

By: Senator(s) Harden

To: Education

SENATE BILL NO. 2582

1 AN ACT TO AMEND SECTION 37-19-17, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT AS A CONDITION FOR THE RECEIPT OF MINIMUM
3 EDUCATION PROGRAM OR ADEQUATE EDUCATION PROGRAM FUNDS, ALL
4 PROFESSIONAL STAFF EMPLOYED IN SCHOOL DISTRICTS SHALL BE PROPERLY
5 LICENSED AND ENDORSED, WITH CERTAIN EXCEPTIONS; AND FOR RELATED
6 PURPOSES.

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

8 SECTION 1. Section 37-19-17, Mississippi Code of 1972, is
9 amended as follows:

10 37-19-17. (1) The total allowance made by the State Board
11 of Education in the minimum education program for teachers'
12 salaries for each type of license in any school district shall not
13 be in excess of the total amount determined by the scale for
14 teachers holding each type of license as provided in this chapter
15 or the amount actually paid to such teachers with such type of
16 licenses, whichever amount is smaller. However, the school boards
17 of all school districts may establish salary schedules based on
18 training, experience, and other such factors as may be
19 incorporated therein, including student progress and performance
20 as developed by the State Board of Education, paying teachers
21 greater amounts than the scale provided herein, but no teacher may
22 be paid less than the amount allotted for such teacher based upon
23 the scale of pay provided in this chapter, and all supplements
24 paid from local funds shall be based upon the salary schedules so
25 established. The school boards may call upon the State Department
26 of Education for aid and assistance in formulating and
27 establishing such salary schedules, and it shall be the duty of

28 the State Department of Education, when so called upon, to render
29 such aid and assistance.

30 (2) The amount allotted for teachers' salaries by the State
31 Board of Education and the amount actually paid to each teacher
32 shall be based upon and determined by the type of license held by
33 such teacher.

34 (3) In order for a school district to receive minimum
35 education program or adequate education program funding for
36 teachers' salaries, all professional staff in each school in the
37 district shall be properly licensed and endorsed, as follows:

38 (a) The teaching staff in each school shall be
39 comprised of no more than five percent (5%) of nonlicensed
40 teaching personnel who teach for no more than three (3) periods
41 per day and who have been approved by the State Department of
42 Education, as provided in Section 37-3-2(6)(e-f). Individuals
43 holding an expert citizen license shall be exempt from this five
44 percent (5%) limitation.

45 (b) The professional staff in each school in the school
46 district shall be comprised of no more than five percent (5%) who
47 are working outside the area or areas of endorsement.

48 (c) An appropriate license shall be required of all
49 superintendents, principals, librarians and high school guidance
50 counselors.

51 (d) Secondary teachers endorsed in an academic subject
52 area may teach in their academic subject area in departmentalized
53 elementary Grades 5 and 6.

54 (e) Assistant principals who are not properly endorsed
55 may be included in the five percent (5%) limitation on working
56 outside their area of endorsement, provided that they do not act
57 in the place of the principal.

58 (f) Application of the five percent (5%) limitation
59 prescribed herein shall be based on full-time equivalent
60 positions.

61 The State Department of Education shall withhold minimum
62 education program funds allotted for teacher salaries from any
63 school district which is not in compliance with the provisions of
64 this subsection (3).

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