

By: Representatives Moore, Formby, Willis

To: Education;
Appropriations

HOUSE BILL NO. 504
(As Passed the House)

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, Boys
153 and Girls Club, Boy Scouts, Girl Scouts or others; however,
154 membership activity in any organization or group which has
155 identified itself as opposed to the mission statement, activities
156 or other efforts of the National Right to Life Organization,
157 National Rifle Association, Planned Parenthood or Southern Poverty
158 Law Center is ineligible for receipt of a benchmark credit.

159 (j) Having membership with a professional teacher
160 organization which focuses on student improvement or professional
161 development; however, membership in any organization which
162 collects dues from its members for political purposes shall be
163 deemed ineligible for receipt of a benchmark credit;

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

167 (l) Serving as an official mentor teacher;

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

170 (n) Volunteering for school-sponsored extracurricular
171 activities or testing activities;



- 172 (o) Supervising student teachers;
173 (p) Teaching dual enrollment courses;
174 (q) Teaching advanced placement courses;
175 (r) Teachers who have attained additional endorsements,
176 which may account for multiple benchmark achievements;
177 (s) Serving in a leadership position such as Grade
178 Chair, Team Leader, or Leader of a Professional Learning
179 Community;
180 (t) Being absent no more than five (5) days per
181 contract year, other than being absent for school-related
182 activities;
183 (u) Being certified in a critical subject shortage
184 area, including:
185 (i) Special Education;
186 (ii) Mathematics;
187 (iii) Biology;
188 (iv) Chemistry;
189 (v) Physics; and
190 (vi) French, German or Spanish; and
191 (v) Teaching courses that align with end-of-course
192 subject area tests.

193 All certifications, memberships, affiliations with approved
194 professional organizations, and assumption of additional teacher
195 service duties outside of classroom instruction shall be verified
196 upon a form developed by the State Department of Education, to be



197 accompanied by necessary documentation evidencing such
198 achievements, and which shall be signed by the principal of the
199 school in which the teacher is employed. Any teacher shall be
200 limited to only one (1) increase to the minimum base salary
201 without regard to the number of benchmarks achieved in excess of
202 the three (3) required under this subsection. Teachers with less
203 than five (5) years of teaching experience shall not be eligible
204 for pay for benchmark achievements. Any teacher achieving the
205 necessary benchmarks to qualify for the prescribed increase to the
206 teacher's minimum base salary shall only be entitled to the
207 increase provided to such teacher in the year that the benchmark
208 is achieved and years subsequent thereto. No teacher shall be
209 compensated retroactively for years in which the necessary
210 benchmarks were not achieved once it has been determined and
211 verified that such teacher has achieved the minimum number of
212 benchmarks required to receive the salary increase.

213 All licensed classroom teachers employed by a local school
214 district on a full-time basis who spend a majority of the school
215 day working in a nonadministrative capacity shall be paid a
216 minimum salary in accordance with the above scale. In addition,
217 all full-time licensed or certified librarians, guidance
218 counselors, speech language pathologists and audiologists,
219 certified academic language therapists and other licensed or
220 certified school personnel who are employed by a local school
221 district and spend a majority of the school day working in a



222 nonadministrative capacity shall be paid a minimum salary in
223 accordance with the above scale. However, no school district
224 shall receive any funds under this section for any school year
225 during which the local supplement paid to any individual teacher
226 shall have been reduced to a sum less than that paid to that
227 individual teacher for performing the same duties from local
228 supplement during the immediately preceding school year. The
229 amount actually spent for the purposes of group health and/or life
230 insurance shall be considered as a part of the aggregate amount of
231 local supplement but shall not be considered a part of the amount
232 of individual local supplement.

233 * * *

234 **2009-2010 School Year and School Years Thereafter**

235 **Annual Increments**

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

242 For teachers holding a Class AAA license, the minimum base
243 pay specified in this subsection shall be increased by the sum of
244 Seven Hundred Twenty-seven Dollars (\$727.00) for each year of
245 teaching experience possessed by the person holding such license



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

248 For teachers holding a Class AA license, the minimum base pay
249 specified in this subsection shall be increased by the sum of Six
250 Hundred Sixty Dollars (\$660.00) 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 For teachers holding a Class A license, the minimum base pay
254 specified in this subsection shall be increased by the sum of Four
255 Hundred Ninety-five Dollars (\$495.00) for each year of teaching
256 experience possessed by the person holding such license until such
257 person shall have thirty-five (35) years of teaching experience.

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

268 (2) (a) The following employees shall receive an annual
269 salary supplement in the amount of Six Thousand Dollars



270 (\$6,000.00), plus fringe benefits, in addition to any other
271 compensation to which the employee may be entitled:

272 (i) Any licensed teacher who has met the
273 requirements and acquired a Master Teacher certificate from the
274 National Board for Professional Teaching Standards and who is
275 employed by a local school board or the State Board of Education
276 as a teacher and not as an administrator. Such teacher shall
277 submit documentation to the State Department of Education that the
278 certificate was received prior to October 15 in order to be
279 eligible for the full salary supplement in the current school
280 year, or the teacher shall submit such documentation to the State
281 Department of Education prior to February 15 in order to be
282 eligible for a prorated salary supplement beginning with the
283 second term of the school year.

284 (ii) A licensed nurse who has met the requirements
285 and acquired a certificate from the National Board for
286 Certification of School Nurses, Inc., and who is employed by a
287 local school board or the State Board of Education as a school
288 nurse and not as an administrator. The licensed school nurse
289 shall submit documentation to the State Department of Education
290 that the certificate was received before October 15 in order to be
291 eligible for the full salary supplement in the current school
292 year, or the licensed school nurse shall submit the documentation
293 to the State Department of Education before February 15 in order
294 to be eligible for a prorated salary supplement beginning with the



295 second term of the school year. Provided, however, that the total
296 number of licensed school nurses eligible for a salary supplement
297 under this subparagraph (ii) shall not exceed thirty-five (35).

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



319 (iv) Any licensed speech-language pathologist and
320 audiologist who has met the requirements and acquired a
321 Certificate of Clinical Competence from the American
322 Speech-Language-Hearing Association and any certified academic
323 language therapist (CALT) who has met the certification
324 requirements of the Academic Language Therapy Association and who
325 is employed by a local school board or is employed by a state
326 agency under the State Personnel Board. The licensed
327 speech-language pathologist and audiologist and certified academic
328 language therapist shall submit documentation to the State
329 Department of Education that the certificate or endorsement was
330 received before October 15 in order to be eligible for the full
331 salary supplement in the current school year, or the licensed
332 speech-language pathologist and audiologist and certified academic
333 language therapist shall submit the documentation to the State
334 Department of Education before February 15 in order to be eligible
335 for a prorated salary supplement beginning with the second term of
336 the school year. However, the total number of certified academic
337 language therapists eligible for a salary supplement under this
338 paragraph (iv) shall not exceed twenty (20).

339 (b) An employee shall be reimbursed one (1) time for
340 the actual cost of completing the process of acquiring the
341 certificate or endorsement, excluding any costs incurred for
342 postgraduate courses, not to exceed Five Hundred Dollars (\$500.00)
343 for a school counselor or speech-language pathologist and



344 audiologist, regardless of whether or not the process resulted in
345 the award of the certificate or endorsement. A local school
346 district or any private individual or entity may pay the cost of
347 completing the process of acquiring the certificate or endorsement
348 for any employee of the school district described under paragraph
349 (a), and the State Department of Education shall reimburse the
350 school district for such cost, regardless of whether or not the
351 process resulted in the award of the certificate or endorsement.
352 If a private individual or entity has paid the cost of completing
353 the process of acquiring the certificate or endorsement for an
354 employee, the local school district may agree to directly
355 reimburse the individual or entity for such cost on behalf of the
356 employee.

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

367 (d) The State Department of Education may not pay any
368 process reimbursement to a school district for an employee who



369 does not complete the certification or endorsement process
370 required to be eligible for the certificate or endorsement. If an
371 employee for whom such cost has been paid, in full or in part, by
372 a local school district or private individual or entity fails to
373 complete the certification or endorsement process, the employee
374 shall be liable to the school district or individual or entity for
375 all amounts paid by the school district or individual or entity on
376 behalf of that employee toward his or her certificate or
377 endorsement.

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

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

390 (4) (a) This * * * subsection shall be known and may be
391 cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In
392 addition to the minimum base pay described in subsection (1) of
393 this section, only after full funding of MAEP and if funds are



394 available for that purpose, the State of Mississippi may provide
395 monies from state funds to school districts for the purposes of
396 rewarding certified teachers, administrators and nonlicensed
397 personnel at individual schools showing improvement in student
398 test scores. The MPBP plan shall be developed by the State
399 Department of Education based on the following criteria:

400 (i) It is the express intent of this * * *
401 subsection that the MPBP plan shall utilize only existing
402 standards of accreditation and assessment as established by the
403 State Board of Education.

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

415 (iii) To ensure all teachers cooperate in the
416 spirit of teamwork, individual schools shall submit a plan to the
417 local school district to be approved before the beginning of each
418 school year beginning July 1, 2008. The plan shall include, but



419 not be limited to, how all teachers, regardless of subject area,
420 and administrators will be responsible for improving student
421 achievement for their individual school.

422 (b) The State Board of Education shall develop the
423 processes and procedures for designating schools eligible to
424 participate in the MPBP. State assessment results, growth in
425 student achievement at individual schools and other measures
426 deemed appropriate in designating successful student achievement
427 shall be used in establishing MPBP criteria. The State Board of
428 Education shall develop the MPBP policies and procedures and
429 report to the Legislature and Governor by December 1, 2006.

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



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

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

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

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

