

By: Senator(s) Tollison

To: Education;  
Appropriations

SENATE BILL NO. 2019

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT BEGINNING WITH THE 2007-2008 SCHOOL YEAR, TEACHERS  
3 SHALL RECEIVE AN ANNUAL EXPERIENCE INCREMENT FOR UP TO 30 YEARS OF  
4 TEACHING SERVICE; 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 **2005-2006 School Year and School Years Thereafter**

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

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

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

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

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                           **2005-2007 School Year \* \* \* Annual Increments**

60           For teachers holding a Class AAAA license, the minimum base  
61 pay specified in this subsection shall be increased by the sum of

62 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching  
63 experience possessed by the person holding such license until such  
64 person shall have twenty-five (25) years of teaching experience.

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

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

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

80 **2007-2008 School Year**

81 **and School Years Thereafter Annual Increments**

82 For teachers holding a Class AAAA license, the minimum base  
83 pay specified in this subsection shall be increased by the sum of  
84 Seven Hundred Seventy Dollars (\$770.00) for each year of teaching  
85 experience possessed by the person holding such license until such  
86 person shall have thirty (30) years of teaching experience.

87 For teachers holding a Class AAA license, the minimum base  
88 pay specified in this subsection shall be increased by the sum of  
89 Seven Hundred Five Dollars (\$705.00) for each year of teaching  
90 experience possessed by the person holding such license until such  
91 person shall have thirty (30) years of teaching experience.

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

95 experience possessed by the person holding such license until such  
96 person shall have thirty (30) years of teaching experience.

97 For teachers holding a Class A license, the minimum base pay  
98 specified in this subsection shall be increased by the sum of Four  
99 Hundred Eighty Dollars (\$480.00) for each year of teaching  
100 experience possessed by the person holding such license until such  
101 person shall have thirty (30) years of teaching experience.

102 The level of professional training of each teacher to be used  
103 in establishing the salary allotment for the teachers for each  
104 year shall be determined by the type of valid teacher's license  
105 issued to those teachers on or before October 1 of the current  
106 school year.

107 (2) (a) The following employees shall receive an annual  
108 salary supplement in the amount of Six Thousand Dollars  
109 (\$6,000.00), plus fringe benefits, in addition to any other  
110 compensation to which the employee may be entitled:

111 (i) Any licensed teacher who has met the  
112 requirements and acquired a Master Teacher certificate from the  
113 National Board for Professional Teaching Standards and who is  
114 employed by a local school board or the State Board of Education  
115 as a teacher and not as an administrator. Such teacher shall  
116 submit documentation to the State Department of Education that the  
117 certificate was received prior to October 15 in order to be  
118 eligible for the full salary supplement in the current school  
119 year, or the teacher shall submit such documentation to the State  
120 Department of Education prior to February 15 in order to be  
121 eligible for a prorated salary supplement beginning with the  
122 second term of the school year.

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

128 shall submit documentation to the State Department of Education  
129 that the certificate was received before October 15 in order to be  
130 eligible for the full salary supplement in the current school  
131 year, or the licensed school nurse shall submit the documentation  
132 to the State Department of Education before February 15 in order  
133 to be eligible for a prorated salary supplement beginning with the  
134 second term of the school year. Provided, however, that the total  
135 number of licensed school nurses eligible for a salary supplement  
136 under this paragraph (ii) shall not exceed twenty (20).

137           (iii) Any licensed school counselor who has met  
138 the requirements and acquired a National Certified School  
139 Counselor (NCSC) endorsement from the National Board of Certified  
140 Counselors and who is employed by a local school board or the  
141 State Board of Education as a counselor and not as an  
142 administrator. Such licensed school counselor shall submit  
143 documentation to the State Department of Education that the  
144 endorsement was received prior to October 15 in order to be  
145 eligible for the full salary supplement in the current school  
146 year, or the licensed school counselor shall submit such  
147 documentation to the State Department of Education prior to  
148 February 15 in order to be eligible for a prorated salary  
149 supplement beginning with the second term of the school year.  
150 However, any school counselor who started the National Board for  
151 Professional Teaching Standards process for school counselors  
152 between June 1, 2003, and June 30, 2004, and completes the  
153 requirements and acquires the master teacher certificate shall be  
154 entitled to the master teacher supplement, and those counselors  
155 who complete the process shall be entitled to a one-time  
156 reimbursement for the actual cost of the process as outlined in  
157 paragraph (b) of this subsection.

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

161 Speech-Language-Hearing Association and who is employed by a local  
162 school board. Such licensed speech-language pathologist and  
163 audiologist shall submit documentation to the State Department of  
164 Education that the certificate or endorsement was received prior  
165 to October 15 in order to be eligible for the full salary  
166 supplement in the current school year, or the licensed  
167 speech-language pathologist and audiologist shall submit such  
168 documentation to the State Department of Education prior to  
169 February 15 in order to be eligible for a prorated salary  
170 supplement beginning with the second term of the school year.

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

189 (c) All salary supplements, fringe benefits and process  
190 reimbursement authorized under this subsection shall be paid  
191 directly by the State Department of Education to the local school  
192 district and shall be in addition to its minimum education program  
193 allotments and not a part thereof in accordance with regulations

194 promulgated by the State Board of Education, and subject to  
195 appropriation by the Legislature. Local school districts shall  
196 not reduce the local supplement paid to any employee receiving  
197 such salary supplement, and the employee shall receive any local  
198 supplement to which employees with similar training and experience  
199 otherwise are entitled.

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

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

217 (b) Effective July 1, 2007, if funds are available for  
218 that purpose, the Legislature may authorize state funds for  
219 additional base compensation for teachers employed in a public  
220 school district located in a geographic area of the state  
221 designated as a critical teacher shortage area by the State Board  
222 of Education.

223 (4) (a) This section shall be known and may be cited as the  
224 "Mississippi Performance Based Pay (MPBP)" plan. In addition to  
225 the minimum base pay described in this section, only after full  
226 funding of MAEP and if funds are available for that purpose, the

227 State of Mississippi may provide monies from state funds to school  
228 districts for the purposes of rewarding certified teachers,  
229 administrators and nonlicensed personnel at individual schools  
230 showing improvement in student test scores. The MPBP plan shall  
231 be developed by the State Department of Education based on the  
232 following criteria:

233 (i) It is the express intent of this legislation  
234 that the MPBP plan shall utilize only existing standards of  
235 accreditation and assessment as established by the State Board of  
236 Education.

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

248 (iii) To ensure all teachers cooperate in the  
249 spirit of teamwork, individual schools shall submit a plan to the  
250 local school educational authority to be approved before the  
251 beginning of each school year beginning July 1, 2008. The plan  
252 shall include, but not be limited to, how all teachers, regardless  
253 of subject area, and administrators will be responsible for  
254 improving student achievement for their individual school.

255 (b) The State Board of Education shall develop the  
256 processes and procedures for designating schools eligible to  
257 participate in the MPBP. State assessment results, growth in  
258 student achievement at individual schools and other measures  
259 deemed appropriate in designating successful student achievement



260 shall be used in establishing MPBP criteria. The State Board of  
261 Education shall develop the MPBP policies and procedures and  
262 report to the Legislature and Governor by December 1, 2006.

263 (5) (a) Beginning in the 2006-2007 school year, if funds  
264 are available for that purpose, each middle school in Mississippi  
265 shall have at least two (2) mentor teachers, as defined by  
266 Sections 37-9-201 through 37-9-213, who shall receive additional  
267 base compensation provided for by the State Legislature in the  
268 amount of One Thousand Dollars (\$1,000.00). For the purposes of  
269 this subsection (5), "middle school" means any school composed  
270 individually or of some composite of Grades 6 through 8.

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

274 (c) If funds are available for that purpose, the state  
275 shall provide additional funding under this subsection for two (2)  
276 mentor teachers per middle school; however, local school districts  
277 may provide additional salary supplements for more than two (2)  
278 teacher mentors from nonadequate education program funds. The  
279 state department may develop an implementation process that fairly  
280 distributes these funds for the consideration of the Legislature.

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