SENATE BILL NO. 2582

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

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

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

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

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

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

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

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

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

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

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

(f) Application of the five percent (5%) limitation prescribed herein shall be based on full-time equivalent positions.
ST: Professional school district staff shall be properly licensed and endorsed; require for purposes of minimum program funding.

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

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