

By: Representatives Warren,
Mayo, Brown

To: Education

HOUSE BILL NO. 1
(As Passed the House)

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; AND FOR RELATED
8 PURPOSES.

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

10 SECTION 1. (1) Recognizing teaching as a profession as well
11 as a vocation, it is the intent of the Legislature, by the passage
12 of House Bill No. 1, 2001 First Extraordinary Session, to clarify
13 the commitment of the House of Representatives and Senate of the
14 State of Mississippi to increase the salaries of public school
15 teachers during the 2001-2002 school year and in each of the next
16 four (4) succeeding years. It is further the intent of the
17 Legislature, by the passage of House Bill No. 1, 2001 First
18 Extraordinary Session, to demonstrate its long-term commitment to
19 improving education in the State of Mississippi.

20 (2) The school board of each school district shall provide
21 notice of the legislative intent expressed in subsection (1) of
22 this section to each teacher and assistant teacher. The notice
23 must be in writing and attached to or provided with at least one
24 (1) salary payment to each teacher and assistant teacher before
25 the expiration of sixty (60) days after the passage of House Bill
26 No. 1, 2001 First Extraordinary Session.

27 SECTION 2. Section 37-19-7, Mississippi Code of 1972, is
28 amended as follows:

29 37-19-7. (1) This section shall be known and may be cited
30 as the Mississippi "Teacher Opportunity Program (TOP)." The

31 allowance in the minimum education program and the Mississippi
 32 Adequate Education Program for teachers' salaries in each county
 33 and separate school district shall be determined and paid in
 34 accordance with the scale for teachers' salaries as provided in
 35 this subsection. For teachers holding the following types of
 36 licenses or the equivalent as determined by the State Board of
 37 Education, and the following number of years of teaching
 38 experience, the scale shall be as follows:

39 * * *

40 **2001-2002 School Year * * ***

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

42	AAAA.....	\$ 26,290.00
43	AAA.....	25,440.00
44	AA.....	24,590.00
45	A.....	23,540.00

46 **25 or More Years of Teaching Experience**

47	AAAA.....	\$ 27,790.00
48	AAA.....	26,940.00
49	AA.....	26,090.00
50	A.....	25,040.00

51 * * *

52 **2002-2003 School Year * * ***

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

54	AAAA.....	\$ 27,850.00
55	AAA.....	27,000.00
56	AA.....	26,150.00
57	A.....	24,700.00

58 **25 or More Years of Teaching Experience**

59	AAAA.....	\$ 29,850.00
60	AAA.....	29,000.00
61	AA.....	28,150.00
62	A.....	26,700.00

63 * * * For each one percent (1%) that the Sine Die General
64 Fund Revenue Estimate Growth exceeds * * * five percent (5%) * * *
65 for fiscal year 2003, as certified by the Legislative Budget
66 Office to the State Board of Education and subject to specific
67 appropriation therefor by the Legislature, the State Board of
68 Education shall revise the salary scale to provide an additional
69 one percent (1%) across the board increase in the base salaries
70 for each type of license.

71 * * *

72 **2003-2004 School Year * * ***

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

74	AAAA.....	\$ 29,550.00
75	AAA.....	28,700.00
76	AA.....	27,850.00
77	A.....	26,000.00

78 **25 or More Years of Teaching Experience**

79	AAAA.....	\$ 31,550.00
80	AAA.....	30,700.00
81	AA.....	29,850.00
82	A.....	28,000.00

83 The State Board of Education shall revise the salary scale
84 prescribed above for the 2003-2004 school year to conform to any
85 adjustments made to the salary scale in the prior fiscal year due
86 to revenue growth over and above five percent (5%). * * * For
87 each one percent (1%) that the Sine Die General Fund Revenue
88 Estimate Growth exceeds * * * five percent (5%) * * * for fiscal
89 year 2004, as certified by the Legislative Budget Office to the
90 State Board of Education and subject to specific appropriation
91 therefor by the Legislature, the State Board of Education shall
92 revise the salary scale to provide an additional one percent (1%)
93 across the board increase in the base salaries for each type of
94 license.

95 * * *

96 **2004-2005 School Year * * ***

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

98	AAAA.....	\$ 31,775.00
99	AAA.....	30,850.00
100	AA.....	29,925.00
101	A.....	28,000.00

102 **25 or More Years of Teaching Experience**

103	AAAA.....	\$ 33,775.00
104	AAA.....	32,850.00
105	AA.....	31,925.00
106	A.....	30,000.00

107 The State Board of Education shall revise the salary scale
108 prescribed above for the 2004-2005 school year to conform to any
109 adjustments made to the salary scale in prior fiscal years due to
110 revenue growth over and above five percent (5%). * * * For each
111 one percent (1%) that the Sine Die General Fund Revenue Estimate
112 Growth exceeds * * * five percent (5%) * * * for fiscal year 2005,
113 as certified by the Legislative Budget Office to the State Board
114 of Education and subject to specific appropriation therefor by the
115 Legislature, the State Board of Education shall revise the salary
116 scale to provide an additional one percent (1%) across the board
117 increase in the base salaries for each type of license.

118 * * *

119 **2005-2006 School Year and School Years Thereafter**

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

121	AAAA.....	\$ 34,000.00
122	AAA.....	33,000.00
123	AA.....	32,000.00
124	A.....	30,000.00

125 **25 or More Years of Teaching Experience**

126	AAAA.....	\$ 36,000.00
127	AAA.....	35,000.00
128	AA.....	34,000.00

129 A..... 32,000.00

130 The State Board of Education shall revise the salary scale
131 prescribed above for the 2005-2006 school year to conform to any
132 adjustments made to the salary scale in prior fiscal years due to
133 revenue growth over and above five percent (5%). * * * For each
134 one percent (1%) that the Sine Die General Fund Revenue Estimate
135 Growth exceeds * * * five percent (5%) * * * for fiscal year 2006,
136 as certified by the Legislative Budget Office to the State Board
137 of Education and subject to specific appropriation therefor by the
138 Legislature, the State Board of Education shall revise the salary
139 scale to provide an additional one percent (1%) across the board
140 increase in the base salaries for each type of license.

141 It is the intent of the Legislature that any state funds made
142 available for salaries of licensed personnel in excess of the
143 funds paid for such salaries for the 1986-1987 school year shall
144 be paid to licensed personnel pursuant to a personnel appraisal
145 and compensation system implemented by the State Board of
146 Education. The State Board of Education shall have the authority
147 to adopt and amend rules and regulations as are necessary to
148 establish, administer and maintain the system.

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

160 **2001-2002 School Year Annual Increment**

161 For teachers holding a Class AAAA license, the minimum base
162 pay specified in this subsection shall be increased by the sum of
163 Six Hundred Sixty Dollars (\$660.00) 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 AAA license, the minimum base
167 pay specified in this subsection shall be increased by the sum of
168 Five Hundred Ninety-five Dollars (\$595.00) for each year of
169 teaching experience possessed by the person holding such license
170 until such person shall have twenty-five (25) years of teaching
171 experience.

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

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

182 * * *

183 **2002-2003 School Year Annual Increment**

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

190 For teachers holding a Class AAA license, the minimum base
191 pay specified in this subsection shall be increased by the sum of
192 Six Hundred Twenty Dollars (\$620.00) for each year of teaching

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

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

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

205 * * *

206 **2003-2004 School Year Annual Increment**

207 For teachers holding a Class AAAA license, the minimum base
208 pay specified in this subsection shall be increased by the sum of
209 Seven Hundred Ten Dollars (\$710.00) 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 AAA license, the minimum base
213 pay specified in this subsection shall be increased by the sum of
214 Six Hundred Forty-five Dollars (\$645.00) for each year of teaching
215 experience possessed by the person holding such license until such
216 person shall have twenty-five (25) years of teaching experience.

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

222 For teachers holding a Class A license, the minimum base pay
223 specified in this subsection shall be increased by the sum of Four
224 Hundred Fifty-five Dollars (\$455.00) for each year of teaching

225 experience possessed by the person holding such license until such
226 person shall have twenty-three (23) years of teaching experience.

227 * * *

228 **2004-2005 School Year Annual Increment**

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

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

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

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

250 * * *

251 **2005-2006 School Year**

252 **and School Years Thereafter Annual Increments**

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

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

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

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

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

278 (2) (a) The following employees shall receive an annual
279 salary supplement in the amount of Six Thousand Dollars
280 (\$6,000.00), plus fringe benefits, in addition to any other
281 compensation to which the employee may be entitled:

282 (i) Any licensed teacher who has met the
283 requirements and acquired a Master Teacher certificate from the
284 National Board for Professional Teaching Standards and who is
285 employed by a local school board or the State Board of Education
286 as a teacher and not as an administrator. * * * Such teacher
287 shall submit documentation to the State Department of Education
288 that the certificate was received prior to October 15 in order to
289 be eligible for the full salary supplement in the current school
290 year, or the teacher shall submit such documentation to the State

291 Department of Education prior to February 15 in order to be
292 eligible for a prorated salary supplement beginning with the
293 second term of the school year.

294 (ii) * * * Any licensed school counselor who has
295 met the requirements and acquired a National Certified School
296 Counselor (NCSC) endorsement from the National Board of Certified
297 Counselors and who is employed by a local school board or the
298 State Board of Education as a counselor and not as an
299 administrator. Such licensed school counselor shall submit
300 documentation to the State Department of Education that the
301 endorsement was received prior to October 15 in order to be
302 eligible for the full salary supplement in the current school
303 year, or the licensed school counselor shall submit such
304 documentation to the State Department of Education prior to
305 February 15 in order to be eligible for a prorated salary
306 supplement beginning with the second term of the school year.
307 However, the salary supplement authorized under this item shall be
308 discontinued two (2) years after the date on which the National
309 Board for Professional Teaching Standards offers a certification
310 process for a Master Teacher certificate for school counselors,
311 and any school counselor receiving the salary supplement will be
312 required to complete the Master Teacher certificate process under
313 item (i) of this paragraph in order to continue receiving such
314 salary supplement.

315 (iii) * * * Any licensed speech-language
316 pathologist and audiologist who has met the requirements and
317 acquired a Certificate of Clinical Competence from the American
318 Speech-Language-Hearing Association and who is employed by a local
319 school board. Such licensed speech-language pathologist and
320 audiologist shall submit documentation to the State Department of
321 Education that the certificate or endorsement was received prior
322 to October 15 in order to be eligible for the full salary
323 supplement in the current school year, or the licensed

324 speech-language pathologist and audiologist shall submit such
325 documentation to the State Department of Education prior to
326 February 15 in order to be eligible for a prorated salary
327 supplement beginning with the second term of the school year.
328 However, the salary supplement authorized under this item shall be
329 discontinued two (2) years after the date on which the National
330 Board for Professional Teaching Standards offers a certification
331 process for a Master Teacher certificate for school
332 speech-language pathologists and audiologists, and any school
333 speech-language pathologist and audiologist receiving the salary
334 supplement will be required to complete the Master Teacher
335 certificate process under item (i) of this paragraph in order to
336 continue receiving such salary supplement.

337 (b) An employee shall be reimbursed one (1) time for
338 the actual cost of completing the process of acquiring the
339 certificate or endorsement, excluding any costs incurred for
340 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
341 for a school counselor or speech-language pathologist and
342 audiologist, regardless of whether or not the process resulted in
343 the award of the certificate or endorsement. A local school
344 district or any private individual or entity may pay the cost of
345 completing the process of acquiring the certificate or endorsement
346 for any employee of the school district described under paragraph
347 (a), and the State Department of Education shall reimburse the
348 school district for such cost, regardless of whether or not the
349 process resulted in the award of the certificate or endorsement.
350 If a private individual or entity has paid the cost of completing
351 the process of acquiring the certificate or endorsement for an
352 employee, the local school district may agree to directly
353 reimburse the individual or entity for such cost on behalf of the
354 employee.

355 (c) All salary supplements, fringe benefits and process
356 reimbursement authorized under this subsection shall be paid

357 directly by the State Department of Education to the local school
358 district and shall be in addition to its minimum education program
359 allotments and not a part thereof in accordance with regulations
360 promulgated by the State Board of Education, and subject to
361 appropriation by the Legislature. Local school districts shall
362 not reduce the local supplement paid to any employee receiving
363 such salary supplement, and the employee shall receive any local
364 supplement to which employees with similar training and experience
365 otherwise are entitled.

366 (d) The State Department of Education may not pay any
367 process reimbursement to a school district for an employee who
368 does not complete the certification or endorsement process
369 required to be eligible for the certificate or endorsement. If an
370 employee for whom such cost has been paid in full or in part by a
371 local school district or private individual or entity fails to
372 complete the certification or endorsement process, the employee
373 shall be liable to the school district or individual or entity for
374 all amounts paid by the school district or individual or entity on
375 behalf of that employee toward his or her certificate or
376 endorsement.

377 SECTION 3. Section 37-19-21, Mississippi Code of 1972, is
378 amended as follows:

379 37-19-21. * * * For fiscal year 2002 * * *, each school
380 district shall be allotted Five Thousand Ninety-seven Dollars
381 (\$5,097.00) per teacher unit for use in supportive services. * * *

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

383 SECTION 4. Section 37-21-7, Mississippi Code of 1972, is
384 amended as follows:

385 37-21-7. (1) This section shall be referred to as the
386 "Mississippi Elementary Schools Assistant Teacher Program," the
387 purpose of which shall be to provide an early childhood education
388 program that assists in the instruction of basic skills. The
389 State Board of Education is authorized, empowered and directed to

390 implement a statewide system of assistant teachers in kindergarten
391 classes and in the first, second and third grades. The assistant
392 teacher shall assist pupils in actual instruction under the strict
393 supervision of a licensed teacher.

394 (2) (a) Except as otherwise authorized under subsection
395 (7), each school district shall employ the total number of
396 assistant teachers funded under subsection (6) of this section.
397 The superintendent of each district shall assign the assistant
398 teachers to the kindergarten, first-, second- and third-grade
399 classes in the district in a manner that will promote the maximum
400 efficiency, as determined by the superintendent, in the
401 instruction of skills such as verbal and linguistic skills,
402 logical and mathematical skills, and social skills.

403 (b) If a licensed teacher to whom an assistant teacher
404 has been assigned is required to be absent from the classroom, the
405 assistant teacher may assume responsibility for the classroom in
406 lieu of a substitute teacher. However, no assistant teacher shall
407 assume sole responsibility of the classroom for more than three
408 (3) consecutive school days. Further, in no event shall any
409 assistant teacher be assigned to serve as a substitute teacher for
410 any teacher other than the licensed teacher to whom that assistant
411 teacher has been assigned.

412 (3) Assistant teachers shall have, at a minimum, a high
413 school diploma or a GED equivalent, and shall show demonstratable
414 proficiency in reading and writing skills. The State Department
415 of Education shall develop a testing procedure for assistant
416 teacher applicants to be used in all school districts in the
417 state.

418 (4) (a) In order to receive funding, each school district
419 shall:

420 (i) Submit a plan on the implementation of a
421 reading improvement program to the State Department of Education;
422 and

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

426 (b) Additionally, each school district shall:

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

432 (ii) Hold periodic workshops for administrators
433 and teachers on the effective use and supervision of assistant
434 teachers;

435 (iii) Provide training annually on specific
436 instructional skills for assistant teachers;

437 (iv) Annually evaluate their program in accordance
438 with their educational accountability and assessment of
439 performance plan; and

440 (v) Designate the necessary personnel to supervise
441 and report on their program.

442 (5) The State Department of Education shall:

443 (a) Develop and assist in the implementation of a
444 statewide uniform training module, subject to the availability of
445 funds specifically appropriated therefor by the Legislature, which
446 shall be used in all school districts for training administrators,
447 teachers and assistant teachers. The module shall provide for the
448 consolidated training of each assistant teacher and teacher to
449 whom the assistant teacher is assigned, working together as a
450 team, and shall require further periodical training for
451 administrators, teachers and assistant teachers regarding the role
452 of assistant teachers;

453 (b) Annually evaluate the program on the district and
454 state level. Subject to the availability of funds specifically
455 appropriated therefor by the Legislature, the department shall

456 develop: (i) uniform evaluation reports, to be performed by the
457 principal or assistant principal, to collect data for the annual
458 overall program evaluation conducted by the department; or (ii) a
459 program evaluation model that, at a minimum, addresses process
460 evaluation; and

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

468 (6) In addition to other funds allotted under the Minimum
469 Education or Adequate Education Program, each school district
470 shall be allotted sufficient funding for the purpose of
471 employing * * * assistant teachers. * * * No assistant teacher
472 shall be paid less than the amount he or she received in the prior
473 school year. No school district shall receive any funds under
474 this section for any school year during which the aggregate amount
475 of the local contribution to the salaries of assistant teachers by
476 the district shall have been reduced below such amount for the
477 previous year. * * *

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

481 For the 2002-2003 school year, the minimum salary for
482 assistant teachers shall be Nine Thousand Nine Hundred Dollars
483 (\$9,900.00).

484 For the 2003-2004 school year, the minimum salary for
485 assistant teachers shall be Ten Thousand Five Hundred Dollars
486 (\$10,500.00).

487 For the 2004-2005 school year, the minimum salary for
488 assistant teachers shall be Eleven Thousand Two Hundred Dollars
489 (\$11,200.00).

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

493 In addition, for each one percent (1%) that the Sine Die
494 General Fund Revenue Estimate Growth exceeds * * * five percent
495 (5%) * * * in fiscal year * * * 2003, 2004, 2005 or 2006, as
496 certified by the Legislative Budget Office to the State Board of
497 Education and subject to the specific appropriation therefor by
498 the Legislature, the State Board of Education shall revise the
499 salary scale in the appropriate year to provide an additional one
500 percent (1%) across the board increase in the base salaries for
501 assistant teachers. The State Board of Education shall revise the
502 salaries prescribed above for assistant teachers to conform to any
503 adjustments made in prior fiscal years due to revenue growth over
504 and above five percent (5%). The assistant teachers shall not be
505 restricted to working only in the grades for which the funds were
506 allotted, but may be assigned to other classes as provided in
507 subsection (2)(a) of this section.

508 (7) (a) As an alternative to employing assistant teachers,
509 any school district may use the * * * allotment provided under
510 subsection (6) of this section for the purpose of employing
511 licensed teachers for kindergarten, first-, second- and
512 third-grade classes; however, no school district shall be
513 authorized to use the * * * allotment for assistant teachers for
514 the purpose of employing licensed teachers unless the district has
515 established that the employment of licensed teachers using such
516 funds will reduce the teacher:student ratio in the kindergarten,
517 first-, second- and third-grade classes. All state funds for
518 assistant teachers shall be applied to reducing teacher:student
519 ratio in Grades K-3.

520 It is the intent of the Legislature that no school district
521 shall dismiss any assistant teacher for the purpose of using
522 the * * * assistant teacher allotment to employ licensed teachers.
523 School districts may rely only upon normal attrition to reduce the
524 number of assistant teachers employed in that district.

525 (b) In the event any school district meets Level 4 or 5
526 accreditation requirements, the State Board of Education, in its
527 discretion, may exempt such school district from any accreditation
528 requirements for the district's early childhood education program
529 or reading improvement program.

530 SECTION 5. This act shall take effect and be in force from
531 and after its passage.