

By: Senator(s) Chaney

To: Education;  
Appropriations

SENATE BILL NO. 2505

1 AN ACT TO AMEND SECTIONS 37-19-7 AND 37-21-7, MISSISSIPPI  
2 CODE OF 1972, TO REVISE THE MINIMUM SALARY SCALE FOR TEACHERS AND  
3 ASSISTANT TEACHERS UNDER THE MISSISSIPPI ADEQUATE EDUCATION  
4 PROGRAM; AND FOR RELATED PURPOSES.

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

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

8 37-19-7. (1) This section shall be known and may be cited  
9 as the Mississippi "Teacher Opportunity Program (TOP)." The  
10 allowance in the minimum education program and the Mississippi  
11 Adequate Education Program for teachers' salaries in each county  
12 and separate school district shall be determined and paid in  
13 accordance with the scale for teachers' salaries as provided in  
14 this subsection. For teachers holding the following types of  
15 licenses or the equivalent as determined by the State Board of  
16 Education, and the following number of years of teaching  
17 experience, the scale shall be as follows:

18 **2004-2005 School Year**

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

20	AAAA.....	\$ 31,775.00
21	AAA.....	30,850.00
22	AA.....	29,925.00
23	A.....	28,000.00

24 **25 or More Years of Teaching Experience**

25	AAAA.....	\$ 33,775.00
26	AAA.....	32,850.00
27	AA.....	31,925.00
28	A.....	30,000.00



62	<u>2007-2008 School Year and School Years Thereafter</u>	
63	<u>Less Than 25 Years of Teaching Experience</u>	
64	AAAA.....	\$ <u>36,560.00</u>
65	AAA.....	<u>35,565.00</u>
66	AA.....	<u>34,070.00</u>
67	A.....	<u>31,375.00</u>
68	<u>25 or More Years of Teaching Experience</u>	
69	AAAA.....	\$ <u>38,560.00</u>
70	AAA.....	<u>37,565.00</u>
71	AA.....	<u>36,070.00</u>
72	A.....	<u>33,375.00</u>

73 The State Board of Education shall revise the salary scale  
74 prescribed above for the 2005-2006, 2006-2007 and 2007-2008 school  
75 years to conform to any adjustments made to the salary scale in  
76 prior fiscal years due to revenue growth over and above five  
77 percent (5%). For each one percent (1%) that the Sine Die General  
78 Fund Revenue Estimate Growth exceeds five percent (5%) for fiscal  
79 years 2006, 2007, 2008 and 2009, as certified by the Legislative  
80 Budget Office to the State Board of Education and subject to  
81 specific appropriation therefor by the Legislature, the State  
82 Board of Education shall revise the salary scale to provide an  
83 additional one percent (1%) across the board increase in the base  
84 salaries for each type of license.

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

93 All teachers employed on a full-time basis shall be paid a  
94 minimum salary in accordance with the above scale. However, no

95 school district shall receive any funds under this section for any  
96 school year during which the local supplement paid to any  
97 individual teacher shall have been reduced to a sum less than that  
98 paid to that individual teacher for performing the same duties  
99 from local supplement during the immediately preceding school  
100 year. The amount actually spent for the purposes of group health  
101 and/or life insurance shall be considered as a part of the  
102 aggregate amount of local supplement but shall not be considered a  
103 part of the amount of individual local supplement.

104 **2004-2005, 2005-2006 and School Years Thereafter**

105 **Annual Increment**

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

111 For teachers holding a Class AAA license, the minimum base  
112 pay specified in this subsection shall be increased by the sum of  
113 Six Hundred Seventy-five Dollars (\$675.00) for each year of  
114 teaching experience possessed by the person holding such license  
115 until such person shall have twenty-five (25) years of teaching  
116 experience.

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

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

127 \* \* \*

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

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

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

149                   (ii) A licensed nurse who has met the requirements  
150 and acquired a certificate from the National Board for  
151 Certification of School Nurses, Inc., and who is employed by a  
152 local school board or the State Board of Education as a school  
153 nurse and not as an administrator. The licensed school nurse  
154 shall submit documentation to the State Department of Education  
155 that the certificate was received before October 15 in order to be  
156 eligible for the full salary supplement in the current school  
157 year, or the licensed school nurse shall submit the documentation  
158 to the State Department of Education before February 15 in order  
159 to be eligible for a prorated salary supplement beginning with the  
160 second term of the school year. Provided, however, that the total

161 number of licensed school nurses eligible for a salary supplement  
162 under this paragraph (ii) shall not exceed twenty (20).

163           (iii) Any licensed school counselor who has met  
164 the requirements and acquired a National Certified School  
165 Counselor (NCSC) endorsement from the National Board of Certified  
166 Counselors and who is employed by a local school board or the  
167 State Board of Education as a counselor and not as an  
168 administrator. Such licensed school counselor shall submit  
169 documentation to the State Department of Education that the  
170 endorsement was received prior to October 15 in order to be  
171 eligible for the full salary supplement in the current school  
172 year, or the licensed school counselor 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, any school counselor who started the National Board for  
177 Professional Teaching Standards process for school counselors  
178 between June 1, 2003, and June 30, 2004, and completes the  
179 requirements and acquires the master teacher certificate shall be  
180 entitled to the master teacher supplement, and those counselors  
181 who complete the process shall be entitled to a one (1) time  
182 reimbursement for the actual cost of the process as outlined in  
183 paragraph (b) of this subsection.

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

194 documentation to the State Department of Education prior to  
195 February 15 in order to be eligible for a prorated salary  
196 supplement beginning with the second term of the school year.

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

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

226           (d) The State Department of Education may not pay any  
227 process reimbursement to a school district for an employee who  
228 does not complete the certification or endorsement process  
229 required to be eligible for the certificate or endorsement. If an  
230 employee for whom such cost has been paid in full or in part by a  
231 local school district or private individual or entity fails to  
232 complete the certification or endorsement process, the employee  
233 shall be liable to the school district or individual or entity for  
234 all amounts paid by the school district or individual or entity on  
235 behalf of that employee toward his or her certificate or  
236 endorsement.

237           **SECTION 2.** Section 37-21-7, Mississippi Code of 1972, is  
238 amended as follows:

239           37-21-7. (1) This section shall be referred to as the  
240 "Mississippi Elementary Schools Assistant Teacher Program," the  
241 purpose of which shall be to provide an early childhood education  
242 program that assists in the instruction of basic skills. The  
243 State Board of Education is authorized, empowered and directed to  
244 implement a statewide system of assistant teachers in kindergarten  
245 classes and in the first, second and third grades. The assistant  
246 teacher shall assist pupils in actual instruction under the strict  
247 supervision of a licensed teacher.

248           (2) (a) Except as otherwise authorized under subsection  
249 (7), each school district shall employ the total number of  
250 assistant teachers funded under subsection (6) of this section.  
251 The superintendent of each district shall assign the assistant  
252 teachers to the kindergarten, first-, second- and third-grade  
253 classes in the district in a manner that will promote the maximum  
254 efficiency, as determined by the superintendent, in the  
255 instruction of skills such as verbal and linguistic skills,  
256 logical and mathematical skills, and social skills.

257           (b) If a licensed teacher to whom an assistant teacher  
258 has been assigned is required to be absent from the classroom, the



259 assistant teacher may assume responsibility for the classroom in  
260 lieu of a substitute teacher. However, no assistant teacher shall  
261 assume sole responsibility of the classroom for more than three  
262 (3) consecutive school days. Further, in no event shall any  
263 assistant teacher be assigned to serve as a substitute teacher for  
264 any teacher other than the licensed teacher to whom that assistant  
265 teacher has been assigned.

266 (3) Assistant teachers shall have, at a minimum, a high  
267 school diploma or a GED equivalent, and shall show demonstratable  
268 proficiency in reading and writing skills. The State Department  
269 of Education shall develop a testing procedure for assistant  
270 teacher applicants to be used in all school districts in the  
271 state.

272 (4) (a) In order to receive funding, each school district  
273 shall:

274 (i) Submit a plan on the implementation of a  
275 reading improvement program to the State Department of Education;  
276 and

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

280 (b) Additionally, each school district shall:

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

286 (ii) Hold periodic workshops for administrators  
287 and teachers on the effective use and supervision of assistant  
288 teachers;

289 (iii) Provide training annually on specific  
290 instructional skills for assistant teachers;

291 (iv) Annually evaluate their program in accordance  
292 with their educational accountability and assessment of  
293 performance plan; and

294 (v) Designate the necessary personnel to supervise  
295 and report on their program.

296 (5) The State Department of Education shall:

297 (a) Develop and assist in the implementation of a  
298 statewide uniform training module, subject to the availability of  
299 funds specifically appropriated therefor by the Legislature, which  
300 shall be used in all school districts for training administrators,  
301 teachers and assistant teachers. The module shall provide for the  
302 consolidated training of each assistant teacher and teacher to  
303 whom the assistant teacher is assigned, working together as a  
304 team, and shall require further periodical training for  
305 administrators, teachers and assistant teachers regarding the role  
306 of assistant teachers;

307 (b) Annually evaluate the program on the district and  
308 state level. Subject to the availability of funds specifically  
309 appropriated therefor by the Legislature, the department shall  
310 develop: (i) uniform evaluation reports, to be performed by the  
311 principal or assistant principal, to collect data for the annual  
312 overall program evaluation conducted by the department; or (ii) a  
313 program evaluation model that, at a minimum, addresses process  
314 evaluation; and

315 (c) Promulgate rules, regulations and such other  
316 standards deemed necessary to effectuate the purposes of this  
317 section. Noncompliance with the provisions of this section and  
318 any rules, regulations or standards adopted by the department may  
319 result in a violation of compulsory accreditation standards as  
320 established by the State Board of Education and Commission on  
321 School Accreditation.

322 (6) In addition to other funds allotted under the Minimum  
323 Education or Adequate Education Program, each school district

324 shall be allotted sufficient funding for the purpose of employing  
325 assistant teachers. No assistant teacher shall be paid less than  
326 the amount he or she received in the prior school year. No school  
327 district shall receive any funds under this section for any school  
328 year during which the aggregate amount of the local contribution  
329 to the salaries of assistant teachers by the district shall have  
330 been reduced below such amount for the previous year.

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

334 For the 2002-2003 school year, the minimum salary for  
335 assistant teachers shall be Nine Thousand Nine Hundred Dollars  
336 (\$9,900.00).

337 For the 2003-2004 school year, the minimum salary for  
338 assistant teachers shall be Ten Thousand Five Hundred Dollars  
339 (\$10,500.00).

340 For the 2004-2005 school year, the minimum salary for  
341 assistant teachers shall be Eleven Thousand Two Hundred Dollars  
342 (\$11,200.00).

343 For the 2005-2006 school year \* \* \*, the minimum salary for  
344 assistant teachers shall be Eleven Thousand Four Hundred  
345 Twenty-four Dollars (\$11,424.00).

346 For the 2006-2007 school year, the minimum salary for  
347 assistant teachers shall be Eleven Thousand Seven Hundred  
348 Sixty-seven Dollars (\$11,767.00).

349 For the 2007-2008 school year, and school years thereafter,  
350 the minimum salary for assistant teachers shall be Twelve Thousand  
351 Three Hundred Fifty-five Dollars (\$12,355.00).

352 In addition, for each one percent (1%) that the Sine Die  
353 General Fund Revenue Estimate Growth exceeds five percent (5%) in  
354 fiscal year 2003, 2004, 2005, 2006, 2007, 2008 or 2009, as  
355 certified by the Legislative Budget Office to the State Board of  
356 Education and subject to the specific appropriation therefor by

357 the Legislature, the State Board of Education shall revise the  
358 salary scale in the appropriate year to provide an additional one  
359 percent (1%) across the board increase in the base salaries for  
360 assistant teachers. The State Board of Education shall revise the  
361 salaries prescribed above for assistant teachers to conform to any  
362 adjustments made in prior fiscal years due to revenue growth over  
363 and above five percent (5%). The assistant teachers shall not be  
364 restricted to working only in the grades for which the funds were  
365 allotted, but may be assigned to other classes as provided in  
366 subsection (2)(a) of this section.

367 (7) (a) As an alternative to employing assistant teachers,  
368 any school district may use the allotment provided under  
369 subsection (6) of this section for the purpose of employing  
370 licensed teachers for kindergarten, first-, second- and  
371 third-grade classes; however, no school district shall be  
372 authorized to use the allotment for assistant teachers for the  
373 purpose of employing licensed teachers unless the district has  
374 established that the employment of licensed teachers using such  
375 funds will reduce the teacher:student ratio in the kindergarten,  
376 first-, second- and third-grade classes. All state funds for  
377 assistant teachers shall be applied to reducing teacher:student  
378 ratio in Grades K-3.

379 It is the intent of the Legislature that no school district  
380 shall dismiss any assistant teacher for the purpose of using the  
381 assistant teacher allotment to employ licensed teachers. School  
382 districts may rely only upon normal attrition to reduce the number  
383 of assistant teachers employed in that district.

384 (b) In the event any school district meets Level 4 or 5  
385 accreditation requirements, the State Board of Education, in its  
386 discretion, may exempt such school district from any accreditation  
387 requirements for the district's early childhood education program  
388 or reading improvement program.

389           **SECTION 3.** This act shall take effect and be in force from  
390 and after July 1, 2005.