

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

To: Education;
Appropriations

SENATE BILL NO. 2302
(As Sent to Governor)

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 A 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 ALLOW CERTAIN COUNSELORS WHO HAVE BEGUN THE
12 CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD FOR
13 PROFESSIONAL TEACHING STANDARDS TO COMPLETE CERTIFICATION AND
14 RECEIVE SALARY SUPPLEMENT; TO DELETE THE PROVISION OF LAW THAT
15 REQUIRES SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS TO COMPLETE
16 A CERTIFICATION PROCESS ESTABLISHED BY THE NATIONAL BOARD FOR
17 PROFESSIONAL TEACHING STANDARDS FOR A MASTER TEACHER CERTIFICATE
18 FOR SCHOOL SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS IN ORDER
19 TO CONTINUE RECEIVING A SALARY SUPPLEMENT; AND FOR RELATED
20 PURPOSES.

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

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

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

34 * * *

35 2004-2005 School Year

36 Less Than 25 Years of Teaching Experience

37	AAAA.....	\$ 31,775.00
38	AAA.....	30,850.00
39	AA.....	29,925.00
40	A.....	28,000.00

25 or More Years of Teaching Experience

42	AAAA.....	\$ 33,775.00
43	AAA.....	32,850.00
44	AA.....	31,925.00
45	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%). 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 license.

2005-2006 School Year and School Years Thereafter

Less Than 25 Years of Teaching Experience

59	AAAA.....	\$ 34,000.00
60	AAA.....	33,000.00
61	AA.....	32,000.00
62	A.....	30,000.00

25 or More Years of Teaching Experience

64	AAAA.....	\$ 36,000.00
65	AAA.....	35,000.00
66	AA.....	34,000.00
67	A.....	32,000.00

The State Board of Education shall revise the salary scale prescribed above for the 2005-2006 school year to conform to any

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

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

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

98 * * *

99 **2004-2005 School Year Annual Increment**

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

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

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

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

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

121 **2005-2006 School Year**

122 **and School Years Thereafter Annual Increments**

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

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

133 For teachers holding a Class AA license, the minimum base pay
134 specified in this subsection shall be increased by the sum of Six
135 Hundred Forty Dollars (\$640.00) for each year of teaching

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

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

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

148 (2) (a) The following employees shall receive an annual
149 salary supplement in the amount of Six Thousand Dollars
150 (\$6,000.00), plus fringe benefits, in addition to any other
151 compensation to which the employee may be entitled:

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

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

169 shall submit documentation to the State Department of Education
170 that the certificate was received before October 15 in order to be
171 eligible for the full salary supplement in the current school
172 year, or the licensed school nurse shall submit the documentation
173 to the State Department of Education before February 15 in order
174 to be eligible for a prorated salary supplement beginning with the
175 second term of the school year. Provided, however, that the total
176 number of licensed school nurses eligible for a salary supplement
177 under this paragraph (ii) shall not exceed twenty (20).

178 (iii) Any licensed school counselor who has met
179 the requirements and acquired a National Certified School
180 Counselor (NCSC) endorsement from the National Board of Certified
181 Counselors and who is employed by a local school board or the
182 State Board of Education as a counselor and not as an
183 administrator. Such licensed school counselor shall submit
184 documentation to the State Department of Education that the
185 endorsement was received prior to October 15 in order to be
186 eligible for the full salary supplement in the current school
187 year, or the licensed school counselor shall submit such
188 documentation to the State Department of Education prior to
189 February 15 in order to be eligible for a prorated salary
190 supplement beginning with the second term of the school year.
191 However, any school counselor who started the National Board for
192 Professional Teaching Standards process for school counselors
193 between June 1, 2003, and June 30, 2004, and completes the
194 requirements and acquires the master teacher certificate shall be
195 entitled to the master teacher supplement, and those counselors
196 who complete the process shall be entitled to a one (1) time
197 reimbursement for the actual cost of the process as outlined in
198 paragraph (b) of this subsection.

199 (iv) Any licensed speech-language pathologist and
200 audiologist who has met the requirements and acquired a
201 Certificate of Clinical Competence from the American

202 Speech-Language-Hearing Association and who is employed by a local
203 school board. Such licensed speech-language pathologist and
204 audiologist shall submit documentation to the State Department of
205 Education that the certificate or endorsement was received prior
206 to October 15 in order to be eligible for the full salary
207 supplement in the current school year, or the licensed
208 speech-language pathologist and audiologist shall submit such
209 documentation to the State Department of Education prior to
210 February 15 in order to be eligible for a prorated salary
211 supplement beginning with the second term of the school
212 year. * * *

213 (b) An employee shall be reimbursed one (1) time for
214 the actual cost of completing the process of acquiring the
215 certificate or endorsement, excluding any costs incurred for
216 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
217 for a school counselor or speech-language pathologist and
218 audiologist, regardless of whether or not the process resulted in
219 the award of the certificate or endorsement. A local school
220 district or any private individual or entity may pay the cost of
221 completing the process of acquiring the certificate or endorsement
222 for any employee of the school district described under paragraph
223 (a), and the State Department of Education shall reimburse the
224 school district for such cost, regardless of whether or not the
225 process resulted in the award of the certificate or endorsement.
226 If a private individual or entity has paid the cost of completing
227 the process of acquiring the certificate or endorsement for an
228 employee, the local school district may agree to directly
229 reimburse the individual or entity for such cost on behalf of the
230 employee.

231 (c) All salary supplements, fringe benefits and process
232 reimbursement authorized under this subsection shall be paid
233 directly by the State Department of Education to the local school
234 district and shall be in addition to its minimum education program

235 allotments and not a part thereof in accordance with regulations
236 promulgated by the State Board of Education, and subject to
237 appropriation by the Legislature. Local school districts shall
238 not reduce the local supplement paid to any employee receiving
239 such salary supplement, and the employee shall receive any local
240 supplement to which employees with similar training and experience
241 otherwise are entitled.

242 (d) The State Department of Education may not pay any
243 process reimbursement to a school district for an employee who
244 does not complete the certification or endorsement process
245 required to be eligible for the certificate or endorsement. If an
246 employee for whom such cost has been paid in full or in part by a
247 local school district or private individual or entity fails to
248 complete the certification or endorsement process, the employee
249 shall be liable to the school district or individual or entity for
250 all amounts paid by the school district or individual or entity on
251 behalf of that employee toward his or her certificate or
252 endorsement.

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