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By: Representatives Warren, Mayo, Brown

To: Education

HOUSE BILL NO. 1

AN ACT TO AMEND SECTIONS 37-19-7, 37-19-21 AND 37-21-7,

2 3 4 5	MISSISSIPPI CODE OF 1972, TO ELIMINATE THE REQUIREMENT THAT THE SINE DIE GENERAL FUND REVENUE ESTIMATE INCREASE BY AT LEAST FIVE PERCENT ANNUALLY AS A PREREQUISITE TO IMPLEMENTING INCREASES IN SALARIES FOR TEACHERS AND ASSISTANT TEACHERS AND IN THE ALLOTMENT
6 7 8	FOR SUPPORTIVE SERVICES IN ACCORDANCE WITH THE PLAN TO RAISE TEACHERS' SALARIES TO THE SOUTHEASTERN AVERAGE; AND FOR RELATED PURPOSES.
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:
10	SECTION 1. Section 37-19-7, Mississippi Code of 1972, is
11	amended as follows:
12	37-19-7. (1) This section shall be known and may be cited
13	as the Mississippi "Teacher Opportunity Program (TOP)." The
14	allowance in the minimum education program and the Mississippi
15	Adequate Education Program for teachers' salaries in each county
16	and separate school district shall be determined and paid in
17	accordance with the scale for teachers' salaries as provided in
18	this subsection. For teachers holding the following types of
19	licenses or the equivalent as determined by the State Board of
20	Education, and the following number of years of teaching
21	experience, the scale shall be as follows:
22	* * *
23	2001-2002 School Year * * *
24	Less Than 25 Years of Teaching Experience
25	AAAA\$ 26,290.00
26	AAA
27	AA
28	A 23,540.00
29	25 or More Years of Teaching Experience
30	AAAA\$ 27,790.00
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31	AAA
32	AA
33	A
34	* * *
35	2002-2003 School Year * * *
36	Less Than 25 Years of Teaching Experience
37	AAAA\$ 27,850.00
38	AAA
39	AA
40	A
41	25 or More Years of Teaching Experience
42	AAAA\$ 29,850.00
43	AAA
44	AA
45	A
46	* * * For each one percent (1%) that the Sine Die General
47	Fund Revenue Estimate Growth exceeds * * * five percent (5%) * * *
48	for fiscal year 2003, as certified by the Legislative Budget
49	Office to the State Board of Education and subject to specific
50	appropriation therefor by the Legislature, the State Board of
51	Education shall revise the salary scale to provide an additional
52	one percent (1%) across the board increase in the base salaries
53	for each type of <u>license</u> .
54	* * *
55	2003-2004 School Year * * *
56	Less Than 25 Years of Teaching Experience
57	AAAA\$ 29,550.00
58	AAA
59	AA
60	A
61	25 or More Years of Teaching Experience
62	AAAA\$ 31,550.00
63	AAA
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64	AA
65	A 28,000.00
66	The State Board of Education shall revise the salary scale
67	prescribed above for the 2003-2004 school year to conform to any
68	adjustments made to the salary scale in the prior fiscal year due
69	to revenue growth over and above five percent (5%). * * * For
70	each one percent (1%) that the Sine Die General Fund Revenue
71	Estimate Growth exceeds * * * five percent (5%) * * * for fiscal
72	year 2004, as certified by the Legislative Budget Office to the
73	State Board of Education and subject to specific appropriation
74	therefor by the Legislature, the State Board of Education shall
75	revise the salary scale to provide an additional one percent (1%)
76	across the board increase in the base salaries for each type of
77	<u>license</u> .
78	* * *
79	2004-2005 School Year * * *
80	Less Than 25 Years of Teaching Experience
81	AAAA\$ 31,775.00
82	AAA
83	AA
0.4	
84	A
84	A
85	25 or More Years of Teaching Experience
85 86	25 or More Years of Teaching Experience AAAA\$ 33,775.00
85 86 87	25 or More Years of Teaching Experience AAAA \$ 33,775.00 AAA 32,850.00
85 86 87 88	25 or More Years of Teaching Experience AAAA \$ 33,775.00 AAA 32,850.00 AA 31,925.00
8586878889	25 or More Years of Teaching Experience AAAA \$ 33,775.00 AAA 32,850.00 AA 31,925.00 A 30,000.00
858687888990	25 or More Years of Teaching Experience AAAA \$ 33,775.00 AAA 32,850.00 AA 31,925.00 A 30,000.00 The State Board of Education shall revise the salary scale
85868788899091	AAAA \$33,775.00 AAA \$32,850.00 AA \$31,925.00 A. \$30,000.00 The State Board of Education shall revise the salary scale prescribed above for the 2004-2005 school year to conform to any
8586878889909192	AAAA \$\frac{33,775.00}{AAA}\$ AAAA \$\frac{32,850.00}{AA}\$ AAA \$\frac{31,925.00}{A}\$ A. \$\frac{30,000.00}{A}\$ The State Board of Education shall revise the salary scale prescribed above for the 2004-2005 school year to conform to any adjustments made to the salary scale in prior fiscal years due to
85 86 87 88 89 90 91 92	AAAA
85 86 87 88 89 90 91 92 93	AAAA

97	of Education and subject to specific appropriation therefor by the
98	Legislature, the State Board of Education shall revise the salary
99	scale to provide an additional one percent (1%) across the board
100	increase in the base salaries for each type of <u>license</u> .
101	* * *
102	2005-2006 School Year and School Years Thereafter
103	Less Than 25 Years of Teaching Experience
104	AAAA\$ 34,000.00
105	AAA
106	AA
107	A
108	25 or More Years of Teaching Experience
109	AAAA\$ 36,000.00
110	AAA
111	AA
112	A
113	The State Board of Education shall revise the salary scale
114	prescribed above for the 2005-2006 school year to conform to any
115	adjustments made to the salary scale in prior fiscal years due to
116	revenue growth over and above five percent (5%). * * * For each
117	one percent (1%) that the Sine Die General Fund Revenue Estimate
118	Growth exceeds * * * five percent (5%) * * * for fiscal year 2006,
119	as certified by the Legislative Budget Office to the State Board
120	of Education and subject to specific appropriation therefor by the
121	Legislature, the State Board of Education shall revise the salary
122	scale to provide an additional one percent (1%) across the board
123	increase in the base salaries for each type of <u>license</u> .
124	It is the intent of the Legislature that any state funds made
125	available for salaries of licensed personnel in excess of the
126	funds paid for such salaries for the 1986-1987 school year shall
127	be paid to licensed personnel pursuant to a personnel appraisal
128	and compensation system implemented by the State Board of
129	Education. The State Board of Education shall have the authority
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to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

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

2001-2002 School Year Annual Increment

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

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

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

For teachers holding a Class A license, the minimum base pay specified in this subsection shall be increased by the sum of Four Hundred Thirty-five Dollars (\$435.00) for each year of teaching

163 experience possessed by the person holding such license until such

164 person shall have twenty-one (21) years of teaching experience.

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2002-2003 School Year Annual Increment

For teachers holding a Class AAAA license, the minimum base pay specified in this subsection shall be increased by the sum of Six Hundred Eighty-five Dollars (\$685.00) for each year of teaching experience possessed by the person holding such license until such person shall have twenty-five (25) years of teaching experience.

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

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

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

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2003-2004 School Year Annual Increment

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

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

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

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

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2004-2005 School Year Annual Increment

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

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

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

H. B. No. 1 *HR40/R5* 011E/HR40/R5 PAGE 7 (RM\BD) For teachers holding a Class A license, the minimum base pay specified in this subsection shall be increased by the sum of Four Hundred Sixty-five Dollars (\$465.00) for each year of teaching experience possessed by the person holding such license until such person shall have twenty-four (24) years of teaching experience.

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2005-2006 School Year

and School Years Thereafter Annual Increments

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

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

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

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

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

H. B. No. 1 *HR40/R5* 011E/HR40/R5 PAGE 8 (RM\BD) 261 (2) (a) The following employees shall receive an annual 262 salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other 263 264 compensation to which the employee may be entitled: 265 (i) Any licensed teacher who has met the 266 requirements and acquired a Master Teacher certificate from the 267 National Board for Professional Teaching Standards and who is 268 employed by a local school board or the State Board of Education 269 as a teacher and not as an administrator. * * * Such teacher shall 270 submit documentation to the State Department of Education that the 271 certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school 272 273 year, or the teacher shall submit such documentation to the State 274 Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the 275 276 second term of the school year. (ii) * * * Any licensed school counselor who has 277 278 met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified 279 280 Counselors and who is employed by a local school board or the 281 State Board of Education as a counselor and not as an 282 administrator. Such licensed school counselor shall submit 283 documentation to the State Department of Education that the 284 endorsement was received prior to October 15 in order to be 285 eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such 286 287 documentation to the State Department of Education prior to 288 February 15 in order to be eligible for a prorated salary 289 supplement beginning with the second term of the school year. 290 However, the salary supplement authorized under this item shall be 291 discontinued two (2) years after the date on which the National 292 Board for Professional Teaching Standards offers a certification 293 process for a Master Teacher certificate for school counselors,

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     required to complete the Master Teacher certificate process under
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     item (i) of this paragraph in order to continue receiving such
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     salary supplement.
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                    (iii) * * * Any licensed speech-language
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     pathologist and audiologist who has met the requirements and
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     acquired a Certificate of Clinical Competence from the American
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     Speech-Language-Hearing Association and who is employed by a local
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     school board. Such licensed speech-language pathologist and
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     audiologist shall submit documentation to the State Department of
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     Education that the certificate or endorsement was received prior
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     to October 15 in order to be eligible for the full salary
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     supplement in the current school year, or the licensed
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     speech-language pathologist and audiologist shall submit such
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     documentation to the State Department of Education prior to
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     February 15 in order to be eligible for a prorated salary
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     supplement beginning with the second term of the school year.
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     However, the salary supplement authorized under this item shall be
     discontinued two (2) years after the date on which the National
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     Board for Professional Teaching Standards offers a certification
     process for a Master Teacher certificate for school
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     speech-language pathologists and audiologists, and any school
     speech-language pathologist and audiologist receiving the salary
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     supplement will be required to complete the Master Teacher
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     certificate process under item (i) of this paragraph in order to
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     continue receiving such salary supplement.
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                    An employee shall be reimbursed one (1) time for
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     the actual cost of completing the process of acquiring the
     certificate or endorsement, excluding any costs incurred for
322
     postgraduate courses, not to exceed Five Hundred Dollars ($500.00)
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     for a school counselor or speech-language pathologist and
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     audiologist, regardless of whether or not the process resulted in
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     the award of the certificate or endorsement. A local school
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and any school counselor receiving the salary supplement will be

327 district or any private individual or entity may pay the cost of 328 completing the process of acquiring the certificate or endorsement 329 for any employee of the school district described under paragraph 330 (a), and the State Department of Education shall reimburse the 331 school district for such cost, regardless of whether or not the 332 process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing 333 the process of acquiring the certificate or endorsement for an 334 employee, the local school district may agree to directly 335 336 reimburse the individual or entity for such cost on behalf of the 337 employee.

reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its minimum education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education, and subject to appropriation by the Legislature. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled.

349 The State Department of Education may not pay any (d) 350 process reimbursement to a school district for an employee who 351 does not complete the certification or endorsement process required to be eligible for the certificate or endorsement. 352 353 employee for whom such cost has been paid in full or in part by a 354 local school district or private individual or entity fails to complete the certification or endorsement process, the employee 355 356 shall be liable to the school district or individual or entity for 357 all amounts paid by the school district or individual or entity on 358 behalf of that employee toward his or her certificate or 359 endorsement.

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360 SECTION 2. Section 37-19-21, Mississippi Code of 1972, is
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- 361 amended as follows:
- 362 37-19-21. * * * For fiscal year 2002 * * *, each school
- 363 district shall be allotted Five Thousand Ninety-seven Dollars
- 364 (\$5,097.00) per teacher unit for use in supportive services. * * *
- This section shall be repealed on July 1, 2002.
- 366 SECTION 3. Section 37-21-7, Mississippi Code of 1972, is
- 367 amended as follows:
- 368 37-21-7. (1) This section shall be referred to as the
- 369 "Mississippi Elementary Schools Assistant Teacher Program," the
- 370 purpose of which shall be to provide an early childhood education
- 371 program that assists in the instruction of basic skills. The
- 372 State Board of Education is authorized, empowered and directed to
- 373 implement a statewide system of assistant teachers in kindergarten
- 374 classes and in the first, second and third grades. The assistant
- 375 teacher shall assist pupils in actual instruction under the strict
- 376 supervision of a licensed teacher.
- 377 (2) (a) Except as otherwise authorized under subsection
- 378 (7), each school district shall employ the total number of
- 379 assistant teachers funded under subsection (6) of this section.
- 380 The superintendent of each district shall assign the assistant
- 381 teachers to the kindergarten, first-, second- and third-grade
- 382 classes in the district in a manner that will promote the maximum
- 383 efficiency, as determined by the superintendent, in the
- 384 instruction of skills such as verbal and linguistic skills,
- 385 logical and mathematical skills, and social skills.
- 386 (b) If a licensed teacher to whom an assistant teacher
- 387 has been assigned is required to be absent from the classroom, the
- 388 assistant teacher may assume responsibility for the classroom in
- 389 lieu of a substitute teacher. However, no assistant teacher shall
- 390 assume sole responsibility of the classroom for more than three
- 391 (3) consecutive school days. Further, in no event shall any
- 392 assistant teacher be assigned to serve as a substitute teacher for

- any teacher other than the licensed teacher to whom that assistant teacher has been assigned.
- 395 (3) Assistant teachers shall have, at a minimum, a high
- 396 school diploma or a GED equivalent, and shall show demonstratable
- 397 proficiency in reading and writing skills. The State Department
- 398 of Education shall develop a testing procedure for assistant
- 399 teacher applicants to be used in all school districts in the
- 400 state.
- 401 (4) (a) In order to receive funding, each school district
- 402 shall:
- 403 (i) Submit a plan on the implementation of a
- 404 reading improvement program to the State Department of Education;
- 405 and
- 406 (ii) Develop a plan of educational accountability
- 407 and assessment of performance, including pretests and posttests,
- 408 for reading in Grades 1 through 6.
- (b) Additionally, each school district shall:
- 410 (i) Provide annually a mandatory preservice
- 411 orientation session, using an existing in-school service day, for
- 412 administrators and teachers on the effective use of assistant
- 413 teachers as part of a team in the classroom setting and on the
- 414 role of assistant teachers, with emphasis on program goals;
- 415 (ii) Hold periodic workshops for administrators
- 416 and teachers on the effective use and supervision of assistant
- 417 teachers;
- 418 (iii) Provide training annually on specific
- 419 instructional skills for assistant teachers;
- 420 (iv) Annually evaluate their program in accordance
- 421 with their educational accountability and assessment of
- 422 performance plan; and
- 423 (v) Designate the necessary personnel to supervise
- 424 and report on their program.
- 425 (5) The State Department of Education shall:
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(a) Develop and assist in the implementation of a 426 427 statewide uniform training module, subject to the availability of 428 funds specifically appropriated therefor by the Legislature, which 429 shall be used in all school districts for training administrators, 430 teachers and assistant teachers. The module shall provide for the 431 consolidated training of each assistant teacher and teacher to 432 whom the assistant teacher is assigned, working together as a 433 team, and shall require further periodical training for 434 administrators, teachers and assistant teachers regarding the role of assistant teachers; 435

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

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

450 In addition to other funds allotted under the Minimum 451 452 Education or Adequate Education Program, each school district 453 shall be allotted sufficient funding for the purpose of employing * * * assistant teachers. * * * No assistant teacher 454 455 shall be paid less than the amount he or she received in the prior 456 school year. No school district shall receive any funds under 457 this section for any school year during which the aggregate amount 458 of the local contribution to the salaries of assistant teachers by *HR40/R5* H. B. No. 1

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- 459 the district shall have been reduced below such amount for the
- 460 previous year. * * *
- For the 2001-2002 school year, the minimum salary for
- 462 assistant teachers shall be Nine Thousand Three Hundred Sixty-five
- 463 Dollars (\$9,365.00).
- 464 For the 2002-2003 school year, the minimum salary for
- 465 assistant teachers shall be Nine Thousand Nine Hundred Dollars
- 466 (\$9,900.00).
- For the 2003-2004 school year, the minimum salary for
- 468 assistant teachers shall be Ten Thousand Five Hundred Dollars
- 469 (\$10,500.00).
- For the 2004-2005 school year, the minimum salary for
- 471 assistant teachers shall be Eleven Thousand Two Hundred Dollars
- 472 (\$11,200.00).
- For the 2005-2006 school year and school years thereafter,
- 474 the minimum salary for assistant teachers shall be Twelve Thousand
- 475 Dollars (\$12,000.00).
- In addition, for each one percent (1%) that the Sine Die
- 477 General Fund Revenue Estimate Growth exceeds * * * five percent
- 478 (5%) * * * in fiscal year * * * 2003, 2004, 2005 or 2006, as
- 479 certified by the Legislative Budget Office to the State Board of
- 480 Education and subject to the specific appropriation therefor by
- 481 the Legislature, the State Board of Education shall revise the
- 482 salary scale in the appropriate year to provide an additional one
- 483 percent (1%) across the board increase in the base salaries for
- 484 assistant teachers. The State Board of Education shall revise the
- 485 salaries prescribed above for assistant teachers to conform to any
- 486 adjustments made in prior fiscal years due to revenue growth over
- 487 and above five percent (5%). The assistant teachers shall not be
- 488 restricted to working only in the grades for which the funds were
- 489 allotted, but may be assigned to other classes as provided in
- 490 subsection (2)(a) of this section.

- 491 (7) (a) As an alternative to employing assistant teachers, any school district may use the * * * allotment provided under 492 subsection (6) of this section for the purpose of employing 493 494 licensed teachers for kindergarten, first-, second- and 495 third-grade classes; however, no school district shall be authorized to use the * * * allotment for assistant teachers for 496 497 the purpose of employing licensed teachers unless the district has 498 established that the employment of licensed teachers using such 499 funds will reduce the teacher: student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for 500 501 assistant teachers shall be applied to reducing teacher: student
- It is the intent of the Legislature that no school district
 shall dismiss any assistant teacher for the purpose of using
 the * * * assistant teacher allotment to employ licensed teachers.
 School districts may rely only upon normal attrition to reduce the
 number of assistant teachers employed in that district.
- (b) In the event any school district meets Level 4 or 5 accreditation requirements, the State Board of Education, in its discretion, may exempt such school district from any accreditation requirements for the district's early childhood education program or reading improvement program.
- SECTION 4. This act shall take effect and be in force from and after its passage.

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ratio in Grades K-3.