

By: Representative Lott

To: Education;
Appropriations

HOUSE BILL NO. 626

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT AND ONE TIME
3 PROCESS REIMBURSEMENT TO LICENSED ATHLETIC TRAINERS ACQUIRING A
4 NATIONAL CERTIFIED ATHLETIC TRAINER (NCAT) CERTIFICATE FROM THE
5 NATIONAL ATHLETIC TRAINERS ASSOCIATION BOARD OF CERTIFICATION,
6 INC.; 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 subsection shall be known and may be
11 cited as the Mississippi "Teacher Opportunity Program (TOP)." The
12 allowance in * * * the Mississippi Adequate Education Program for
13 teachers' salaries in each * * * school district shall be
14 determined and paid in accordance with the scale for teachers'
15 salaries as provided in this subsection. For teachers holding the
16 following types of licenses or the equivalent as determined by the
17 State Board of Education, and the following number of years of
18 teaching experience, the scale shall be as follows:

19 **2005-2006 School Year and School Years Thereafter**

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

21	AAAA.....	\$ 34,000.00
22	AAA.....	33,000.00
23	AA.....	32,000.00
24	A.....	30,000.00

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

26	AAAA.....	\$ 36,000.00
27	AAA.....	35,000.00
28	AA.....	34,000.00
29	A.....	32,000.00

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

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

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

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 (v) Any licensed athletic trainer who has met the
152 requirements and acquired a National Certified Athletic Trainer
153 (NCAT) certificate from the National Athletic Trainers Association
154 Board of Certification, Inc., and who is employed by a local
155 school board or the State Board of Education as an athletic
156 trainer and not as an administrator. The licensed athletic
157 trainer shall submit documentation to the State Department of
158 Education that the certificate was received before October 15 in
159 order to be eligible for the full salary supplement in the current
160 school year, or the licensed athletic trainer shall submit the

161 documentation to the State Department of Education before February
162 15 in order to be eligible for a prorated salary supplement
163 beginning with the second term of the school year.

164 (b) An employee shall be reimbursed one (1) time for
165 the actual cost of completing the process of acquiring the
166 certificate or endorsement, excluding any costs incurred for
167 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
168 for a school counselor or speech-language pathologist and
169 audiologist, regardless of whether or not the process resulted in
170 the award of the certificate or endorsement. A local school
171 district or any private individual or entity may pay the cost of
172 completing the process of acquiring the certificate or endorsement
173 for any employee of the school district described under paragraph
174 (a), and the State Department of Education shall reimburse the
175 school district for such cost, regardless of whether or not the
176 process resulted in the award of the certificate or endorsement.
177 If a private individual or entity has paid the cost of completing
178 the process of acquiring the certificate or endorsement for an
179 employee, the local school district may agree to directly
180 reimburse the individual or entity for such cost on behalf of the
181 employee.

182 (c) All salary supplements, fringe benefits and process
183 reimbursement authorized under this subsection shall be paid
184 directly by the State Department of Education to the local school
185 district and shall be in addition to its minimum education program
186 allotments and not a part thereof in accordance with regulations
187 promulgated by the State Board of Education, and subject to
188 appropriation by the Legislature. Local school districts shall
189 not reduce the local supplement paid to any employee receiving
190 such salary supplement, and the employee shall receive any local
191 supplement to which employees with similar training and experience
192 otherwise are entitled.

193 (d) The State Department of Education may not pay any
194 process reimbursement to a school district for an employee who
195 does not complete the certification or endorsement process
196 required to be eligible for the certificate or endorsement. If an
197 employee for whom such cost has been paid in full or in part by a
198 local school district or private individual or entity fails to
199 complete the certification or endorsement process, the employee
200 shall be liable to the school district or individual or entity for
201 all amounts paid by the school district or individual or entity on
202 behalf of that employee toward his or her certificate or
203 endorsement.

204 (3) (a) Effective July 1, 2007, if funds are available for
205 that purpose, the Legislature may authorize state funds for
206 additional base compensation for teachers holding licenses in
207 critical subject areas or the equivalent and who teach at least a
208 majority of their courses in a critical subject area, as
209 determined by the State Board of Education.

210 (b) Effective July 1, 2007, if funds are available for
211 that purpose, the Legislature may authorize state funds for
212 additional base compensation for teachers employed in a public
213 school district located in a geographic area of the state
214 designated as a critical teacher shortage area by the State Board
215 of Education.

216 (4) (a) This subsection shall be known and may be cited as
217 the "Mississippi Performance Based Pay (MPBP)" plan. In addition
218 to the minimum base pay described in this section, only after full
219 funding of MAEP and if funds are available for that purpose, the
220 State of Mississippi may provide monies from state funds to school
221 districts for the purposes of rewarding certified teachers,
222 administrators and nonlicensed personnel at individual schools
223 showing improvement in student test scores. The MPBP plan shall
224 be developed by the State Department of Education based on the
225 following criteria:

226 (i) It is the express intent of this subsection
227 that the MPBP plan shall utilize only existing standards of
228 accreditation and assessment as established by the State Board of
229 Education.

230 (ii) To ensure that all of Mississippi's teachers,
231 administrators and nonlicensed personnel at all schools have equal
232 access to the monies set aside in this subsection, the MPBP
233 program shall be designed to calculate each school's performance
234 as determined by the school's increase in scores from the prior
235 school year. The MPBP program shall be based on a standardized
236 scores rating where all levels of schools can be judged in a
237 statistically fair and reasonable way upon implementation. At the
238 end of each year, after all student achievement scores have been
239 standardized, the State Department of Education shall implement
240 the MPBP plan.

241 (iii) To ensure all teachers cooperate in the
242 spirit of teamwork, individual schools shall submit a plan to the
243 local school educational authority to be approved before the
244 beginning of each school year beginning July 1, 2008. The plan
245 shall include, but not be limited to, how all teachers, regardless
246 of subject area, and administrators will be responsible for
247 improving student achievement for their individual school.

248 (b) The State Board of Education shall develop the
249 processes and procedures for designating schools eligible to
250 participate in the MPBP. State assessment results, growth in
251 student achievement at individual schools and other measures
252 deemed appropriate in designating successful student achievement
253 shall be used in establishing MPBP criteria. The State Board of
254 Education shall develop the MPBP policies and procedures and
255 report to the Legislature and Governor by December 1, 2006.

256 (5) (a) Beginning in the 2006-2007 school year, if funds
257 are available for that purpose, each middle school in Mississippi
258 shall have at least two (2) mentor teachers, as defined by

259 Sections 37-9-201 through 37-9-213, who shall receive additional
260 base compensation provided for by the * * * Legislature in the
261 amount of One Thousand Dollars (\$1,000.00). For the purposes of
262 this subsection (5), "middle school" means any school composed
263 individually or of some composite of Grades 6 through 8.

264 (b) To be eligible for this state funding, the
265 individual school must have a classroom management program
266 approved by the local school board.

267 (c) If funds are available for that purpose, the state
268 shall provide additional funding under this subsection for two (2)
269 mentor teachers per middle school; however, local school districts
270 may provide additional salary supplements for more than two (2)
271 teacher mentors from nonadequate education program funds. The
272 State Department of Education may develop an implementation
273 process that fairly distributes these funds for the consideration
274 of the Legislature.

275 **SECTION 2.** This act shall take effect and be in force from
276 and after July 1, 2007.