

By: Representative Davis

To: Education;  
Appropriations

HOUSE BILL NO. 418

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

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

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

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

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

17 (2) (a) Except as otherwise authorized under subsection  
18 (7), each school district shall employ the total number of  
19 assistant teachers funded under subsection (6) of this section.  
20 The superintendent of each district shall assign the assistant  
21 teachers to the kindergarten, first-, second- and third-grade  
22 classes in the district in a manner that will promote the maximum  
23 efficiency, as determined by the superintendent, in the  
24 instruction of skills such as verbal and linguistic skills,  
25 logical and mathematical skills, and social skills.

26 (b) If a licensed teacher to whom an assistant teacher  
27 has been assigned is required to be absent from the classroom, the

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

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

41 (4) (a) In order to receive funding, each school district  
42 shall:

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

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

49 (b) Additionally, each school district shall:

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

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

58 (iii) Provide training annually on specific  
59 instructional skills for assistant teachers;

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

63 (v) Designate the necessary personnel to supervise  
64 and report on their program.

65 (5) The State Department of Education shall:

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

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

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

91 (6) In addition to other funds allotted under the Minimum  
92 Education Program, each school district shall be allotted Nine

93 Thousand One Hundred Fifteen Dollars (\$9,115.00) per teacher unit  
94 as prescribed in Section 37-19-5 for Grades 1, 2 and 3 for the  
95 purpose of employing an assistant teacher. Assistant teachers  
96 shall be paid a minimum annual salary of Nine Thousand One Hundred  
97 Fifteen Dollars (\$9,115.00) and shall be granted an annual  
98 increase of One Thousand Two Hundred Fifty Dollars (\$1,250.00).  
99 However, no assistant teacher shall be paid less than the amount  
100 he or she received in the prior school year. No school district  
101 shall receive any funds under this section for any school year  
102 during which the aggregate amount of the local contribution to the  
103 salaries of assistant teachers by the district shall have been  
104 reduced below such amount for the previous year. \* \* \*

105 \* \* \*

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

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

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

126 requirements for the district's early childhood education program  
127 or reading improvement program.

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

129 37-21-7. (1) This section shall be referred to as the  
130 "Mississippi Elementary Schools Assistant Teacher Program," the  
131 purpose of which shall be to provide an early childhood education  
132 program that assists in the instruction of basic skills. The  
133 State Board of Education is authorized, empowered and directed to  
134 implement a statewide system of assistant teachers in kindergarten  
135 classes and in the first, second and third grades. The assistant  
136 teacher shall assist pupils in actual instruction under the strict  
137 supervision of a licensed teacher.

138 (2) (a) Except as otherwise authorized under subsection  
139 (7), each school district shall employ the total number of  
140 assistant teachers funded under the Mississippi Adequate Education  
141 Program of this section. The superintendent of each district  
142 shall assign the assistant teachers to the kindergarten, first-,  
143 second- and third-grade classes in the district in a manner that  
144 will promote the maximum efficiency, as determined by the  
145 superintendent, in the instruction of skills such as verbal and  
146 linguistic skills, logical and mathematical skills, and social  
147 skills.

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

153 (3) consecutive school days. Further, in no event shall any  
154 assistant teacher be assigned to serve as a substitute teacher for  
155 any teacher other than the licensed teacher to whom that assistant  
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158 school diploma or a GED equivalent, and shall show demonstratable

159 proficiency in reading and writing skills. The State Department  
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175 teachers as part of a team in the classroom setting and on the  
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178 and teachers on the effective use and supervision of assistant  
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181 instructional skills for assistant teachers;

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183 with their educational accountability and assessment of  
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187 (5) The State Department of Education shall:

188 (a) Develop and assist in the implementation of a  
189 statewide uniform training module, subject to the availability of  
190 funds specifically appropriated therefor by the Legislature, which  
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193 consolidated training of each assistant teacher and teacher to  
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202 principal or assistant principal, to collect data for the annual  
203 overall program evaluation conducted by the department; or (ii) a  
204 program evaluation model that, at a minimum, addresses process  
205 evaluation; and

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

213 (6) No assistant teacher shall be paid less than the amount  
214 he or she received in the prior school year. The minimum salary  
215 for assistant teachers shall be Nine Thousand One Hundred Fifteen  
216 Dollars (\$9,115.00), and all assistant teachers shall be granted  
217 an annual increase of One Thousand Two Hundred Fifty Dollars  
218 (\$1,250.00). No school district shall receive any funds for any  
219 school year during which the aggregate amount of the local  
220 contribution to the salaries of assistant teachers by the district  
221 shall have been reduced below such amount for the previous  
222 year. \* \* \*

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224           (7) (a) As an alternative to employing assistant teachers,  
225 any school district may use the adequate education program  
226 allotments for the purpose of employing licensed teachers for  
227 kindergarten, first-, second- and third-grade classes; however, no  
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233 adequate education program funds for assistant teachers shall be  
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236 shall dismiss any assistant teacher for the purpose of using state  
237 funds to employ licensed teachers. School districts may rely only  
238 upon normal attrition to reduce the number of assistant teachers  
239 employed in that district.

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241 accreditation requirements, the State Board of Education, in its  
242 discretion, may exempt such school district from any accreditation  
243 requirements for the district's early childhood education program  
244 or reading improvement program.

245           SECTION 2. This act shall take effect and be in force from  
246 and after July 1, 2001.