

By: Representatives Pierce, Whittington,
Mayhall

To: Education;
Appropriations

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; 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 **2004-2005 School Year**

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

23	AAAA.....	\$ 31,775.00
24	AAA.....	30,850.00
25	AA.....	29,925.00
26	A.....	28,000.00

27 **25 or More Years of Teaching Experience**

28	AAAA.....	\$ 33,775.00
29	AAA.....	32,850.00

30	AA.....	31,925.00
31	A.....	30,000.00

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

43 **2005-2006 School Year and School Years Thereafter**

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

45	AAAA.....	\$ 34,000.00
46	AAA.....	33,000.00
47	AA.....	32,000.00
48	A.....	30,000.00

49 **25 or More Years of Teaching Experience**

50	AAAA.....	\$ 36,000.00
51	AAA.....	35,000.00
52	AA.....	34,000.00
53	A.....	32,000.00

54 The State Board of Education shall revise the salary scale
55 prescribed above for the 2005-2006 school year to conform to any
56 adjustments made to the salary scale in prior fiscal years due to
57 revenue growth over and above five percent (5%). For each one
58 percent (1%) that the Sine Die General Fund Revenue Estimate
59 Growth exceeds five percent (5%) for fiscal year 2006, as
60 certified by the Legislative Budget Office to the State Board of
61 Education and subject to specific appropriation therefor by the
62 Legislature, the State Board of Education shall revise the salary

63 scale to provide an additional one percent (1%) across the board
64 increase in the base salaries for each type of license.

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

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

84 * * *

85 **2004-2005 School Year Annual Increment**

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

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

95 until such person shall have twenty-five (25) years of teaching
96 experience.

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

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

107 **2005-2006 School Year**

108 **and School Years Thereafter Annual Increments**

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

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

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

124 For teachers holding a Class A license, the minimum base pay
125 specified in this subsection shall be increased by the sum of Four
126 Hundred Eighty Dollars (\$480.00) for each year of teaching

127 experience possessed by the person holding such license until such
128 person shall have twenty-four (24) years of teaching experience.

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

134 (2) (a) The following employees shall receive an annual
135 salary supplement in the amount of Six Thousand Dollars
136 (\$6,000.00), plus fringe benefits, in addition to any other
137 compensation to which the employee may be entitled:

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

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

160 prior to February 15 in order to be eligible for a prorated salary
161 supplement beginning with the second term of the school
162 year. * * *

163 (iii) Any licensed speech-language pathologist and
164 audiologist who has met the requirements and acquired a
165 Certificate of Clinical Competence from the American
166 Speech-Language-Hearing Association and who is employed by a local
167 school board. Such licensed speech-language pathologist and
168 audiologist shall submit documentation to the State Department of
169 Education that the certificate or endorsement was received prior
170 to October 15 in order to be eligible for the full salary
171 supplement in the current school year, or the licensed
172 speech-language pathologist and audiologist shall submit such
173 documentation to the State Department of Education prior to
174 February 15 in order to be eligible for a prorated salary
175 supplement beginning with the second term of the school year.
176 However, the salary supplement authorized under this item shall be
177 discontinued two (2) years after the date on which the National
178 Board for Professional Teaching Standards offers a certification
179 process for a Master Teacher certificate for school
180 speech-language pathologists and audiologists, and any school
181 speech-language pathologist and audiologist receiving the salary
182 supplement will be required to complete the Master Teacher
183 certificate process under item (i) of this paragraph in order to
184 continue receiving such salary supplement.

185 (b) An employee shall be reimbursed one (1) time for
186 the actual cost of completing the process of acquiring the
187 certificate or endorsement, excluding any costs incurred for
188 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
189 for a school counselor or speech-language pathologist and
190 audiologist, regardless of whether or not the process resulted in
191 the award of the certificate or endorsement. A local school
192 district or any private individual or entity may pay the cost of

193 completing the process of acquiring the certificate or endorsement
194 for any employee of the school district described under paragraph
195 (a), and the State Department of Education shall reimburse the
196 school district for such cost, regardless of whether or not the
197 process resulted in the award of the certificate or endorsement.
198 If a private individual or entity has paid the cost of completing
199 the process of acquiring the certificate or endorsement for an
200 employee, the local school district may agree to directly
201 reimburse the individual or entity for such cost on behalf of the
202 employee.

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

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

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