

By: Representative Harrison

To: Education

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1087

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE DEPARTMENT OF EDUCATION TO CONDUCT A STUDY OF THE  
3 EFFECTIVENESS OF A CAREER PATH OPPORTUNITY PROGRAM FOR ASSISTANT  
4 TEACHERS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 37-21-7, Mississippi Code of 1972, is  
7 amended as follows:

8 37-21-7. (1) This section shall be referred to as the  
9 "Mississippi Elementary Schools Assistant Teacher Program," the  
10 purpose of which shall be to provide an early childhood education  
11 program that assists in the instruction of basic skills. The  
12 State Board of Education is authorized, empowered and directed to  
13 implement a statewide system of assistant teachers in kindergarten  
14 classes and in the first, second and third grades. The assistant  
15 teacher shall assist pupils in actual instruction under the strict  
16 supervision of a licensed teacher.

17 (2) (a) Except as otherwise authorized under subsection  
18 (7), each school district shall employ the total number of  
19 assistant teachers funded under subsection (6) of this section.  
20 The superintendent of each district shall assign the assistant  
21 teachers to the kindergarten, first-, second- and third-grade  
22 classes in the district in a manner that will promote the maximum  
23 efficiency, as determined by the superintendent, in the  
24 instruction of skills such as verbal and linguistic skills,  
25 logical and mathematical skills, and social skills.

26 (b) If a licensed teacher to whom an assistant teacher  
27 has been assigned is required to be absent from the classroom, the  
28 assistant teacher may assume responsibility for the classroom in

29 lieu of a substitute teacher. However, no assistant teacher shall  
30 assume sole responsibility of the classroom for more than three  
31 (3) consecutive school days. Further, in no event shall any  
32 assistant teacher be assigned to serve as a substitute teacher for  
33 any teacher other than the licensed teacher to whom that assistant  
34 teacher has been assigned.

35 (3) Assistant teachers shall have, at a minimum, a high  
36 school diploma or a GED equivalent, and shall show demonstratable  
37 proficiency in reading and writing skills. The State Department  
38 of Education shall develop a testing procedure for assistant  
39 teacher applicants to be used in all school districts in the  
40 state.

41 (4) (a) In order to receive funding, each school district  
42 shall:

43 (i) Submit a plan on the implementation of a  
44 reading improvement program to the State Department of Education;  
45 and

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

49 (b) Additionally, each school district shall:

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

55 (ii) Hold periodic workshops for administrators  
56 and teachers on the effective use and supervision of assistant  
57 teachers;

58 (iii) Provide training annually on specific  
59 instructional skills for assistant teachers;

60 (iv) Annually evaluate their program in accordance  
61 with their educational accountability and assessment of  
62 performance plan; and

63 (v) Designate the necessary personnel to supervise  
64 and report on their program.

65 (5) The State Department of Education shall:

66 (a) Develop and assist in the implementation of a  
67 statewide uniform training module, subject to the availability of  
68 funds specifically appropriated therefor by the Legislature, which  
69 shall be used in all school districts for training administrators,  
70 teachers and assistant teachers. The module shall provide for the  
71 consolidated training of each assistant teacher and teacher to  
72 whom the assistant teacher is assigned, working together as a  
73 team, and shall require further periodical training for  
74 administrators, teachers and assistant teachers regarding the role  
75 of assistant teachers;

76 (b) Annually evaluate the program on the district and  
77 state level. Subject to the availability of funds specifically  
78 appropriated therefor by the Legislature, the department shall  
79 develop: (i) uniform evaluation reports, to be performed by the  
80 principal or assistant principal, to collect data for the annual  
81 overall program evaluation conducted by the department; or (ii) a  
82 program evaluation model that, at a minimum, addresses process  
83 evaluation; and

84 (c) Promulgate rules, regulations and such other  
85 standards deemed necessary to effectuate the purposes of this  
86 section. Noncompliance with the provisions of this section and  
87 any rules, regulations or standards adopted by the department may  
88 result in a violation of compulsory accreditation standards as  
89 established by the State Board of Education and Commission on  
90 School Accreditation.

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

93 shall be allotted sufficient funding for the purpose of employing  
94 assistant teachers. No assistant teacher shall be paid less than  
95 the amount he or she received in the prior school year. No school  
96 district shall receive any funds under this section for any school  
97 year during which the aggregate amount of the local contribution  
98 to the salaries of assistant teachers by the district shall have  
99 been reduced below such amount for the previous year.

100 For the 2005-2006 school year and school years thereafter,  
101 the minimum salary for assistant teachers shall be Twelve Thousand  
102 Dollars (\$12,000.00).

103 In addition, for each one percent (1%) that the Sine Die  
104 General Fund Revenue Estimate Growth exceeds five percent (5%) in  
105 fiscal year 2006, as certified by the Legislative Budget Office to  
106 the State Board of Education and subject to the specific  
107 appropriation therefor by the Legislature, the State Board of  
108 Education shall revise the salary scale in the appropriate year to  
109 provide an additional one percent (1%) across the board increase  
110 in the base salaries for assistant teachers. The State Board of  
111 Education shall revise the salaries prescribed above for assistant  
112 teachers to conform to any adjustments made in prior fiscal years  
113 due to revenue growth over and above five percent (5%). The  
114 assistant teachers shall not be restricted to working only in the  
115 grades for which the funds were allotted, but may be assigned to  
116 other classes as provided in subsection (2)(a) of this section.

117 (7) (a) As an alternative to employing assistant teachers,  
118 any school district may use the allotment provided under  
119 subsection (6) of this section for the purpose of employing  
120 licensed teachers for kindergarten, first-, second- and  
121 third-grade classes; however, no school district shall be  
122 authorized to use the allotment for assistant teachers for the  
123 purpose of employing licensed teachers unless the district has  
124 established that the employment of licensed teachers using such  
125 funds will reduce the teacher:student ratio in the kindergarten,

126 first-, second- and third-grade classes. All state funds for  
127 assistant teachers shall be applied to reducing teacher:student  
128 ratio in Grades K-3.

129 It is the intent of the Legislature that no school district  
130 shall dismiss any assistant teacher for the purpose of using the  
131 assistant teacher allotment to employ licensed teachers. School  
132 districts may rely only upon normal attrition to reduce the number  
133 of assistant teachers employed in that district.

134 (b) Districts meeting Level 4 or 5 accreditation  
135 standards, as defined by the State Board of Education, shall be  
136 exempted from the provisions of subsection (4) of this section.

137 (8) The State Department of Education shall conduct a study  
138 to determine the need for and the effectiveness of establishing a  
139 career path opportunity program for all assistant teachers  
140 employed in public schools in Mississippi. The study shall  
141 provide guidance on how assistant teachers would be provided  
142 incentives and enhanced salary opportunities based on their  
143 continued education toward the acquisition of a degree to become  
144 licensed teachers.

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