

By: Representatives Pierce, Whittington,  
Mayhall, Denny, Montgomery, Stevens,  
Martinson, Akins, Rogers (14th)

To: Education;  
Appropriations

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 636

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 DELETE THE PROVISION OF LAW THAT REQUIRES SCHOOL COUNSELORS TO  
3 COMPLETE A CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD  
4 FOR PROFESSIONAL TEACHING STANDARDS FOR A MASTER TEACHER  
5 CERTIFICATE FOR SCHOOL COUNSELORS IN ORDER TO CONTINUE RECEIVING A  
6 SALARY SUPPLEMENT; TO DELETE THE PROVISION OF LAW THAT REQUIRES  
7 SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS TO COMPLETE A  
8 CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD FOR  
9 PROFESSIONAL TEACHING STANDARDS FOR A MASTER TEACHER CERTIFICATE  
10 FOR SCHOOL SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS IN ORDER  
11 TO CONTINUE RECEIVING A SALARY SUPPLEMENT; AND FOR RELATED  
12 PURPOSES.

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

14 **SECTION 1.** Section 37-19-7, Mississippi Code of 1972, is  
15 amended as follows:

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

26 \* \* \*

27 **2004-2005 School Year**

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

29	AAAA.....	\$ 31,775.00
30	AAA.....	30,850.00
31	AA.....	29,925.00
32	A.....	28,000.00

33	<b>25 or More Years of Teaching Experience</b>	
34	AAAA.....	\$ 33,775.00
35	AAA.....	32,850.00
36	AA.....	31,925.00
37	A.....	30,000.00

38 The State Board of Education shall revise the salary scale  
39 prescribed above for the 2004-2005 school year to conform to any  
40 adjustments made to the salary scale in prior fiscal years due to  
41 revenue growth over and above five percent (5%). For each one  
42 percent (1%) that the Sine Die General Fund Revenue Estimate  
43 Growth exceeds five percent (5%) for fiscal year 2005, as  
44 certified by the Legislative Budget Office to the State Board of  
45 Education and subject to specific appropriation therefor by the  
46 Legislature, the State Board of Education shall revise the salary  
47 scale to provide an additional one percent (1%) across the board  
48 increase in the base salaries for each type of license.

49 **2005-2006 School Year and School Years Thereafter**

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

51	AAAA.....	\$ 34,000.00
52	AAA.....	33,000.00
53	AA.....	32,000.00
54	A.....	30,000.00

55 **25 or More Years of Teaching Experience**

56	AAAA.....	\$ 36,000.00
57	AAA.....	35,000.00
58	AA.....	34,000.00
59	A.....	32,000.00

60 The State Board of Education shall revise the salary scale  
61 prescribed above for the 2005-2006 school year to conform to any  
62 adjustments made to the salary scale in prior fiscal years due to  
63 revenue growth over and above five percent (5%). For each one  
64 percent (1%) that the Sine Die General Fund Revenue Estimate  
65 Growth exceeds five percent (5%) for fiscal year 2006, as

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

71 It is the intent of the Legislature that any state funds made  
72 available for salaries of licensed personnel in excess of the  
73 funds paid for such salaries for the 1986-1987 school year shall  
74 be paid to licensed personnel pursuant to a personnel appraisal  
75 and compensation system implemented by the State Board of  
76 Education. The State Board of Education shall have the authority  
77 to adopt and amend rules and regulations as are necessary to  
78 establish, administer and maintain the system.

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

90 \* \* \*

91 **2004-2005 School Year Annual Increment**

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

97 For teachers holding a Class AAA license, the minimum base  
98 pay specified in this subsection shall be increased by the sum of

99 Six Hundred Seventy-five Dollars (\$675.00) for each year of  
100 teaching experience possessed by the person holding such license  
101 until such person shall have twenty-five (25) years of teaching  
102 experience.

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

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

113 **2005-2006 School Year**

114 **and School Years Thereafter Annual Increments**

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

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

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

130 For teachers holding a Class A license, the minimum base pay  
131 specified in this subsection shall be increased by the sum of Four

132 Hundred Eighty Dollars (\$480.00) for each year of teaching  
133 experience possessed by the person holding such license until such  
134 person shall have twenty-four (24) years of teaching experience.

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

140 (2) (a) The following employees shall receive an annual  
141 salary supplement in the amount of Six Thousand Dollars  
142 (\$6,000.00), plus fringe benefits, in addition to any other  
143 compensation to which the employee may be entitled:

144 (i) Any licensed teacher who has met the  
145 requirements and acquired a Master Teacher certificate from the  
146 National Board for Professional Teaching Standards and who is  
147 employed by a local school board or the State Board of Education  
148 as a teacher and not as an administrator. Such teacher shall  
149 submit documentation to the State Department of Education that the  
150 certificate was received prior to October 15 in order to be  
151 eligible for the full salary supplement in the current school  
152 year, or the teacher shall submit such documentation to the State  
153 Department of Education prior to February 15 in order to be  
154 eligible for a prorated salary supplement beginning with the  
155 second term of the school year.

156 (ii) Any licensed school counselor who has met the  
157 requirements and acquired a National Certified School Counselor  
158 (NCSC) endorsement from the National Board of Certified Counselors  
159 and who is employed by a local school board or the State Board of  
160 Education as a counselor and not as an administrator. Such  
161 licensed school counselor shall submit documentation to the State  
162 Department of Education that the endorsement was received prior to  
163 October 15 in order to be eligible for the full salary supplement  
164 in the current school year, or the licensed school counselor shall

165 submit such documentation to the State Department of Education  
166 prior to February 15 in order to be eligible for a prorated salary  
167 supplement beginning with the second term of the school  
168 year. \* \* \*

169 (iii) Any licensed speech-language pathologist and  
170 audiologist who has met the requirements and acquired a  
171 Certificate of Clinical Competence from the American  
172 Speech-Language-Hearing Association and who is employed by a local  
173 school board. Such licensed speech-language pathologist and  
174 audiologist shall submit documentation to the State Department of  
175 Education that the certificate or endorsement was received prior  
176 to October 15 in order to be eligible for the full salary  
177 supplement in the current school year, or the licensed  
178 speech-language pathologist and audiologist shall submit such  
179 documentation to the State Department of Education prior to  
180 February 15 in order to be eligible for a prorated salary  
181 supplement beginning with the second term of the school  
182 year. \* \* \*

183 (b) An employee shall be reimbursed one (1) time for  
184 the actual cost of completing the process of acquiring the  
185 certificate or endorsement, excluding any costs incurred for  
186 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)  
187 for a school counselor or speech-language pathologist and  
188 audiologist, regardless of whether or not the process resulted in  
189 the award of the certificate or endorsement. A local school  
190 district or any private individual or entity may pay the cost of  
191 completing the process of acquiring the certificate or endorsement  
192 for any employee of the school district described under paragraph  
193 (a), and the State Department of Education shall reimburse the  
194 school district for such cost, regardless of whether or not the  
195 process resulted in the award of the certificate or endorsement.  
196 If a private individual or entity has paid the cost of completing  
197 the process of acquiring the certificate or endorsement for an

198 employee, the local school district may agree to directly  
199 reimburse the individual or entity for such cost on behalf of the  
200 employee.

201 (c) All salary supplements, fringe benefits and process  
202 reimbursement authorized under this subsection shall be paid  
203 directly by the State Department of Education to the local school  
204 district and shall be in addition to its minimum education program  
205 allotments and not a part thereof in accordance with regulations  
206 promulgated by the State Board of Education, and subject to  
207 appropriation by the Legislature. Local school districts shall  
208 not reduce the local supplement paid to any employee receiving  
209 such salary supplement, and the employee shall receive any local  
210 supplement to which employees with similar training and experience  
211 otherwise are entitled.

212 (d) The State Department of Education may not pay any  
213 process reimbursement to a school district for an employee who  
214 does not complete the certification or endorsement process  
215 required to be eligible for the certificate or endorsement. If an  
216 employee for whom such cost has been paid in full or in part by a  
217 local school district or private individual or entity fails to  
218 complete the certification or endorsement process, the employee  
219 shall be liable to the school district or individual or entity for  
220 all amounts paid by the school district or individual or entity on  
221 behalf of that employee toward his or her certificate or  
222 endorsement.

223 **SECTION 2.** This act shall take effect and be in force from  
224 and after July 1, 2004.