paid to any
97 individual teacher shall have been reduced to a sum less than that



98 paid to that individual teacher for performing the same duties
99 from local supplement during the immediately preceding school
100 year. The amount actually spent for the purposes of group health
101 and/or life insurance shall be considered as a part of the
102 aggregate amount of local supplement but shall not be considered
103 a part of the amount of individual local supplement.

104 *** * * 2001-2002 School Year Annual Increment**

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

110 For teachers holding a Class AAA license, the minimum base
111 pay specified in this subsection shall be increased by the sum of
112 Five Hundred Ninety-five Dollars (\$595.00) for each year of
113 teaching experience possessed by the person holding such license
114 until such person shall have twenty-five (25) years of teaching
115 experience.

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

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

126 * * *

127 **2002-2003 School Year Annual Increment**

128 For teachers holding a Class AAAA license, the minimum base
129 pay specified in this subsection shall be increased by the sum of
130 Six Hundred Eighty-five Dollars (\$685.00) for each year of



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

134 For teachers holding a Class AAA license, the minimum base
135 pay specified in this subsection shall be increased by the sum of
136 Six Hundred Twenty Dollars (\$620.00) for each year of teaching
137 experience possessed by the person holding such license until such
138 person shall have twenty-five (25) years of teaching experience.

139 For teachers holding a Class AA license, the minimum base pay
140 specified in this subsection shall be increased by the sum of Five
141 Hundred Fifty-five Dollars (\$555.00) for each year of teaching
142 experience possessed by the person holding such license until such
143 person shall have twenty-five (25) years of teaching experience.

144 For teachers holding a Class A license, the minimum base pay
145 specified in this subsection shall be increased by the sum of Four
146 Hundred Forty-five Dollars (\$445.00) for each year of teaching
147 experience possessed by the person holding such license until such
148 person shall have twenty-two (22) years of teaching experience.

149 * * *

150 **2003-2004 School Year Annual Increment**

151 For teachers holding a Class AAAA license, the minimum base
152 pay specified in this subsection shall be increased by the sum of
153 Seven Hundred Ten Dollars (\$710.00) for each year of teaching
154 experience possessed by the person holding such license until such
155 person shall have twenty-five (25) years of teaching experience.

156 For teachers holding a Class AAA license, the minimum base
157 pay specified in this subsection shall be increased by the sum of
158 Six Hundred Forty-five Dollars (\$645.00) for each year of teaching
159 experience possessed by the person holding such license until such
160 person shall have twenty-five (25) years of teaching experience.

161 For teachers holding a Class AA license, the minimum base pay
162 specified in this subsection shall be increased by the sum of Five
163 Hundred Eighty Dollars (\$580.00) for each year of teaching



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

166 For teachers holding a Class A license, the minimum base pay
167 specified in this subsection shall be increased by the sum of Four
168 Hundred Fifty-five Dollars (\$455.00) for each year of teaching
169 experience possessed by the person holding such license until such
170 person shall have twenty-three (23) years of teaching experience.

171 * * *

172 **2004-2005 School Year Annual Increment**

173 For teachers holding a Class AAAA license, the minimum base
174 pay specified in this subsection shall be increased by the sum of
175 Seven Hundred Forty Dollars (\$740.00) for each year of teaching
176 experience possessed by the person holding such license until such
177 person shall have twenty-five (25) years of teaching experience.

178 For teachers holding a Class AAA license, the minimum base
179 pay specified in this subsection shall be increased by the sum of
180 Six Hundred Seventy-five Dollars (\$675.00) for each year of
181 teaching experience possessed by the person holding such license
182 until such person shall have twenty-five (25) years of teaching
183 experience.

184 For teachers holding a Class AA license, the minimum base pay
185 specified in this subsection shall be increased by the sum of Six
186 Hundred Ten Dollars (\$610.00) for each year of teaching experience
187 possessed by the person holding such license until such person
188 shall have twenty-five (25) years of teaching experience.

189 For teachers holding a Class A license, the minimum base pay
190 specified in this subsection shall be increased by the sum of Four
191 Hundred Sixty-five Dollars (\$465.00) for each year of teaching
192 experience possessed by the person holding such license until such
193 person shall have twenty-four (24) years of teaching experience.

194 * * *

195 **2005-2006 School Year**

196 **and School Years Thereafter Annual Increments**



197 For teachers holding a Class AAAA license, the minimum base
198 pay specified in this subsection shall be increased by the sum of
199 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching
200 experience possessed by the person holding such license until such
201 person shall have twenty-five (25) years of teaching experience.

202 For teachers holding a Class AAA license, the minimum base
203 pay specified in this subsection shall be increased by the sum of
204 Seven Hundred Five Dollars (\$705.00) for each year of teaching
205 experience possessed by the person holding such license until such
206 person shall have twenty-five (25) years of teaching experience.

207 For teachers holding a Class AA license, the minimum base pay
208 specified in this subsection shall be increased by the sum of Six
209 Hundred Forty Dollars (\$640.00) for each year of teaching
210 experience possessed by the person holding such license until such
211 person shall have twenty-five (25) years of teaching experience.

212 For teachers holding a Class A license, the minimum base pay
213 specified in this subsection shall be increased by the sum of Four
214 Hundred Eighty Dollars (\$480.00) for each year of teaching
215 experience possessed by the person holding such license until such
216 person shall have twenty-four (24) years of teaching experience.

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

222 (2) (a) The following employees shall receive an annual
223 salary supplement in the amount of Six Thousand Dollars
224 (\$6,000.00), plus fringe benefits, in addition to any other
225 compensation to which the employee may be entitled:

226 (i) Any licensed teacher who has met the
227 requirements and acquired a Master Teacher certificate from the
228 National Board for Professional Teaching Standards and who is
229 employed by a local school board or the State Board of Education



230 as a teacher and not as an administrator. In the 1999-2000 and
231 2000-2001 school year, such teacher shall submit documentation to
232 the State Department of Education that the certificate was
233 received prior to April 15 in order to be eligible for the full
234 salary supplement in the current school year. In the 2001-2002
235 school year and in school years thereafter, such teacher shall
236 submit documentation to the State Department of Education that the
237 certificate was received prior to October 15 in order to be
238 eligible for the full salary supplement in the current school
239 year, or the teacher shall submit such documentation to the State
240 Department of Education prior to February 15 in order to be
241 eligible for a prorated salary supplement beginning with the
242 second term of the school year.

243 (ii) From and after July 1, 1999, any licensed
244 school counselor who has met the requirements and acquired a
245 National Certified School Counselor (NCSC) endorsement from the
246 National Board of Certified Counselors and who is employed by a
247 local school board or the State Board of Education as a counselor
248 and not as an administrator. Such licensed school counselor shall
249 submit documentation to the State Department of Education that the
250 endorsement was received prior to October 15 in order to be
251 eligible for the full salary supplement in the current school
252 year, or the licensed school counselor shall submit such
253 documentation to the State Department of Education prior to
254 February 15 in order to be eligible for a prorated salary
255 supplement beginning with the second term of the school year.
256 However, the salary supplement authorized under this item shall be
257 discontinued two (2) years after the date on which the National
258 Board for Professional Teaching Standards offers a certification
259 process for a Master Teacher certificate for school counselors,
260 and any school counselor receiving the salary supplement will be
261 required to complete the Master Teacher certificate process under



262 item (i) of this paragraph in order to continue receiving such
263 salary supplement.

264 (iii) From and after July 1, 1999, any licensed
265 speech-language pathologist and audiologist who has met the
266 requirements and acquired a Certificate of Clinical Competence
267 from the American Speech-Language-Hearing Association and who is
268 employed by a local school board. Such licensed speech-language
269 pathologist and audiologist shall submit documentation to the
270 State Department of Education that the certificate or endorsement
271 was received prior to October 15 in order to be eligible for the
272 full salary supplement in the current school year, or the licensed
273 speech-language pathologist and audiologist shall submit such
274 documentation to the State Department of Education prior to
275 February 15 in order to be eligible for a prorated salary
276 supplement beginning with the second term of the school year.
277 However, the salary supplement authorized under this item shall be
278 discontinued two (2) years after the date on which the National
279 Board for Professional Teaching Standards offers a certification
280 process for a Master Teacher certificate for school
281 speech-language pathologists and audiologists, and any school
282 speech-language pathologist and audiologist receiving the salary
283 supplement will be required to complete the Master Teacher
284 certificate process under item (i) of this paragraph in order to
285 continue receiving such salary supplement.

286 (b) An employee shall be reimbursed one (1) time for
287 the actual cost of completing the process of acquiring the
288 certificate or endorsement, excluding any costs incurred for
289 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
290 for a school counselor or speech-language pathologist and
291 audiologist, regardless of whether or not the process resulted in
292 the award of the certificate or endorsement. A local school
293 district or any private individual or entity may pay the cost of
294 completing the process of acquiring the certificate or endorsement



295 for any employee of the school district described under paragraph
296 (a), and the State Department of Education shall reimburse the
297 school district for such cost, regardless of whether or not the
298 process resulted in the award of the certificate or endorsement.
299 If a private individual or entity has paid the cost of completing
300 the process of acquiring the certificate or endorsement for an
301 employee, the local school district may agree to directly
302 reimburse the individual or entity for such cost on behalf of the
303 employee.

304 (c) All salary supplements, fringe benefits and process
305 reimbursement authorized under this subsection shall be paid
306 directly by the State Department of Education to the local school
307 district and shall be in addition to its minimum education program
308 allotments and not a part thereof in accordance with regulations
309 promulgated by the State Board of Education, and subject to
310 appropriation by the Legislature. Local school districts shall
311 not reduce the local supplement paid to any employee receiving
312 such salary supplement, and the employee shall receive any local
313 supplement to which employees with similar training and experience
314 otherwise are entitled.

315 (d) The State Department of Education may not pay any
316 process reimbursement to a school district for an employee who
317 does not complete the certification or endorsement process
318 required to be eligible for the certificate or endorsement. If an
319 employee for whom such cost has been paid in full or in part by a
320 local school district or private individual or entity fails to
321 complete the certification or endorsement process, the employee
322 shall be liable to the school district or individual or entity for
323 all amounts paid by the school district or individual or entity on
324 behalf of that employee toward his or her certificate or
325 endorsement.

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



328 37-19-21. * * *

329 * * * For fiscal year 2002 * * *, each school district shall
330 be allotted Five Thousand Ninety-seven Dollars (\$5,097.00) per
331 teacher unit for use in supportive services. * * *

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

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

335 37-21-7. (1) This section shall be referred to as the
336 "Mississippi Elementary Schools Assistant Teacher Program," the
337 purpose of which shall be to provide an early childhood education
338 program that assists in the instruction of basic skills. The
339 State Board of Education is authorized, empowered and directed to
340 implement a statewide system of assistant teachers in kindergarten
341 classes and in the first, second and third grades. The assistant
342 teacher shall assist pupils in actual instruction under the strict
343 supervision of a licensed teacher.

344 (2) (a) Except as otherwise authorized under subsection
345 (7), each school district shall employ the total number of
346 assistant teachers funded under subsection (6) of this section.
347 The superintendent of each district shall assign the assistant
348 teachers to the kindergarten, first-, second- and third-grade
349 classes in the district in a manner that will promote the maximum
350 efficiency, as determined by the superintendent, in the
351 instruction of skills such as verbal and linguistic skills,
352 logical and mathematical skills, and social skills.

353 (b) If a licensed teacher to whom an assistant teacher
354 has been assigned is required to be absent from the classroom, the
355 assistant teacher may assume responsibility for the classroom in
356 lieu of a substitute teacher. However, no assistant teacher shall
357 assume sole responsibility of the classroom for more than three

358 (3) consecutive school days. Further, in no event shall any
359 assistant teacher be assigned to serve as a substitute teacher for



360 any teacher other than the licensed teacher to whom that assistant
361 teacher has been assigned.

362 (3) Assistant teachers shall have, at a minimum, a high
363 school diploma or a GED equivalent, and shall show demonstratable
364 proficiency in reading and writing skills. The State Department
365 of Education shall develop a testing procedure for assistant
366 teacher applicants to be used in all school districts in the
367 state.

368 (4) (a) In order to receive funding, each school district
369 shall:

370 (i) Submit a plan on the implementation of a
371 reading improvement program to the State Department of Education;
372 and

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

376 (b) Additionally, each school district shall:

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

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

385 (iii) Provide training annually on specific
386 instructional skills for assistant teachers;

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

390 (v) Designate the necessary personnel to supervise
391 and report on their program.

392 (5) The State Department of Education shall:



393 (a) Develop and assist in the implementation of a
394 statewide uniform training module, subject to the availability of
395 funds specifically appropriated therefor by the Legislature, which
396 shall be used in all school districts for training administrators,
397 teachers and assistant teachers. The module shall provide for the
398 consolidated training of each assistant teacher and teacher to
399 whom the assistant teacher is assigned, working together as a
400 team, and shall require further periodical training for
401 administrators, teachers and assistant teachers regarding the role
402 of assistant teachers;

403 (b) Annually evaluate the program on the district and
404 state level. Subject to the availability of funds specifically
405 appropriated therefor by the Legislature, the department shall
406 develop: (i) uniform evaluation reports, to be performed by the
407 principal or assistant principal, to collect data for the annual
408 overall program evaluation conducted by the department; or (ii) a
409 program evaluation model that, at a minimum, addresses process
410 evaluation; and

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

418 (6) In addition to other funds allotted under the Minimum
419 Education or Adequate Education Program, each school district
420 shall be allotted sufficient funding for the purpose of employing
421 an assistant teacher. * * * No assistant teacher shall be paid
422 less than the amount he or she received in the prior school year.
423 No school district shall receive any funds under this section for
424 any school year during which the aggregate amount of the local
425 contribution to the salaries of assistant teachers by the district



426 shall have been reduced below such amount for the previous
427 year. * * *

428 For the 2001-2002 school year, the minimum salary for
429 assistant teachers shall be Nine Thousand Three Hundred Sixty-five
430 Dollars (\$9,365.00).

431 For the 2002-2003 school year, the minimum salary for
432 assistant teachers shall be Nine Thousand Nine Hundred Dollars
433 (\$9,900.00).

434 For the 2003-2004 school year, the minimum salary for
435 assistant teachers shall be Ten Thousand Five Hundred Dollars
436 (\$10,500.00).

437 For the 2004-2005 school year, the minimum salary for
438 assistant teachers shall be Eleven Thousand Two Hundred Dollars
439 (\$11,200.00).

440 For the 2005-2006 school year and school years thereafter,
441 the minimum salary for assistant teachers shall be Twelve Thousand
442 Dollars (\$12,000.00).

443 * * * The assistant teachers shall not be restricted to
444 working only in the grades for which the funds were allotted, but
445 may be assigned to other classes as provided in subsection (2)(a)
446 of this section.

447 (7) (a) As an alternative to employing assistant teachers,
448 any school district may use the * * * allotment provided under
449 subsection (6) of this section for the purpose of employing
450 licensed teachers for kindergarten, first-, second- and
451 third-grade classes; however, no school district shall be
452 authorized to use the * * * allotment for assistant teachers for
453 the purpose of employing licensed teachers unless the district has
454 established that the employment of licensed teachers using such
455 funds will reduce the teacher:student ratio in the kindergarten,
456 first-, second- and third-grade classes. All state funds for
457 assistant teachers shall be applied to reducing teacher:student
458 ratio in Grades K-3.



459 It is the intent of the Legislature that no school district
460 shall dismiss any assistant teacher for the purpose of using
461 the * * * assistant teacher allotment to employ licensed teachers.
462 School districts may rely only upon normal attrition to reduce the
463 number of assistant teachers employed in that district.

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

469 SECTION 4. This act shall take effect and be in force from
470 and after July 1, 2001.

