SENATE BILL NO. 2413

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE A NEW SALARY SCALE FOR BEGINNING TEACHERS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

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

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

37-19-7. (1) This section shall be known and may be cited as the Mississippi "Teacher Opportunity Program (TOP)." The allowance in the Mississippi Adequate Education Program for teachers' salaries in each county and separate school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection.

2014-2015 School Year and School Years Thereafter

Beginning Teachers

(a) For beginning licensed teachers with a bachelor's degree employed after July 1, 2014, the scale shall be as follows:

First school year of employment.........................$37,000.00
Second school year of employment.........................38,500.00
Third school year of employment, and school years thereafter.......................... $40,000.00

The salary scale for licensed teachers with a bachelor's degree specified above shall be the total salary funded under the adequate education program, however, such teachers shall be eligible for local school district salary supplements.

(b) For beginning licensed teachers with a master's degree or above employed after July 1, 2014, the scale shall be as follows:

First year of employment................................................. $41,500.00
Second year of employment.............................................. 43,000.00
Third year of employment, and school years thereafter................................. $44,500.00

The salary scale for licensed teachers with a master's degree or higher specified above shall be the total salary funded under the adequate education program, however, such teachers shall be eligible for local school district salary supplements.

(c) For licensed teachers employed prior to July 1, 2014, ** holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2007-2008 School Year and School Years Thereafter

Less Than 25 Years of Teaching Experience

AAAA................................................................. $35,020.00
AAA.............................................................. 33,990.00
AA.............................................................. 32,960.00
A.............................................................. 30,900.00

25 or More Years of Teaching Experience

AAAA.............................................................. $ 37,080.00
AAA.............................................................. 36,050.00
AA.............................................................. 35,020.00
A.............................................................. 32,960.00

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

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

All teachers employed on a full-time basis shall be paid a
minimum salary in accordance with the above scale. However, no
school district shall receive any funds under this section for any
school year during which the local supplement paid to any
individual teacher shall have been reduced to a sum less than that
paid to that individual teacher for performing the same duties
from local supplement during the immediately preceding school
year. The amount actually spent for the purposes of group health
and/or life insurance shall be considered as a part of the
aggregate amount of local supplement but shall not be considered a
part of the amount of individual local supplement.

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2009-2010 School Year and School Years Thereafter

Annual Increments

(d) The following annual increments shall only be
applicable for teachers employed prior to July 1, 2014:

For teachers holding a Class AAAAA license, the minimum base
pay specified in this subsection shall be increased by the sum of
Seven Hundred Ninety-four Dollars ($794.00) for each year of
teaching experience possessed by the person holding such license
until such person shall have thirty-five (35) years of teaching
experience.
For teachers holding a Class AAA license, the minimum base pay specified in this subsection shall be increased by the sum of Seven Hundred Twenty-seven Dollars ($727.00) for each year of teaching experience possessed by the person holding such license until such person shall have thirty-five (35) years of teaching experience.

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

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

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

(2) (a) The salary supplement for licensed teachers completing the certificate from the National Board for Professional Teaching Standards provided under this subsection (2)(a)(i) shall only be applicable to teachers employed prior to July 1, 2014. The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars ($6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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