

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

To: Education;
Appropriations

HOUSE BILL NO. 636
(As Passed the House)

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT A LICENSED NURSE WHO HAS MET THE REQUIREMENTS AND
3 ACQUIRED A CERTIFICATE FROM THE NATIONAL BOARD FOR CERTIFICATION
4 OF SCHOOL NURSES, INC., AND WHO IS EMPLOYED BY A LOCAL SCHOOL
5 BOARD OR THE STATE BOARD OF EDUCATION AS SCHOOL NURSE AND NOT AS
6 AN ADMINISTRATOR SHALL RECEIVE AN ANNUAL SALARY SUPPLEMENT; TO
7 DELETE THE PROVISION OF LAW THAT REQUIRES SCHOOL COUNSELORS TO
8 COMPLETE A CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD
9 FOR PROFESSIONAL TEACHING STANDARDS FOR A MASTER TEACHER
10 CERTIFICATE FOR SCHOOL COUNSELORS IN ORDER TO CONTINUE RECEIVING A
11 SALARY SUPPLEMENT; TO DELETE THE PROVISION OF LAW THAT REQUIRES
12 SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS TO COMPLETE A
13 CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD FOR
14 PROFESSIONAL TEACHING STANDARDS FOR A MASTER TEACHER CERTIFICATE
15 FOR SCHOOL SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS IN ORDER
16 TO CONTINUE RECEIVING A SALARY SUPPLEMENT; AND FOR RELATED
17 PURPOSES.

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

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

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

31 * * *

32 2004-2005 School Year

33 Less Than 25 Years of Teaching Experience

34 AAAA..... \$ 31,775.00

35	AAA.....	30,850.00
36	AA.....	29,925.00
37	A.....	28,000.00

25 or More Years of Teaching Experience

39	AAAA.....	\$ 33,775.00
40	AAA.....	32,850.00
41	AA.....	31,925.00
42	A.....	30,000.00

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

2005-2006 School Year and School Years Thereafter

Less Than 25 Years of Teaching Experience

56	AAAA.....	\$ 34,000.00
57	AAA.....	33,000.00
58	AA.....	32,000.00
59	A.....	30,000.00

25 or More Years of Teaching Experience

61	AAAA.....	\$ 36,000.00
62	AAA.....	35,000.00
63	AA.....	34,000.00
64	A.....	32,000.00

65 The State Board of Education shall revise the salary scale
66 prescribed above for the 2005-2006 school year to conform to any
67 adjustments made to the salary scale in prior fiscal years due to

68 revenue growth over and above five percent (5%). For each one
69 percent (1%) that the Sine Die General Fund Revenue Estimate
70 Growth exceeds five percent (5%) for fiscal year 2006, as
71 certified by the Legislative Budget Office to the State Board of
72 Education and subject to specific appropriation therefor by the
73 Legislature, the State Board of Education shall revise the salary
74 scale to provide an additional one percent (1%) across the board
75 increase in the base salaries for each type of license.

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

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

95 * * *

96 **2004-2005 School Year Annual Increment**

97 For teachers holding a Class AAAA license, the minimum base
98 pay specified in this subsection shall be increased by the sum of
99 Seven Hundred Forty Dollars (\$740.00) for each year of teaching

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

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

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

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

118 **2005-2006 School Year**

119 **and School Years Thereafter Annual Increments**

120 For teachers holding a Class AAAA license, the minimum base
121 pay specified in this subsection shall be increased by the sum of
122 Seven Hundred Seventy Dollars (\$770.00) 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 AAA license, the minimum base
126 pay specified in this subsection shall be increased by the sum of
127 Seven Hundred Five Dollars (\$705.00) 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 AA license, the minimum base pay
131 specified in this subsection shall be increased by the sum of Six
132 Hundred Forty Dollars (\$640.00) for each year of teaching

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

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

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

145 (2) (a) The following employees shall receive an annual
146 salary supplement in the amount of Six Thousand Dollars
147 (\$6,000.00), plus fringe benefits, in addition to any other
148 compensation to which the employee may be entitled:

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

161 (ii) Any licensed nurse who has met the
162 requirements and acquired a certificate from the National Board
163 for Certification of School Nurses, Inc., and who is employed by a
164 local school board or the State Board of Education as a school
165 nurse and not as an administrator. The licensed school nurse

166 shall submit documentation to the State Department of Education
167 that the certificate was received before October 15 in order to be
168 eligible for the full salary supplement in the current school
169 year, or the licensed school nurse shall submit the documentation
170 to the State Department of Education before February 15 in order
171 to be eligible for a prorated salary supplement beginning with the
172 second term of the school year.

173 (iii) Any licensed school counselor who has met
174 the requirements and acquired a National Certified School
175 Counselor (NCSC) endorsement from the National Board of Certified
176 Counselors and who is employed by a local school board or the
177 State Board of Education as a counselor and not as an
178 administrator. Such licensed school counselor shall submit
179 documentation to the State Department of Education that the
180 endorsement was received prior to October 15 in order to be
181 eligible for the full salary supplement in the current school
182 year, or the licensed school counselor shall submit such
183 documentation to the State Department of Education prior to
184 February 15 in order to be eligible for a prorated salary
185 supplement beginning with the second term of the school
186 year. * * *

187 (iv) Any licensed speech-language pathologist and
188 audiologist who has met the requirements and acquired a
189 Certificate of Clinical Competence from the American
190 Speech-Language-Hearing Association and who is employed by a local
191 school board. Such licensed speech-language pathologist and
192 audiologist shall submit documentation to the State Department of
193 Education that the certificate or endorsement was received prior
194 to October 15 in order to be eligible for the full salary
195 supplement in the current school year, or the licensed
196 speech-language pathologist and audiologist shall submit such
197 documentation to the State Department of Education prior to
198 February 15 in order to be eligible for a prorated salary

199 supplement beginning with the second term of the school
200 year. * * *

201 (b) An employee shall be reimbursed one (1) time for
202 the actual cost of completing the process of acquiring the
203 certificate or endorsement, excluding any costs incurred for
204 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
205 for a school counselor or speech-language pathologist and
206 audiologist, regardless of whether or not the process resulted in
207 the award of the certificate or endorsement. A local school
208 district or any private individual or entity may pay the cost of
209 completing the process of acquiring the certificate or endorsement
210 for any employee of the school district described under paragraph
211 (a), and the State Department of Education shall reimburse the
212 school district for such cost, regardless of whether or not the
213 process resulted in the award of the certificate or endorsement.
214 If a private individual or entity has paid the cost of completing
215 the process of acquiring the certificate or endorsement for an
216 employee, the local school district may agree to directly
217 reimburse the individual or entity for such cost on behalf of the
218 employee.

219 (c) All salary supplements, fringe benefits and process
220 reimbursement authorized under this subsection shall be paid
221 directly by the State Department of Education to the local school
222 district and shall be in addition to its minimum education program
223 allotments and not a part thereof in accordance with regulations
224 promulgated by the State Board of Education, and subject to
225 appropriation by the Legislature. Local school districts shall
226 not reduce the local supplement paid to any employee receiving
227 such salary supplement, and the employee shall receive any local
228 supplement to which employees with similar training and experience
229 otherwise are entitled.

230 (d) The State Department of Education may not pay any
231 process reimbursement to a school district for an employee who

232 does not complete the certification or endorsement process
233 required to be eligible for the certificate or endorsement. If an
234 employee for whom such cost has been paid in full or in part by a
235 local school district or private individual or entity fails to
236 complete the certification or endorsement process, the employee
237 shall be liable to the school district or individual or entity for
238 all amounts paid by the school district or individual or entity on
239 behalf of that employee toward his or her certificate or
240 endorsement.

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