

By: Representative Markham

To: Education;
Appropriations

HOUSE BILL NO. 1438

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE MISSISSIPPI OPPORTUNITY PROGRAM BY INCREASING THE
3 TEACHER SALARY SCALE; AND FOR RELATED PURPOSES.

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

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

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

17 * * *

18 **2005-2006 School Year and School Years Thereafter**

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

20	AAAA.....	\$ <u>34,200.00</u>
21	AAA.....	<u>33,150.00</u>
22	AA.....	<u>32,125.00</u>
23	A.....	<u>30,100.00</u>

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

25	AAAA.....	\$ <u>36,200.00</u>
26	AAA.....	<u>35,150.00</u>
27	AA.....	<u>34,125.00</u>

28 A..... 32,100.00

29 The State Board of Education shall revise the salary scale
30 prescribed above for the 2005-2006 school year to conform to any
31 adjustments made to the salary scale in prior fiscal years due to
32 revenue growth over and above five percent (5%). For each one
33 percent (1%) that the Sine Die General Fund Revenue Estimate
34 Growth exceeds five percent (5%) for fiscal year 2006, as
35 certified by the Legislative Budget Office to the State Board of
36 Education and subject to specific appropriation therefor by the
37 Legislature, the State Board of Education shall revise the salary
38 scale to provide an additional one percent (1%) across the board
39 increase in the base salaries for each type of license.

40 It is the intent of the Legislature that any state funds made
41 available for salaries of licensed personnel in excess of the
42 funds paid for such salaries for the 1986-1987 school year shall
43 be paid to licensed personnel pursuant to a personnel appraisal
44 and compensation system implemented by the State Board of
45 Education. The State Board of Education shall have the authority
46 to adopt and amend rules and regulations as are necessary to
47 establish, administer and maintain the system.

48 All teachers employed on a full-time basis shall be paid a
49 minimum salary in accordance with the above scale. However, no
50 school district shall receive any funds under this section for any
51 school year during which the local supplement paid to any
52 individual teacher shall have been reduced to a sum less than that
53 paid to that individual teacher for performing the same duties
54 from local supplement during the immediately preceding school
55 year. The amount actually spent for the purposes of group health
56 and/or life insurance shall be considered as a part of the
57 aggregate amount of local supplement but shall not be considered a
58 part of the amount of individual local supplement.

59 * * *

60 **2005-2006 School Year**

61 **and School Years Thereafter Annual Increments**

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

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

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

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

82 The level of professional training of each teacher to be used
83 in establishing the salary allotment for the teachers for each
84 year shall be determined by the type of valid teacher's license
85 issued to those teachers on or before October 1 of the current
86 school year.

87 (2) (a) The following employees shall receive an annual
88 salary supplement in the amount of Six Thousand Dollars
89 (\$6,000.00), plus fringe benefits, in addition to any other
90 compensation to which the employee may be entitled:

91 (i) Any licensed teacher who has met the
92 requirements and acquired a Master Teacher certificate from the
93 National Board for Professional Teaching Standards and who is

94 employed by a local school board or the State Board of Education
95 as a teacher and not as an administrator. Such teacher shall
96 submit documentation to the State Department of Education that the
97 certificate was received prior to October 15 in order to be
98 eligible for the full salary supplement in the current school
99 year, or the teacher shall submit such documentation to the State
100 Department of Education prior to February 15 in order to be
101 eligible for a prorated salary supplement beginning with the
102 second term of the school year.

103 (ii) A licensed nurse who has met the requirements
104 and acquired a certificate from the National Board for
105 Certification of School Nurses, Inc., and who is employed by a
106 local school board or the State Board of Education as a school
107 nurse and not as an administrator. The licensed school nurse
108 shall submit documentation to the State Department of Education
109 that the certificate was received before October 15 in order to be
110 eligible for the full salary supplement in the current school
111 year, or the licensed school nurse shall submit the documentation
112 to the State Department of Education before February 15 in order
113 to be eligible for a prorated salary supplement beginning with the
114 second term of the school year. Provided, however, that the total
115 number of licensed school nurses eligible for a salary supplement
116 under this paragraph (ii) shall not exceed twenty (20).

117 (iii) Any licensed school counselor who has met
118 the requirements and acquired a National Certified School
119 Counselor (NCSC) endorsement from the National Board of Certified
120 Counselors and who is employed by a local school board or the
121 State Board of Education as a counselor and not as an
122 administrator. Such licensed school counselor shall submit
123 documentation to the State Department of Education that the
124 endorsement was received prior to October 15 in order to be
125 eligible for the full salary supplement in the current school
126 year, or the licensed school counselor shall submit such

127 documentation to the State Department of Education prior to
128 February 15 in order to be eligible for a prorated salary
129 supplement beginning with the second term of the school year.
130 However, any school counselor who started the National Board for
131 Professional Teaching Standards process for school counselors
132 between June 1, 2003, and June 30, 2004, and completes the
133 requirements and acquires the master teacher certificate shall be
134 entitled to the master teacher supplement, and those counselors
135 who complete the process shall be entitled to a one-time
136 reimbursement for the actual cost of the process as outlined in
137 paragraph (b) of this subsection.

138 (iv) Any licensed speech-language pathologist and
139 audiologist who has met the requirements and acquired a
140 Certificate of Clinical Competence from the American
141 Speech-Language-Hearing Association and who is employed by a local
142 school board. Such licensed speech-language pathologist and
143 audiologist shall submit documentation to the State Department of
144 Education that the certificate or endorsement was received prior
145 to October 15 in order to be eligible for the full salary
146 supplement in the current school year, or the licensed
147 speech-language pathologist and audiologist shall submit such
148 documentation to the State Department of Education prior to
149 February 15 in order to be eligible for a prorated salary
150 supplement beginning with the second term of the school year.

151 (b) An employee shall be reimbursed one (1) time for
152 the actual cost of completing the process of acquiring the
153 certificate or endorsement, excluding any costs incurred for
154 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
155 for a school counselor or speech-language pathologist and
156 audiologist, regardless of whether or not the process resulted in
157 the award of the certificate or endorsement. A local school
158 district or any private individual or entity may pay the cost of
159 completing the process of acquiring the certificate or endorsement

160 for any employee of the school district described under paragraph
161 (a), and the State Department of Education shall reimburse the
162 school district for such cost, regardless of whether or not the
163 process resulted in the award of the certificate or endorsement.
164 If a private individual or entity has paid the cost of completing
165 the process of acquiring the certificate or endorsement for an
166 employee, the local school district may agree to directly
167 reimburse the individual or entity for such cost on behalf of the
168 employee.

169 (c) All salary supplements, fringe benefits and process
170 reimbursement authorized under this subsection shall be paid
171 directly by the State Department of Education to the local school
172 district and shall be in addition to its minimum education program
173 allotments and not a part thereof in accordance with regulations
174 promulgated by the State Board of Education, and subject to
175 appropriation by the Legislature. Local school districts shall
176 not reduce the local supplement paid to any employee receiving
177 such salary supplement, and the employee shall receive any local
178 supplement to which employees with similar training and experience
179 otherwise are entitled.

180 (d) The State Department of Education may not pay any
181 process reimbursement to a school district for an employee who
182 does not complete the certification or endorsement process
183 required to be eligible for the certificate or endorsement. If an
184 employee for whom such cost has been paid in full or in part by a
185 local school district or private individual or entity fails to
186 complete the certification or endorsement process, the employee
187 shall be liable to the school district or individual or entity for
188 all amounts paid by the school district or individual or entity on
189 behalf of that employee toward his or her certificate or
190 endorsement.

191 **SECTION 2.** This act shall take effect and be in force from
192 and after July 1, 2006.