

By: Senator(s) Harden, Chaney,
Little, Bryan, King

To: Education

SENATE BILL NO. 2001

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; AND FOR RELATED PURPOSES.

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

8 SECTION 1. Section 37-19-7, Mississippi Code of 1972, is
9 amended as follows:

10 37-19-7. (1) This section shall be known and may be cited
11 as the Mississippi "Teacher Opportunity Program (TOP)." The
12 allowance in the minimum education program and the Mississippi
13 Adequate Education Program for teachers' salaries in each county
14 and separate school district shall be determined and paid in
15 accordance with the scale for teachers' salaries as provided in
16 this subsection. For teachers holding the following types of
17 licenses or the equivalent as determined by the State Board of
18 Education, and the following number of years of teaching
19 experience, the scale shall be as follows:

20 * * *

21 2001-2002 School Year * * *

22 Less Than 25 Years of Teaching Experience

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

27 25 or More Years of Teaching Experience

28	AAAA.....	\$ 27,790.00
29	AAA.....	26,940.00

30 AA..... 26,090.00

31 A..... 25,040.00

32 It is the intent of the Legislature that funds appropriated
33 in the 2001 Regular Session for the purpose of increasing the
34 salaries of teachers for the school year 2001-2002 shall fund the
35 minimum salary scale provided in this subsection and that such
36 funds shall not be deemed a one-time state supplement for teacher
37 salaries. Provided further, that for each one percent (1%) that
38 the Sine Die General Fund Revenue Estimate Growth exceeds * * *
39 five percent (5%) * * * for fiscal year 2002, as certified by the
40 Legislative Budget Office to the State Board of Education and
41 subject to specific appropriation therefor by the Legislature, the
42 State Board of Education shall revise the salary scale to provide
43 an additional one percent (1%) across the board increase in the
44 base salaries for each type of certificate.

45 * * *

46 **2002-2003 School Year * * ***

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

48 AAAA..... \$ 27,850.00

49 AAA..... 27,000.00

50 AA..... 26,150.00

51 A..... 24,700.00

52 **25 or More Years of Teaching Experience**

53 AAAA..... \$ 29,850.00

54 AAA..... 29,000.00

55 AA..... 28,150.00

56 A..... 26,700.00

57 The State Board of Education shall revise the salary scale
58 prescribed above for the 2002-2003 school year to conform to any
59 adjustments made to the salary scale in the prior fiscal year due
60 to revenue growth over and above five percent (5%). Provided
61 further, that for each one percent (1%) that the Sine Die General
62 Fund Revenue Estimate Growth exceeds * * * five percent (5%) * * *

63 for fiscal year 2003, as certified by the Legislative Budget
 64 Office to the State Board of Education and subject to specific
 65 appropriation therefor by the Legislature, the State Board of
 66 Education shall revise the salary scale to provide an additional
 67 one percent (1%) across the board increase in the base salaries
 68 for each type of certificate.

69 * * *

70 **2003-2004 School Year * * ***

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

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

76 **25 or More Years of Teaching Experience**

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

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

93 * * *

94 **2004-2005 School Year * * ***

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

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

25 or More Years of Teaching Experience

101	AAAA.....	\$ 33,775.00
102	AAA.....	32,850.00
103	AA.....	31,925.00
104	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 adjustments made to the salary scale in prior fiscal years due to revenue growth over and above five percent (5%). Provided further, that for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds * * * five percent (5%) * * * for fiscal year 2005, as certified by the Legislative Budget Office to the State Board of Education and subject to specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale to provide an additional one percent (1%) across the board increase in the base salaries for each type of certificate.

* * *

2005-2006 School Year and School Years Thereafter

Less Than 25 Years of Teaching Experience

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

25 or More Years of Teaching Experience

125	AAAA.....	\$ 36,000.00
126	AAA.....	35,000.00
127	AA.....	34,000.00
128	A.....	32,000.00

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

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. In the 1999-2000 and
287 2000-2001 school year, such teacher shall submit documentation to
288 the State Department of Education that the certificate was
289 received prior to April 15 in order to be eligible for the full
290 salary supplement in the current school year. In the 2001-2002

291 school year and in school years thereafter, such teacher shall
292 submit documentation to the State Department of Education that the
293 certificate was received prior to October 15 in order to be
294 eligible for the full salary supplement in the current school
295 year, or the teacher shall submit such documentation to the State
296 Department of Education prior to February 15 in order to be
297 eligible for a prorated salary supplement beginning with the
298 second term of the school year.

299 (ii) From and after July 1, 1999, any licensed
300 school counselor who has met the requirements and acquired a
301 National Certified School Counselor (NCSC) endorsement from the
302 National Board of Certified Counselors and who is employed by a
303 local school board or the State Board of Education as a counselor
304 and not as an administrator. Such licensed school counselor shall
305 submit documentation to the State Department of Education that the
306 endorsement was received prior to October 15 in order to be
307 eligible for the full salary supplement in the current school
308 year, or the licensed school counselor shall submit such
309 documentation to the State Department of Education prior to
310 February 15 in order to be eligible for a prorated salary
311 supplement beginning with the second term of the school year.

312 However, the salary supplement authorized under this item shall be
313 discontinued two (2) years after the date on which the National
314 Board for Professional Teaching Standards offers a certification
315 process for a Master Teacher certificate for school counselors,
316 and any school counselor receiving the salary supplement will be
317 required to complete the Master Teacher certificate process under
318 item (i) of this paragraph in order to continue receiving such
319 salary supplement.

320 (iii) From and after July 1, 1999, any licensed
321 speech-language pathologist and audiologist who has met the
322 requirements and acquired a Certificate of Clinical Competence
323 from the American Speech-Language-Hearing Association and who is

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

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

357 employee, the local school district may agree to directly
358 reimburse the individual or entity for such cost on behalf of the
359 employee.

360 (c) All salary supplements, fringe benefits and process
361 reimbursement authorized under this subsection shall be paid
362 directly by the State Department of Education to the local school
363 district and shall be in addition to its minimum education program
364 allotments and not a part thereof in accordance with regulations
365 promulgated by the State Board of Education, and subject to
366 appropriation by the Legislature. Local school districts shall
367 not reduce the local supplement paid to any employee receiving
368 such salary supplement, and the employee shall receive any local
369 supplement to which employees with similar training and experience
370 otherwise are entitled.

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

382 SECTION 2. Section 37-19-21, Mississippi Code of 1972, is
383 amended as follows:

384 37-19-21. * * *

385 * * * For fiscal year 2002 * * *, each school district shall
386 be allotted Five Thousand Ninety-seven Dollars (\$5,097.00) per
387 teacher unit for use in supportive services. Provided further,
388 that for each one percent (1%) that the Sine Die General Fund
389 Revenue Estimate Growth exceeds * * * five percent (5%) * * * in

390 fiscal year 2002, as certified by the Legislative Budget Office to
391 the State Board of Education and subject to specific appropriation
392 therefor by the Legislature, the State Board of Education shall
393 revise the allotment for supportive services to provide an
394 additional one percent (1%) increase.

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

396 SECTION 3. Section 37-21-7, Mississippi Code of 1972, is
397 amended as follows:

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

399 37-21-7. (1) This section shall be referred to as the
400 "Mississippi Elementary Schools Assistant Teacher Program," the
401 purpose of which shall be to provide an early childhood education
402 program that assists in the instruction of basic skills. The
403 State Board of Education is authorized, empowered and directed to
404 implement a statewide system of assistant teachers in kindergarten
405 classes and in the first, second and third grades. The assistant
406 teacher shall assist pupils in actual instruction under the strict
407 supervision of a licensed teacher.

408 (2) (a) Except as otherwise authorized under subsection
409 (7), each school district shall employ the total number of
410 assistant teachers funded under subsection (6) of this section.
411 The superintendent of each district shall assign the assistant
412 teachers to the kindergarten, first-, second- and third-grade
413 classes in the district in a manner that will promote the maximum
414 efficiency, as determined by the superintendent, in the
415 instruction of skills such as verbal and linguistic skills,
416 logical and mathematical skills, and social skills.

417 (b) If a licensed teacher to whom an assistant teacher
418 has been assigned is required to be absent from the classroom, the
419 assistant teacher may assume responsibility for the classroom in
420 lieu of a substitute teacher. However, no assistant teacher shall
421 assume sole responsibility of the classroom for more than three
422 (3) consecutive school days. Further, in no event shall any

423 assistant teacher be assigned to serve as a substitute teacher for
424 any teacher other than the licensed teacher to whom that assistant
425 teacher has been assigned.

426 (3) Assistant teachers shall have, at a minimum, a high
427 school diploma or a GED equivalent, and shall show demonstratable
428 proficiency in reading and writing skills. The State Department
429 of Education shall develop a testing procedure for assistant
430 teacher applicants to be used in all school districts in the
431 state.

432 (4) (a) In order to receive funding, each school district
433 shall:

434 (i) Submit a plan on the implementation of a
435 reading improvement program to the State Department of Education;
436 and

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

440 (b) Additionally, each school district shall:

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

446 (ii) Hold periodic workshops for administrators
447 and teachers on the effective use and supervision of assistant
448 teachers;

449 (iii) Provide training annually on specific
450 instructional skills for assistant teachers;

451 (iv) Annually evaluate their program in accordance
452 with their educational accountability and assessment of
453 performance plan; and

454 (v) Designate the necessary personnel to supervise
455 and report on their program.

456 (5) The State Department of Education shall:

457 (a) Develop and assist in the implementation of a
458 statewide uniform training module, subject to the availability of
459 funds specifically appropriated therefor by the Legislature, which
460 shall be used in all school districts for training administrators,
461 teachers and assistant teachers. The module shall provide for the
462 consolidated training of each assistant teacher and teacher to
463 whom the assistant teacher is assigned, working together as a
464 team, and shall require further periodical training for
465 administrators, teachers and assistant teachers regarding the role
466 of assistant teachers;

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

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

482 (6) In addition to other funds allotted under the Minimum
483 Education Program, each school district shall be allotted Nine
484 Thousand Three Hundred Sixty-five Dollars (\$9,365.00) per teacher
485 unit as prescribed in Section 37-19-5 for Grades 1, 2 and 3 for
486 the purpose of employing an assistant teacher. Assistant teachers
487 shall be paid a minimum annual salary of Nine Thousand Three
488 Hundred Sixty-five Dollars (\$9,365.00). However, no assistant

489 teacher shall be paid less than the amount he or she received in
490 the prior school year. No school district shall receive any funds
491 under this section for any school year during which the aggregate
492 amount of the local contribution to the salaries of assistant
493 teachers by the district shall have been reduced below such amount
494 for the previous year. It is the intent of the Legislature that
495 funds appropriated in the 2001 Regular Session for the purpose of
496 increasing the salaries of assistant teachers for the school year
497 2001-2002 shall fund the Minimum Education Program allotment
498 provided in this subsection and that such funds shall not be
499 deemed a one-time state supplement for assistant teacher salaries.

500 * * *

501 (7) (a) As an alternative to employing assistant teachers,
502 any school district may use the minimum program allotment provided
503 under subsection (6) of this section for the purpose of employing
504 licensed teachers for kindergarten, first-, second- and
505 third-grade classes; however, no school district shall be
506 authorized to use the minimum program allotment for assistant
507 teachers for the purpose of employing licensed teachers unless the
508 district has established that the employment of licensed teachers
509 using such funds will reduce the teacher:student ratio in the
510 kindergarten, first-, second- and third-grade classes. All
511 minimum program funds for assistant teachers shall be applied to
512 reducing teacher:student ratio in Grades K-3.

513 It is the intent of the Legislature that no school district
514 shall dismiss any assistant teacher for the purpose of using the
515 minimum program assistant teacher allotment to employ licensed
516 teachers. School districts may rely only upon normal attrition to
517 reduce the number of assistant teachers employed in that district.

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

521 requirements for the district's early childhood education program
522 or reading improvement program.

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

524 37-21-7. (1) This section shall be referred to as the
525 "Mississippi Elementary Schools Assistant Teacher Program," the
526 purpose of which shall be to provide an early childhood education
527 program that assists in the instruction of basic skills. The
528 State Board of Education is authorized, empowered and directed to
529 implement a statewide system of assistant teachers in kindergarten
530 classes and in the first, second and third grades. The assistant
531 teacher shall assist pupils in actual instruction under the strict
532 supervision of a licensed teacher.

533 (2) (a) Except as otherwise authorized under subsection
534 (7), each school district shall employ the total number of
535 assistant teachers funded under the Mississippi Adequate Education
536 Program of this section. The superintendent of each district
537 shall assign the assistant teachers to the kindergarten, first-,
538 second- and third-grade classes in the district in a manner that
539 will promote the maximum efficiency, as determined by the
540 superintendent, in the instruction of skills such as verbal and
541 linguistic skills, logical and mathematical skills, and social
542 skills.

543 (b) If a licensed teacher to whom an assistant teacher
544 has been assigned is required to be absent from the classroom, the
545 assistant teacher may assume responsibility for the classroom in
546 lieu of a substitute teacher. However, no assistant teacher shall
547 assume sole responsibility of the classroom for more than three
548 (3) consecutive school days. Further, in no event shall any
549 assistant teacher be assigned to serve as a substitute teacher for
550 any teacher other than the licensed teacher to whom that assistant
551 teacher has been assigned.

552 (3) Assistant teachers shall have, at a minimum, a high
553 school diploma or a GED equivalent, and shall show demonstratable

554 proficiency in reading and writing skills. The State Department
555 of Education shall develop a testing procedure for assistant
556 teacher applicants to be used in all school districts in the
557 state.

558 (4) (a) In order to receive funding, each school district
559 shall:

560 (i) Submit a plan on the implementation of a
561 reading improvement program to the State Department of Education;
562 and

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

566 (b) Additionally, each school district shall:

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

572 (ii) Hold periodic workshops for administrators
573 and teachers on the effective use and supervision of assistant
574 teachers;

575 (iii) Provide training annually on specific
576 instructional skills for assistant teachers;

577 (iv) Annually evaluate their program in accordance
578 with their educational accountability and assessment of
579 performance plan; and

580 (v) Designate the necessary personnel to supervise
581 and report on their program.

582 (5) The State Department of Education shall:

583 (a) Develop and assist in the implementation of a
584 statewide uniform training module, subject to the availability of
585 funds specifically appropriated therefor by the Legislature, which
586 shall be used in all school districts for training administrators,

587 teachers and assistant teachers. The module shall provide for the
588 consolidated training of each assistant teacher and teacher to
589 whom the assistant teacher is assigned, working together as a
590 team, and shall require further periodical training for
591 administrators, teachers and assistant teachers regarding the role
592 of assistant teachers;

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

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

608 (6) No assistant teacher shall be paid less than the amount
609 he or she received in the prior school year. No school district
610 shall receive any funds for any school year during which the
611 aggregate amount of the local contribution to the salaries of
612 assistant teachers by the district shall have been reduced below
613 such amount for the previous year.

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

617 For the 2002-2003 school year, the minimum salary for
618 assistant teachers shall be Nine Thousand Nine Hundred Dollars
619 (\$9,900.00).

620 For the 2003-2004 school year, the minimum salary for
621 assistant teachers shall be Ten Thousand Five Hundred Dollars
622 (\$10,500.00).

623 For the 2004-2005 school year, the minimum salary for
624 assistant teachers shall be Eleven Thousand Two Hundred Dollars
625 (\$11,200.00).

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

629 Provided further, that for each one percent (1%) that the
630 Sine Die General Fund Revenue Estimate Growth exceeds * * * five
631 percent (5%) * * * in fiscal year 2002, 2003, 2004, 2005 or 2006,
632 as certified by the Legislative Budget Office to the State Board
633 of Education and subject to the specific appropriation therefor by
634 the Legislature, the State Board of Education shall revise the
635 salary scale in the appropriate year to provide an additional one
636 percent (1%) across the board increase in the base salaries for
637 assistant teachers. The State Board of Education shall revise the
638 salaries prescribed above for assistant teachers to conform to any
639 adjustments made in prior fiscal years due to revenue growth over
640 and above five percent (5%). The assistant teachers shall not be
641 restricted to working only in the grades for which the funds were
642 allotted, but may be assigned to other classes as provided in
643 subsection (2)(a) of this section.

644 (7) (a) As an alternative to employing assistant teachers,
645 any school district may use the adequate education program
646 allotments for the purpose of employing licensed teachers for
647 kindergarten, first-, second- and third-grade classes; however, no
648 school district shall be authorized to use the funds for assistant
649 teachers for the purpose of employing licensed teachers unless the
650 district has established that the employment of licensed teachers
651 using such funds will reduce the teacher:student ratio in the
652 kindergarten, first-, second- and third-grade classes. All

653 adequate education program funds for assistant teachers shall be
654 applied to reducing teacher:student ratio in Grades K-3.

655 It is the intent of the Legislature that no school district
656 shall dismiss any assistant teacher for the purpose of using state
657 funds to employ licensed teachers. School districts may rely only
658 upon normal attrition to reduce the number of assistant teachers
659 employed in that district.

660 (b) In the event any school district meets Level 4 or 5
661 accreditation requirements, the State Board of Education, in its
662 discretion, may exempt such school district from any accreditation
663 requirements for the district's early childhood education program
664 or reading improvement program.

665 SECTION 4. This act shall take effect and be in force from
666 and after its passage.