

By: Senator(s) Tollison, Burton, Collins,
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To: Education;
Appropriations

SENATE BILL NO. 2658
(As Sent to Governor)

1 AN ACT CREATING THE MISSISSIPPI EDUCATION WORKS PROGRAM; TO
2 AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO DIRECT HIGH
3 SCHOOLS WITH GRADUATION RATES LOWER THAN 80% TO SUBMIT A PLAN TO
4 THE STATE DEPARTMENT OF EDUCATION FOR RESTRUCTURE; TO CREATE THE
5 TEACHER EDUCATION SCHOLARS PROGRAM AND ESTABLISH ELIGIBILITY
6 CRITERIA AND FUNDING; TO ESTABLISH A PILOT SYSTEM IN CERTAIN
7 SCHOOL DISTRICTS FOR EVALUATING THE PERFORMANCE OF TEACHERS AND
8 ADMINISTRATION FOR THE PURPOSE OF AWARDING PERFORMANCE-BASED
9 COMPENSATION; TO AMEND SECTIONS 37-3-53, 37-18-1 AND 37-19-7,
10 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
11 PURPOSES.

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

13 **SECTION 1.** This act shall be known and may be cited as the
14 "Mississippi Education Works Program."

15 **SECTION 2.** Section 37-16-7, Mississippi Code of 1972, is
16 amended as follows:

17 37-16-7. (1) Each district school board shall establish
18 standards for graduation from its schools which shall include as a
19 minimum:

20 (a) Mastery of minimum academic skills as measured by
21 assessments developed and administered by the State Board of
22 Education.



23 (b) Completion of a minimum number of academic credits,
24 and all other applicable requirements prescribed by the district
25 school board.

26 (c) By school, information on high school graduation
27 rates. High schools with graduation rates lower than eighty
28 percent (80%) must submit a detailed plan to the Mississippi
29 Department of Education to restructure the high school experience
30 to improve graduation rates.

31 (2) A student who meets all requirements prescribed in
32 subsection (1) of this section shall be awarded a standard diploma
33 in a form prescribed by the State Board of Education.

34 (3) The State Board of Education may establish student
35 proficiency standards for promotion to grade levels leading to
36 graduation.

37 **SECTION 3. Teacher Education Scholars Program.** (1) There
38 is created the Teacher Education Scholars Program administered by
39 the Board of Trustees of State Institutions of Higher Learning.
40 The program shall provide an annual scholarship not to exceed
41 Fifteen Thousand Dollars (\$15,000.00) for each approved teacher
42 education scholar who is enrolled in one of Mississippi's public
43 or private universities in the junior year and is admitted into a
44 teacher education program. Additionally, the program shall
45 provide an annual scholarship not to exceed Fifteen Thousand
46 Dollars (\$15,000.00) for each approved teacher education scholar
47 who is enrolled in one (1) of Mississippi's public or private



48 universities in the freshman year and intends to enter into a
49 teacher education program.

50 (2) Qualifying teacher education scholars must hold a
51 minimum 28 ACT score and a 3.5 GPA.

52 (3) A student may receive a scholarship from the program for
53 four (4) consecutive years if the student remains enrolled full
54 time in the program and makes satisfactory progress toward a
55 baccalaureate degree with a major in education.

56 (4) (a) If a teacher education scholar graduates and is
57 employed as a teacher by a Mississippi district school board, the
58 scholar is not required to repay the scholarship amount so long as
59 the scholar teaches in a Mississippi public school. The entire
60 scholarship amount shall be forgiven if the scholar remains
61 employed as a Mississippi public school teacher for five (5)
62 years.

63 (b) Any teacher who enters the education scholar
64 program and graduates, and is employed as a teacher by a
65 Mississippi public school board, in a school rated as "D" or "F",
66 in addition to being exempt from the repayment of loan requirement
67 while employed as a Mississippi public school teacher, such
68 teacher education scholar shall also receive an annual salary
69 supplement of Six Thousand Dollars (\$6,000.00) for each year the
70 scholar remains in the "D" or "F" school, up to a maximum of five
71 (5) years. Each scholar employed in a Mississippi public school
72 under the provisions of this paragraph shall endeavor, within the



73 five-year period of initial employment, to fulfill the necessary
74 requirements to acquire a Master Teacher certificate from the
75 National Board of Professional Teaching Standards, at which time
76 the scholar shall be eligible to receive an annual salary
77 supplement for such National Board Certified teachers under the
78 provisions of Section 37-19-7(2)(a)(i). However, if any teacher
79 education scholar graduate receiving an annual salary supplement
80 provided for in this paragraph (b) shall complete the
81 certification requirements to become a National Board Certified
82 teacher within the five-year period of eligibility for salary
83 supplementation, that teacher shall be entitled to only the annual
84 salary supplement provided for such National Board Certified
85 teachers, such that the teacher receives only one (1) annual
86 salary supplement of Six Thousand Dollars (\$6,000.00).

87 (5) If a teacher education scholar does not graduate, or if
88 the scholar graduates but does not teach in a Mississippi public
89 school, the scholar must repay the total amount awarded, plus
90 annual interest at a rate to be determined by the Board of
91 Trustees of State Institutions of Higher Learning.

92 (a) Interest begins accruing the first day of the
93 thirteenth month after the month in which the recipient completes
94 an approved teacher education program or after the month in which
95 enrollment as a full-time student is terminated. Interest does
96 not accrue during any period of deferment or eligible teaching
97 service.



98 (b) The repayment period begins the first day of the
99 thirteenth month after the month in which the recipient completes
100 an approved teacher education program or after the month in which
101 enrollment as a full-time student is terminated.

102 (c) The terms and conditions of the scholarship
103 repayment must be contained in a promissory note and a repayment
104 schedule. The loan must be paid within ten (10) years after the
105 date of graduation or termination of full-time enrollment,
106 including any periods of deferment. A shorter repayment period
107 maybe granted. The minimum monthly repayment is Fifty Dollars
108 (\$50.00) or the unpaid balance, unless otherwise approved, except
109 that the monthly payment may not be less than the accruing
110 interest. The recipient may prepay any part of the scholarship
111 without penalty.

112 (d) The holder of the promissory note may grant a
113 deferment of repayment for a recipient who is a full-time student,
114 who is unable to secure a teaching position that would qualify as
115 repayment, who becomes disabled, or who experiences other
116 hardships. Such a deferment may be granted for a total of
117 twenty-four (24) months.

118 (e) If a student defaults on the scholarship, the
119 entire unpaid balance, including interest accrued, becomes due and
120 payable at the option of the holder of the promissory note, or
121 when the recipient is no longer able to pay or no longer intends
122 to pay. The recipient is responsible for paying all reasonable



123 attorney's fees and other costs and charges necessary for
124 administration of the collection process.

125 (6) The Board of Trustees of State Institutions of Higher
126 Learning shall promulgate such rules as are necessary to
127 administer the teacher education scholars program and establish
128 necessary eligibility criteria not specifically set forth in this
129 section.

130 **SECTION 4. Performance-Based compensation systems.** (1)

131 There is established a Pilot-Performance-Based Compensation System
132 for school years 2013-2015.

133 (a) Beginning with the 2013-2014 school year, a pilot
134 study will be conducted in Lamar County, Clarksdale, Gulfport and
135 Rankin County School Districts as outlined in subsection (2) of
136 this section. Measures of effective instruction, instrumentation,
137 student learning growth and performance evaluation results will be
138 collected. Reporting data from the pilot study will be
139 disseminated to all school districts.

140 (b) The results of the pilot study in the four (4)
141 districts in combination with Teacher Improvement Fund (TIF),
142 School Improvement Grant (SIG), and Appalachian Regional
143 Commission (ARC) Districts will be collected and analyzed by the
144 Mississippi State University Research and Curriculum Unit and
145 reported to the Department of Education for policy
146 recommendations.



147 Effective with the 2014-2015 school year, the school
148 districts participating in the Pilot Performance-Based
149 Compensation System pursuant to this section may award additional
150 teacher and administrator pay based thereon.

151 (c) Beginning with the 2015-2016 school year, the
152 Department of Education will develop proposed legislation based on
153 pilot results for statewide implementation of a Performance-Based
154 Compensation System.

155 (d) Recommended legislation will be reported to the
156 Chairs of the House and Senate Education Committees and the
157 Governor by November 30, 2015, for consideration during the 2016
158 Regular Session of the Legislature.

159 (2) The statewide performance compensation system for
160 instructional personnel and school administrators must:

161 (a) Contain a qualitative measure of teacher
162 effectiveness, a quantitative measure of student performance and a
163 quantitative measure of student learning growth.

164 (b) Be designed by districts to support achievement of
165 district goals in line with realization of the district's vision.

166 (c) Include individual, school and district achievement
167 goals and measures.

168 (d) Be designed to support effective instruction and
169 student learning growth and use performance evaluation results
170 when developing district and school level improvement plans.



171 (e) Provide appropriate instruments, procedures and
172 criteria for continuous quality improvement of the professional
173 skills of instructional personnel and school administrators and
174 use performance evaluation results when identifying professional
175 development.

176 (f) Include a mechanism to examine performance data
177 from multiple sources, including opportunities for parents to
178 provide input into employee performance evaluations when
179 appropriate.

180 (g) Identify those teaching fields for which special
181 evaluation procedures and criteria are necessary.

182 (h) Differentiate among four (4) levels of performance
183 as follows:

184 (i) Highly effective.

185 (ii) Effective.

186 (iii) Needs improvement or, for instructional
187 personnel in the first three (3) years of employment who need
188 improvement, developing.

189 (iv) Unsatisfactory.

190 (i) Provide for training programs that are based upon
191 guidelines provided by the department to ensure that all
192 individuals with evaluation responsibilities understand the proper
193 use of the evaluation criteria and procedures.



194 (j) Include a process for monitoring and evaluating the
195 effective and consistent use of the evaluation criteria by
196 employees with evaluation responsibilities.

197 (k) Include a process for monitoring and evaluating the
198 effectiveness of the system itself in improving instruction and
199 student learning. In addition, each district school board may
200 establish a peer assistance process. This process may be a part
201 of the regular evaluation system or used to assist employees
202 placed on performance probation, newly hired classroom teachers,
203 or employees who request assistance.

204 **SECTION 5.** Section 37-3-53, Mississippi Code of 1972, is
205 amended as follows:

206 37-3-53. (1) (a) Each school year, the State Board of
207 Education, acting through the Office of Educational
208 Accountability, shall develop a public school reporting system, or
209 "Mississippi Report Card," on the performance of students and
210 schools at the local, district and state level. In developing the
211 report card, the Office of Educational Accountability shall
212 collect school, district and state level student achievement data
213 in the appropriate grades as designated by the State Board of
214 Education in all core subjects, and compare the data with national
215 standards to identify students' strengths and weaknesses. The
216 Mississippi Report Card shall provide more than reports to parents
217 on the level at which their children are performing; the report
218 shall provide clear and comparable public information on the level



219 at which schools, school districts and the state public education
220 system are performing. The Office of Educational Accountability
221 shall encourage local school districts and the general public to
222 use Mississippi Report Card information along with local
223 individual student data to assess the quality of instructional
224 programs and the performance of schools and to plan and implement
225 programs of instructional improvement.

226 (b) Beginning with the 1998-1999 school year, the
227 Mississippi Report Card shall include information, as compiled by
228 the Office of Compulsory School Attendance Enforcement, which
229 demonstrates clearly the absenteeism and dropout rates in each
230 school district and the state and whether those rates reflect a
231 positive or negative change from the same information as reported
232 in the previous year's Mississippi Report Card.

233 (c) Each local school district shall be required to
234 develop and publish an annual report as prescribed by the State
235 Board of Education. By November 1 of each year, as prescribed by
236 the State Board of Education, the report shall be published in a
237 newspaper having general circulation in the county and posted on
238 the school district's website in a printable format. The public
239 notice shall include information on the report's availability on
240 the district's website, with the website address, and the
241 location(s) in the school district where a copy of the report can
242 be obtained.



243 (2) The State Department of Education may benefit from the
244 use of performance data from the Mississippi Report Card in making
245 evaluations under Section 4 of this act.

246 **SECTION 6.** Section 37-18-1, Mississippi Code of 1972, is
247 amended as follows:

248 37-18-1. (1) The State Board of Education shall establish,
249 design and implement a Superior-Performing Schools Program and an
250 Exemplary Schools Program for identifying and rewarding public
251 schools that improve. The State Board of Education shall develop
252 rules and regulations for the program, establish criteria and
253 establish a process through which Superior-Performing and
254 Exemplary Schools will be identified and rewarded. Upon full
255 implementation of the statewide testing program,
256 Superior-Performing, Exemplary or School At-Risk designation shall
257 be made by the State Board of Education in accordance with the
258 following:

259 (a) A growth expectation will be established by testing
260 students annually and, using a psychometrically approved formula,
261 by tracking their progress. This growth expectation will result
262 in a composite score each year for each school.

263 (b) A determination will be made as to the percentage
264 of students proficient in each school. This measurement will
265 define what a student must know in order to be deemed proficient
266 at each grade level and will clearly show how well a student is
267 performing. The definition of proficiency shall be developed for



268 each grade, based on a demonstrated range of performance in
269 relation to content as reflected in the Mississippi Curriculum
270 Frameworks. This range of performance must be established through
271 a formal procedure including educators, parents, community leaders
272 and other stakeholders.

273 (c) A school has the following two (2) methods for
274 designation as either a Superior-Performing or an Exemplary
275 School, to be determined on an annual basis:

276 (i) A school exceeds its growth expectation by a
277 percentage established by the State Board of Education; or

278 (ii) A school achieves the grade level proficiency
279 standard established by the State Board of Education.

280 Any school designated as a School At-Risk which exceeds its
281 growth expectation by a percentage established by the State Board
282 of Education shall no longer be considered a School At-Risk and
283 shall be eligible for monetary awards under this section.

284 (2) Superior-Performing and Exemplary Schools may apply to
285 the State Board of Education for monetary incentives to be used
286 for selected school needs, as identified by a vote of all licensed
287 and instructional personnel employed at the school. These
288 incentive funds may be used for specific school needs, including,
289 but not limited to:

290 (a) Funding for professional development activities.
291 Staff participating in such activities will report to the school



292 and school district about the benefits and lessons learned from
293 such training;

294 (b) Technology needs;

295 (c) Sabbaticals for teachers or administrators, or
296 both, to pursue additional professional development or educational
297 enrichment;

298 (d) Paid professional leave;

299 (e) Training for parents, including, but not limited
300 to, the following:

301 (i) Curriculum;

302 (ii) Chapter 1;

303 (iii) Special need students;

304 (iv) Student rights and responsibility;

305 (v) School and community relations;

306 (vi) Effective parenting.

307 All funds awarded under this subsection shall be subject to
308 specific appropriation therefor by the Legislature.

309 (3) The State Board of Education shall provide special
310 recognition to all schools receiving Superior-Performing or
311 Exemplary designation and their school districts. Examples of
312 such recognition include, but are not limited to: public
313 announcements and events; special recognition of student progress
314 and effort; certificates of recognition and plaques for teachers,
315 principals, superintendents, support and classified personnel and



316 parents; and media announcements utilizing the services of
317 Mississippi Educational Television.

318 (4) The State Department of Education may benefit from the
319 use of growth expectation measurements under this section in
320 making evaluations under Section 4 of this act.

321 **SECTION 7.** Section 37-19-7, Mississippi Code of 1972, is
322 amended as follows:

323 37-19-7. (1) This section shall be known and may be cited
324 as the Mississippi "Teacher Opportunity Program (TOP)." The
325 allowance in the Mississippi Adequate Education Program for
326 teachers' salaries in each county and separate school district
327 shall be determined and paid in accordance with the scale for
328 teachers' salaries as provided in this subsection. For teachers
329 holding the following types of licenses or the equivalent as
330 determined by the State Board of Education, and the following
331 number of years of teaching experience, the scale shall be as
332 follows:

333 **2007-2008 School Year and School Years Thereafter**

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

335	AAAA.....	\$ 35,020.00
336	AAA.....	33,990.00
337	AA.....	32,960.00
338	A.....	30,900.00

339 **25 or More Years of Teaching Experience**

340	AAAA.....	\$ 37,080.00
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341	AAA.....	36,050.00
342	AA.....	35,020.00
343	A.....	32,960.00

344 The State Board of Education shall revise the salary scale
345 prescribed above for the 2007-2008 school year to conform to any
346 adjustments made to the salary scale in prior fiscal years due to
347 revenue growth over and above five percent (5%). For each one
348 percent (1%) that the Sine Die General Fund Revenue Estimate
349 Growth exceeds five percent (5%) for fiscal year 2006, as
350 certified by the Legislative Budget Office to the State Board of
351 Education and subject to specific appropriation therefor by the
352 Legislature, the State Board of Education shall revise the salary
353 scale to provide an additional one percent (1%) across-the-board
354 increase in the base salaries for each type of license.

355 It is the intent of the Legislature that any state funds made
356 available for salaries of licensed personnel in excess of the
357 funds paid for such salaries for the 1986-1987 school year shall
358 be paid to licensed personnel pursuant to a personnel appraisal
359 and compensation system implemented by the State Board of
360 Education. The State Board of Education shall have the authority
361 to adopt and amend rules and regulations as are necessary to
362 establish, administer and maintain the system.

363 All teachers employed on a full-time basis shall be paid a
364 minimum salary in accordance with the above scale. However, no
365 school district shall receive any funds under this section for any



366 school year during which the local supplement paid to any
367 individual teacher shall have been reduced to a sum less than that
368 paid to that individual teacher for performing the same duties
369 from local supplement during the immediately preceding school
370 year. The amount actually spent for the purposes of group health
371 and/or life insurance shall be considered as a part of the
372 aggregate amount of local supplement but shall not be considered a
373 part of the amount of individual local supplement.

374 **2008-2009 School Year**

375 **Annual Increments**

376 For teachers holding a Class AAAA license, the minimum base
377 pay specified in this subsection shall be increased by the sum of
378 Seven Hundred Ninety-four Dollars (\$794.00) for each year of
379 teaching experience possessed by the person holding such license
380 until such person shall have twenty-five (25) years of teaching
381 experience, and shall be increased by Three Hundred Ninety-seven
382 Dollars (\$397.00) for each year of teaching experience over
383 twenty-five (25) years up to thirty-five (35) years.

384 For teachers holding a Class AAA license, the minimum base
385 pay specified in this subsection shall be increased by the sum of
386 Seven Hundred Twenty-seven Dollars (\$727.00) for each year of
387 teaching experience possessed by the person holding such license
388 until such person shall have twenty-five (25) years of teaching
389 experience, and shall be increased by Three Hundred Sixty-four



390 Dollars (\$364.00) for each year of teaching experience over
391 twenty-five (25) years up to thirty-five (35) years.

392 For teachers holding a Class AA license, the minimum base pay
393 specified in this subsection shall be increased by the sum of Six
394 Hundred Sixty Dollars (\$660.00) for each year of teaching
395 experience possessed by the person holding such license until such
396 person shall have twenty-five (25) years of teaching experience,
397 and shall be increased by Three Hundred Thirty Dollars (\$330.00)
398 for each year of teaching experience over twenty-five (25) years
399 up to thirty-five (35) years.

400 For teachers holding a Class A license, the minimum base pay
401 specified in this subsection shall be increased by the sum of Four
402 Hundred Ninety-five Dollars (\$495.00) for each year of teaching
403 experience possessed by the person holding such license until such
404 person shall have twenty-four (24) years of teaching experience,
405 and shall be increased by Two Hundred Forty-eight Dollars
406 (\$248.00) for each year of teaching experience over twenty-four
407 (24) years up to thirty-five (35) years.

408 **2009-2010 School Year**

409 **Annual Increments**

410 For teachers holding a Class AAAA license, the minimum base
411 pay specified in this subsection shall be increased by the sum of
412 Seven Hundred Ninety-four Dollars (\$794.00) for each year of
413 teaching experience possessed by the person holding such license



414 until such person shall have thirty-five (35) years of teaching
415 experience.

416 For teachers holding a Class AAA license, the minimum base
417 pay specified in this subsection shall be increased by the sum of
418 Seven Hundred Twenty-seven Dollars (\$727.00) for each year of
419 teaching experience possessed by the person holding such license
420 until such person shall have thirty-five (35) years of teaching
421 experience.

422 For teachers holding a Class AA license, the minimum base pay
423 specified in this subsection shall be increased by the sum of Six
424 Hundred Sixty Dollars (\$660.00) for each year of teaching
425 experience possessed by the person holding such license until such
426 person shall have thirty-five (35) years of teaching experience.

427 For teachers holding a Class A license, the minimum base pay
428 specified in this subsection shall be increased by the sum of Four
429 Hundred Ninety-five Dollars (\$495.00) for each year of teaching
430 experience possessed by the person holding such license until such
431 person shall have thirty-five (35) years of teaching experience.

432 The level of professional training of each teacher to be used
433 in establishing the salary allotment for the teachers for each
434 year shall be determined by the type of valid teacher's license
435 issued to those teachers on or before October 1 of the current
436 school year. Provided, however, that school districts are
437 authorized, in their discretion, to negotiate the salary levels
438 applicable to certificated employees who are receiving retirement



439 benefits from the retirement system of another state, and the
440 annual experience increment provided above in Section 37-19-7
441 shall not be applicable to any such retired certificated employee.

442 (2) (a) The following employees shall receive an annual
443 salary supplement in the amount of Six Thousand Dollars
444 (\$6,000.00), plus fringe benefits, in addition to any other
445 compensation to which the employee may be entitled:

446 (i) Any licensed teacher who has met the
447 requirements and acquired a Master Teacher certificate from the
448 National Board for Professional Teaching Standards and who is
449 employed by a local school board or the State Board of Education
450 as a teacher and not as an administrator. Such teacher shall
451 submit documentation to the State Department of Education that the
452 certificate was received prior to October 15 in order to be
453 eligible for the full salary supplement in the current school
454 year, or the teacher shall submit such documentation to the State
455 Department of Education prior to February 15 in order to be
456 eligible for a prorated salary supplement beginning with the
457 second term of the school year.

458 (ii) A licensed nurse who has met the requirements
459 and acquired a certificate from the National Board for
460 Certification of School Nurses, Inc., and who is employed by a
461 local school board or the State Board of Education as a school
462 nurse and not as an administrator. The licensed school nurse
463 shall submit documentation to the State Department of Education



464 that the certificate was received before October 15 in order to be
465 eligible for the full salary supplement in the current school
466 year, or the licensed school nurse shall submit the documentation
467 to the State Department of Education before February 15 in order
468 to be eligible for a prorated salary supplement beginning with the
469 second term of the school year. Provided, however, that the total
470 number of licensed school nurses eligible for a salary supplement
471 under this subparagraph (ii) shall not exceed * * * thirty-five
472 (35).

473 (iii) Any licensed school counselor who has met
474 the requirements and acquired a National Certified School
475 Counselor (NCSC) endorsement from the National Board of Certified
476 Counselors and who is employed by a local school board or the
477 State Board of Education as a counselor and not as an
478 administrator. Such licensed school counselor shall submit
479 documentation to the State Department of Education that the
480 endorsement was received prior to October 15 in order to be
481 eligible for the full salary supplement in the current school
482 year, or the licensed school counselor shall submit such
483 documentation to the State Department of Education prior to
484 February 15 in order to be eligible for a prorated salary
485 supplement beginning with the second term of the school year.
486 However, any school counselor who started the National Board for
487 Professional Teaching Standards process for school counselors
488 between June 1, 2003, and June 30, 2004, and completes the



489 requirements and acquires the Master Teacher certificate shall be
490 entitled to the master teacher supplement, and those counselors
491 who complete the process shall be entitled to a one-time
492 reimbursement for the actual cost of the process as outlined in
493 paragraph (b) of this subsection.

494 (iv) Any licensed speech-language pathologist and
495 audiologist who has met the requirements and acquired a
496 Certificate of Clinical Competence from the American
497 Speech-Language-Hearing Association and any certified academic
498 language therapist (CALT) who has met the certification
499 requirements of the Academic Language Therapy Association and who
500 is employed by a local school board or is employed by a state
501 agency under the State Personnel Board. * * * The licensed
502 speech-language pathologist and audiologist and certified academic
503 language therapist shall submit documentation to the State
504 Department of Education that the certificate or endorsement was
505 received * * * before October 15 in order to be eligible for the
506 full salary supplement in the current school year, or the licensed
507 speech-language pathologist and audiologist and certified academic
508 language therapist shall submit * * * the documentation to the
509 State Department of Education * * * before February 15 in order to
510 be eligible for a prorated salary supplement beginning with the
511 second term of the school year. However, the total number of
512 certified academic language therapists eligible for a salary
513 supplement under this paragraph (iv) shall not exceed twenty (20).



514 (b) An employee shall be reimbursed one (1) time for
515 the actual cost of completing the process of acquiring the
516 certificate or endorsement, excluding any costs incurred for
517 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
518 for a school counselor or speech-language pathologist and
519 audiologist, regardless of whether or not the process resulted in
520 the award of the certificate or endorsement. A local school
521 district or any private individual or entity may pay the cost of
522 completing the process of acquiring the certificate or endorsement
523 for any employee of the school district described under paragraph
524 (a), and the State Department of Education shall reimburse the
525 school district for such cost, regardless of whether or not the
526 process resulted in the award of the certificate or endorsement.
527 If a private individual or entity has paid the cost of completing
528 the process of acquiring the certificate or endorsement for an
529 employee, the local school district may agree to directly
530 reimburse the individual or entity for such cost on behalf of the
531 employee.

532 (c) All salary supplements, fringe benefits and process
533 reimbursement authorized under this subsection shall be paid
534 directly by the State Department of Education to the local school
535 district and shall be in addition to its minimum education program
536 allotments and not a part thereof in accordance with regulations
537 promulgated by the State Board of Education * * *. Local school
538 districts shall not reduce the local supplement paid to any



539 employee receiving such salary supplement, and the employee shall
540 receive any local supplement to which employees with similar
541 training and experience otherwise are entitled.

542 (d) The State Department of Education may not pay any
543 process reimbursement to a school district for an employee who
544 does not complete the certification or endorsement process
545 required to be eligible for the certificate or endorsement. If an
546 employee for whom such cost has been paid, in full or in part, by
547 a local school district or private individual or entity fails to
548 complete the certification or endorsement process, the employee
549 shall be liable to the school district or individual or entity for
550 all amounts paid by the school district or individual or entity on
551 behalf of that employee toward his or her certificate or
552 endorsement.

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

559 (b) Effective July 1, 2007, if funds are available for
560 that purpose, the Legislature may authorize state funds for
561 additional base compensation for teachers employed in a public
562 school district located in a geographic area of the state



563 designated as a critical teacher shortage area by the State Board
564 of Education.

565 (4) (a) This section shall be known and may be cited as the
566 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to
567 the minimum base pay described in this section, only after full
568 funding of MAEP and if funds are available for that purpose, the
569 State of Mississippi may provide monies from state funds to school
570 districts for the purposes of rewarding certified teachers,
571 administrators and nonlicensed personnel at individual schools
572 showing improvement in student test scores. The MPBP plan shall
573 be developed by the State Department of Education based on the
574 following criteria:

575 (i) It is the express intent of this legislation
576 that the MPBP plan shall utilize only existing standards of
577 accreditation and assessment as established by the State Board of
578 Education.

579 (ii) To ensure that all of Mississippi's teachers,
580 administrators and nonlicensed personnel at all schools have equal
581 access to the monies set aside in this section, the MPBP program
582 shall be designed to calculate each school's performance as
583 determined by the school's increase in scores from the prior
584 school year. The MPBP program shall be based on a standardized
585 scores rating where all levels of schools can be judged in a
586 statistically fair and reasonable way upon implementation. At the
587 end of each year, after all student achievement scores have been



588 standardized, the State Department of Education shall implement
589 the MPBP plan.

590 (iii) To ensure all teachers cooperate in the
591 spirit of teamwork, individual schools shall submit a plan to the
592 local school district to be approved before the beginning of each
593 school year beginning July 1, 2008. The plan shall include, but
594 not be limited to, how all teachers, regardless of subject area,
595 and administrators will be responsible for improving student
596 achievement for their individual school.

597 (b) The State Board of Education shall develop the
598 processes and procedures for designating schools eligible to
599 participate in the MPBP. State assessment results, growth in
600 student achievement at individual schools and other measures
601 deemed appropriate in designating successful student achievement
602 shall be used in establishing MPBP criteria. The State Board of
603 Education shall develop the MPBP policies and procedures and
604 report to the Legislature and Governor by December 1, 2006.

605 (5) (a) Beginning in the 2008-2009 school year, if funds
606 are available for that purpose, each school in Mississippi shall
607 have mentor teachers, as defined by Sections 37-9-201 through
608 37-9-213, who shall receive additional base compensation provided
609 for by the State Legislature in the amount of One Thousand Dollars
610 (\$1,000.00) per each beginning teacher that is being mentored.
611 The additional state compensation shall be limited to those mentor
612 teachers that provide mentoring services to beginning teachers.



613 For the purposes of such funding, a beginning teacher shall be
614 defined as any teacher in any school in Mississippi that has less
615 than one (1) year of classroom experience teaching in a public
616 school. For the purposes of such funding, no full-time academic
617 teacher shall mentor more than two (2) beginning teachers.

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

621 (6) Effective with the 2014-2015 school year, the school
622 districts participating in the Pilot Performance-Based
623 Compensation System pursuant to Section 4 of this act may award
624 additional teacher and administrator pay based thereon.

625 **SECTION 8.** This act shall take effect and be in force from
626 and after July 1, 2013.

