

By: Senator(s) Walley

To: Education;
Appropriations

SENATE BILL NO. 2906

1 AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO
2 INCREASE THE MINIMUM SALARY ESTABLISHED FOR STATE-FUNDED ASSISTANT
3 TEACHERS; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

48 (b) Additionally, each school district shall:

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

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

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

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

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

64 (5) The State Department of Education shall:

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

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

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

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

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

99 For the 2007-2008 school year and school years thereafter,
100 the minimum salary for assistant teachers shall be Fifteen
101 Thousand Dollars (\$15,000.00).

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

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

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

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

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

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