

By: Representatives Moore, Formby, Willis

To: Education;  
Appropriations

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 504

1 AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY WHICH FULL-TIME LICENSED PUBLIC SCHOOL EMPLOYEES ARE  
3 ENTITLED TO BE PAID A SALARY IN ACCORDANCE WITH THE STATE TEACHER  
4 SALARY SCALE; TO PROVIDE AN INCREASE TO THE MINIMUM BASE SALARY OF  
5 FULL-TIME LICENSED TEACHERS BASED ON THE FULFILLMENT OF NECESSARY  
6 BENCHMARKS WHICH EVIDENCE A LICENSED TEACHER'S PROFESSIONAL  
7 GROWTH, LEARNING AND DEVELOPMENT AND TEACHER SERVICE ACTIVITIES;  
8 TO PRESCRIBE THE BENCHMARKS BY WHICH TEACHERS SHALL BE ELIGIBLE  
9 FOR A PAY INCREASE; TO REQUIRE DOCUMENTED VERIFICATION OF TEACHER  
10 BENCHMARKS UPON A FORM DEVELOPED BY THE STATE DEPARTMENT OF  
11 EDUCATION WHICH SHALL BE SIGNED BY THE PRINCIPAL OF THE SCHOOL IN  
12 WHICH THE TEACHER IS EMPLOYED; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 37-19-7, Mississippi Code of 1972, is  
15 amended as follows:

16 37-19-7. (1) This \* \* \* subsection shall be known and may  
17 be cited as the Mississippi "Teacher Opportunity Program (TOP)."  
18 The allowance in the Mississippi Adequate Education Program for  
19 teachers' salaries in each county and separate school district  
20 shall be determined and paid in accordance with the scale for  
21 teachers' salaries as provided in this subsection. For teachers  
22 holding the following types of licenses or the equivalent as  
23 determined by the State Board of Education, and the following



24 number of years of teaching experience, except as otherwise  
25 provided in this subsection, the scale shall be as follows:

26 \* \* \* 2014-2015 School Year \* \* \*

27 Less Than Five Years of Teaching Experience

28	<u>AAAA</u> .....	\$ <u>36,020.00</u>
29	<u>AAA</u> .....	<u>34,990.00</u>
30	<u>AA</u> .....	<u>33,960.00</u>
31	<u>A</u> .....	<u>31,900.00</u>

32 2015-2016 School Year Less Than Five Years of Teaching Experience

33	<u>AAAA</u> .....	\$ <u>36,520.00</u>
34	<u>AAA</u> .....	<u>35,490.00</u>
35	<u>AA</u> .....	<u>34,460.00</u>
36	<u>A</u> .....	<u>32,400.00</u>

37 2016-2017 School Year Less Than Five Years of Teaching Experience

38 Contingent upon Growth of the State General Fund

39	<u>AAAA</u> .....	\$ <u>37,870.00</u>
40	<u>AAA</u> .....	<u>36,840.00</u>
41	<u>AA</u> .....	<u>35,810.00</u>
42	<u>A</u> .....	<u>33,750.00</u>

43 2017-2018 School Year Less Than Five Years of Teaching Experience

44 Contingent upon Growth of the State General Fund

45	<u>AAAA</u> .....	\$ <u>39,270.00</u>
46	<u>AAA</u> .....	<u>38,240.00</u>
47	<u>AA</u> .....	<u>37,210.00</u>
48	<u>A</u> .....	<u>35,150.00</u>



49                    2014-2015 School Year and School Years Thereafter  
 50                    More Than Five Years but Less Than 25 Years of Teaching  
 51                    Experience Without Benchmarks

52	AAAA.....	\$ 35,020.00
53	AAA.....	33,990.00
54	AA.....	32,960.00
55	A.....	30,900.00

56                    25 or More Years of Teaching Experience  
 57                    Without Benchmarks

58	AAAA.....	\$ 37,080.00
59	AAA.....	36,050.00
60	AA.....	35,020.00
61	A.....	32,960.00

62                    2014-2015 School Year  
 63                    More Than Five Years but Less Than 25 Years of Teaching  
 64                    Experience With Benchmarks

65	<u>AAAA</u> .....	<u>\$ 36,020.00</u>
66	<u>AAA</u> .....	<u>34,990.00</u>
67	<u>AA</u> .....	<u>33,960.00</u>
68	<u>A</u> .....	<u>31,900.00</u>

69                    25 or More Years of Teaching Experience With Benchmarks

70	<u>AAAA</u> .....	<u>\$ 38,080.00</u>
71	<u>AAA</u> .....	<u>37,050.00</u>
72	<u>AA</u> .....	<u>36,020.00</u>
73	<u>A</u> .....	<u>33,960.00</u>



74 2015-2016 School Year More Than Five Years but Less Than 25 Years

75 of Teaching

76 Experience With Benchmarks

77	<u>AAAA</u> .....	\$ <u>36,520.00</u>
78	<u>AAA</u> .....	<u>35,490.00</u>
79	<u>AA</u> .....	<u>34,460.00</u>
80	<u>A</u> .....	<u>32,400.00</u>

81 25 or More Years of Teaching Experience With Benchmarks

82	<u>AAAA</u> .....	\$ <u>38,580.00</u>
83	<u>AAA</u> .....	<u>37,550.00</u>
84	<u>AA</u> .....	<u>36,520.00</u>
85	<u>A</u> .....	<u>34,460.00</u>

86 2016-2017 School Year More Than Five Years but Less Than 25 Years

87 of Teaching Experience With Benchmarks

88 Contingent upon Growth of the State General Fund

89	<u>AAAA</u> .....	\$ <u>37,870.00</u>
90	<u>AAA</u> .....	<u>36,840.00</u>
91	<u>AA</u> .....	<u>35,810.00</u>
92	<u>A</u> .....	<u>33,750.00</u>

93 25 or More Years of Teaching Experience With Benchmarks

94	<u>AAAA</u> .....	\$ <u>39,930.00</u>
95	<u>AAA</u> .....	<u>38,900.00</u>
96	<u>AA</u> .....	<u>37,870.00</u>
97	<u>A</u> .....	<u>35,810.00</u>



98 2017-2018 School Year More Than Five Years but Less Than 25 Years

99 of Teaching Experience With Benchmarks

100 Contingent upon Growth of the State General Fund

101	<u>AAAA</u> .....	\$ <u>39,270.00</u>
102	<u>AAA</u> .....	<u>38,240.00</u>
103	<u>AA</u> .....	<u>37,210.00</u>
104	<u>A</u> .....	<u>35,150.00</u>

105 25 or More Years of Teaching Experience With Benchmarks

106	<u>AAAA</u> .....	\$ <u>41,330.00</u>
107	<u>AAA</u> .....	<u>40,300.00</u>
108	<u>AA</u> .....	<u>39,270.00</u>
109	<u>A</u> .....	<u>37,210.00</u>

110 \* \* \*

111 If the official general fund revenue estimates for fiscal  
112 years 2017 and 2018 reflect a growth in general fund revenues of  
113 three percent (3%) or more than the final general fund revenue  
114 estimate for the prior year, then the Legislature shall provide  
115 funds in an amount equal to one percent (1%) of the final prior  
116 year's general fund revenue estimate for a salary increase for  
117 certified teachers for the respective school years affected.

118 \* \* \*

119 Beginning with the 2014-2015 school year, the State Board of  
120 Education shall establish a state standard rubric for compensating  
121 licensed teachers employed on a full-time basis by awarding credit  
122 towards salary increases to the teacher's minimum base salary



123 which align with the salary scale established in this subsection  
124 for the achievement of necessary benchmarks that evidence a  
125 licensed teacher's professional growth, learning and development  
126 and teacher service activities. Increases to a licensed teacher's  
127 minimum base pay shall be determined based on the teacher's  
128 achieving a minimum of three (3) of the following benchmarks,  
129 including:

130 (a) Attaining a AA certificate or enrolling in the  
131 process, which may account for multiple benchmark achievements;

132 (b) Attaining a AAA certificate or enrolling in the  
133 process, which may account for multiple benchmark achievements;

134 (c) Attaining a AAAA certificate or enrolling in the  
135 process, which may account for multiple benchmark achievements;

136 (d) Attaining a World Class Teacher designation or  
137 enrolling in the process;

138 (e) Attaining national board certification as verified  
139 by the National Board of Professional Teaching Standards or  
140 enrolling in the process or attaining such certification;

141 (f) Receiving a principal recommendation, which such  
142 recommendation may account for the one (1) benchmark achievement;

143 (g) Consistently demonstrating student growth and  
144 student achievement as measured by the statewide testing programs  
145 developed by the State Board of Education under Chapter 16, Title  
146 37, Mississippi Code of 1972;



147           (h) Serving on any committee or being a featured  
148 speaker at the request of an officially recognized state or  
149 national educational organization whose purpose is to improve  
150 student achievement;

151           (i) Involvement in an education committee of a  
152 community group, i.e., Rotary, Kiwanis, Chamber of Commerce or  
153 others;

154           (j) Having membership with a professional teacher  
155 organization which focuses on student improvement or professional  
156 development; however, membership in any organization which  
157 collects dues from its members for political purposes shall be  
158 deemed ineligible for receipt of a benchmark credit;

159           (k) Participating in or having previously participated  
160 in recognized development seminars or studies outside the normal  
161 required, which may account for multiple benchmark achievements;

162           (l) Serving as an official mentor teacher;

163           (m) Teaching as an adjunct professor at a university or  
164 community college or teaching a bridge program;

165           (n) Volunteering for school-sponsored extracurricular  
166 activities or testing activities;

167           (o) Supervising student teachers;

168           (p) Teaching dual enrollment courses;

169           (q) Teaching advanced placement courses;

170           (r) Teachers who have attained additional endorsements,  
171 which may account for multiple benchmark achievements;



172           (s) Serving in a leadership position such as Grade  
173 Chair, Team Leader, or Leader of a Professional Learning  
174 Community;

175           (t) Being absent no more than five (5) days per  
176 contract year, other than being absent for school-related  
177 activities;

178           (u) Being certified in a critical subject shortage  
179 area, including:

180                   (i) Special Education;

181                   (ii) Mathematics;

182                   (iii) Biology;

183                   (iv) Chemistry;

184                   (v) Physics; and

185                   (vi) French, German or Spanish; and

186           (v) Teaching courses that align with end-of-course  
187 subject area tests.

188           All certifications, memberships, affiliations with approved  
189 professional organizations, and assumption of additional teacher  
190 service duties outside of classroom instruction shall be verified  
191 upon a form developed by the State Department of Education, to be  
192 accompanied by necessary documentation evidencing such  
193 achievements, and which shall be signed by the principal of the  
194 school in which the teacher is employed. Any teacher shall be  
195 limited to only one (1) increase to the minimum base salary  
196 without regard to the number of benchmarks achieved in excess of





197 the three (3) required under this subsection. Teachers with less  
198 than five (5) years of teaching experience shall not be eligible  
199 for pay for benchmark achievements. Any teacher achieving the  
200 necessary benchmarks to qualify for the prescribed increase to the  
201 teacher's minimum base salary shall only be entitled to the  
202 increase provided to such teacher in the year that the benchmark  
203 is achieved and years subsequent thereto. No teacher shall be  
204 compensated retroactively for years in which the necessary  
205 benchmarks were not achieved once it has been determined and  
206 verified that such teacher has achieved the minimum number of  
207 benchmarks required to receive the salary increase.

208 All licensed classroom teachers employed by a local school  
209 district on a full-time basis who spend a majority of the school  
210 day working in a nonadministrative capacity shall be paid a  
211 minimum salary in accordance with the above scale. In addition,  
212 all full-time licensed or certified librarians, guidance  
213 counselors, speech language pathologists and audiologists,  
214 certified academic language therapists and other licensed or  
215 certified school personnel who are employed by a local school  
216 district and spend a majority of the school day working in a  
217 nonadministrative capacity shall be paid a minimum salary in  
218 accordance with the above scale. However, no school district  
219 shall receive any funds under this section for any school year  
220 during which the local supplement paid to any individual teacher  
221 shall have been reduced to a sum less than that paid to that



222 individual teacher for performing the same duties from local  
223 supplement during the immediately preceding school year. The  
224 amount actually spent for the purposes of group health and/or life  
225 insurance shall be considered as a part of the aggregate amount of  
226 local supplement but shall not be considered a part of the amount  
227 of individual local supplement.

228 \* \* \*

229 **2009-2010 School Year and School Years Thereafter**

230 **Annual Increments**

231 For teachers holding a Class AAAA license, the minimum base  
232 pay specified in this subsection shall be increased by the sum of  
233 Seven Hundred Ninety-four Dollars (\$794.00) for each year of  
234 teaching experience possessed by the person holding such license  
235 until such person shall have thirty-five (35) years of teaching  
236 experience.

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

243 For teachers holding a Class AA license, the minimum base pay  
244 specified in this subsection shall be increased by the sum of Six  
245 Hundred Sixty Dollars (\$660.00) for each year of teaching



246 experience possessed by the person holding such license until such  
247 person shall have thirty-five (35) years of teaching experience.

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

253 The level of professional training of each teacher to be used  
254 in establishing the salary allotment for the teachers for each  
255 year shall be determined by the type of valid teacher's license  
256 issued to those teachers on or before October 1 of the current  
257 school year. Provided, however, that school districts are  
258 authorized, in their discretion, to negotiate the salary levels  
259 applicable to certificated employees who are receiving retirement  
260 benefits from the retirement system of another state, and the  
261 annual experience increment provided above in Section 37-19-7  
262 shall not be applicable to any such retired certificated employee.

263 (2) (a) The following employees shall receive an annual  
264 salary supplement in the amount of Six Thousand Dollars  
265 (\$6,000.00), plus fringe benefits, in addition to any other  
266 compensation to which the employee may be entitled:

267 (i) Any licensed teacher who has met the  
268 requirements and acquired a Master Teacher certificate from the  
269 National Board for Professional Teaching Standards and who is  
270 employed by a local school board or the State Board of Education



271 as a teacher and not as an administrator. Such teacher shall  
272 submit documentation to the State Department of Education that the  
273 certificate was received prior to October 15 in order to be  
274 eligible for the full salary supplement in the current school  
275 year, or the teacher shall submit such documentation to the State  
276 Department of Education prior to February 15 in order to be  
277 eligible for a prorated salary supplement beginning with the  
278 second term of the school year.

279 (ii) A licensed nurse who has met the requirements  
280 and acquired a certificate from the National Board for  
281 Certification of School Nurses, Inc., and who is employed by a  
282 local school board or the State Board of Education as a school  
283 nurse and not as an administrator. The licensed school nurse  
284 shall submit documentation to the State Department of Education  
285 that the certificate was received before October 15 in order to be  
286 eligible for the full salary supplement in the current school  
287 year, or the licensed school nurse shall submit the documentation  
288 to the State Department of Education before February 15 in order  
289 to be eligible for a prorated salary supplement beginning with the  
290 second term of the school year. Provided, however, that the total  
291 number of licensed school nurses eligible for a salary supplement  
292 under this subparagraph (ii) shall not exceed thirty-five (35).

293 (iii) Any licensed school counselor who has met  
294 the requirements and acquired a National Certified School  
295 Counselor (NCSC) endorsement from the National Board of Certified



296 Counselors and who is employed by a local school board or the  
297 State Board of Education as a counselor and not as an  
298 administrator. Such licensed school counselor shall submit  
299 documentation to the State Department of Education that the  
300 endorsement was received prior to October 15 in order to be  
301 eligible for the full salary supplement in the current school  
302 year, or the licensed school counselor shall submit such  
303 documentation to the State Department of Education prior to  
304 February 15 in order to be eligible for a prorated salary  
305 supplement beginning with the second term of the school year.  
306 However, any school counselor who started the National Board for  
307 Professional Teaching Standards process for school counselors  
308 between June 1, 2003, and June 30, 2004, and completes the  
309 requirements and acquires the Master Teacher certificate shall be  
310 entitled to the master teacher supplement, and those counselors  
311 who complete the process shall be entitled to a one-time  
312 reimbursement for the actual cost of the process as outlined in  
313 paragraph (b) of this subsection.

314 (iv) Any licensed speech-language pathologist and  
315 audiologist who has met the requirements and acquired a  
316 Certificate of Clinical Competence from the American  
317 Speech-Language-Hearing Association and any certified academic  
318 language therapist (CALT) who has met the certification  
319 requirements of the Academic Language Therapy Association and who  
320 is employed by a local school board or is employed by a state



321 agency under the State Personnel Board. The licensed  
322 speech-language pathologist and audiologist and certified academic  
323 language therapist shall submit documentation to the State  
324 Department of Education that the certificate or endorsement was  
325 received before October 15 in order to be eligible for the full  
326 salary supplement in the current school year, or the licensed  
327 speech-language pathologist and audiologist and certified academic  
328 language therapist shall submit the documentation to the State  
329 Department of Education before February 15 in order to be eligible  
330 for a prorated salary supplement beginning with the second term of  
331 the school year. However, the total number of certified academic  
332 language therapists eligible for a salary supplement under this  
333 paragraph (iv) shall not exceed twenty (20).

334 (b) An employee shall be reimbursed one (1) time for  
335 the actual cost of completing the process of acquiring the  
336 certificate or endorsement, excluding any costs incurred for  
337 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)  
338 for a school counselor or speech-language pathologist and  
339 audiologist, regardless of whether or not the process resulted in  
340 the award of the certificate or endorsement. A local school  
341 district or any private individual or entity may pay the cost of  
342 completing the process of acquiring the certificate or endorsement  
343 for any employee of the school district described under paragraph  
344 (a), and the State Department of Education shall reimburse the  
345 school district for such cost, regardless of whether or not the



346 process resulted in the award of the certificate or endorsement.  
347 If a private individual or entity has paid the cost of completing  
348 the process of acquiring the certificate or endorsement for an  
349 employee, the local school district may agree to directly  
350 reimburse the individual or entity for such cost on behalf of the  
351 employee.

352 (c) All salary supplements, fringe benefits and process  
353 reimbursement authorized under this subsection shall be paid  
354 directly by the State Department of Education to the local school  
355 district and shall be in addition to its minimum education program  
356 allotments and not a part thereof in accordance with regulations  
357 promulgated by the State Board of Education. Local school  
358 districts shall not reduce the local supplement paid to any  
359 employee receiving such salary supplement, and the employee shall  
360 receive any local supplement to which employees with similar  
361 training and experience otherwise are entitled.

362 (d) The State Department of Education may not pay any  
363 process reimbursement to a school district for an employee who  
364 does not complete the certification or endorsement process  
365 required to be eligible for the certificate or endorsement. If an  
366 employee for whom such cost has been paid, in full or in part, by  
367 a local school district or private individual or entity fails to  
368 complete the certification or endorsement process, the employee  
369 shall be liable to the school district or individual or entity for  
370 all amounts paid by the school district or individual or entity on



371 behalf of that employee toward his or her certificate or  
372 endorsement.

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

379       (b) Effective July 1, 2007, if funds are available for  
380 that purpose, the Legislature may authorize state funds for  
381 additional base compensation for teachers employed in a public  
382 school district located in a geographic area of the state  
383 designated as a critical teacher shortage area by the State Board  
384 of Education.

385       (4) (a) This \* \* \* subsection shall be known and may be  
386 cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In  
387 addition to the minimum base pay described in subsection (1) of  
388 this section, only after full funding of MAEP and if funds are  
389 available for that purpose, the State of Mississippi may provide  
390 monies from state funds to school districts for the purposes of  
391 rewarding certified teachers, administrators and nonlicensed  
392 personnel at individual schools showing improvement in student  
393 test scores. The MPBP plan shall be developed by the State  
394 Department of Education based on the following criteria:





395 (i) It is the express intent of this \* \* \*  
396 subsection that the MPBP plan shall utilize only existing  
397 standards of accreditation and assessment as established by the  
398 State Board of Education.

399 (ii) To ensure that all of Mississippi's teachers,  
400 administrators and nonlicensed personnel at all schools have equal  
401 access to the monies set aside in this \* \* \* subsection, the MPBP  
402 program shall be designed to calculate each school's performance  
403 as determined by the school's increase in scores from the prior  
404 school year. The MPBP program shall be based on a standardized  
405 scores rating where all levels of schools can be judged in a  
406 statistically fair and reasonable way upon implementation. At the  
407 end of each year, after all student achievement scores have been  
408 standardized, the State Department of Education shall implement  
409 the MPBP plan.

410 (iii) To ensure all teachers cooperate in the  
411 spirit of teamwork, individual schools shall submit a plan to the  
412 local school district to be approved before the beginning of each  
413 school year beginning July 1, 2008. The plan shall include, but  
414 not be limited to, how all teachers, regardless of subject area,  
415 and administrators will be responsible for improving student  
416 achievement for their individual school.

417 (b) The State Board of Education shall develop the  
418 processes and procedures for designating schools eligible to  
419 participate in the MPBP. State assessment results, growth in



420 student achievement at individual schools and other measures  
421 deemed appropriate in designating successful student achievement  
422 shall be used in establishing MPBP criteria. The State Board of  
423 Education shall develop the MPBP policies and procedures and  
424 report to the Legislature and Governor by December 1, 2006.

425 (5) (a) Beginning in the 2008-2009 school year, if funds  
426 are available for that purpose, each school in Mississippi shall  
427 have mentor teachers, as defined by Sections 37-9-201 through  
428 37-9-213, who shall receive additional base compensation provided  
429 for by the State Legislature in the amount of One Thousand Dollars  
430 (\$1,000.00) per each beginning teacher that is being mentored.  
431 The additional state compensation shall be limited to those mentor  
432 teachers that provide mentoring services to beginning teachers.  
433 For the purposes of such funding, a beginning teacher shall be  
434 defined as any teacher in any school in Mississippi that has less  
435 than one (1) year of classroom experience teaching in a public  
436 school. For the purposes of such funding, no full-time academic  
437 teacher shall mentor more than two (2) beginning teachers.

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

441 (6) Effective with the 2014-2015 school year, the school  
442 districts participating in the Pilot Performance-Based  
443 Compensation System pursuant to Section 37-19-9 may award  
444 additional teacher and administrator pay based thereon.



445       (7) The State Board of Education shall develop and provide  
446 to each school district a supplemental employment contract to  
447 serve as an addendum to the original employment contract between  
448 the district and licensed professionals hired by the district and  
449 compensated in accordance with the salary schedule established  
450 under subsection (1) of this section, for purposes of modifying  
451 the salary received by each qualifying teacher, effective  
452 beginning on January 1, 2015.

453       **SECTION 2.** This act shall take effect and be in force from  
454 and after July 1, 2014.

