

By: Representatives Dortch, Sanford

To: Education;
Appropriations

HOUSE BILL NO. 212

1 AN ACT TO ESTABLISH ASSISTANT TEACHER ELEVATED SALARY WAIVER
 2 PROGRAM FOR THE PURPOSE OF ALLOWING ELIGIBLE ASSISTANT TEACHERS
 3 ENROLLED IN A RECOGNIZED POSTSECONDARY TEACHER EDUCATION PROGRAM
 4 TO BE COMPENSATED AT THE SALARY LEVEL COMMENSURATE WITH FIRST-YEAR
 5 LICENSED TEACHERS; TO PRESCRIBE THE CRITERIA TO BE USED IN
 6 DETERMINING ELIGIBILITY FOR PARTICIPATION IN THE PROGRAM; TO
 7 REQUIRE SCHOOL DISTRICT TO EVIDENCE NEED BASED ON TEACHER SHORTAGE
 8 WHEN SUBMITTING WAIVERS FOR ELEVATED SALARIES FOR ASSISTANT
 9 TEACHERS; TO PROVIDE FOR THE METHOD OF REPAYMENT FOR ASSISTANT
 10 TEACHERS WHO FAIL TO UPHOLD HIS OR HER END OF THE AGREEMENT OF THE
 11 ELEVATED SALARY STATUS TO TEACH IN THE SCHOOL DISTRICT GRANTING
 12 THE WAIVER FOR A PERIOD OF THREE YEARS; TO BRING FORWARD SECTIONS
 13 37-19-7, 37-21-7 AND 37-106-53, MISSISSIPPI CODE OF 1972, FOR THE
 14 PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) There is established the Assistant Teacher
 17 Elevated Salary Waiver Program for the purpose of allowing
 18 eligible assistant teachers who are enrolled in a recognized
 19 postsecondary teacher education program to be compensated at the
 20 salary level commensurate with first-year licensed and certified
 21 teachers for a period not to exceed two (2) years. Any school
 22 district desiring to award an assistant teacher with an elevated
 23 salary shall submit an application for waiver to the State
 24 Department of Education identifying the total quantity and names



25 of assistant teachers for whom the waiver is sought, in addition
26 the following information, evidencing the eligibility of the
27 assistant teacher for elevated salary status:

28 (a) (i) Documentation from the registrar of the
29 University of Southern Mississippi indicating the assistant
30 teacher's enrollment and continued academic good standing with a
31 minimum cumulative grade point average of 2.5 calculated on a 4.0
32 scale in the Teacher Assistance Program; or

33 (ii) Documentation from the registrar of any
34 baccalaureate degree-granting institution of higher learning in
35 the State of Mississippi that is regionally accredited and
36 approved by the board indicating the assistant teacher's
37 enrollment and continued academic good standing with a minimum
38 cumulative grade point average of 2.5 calculated on a 4.0 scale in
39 that institution's Teacher Assistance Program or program
40 commensurate thereto;

41 (b) Completion of the criminal background and
42 fingerprinting check required for employment by the school
43 district submitting the request for waiver, as required under
44 Section 37-9-17;

45 (c) Documentation from the local school district
46 indicating that the assistant teacher for whom the waiver is
47 sought has been employed as a full-time assistant teacher by the
48 requesting district for a minimum of three (3) years; and



49 (d) An oath of affirmation signed and attested by the
50 assistant teacher, the principal of the school building of the
51 assistant teacher's assignment or the district superintendent, and
52 one (1) additional witness, acknowledging the assistant teacher's
53 intention to teach in that school district for a period of three
54 (3) years.

55 (2) (a) In its application for waiver submitted to the
56 department, the school district must demonstrate:

57 (i) The critical shortage of teachers in the
58 district;

59 (ii) The efforts undertaken to recruit and employ
60 licensed and certified teachers; and

61 (iii) The district's inability to fill ninety
62 percent (90%) of all available teacher openings during the past
63 twelve (12) months.

64 (b) The school district must also develop and submit an
65 action plan to implement an assessment of its teacher assistance
66 program and the status report of its success.

67 (3) At the beginning of the school year next succeeding the
68 date on which a school district has received a waiver for an
69 assistant teacher elevated salary, the individual for whom the
70 request was granted shall be compensated at the rate equal to the
71 salary of a first-year licensed and certified teacher in the
72 school district according to the salary scale established under
73 Section 37-19-7. Any assistant teacher who fails to commit the



74 required number of years of service required under subsection (1)
75 of this section after receiving his or her baccalaureate degree
76 and certification as a licensed teacher, shall be liable to the
77 state for any amount received in excess of the statutory salary
78 provided for assistant teachers in Section 37-21-7, plus interest
79 at the rate of repayment outlined in Section 37-106-53.

80 **SECTION 2.** Section 37-19-7, Mississippi Code of 1972, is
81 brought forward as follows:

82 37-19-7. (1) The allowance in the Mississippi Adequate
83 Education Program for teachers' salaries in each county and
84 separate school district shall be determined and paid in
85 accordance with the scale for teachers' salaries as provided in
86 this subsection. For teachers holding the following types of
87 licenses or the equivalent as determined by the State Board of
88 Education, and the following number of years of teaching
89 experience, the scale shall be as follows:

90 **2014-2015 MINIMUM SALARY SCHEDULE**

| 91 | Years | | | | |
|----|-------|-----------|-----------|-----------|-----------|
| 92 | Exp. | AAAA | AAA | AA | A |
| 93 | 0 | 38,108.00 | 36,944.00 | 35,780.00 | 33,390.00 |
| 94 | 1 | 38,108.00 | 36,944.00 | 35,780.00 | 33,390.00 |
| 95 | 2 | 38,108.00 | 36,944.00 | 35,780.00 | 33,390.00 |
| 96 | 3 | 38,902.00 | 37,671.00 | 36,440.00 | 33,885.00 |
| 97 | 4 | 39,696.00 | 38,398.00 | 37,100.00 | 34,380.00 |
| 98 | 5 | 40,490.00 | 39,125.00 | 37,760.00 | 34,875.00 |



| | | | | | |
|-----|----|-----------|-----------|-----------|-----------|
| 99 | 6 | 41,284.00 | 39,852.00 | 38,420.00 | 35,370.00 |
| 100 | 7 | 42,078.00 | 40,579.00 | 39,080.00 | 35,865.00 |
| 101 | 8 | 42,872.00 | 41,306.00 | 39,740.00 | 36,360.00 |
| 102 | 9 | 43,666.00 | 42,033.00 | 40,400.00 | 36,855.00 |
| 103 | 10 | 44,460.00 | 42,760.00 | 41,060.00 | 37,350.00 |
| 104 | 11 | 45,254.00 | 43,487.00 | 41,720.00 | 37,845.00 |
| 105 | 12 | 46,048.00 | 44,214.00 | 42,380.00 | 38,340.00 |
| 106 | 13 | 46,842.00 | 44,941.00 | 43,040.00 | 38,835.00 |
| 107 | 14 | 47,636.00 | 45,668.00 | 43,700.00 | 39,330.00 |
| 108 | 15 | 48,430.00 | 46,395.00 | 44,360.00 | 39,825.00 |
| 109 | 16 | 49,224.00 | 47,122.00 | 45,020.00 | 40,320.00 |
| 110 | 17 | 50,018.00 | 47,849.00 | 45,680.00 | 40,815.00 |
| 111 | 18 | 50,812.00 | 48,576.00 | 46,340.00 | 41,310.00 |
| 112 | 19 | 51,606.00 | 49,303.00 | 47,000.00 | 41,805.00 |
| 113 | 20 | 52,400.00 | 50,030.00 | 47,660.00 | 42,300.00 |
| 114 | 21 | 53,194.00 | 50,757.00 | 48,320.00 | 42,795.00 |
| 115 | 22 | 53,988.00 | 51,484.00 | 48,980.00 | 43,290.00 |
| 116 | 23 | 54,782.00 | 52,211.00 | 49,640.00 | 43,785.00 |
| 117 | 24 | 55,576.00 | 52,938.00 | 50,300.00 | 44,280.00 |
| 118 | 25 | 58,430.00 | 55,725.00 | 53,020.00 | 46,835.00 |
| 119 | 26 | 59,224.00 | 56,452.00 | 53,680.00 | 47,330.00 |
| 120 | 27 | 60,018.00 | 57,179.00 | 54,340.00 | 47,825.00 |
| 121 | 28 | 60,812.00 | 57,906.00 | 55,000.00 | 48,320.00 |
| 122 | 29 | 61,606.00 | 58,633.00 | 55,660.00 | 48,815.00 |
| 123 | 30 | 62,400.00 | 59,360.00 | 56,320.00 | 49,310.00 |



| | | | | | |
|-----|---------|-----------|-----------|-----------|-----------|
| 124 | 31 | 63,194.00 | 60,087.00 | 56,980.00 | 49,805.00 |
| 125 | 32 | 63,988.00 | 60,814.00 | 57,640.00 | 50,300.00 |
| 126 | 33 | 64,782.00 | 61,541.00 | 58,300.00 | 50,795.00 |
| 127 | 34 | 65,576.00 | 62,268.00 | 58,960.00 | 51,290.00 |
| 128 | 35 | | | | |
| 129 | & above | 66,370.00 | 62,995.00 | 59,620.00 | 51,785.00 |

2015-2016 MINIMUM SALARY SCHEDULE

| | | | | | |
|-----|-------|-----------|-----------|-----------|-----------|
| 131 | Years | | | | |
| 132 | Exp. | AAAA | AAA | AA | A |
| 133 | 0 | 39,108.00 | 37,944.00 | 36,780.00 | 34,390.00 |
| 134 | 1 | 39,108.00 | 37,944.00 | 36,780.00 | 34,390.00 |
| 135 | 2 | 39,108.00 | 37,944.00 | 36,780.00 | 34,390.00 |
| 136 | 3 | 39,902.00 | 38,671.00 | 37,440.00 | 34,885.00 |
| 137 | 4 | 40,696.00 | 39,398.00 | 38,100.00 | 35,380.00 |
| 138 | 5 | 41,490.00 | 40,125.00 | 38,760.00 | 35,875.00 |
| 139 | 6 | 42,284.00 | 40,852.00 | 39,420.00 | 36,370.00 |
| 140 | 7 | 43,078.00 | 41,579.00 | 40,080.00 | 36,865.00 |
| 141 | 8 | 43,872.00 | 42,306.00 | 40,740.00 | 37,360.00 |
| 142 | 9 | 44,666.00 | 43,033.00 | 41,400.00 | 37,855.00 |
| 143 | 10 | 45,460.00 | 43,760.00 | 42,060.00 | 38,350.00 |
| 144 | 11 | 46,254.00 | 44,487.00 | 42,720.00 | 38,845.00 |
| 145 | 12 | 47,048.00 | 45,214.00 | 43,380.00 | 39,340.00 |
| 146 | 13 | 47,842.00 | 45,941.00 | 44,040.00 | 39,835.00 |
| 147 | 14 | 48,636.00 | 46,668.00 | 44,700.00 | 40,330.00 |
| 148 | 15 | 49,430.00 | 47,395.00 | 45,360.00 | 40,825.00 |



| | | | | | |
|-----|---------|-----------|-----------|-----------|-----------|
| 149 | 16 | 50,224.00 | 48,122.00 | 46,020.00 | 41,320.00 |
| 150 | 17 | 51,018.00 | 48,849.00 | 46,680.00 | 41,815.00 |
| 151 | 18 | 51,812.00 | 49,576.00 | 47,340.00 | 42,310.00 |
| 152 | 19 | 52,606.00 | 50,303.00 | 48,000.00 | 42,805.00 |
| 153 | 20 | 53,400.00 | 51,030.00 | 48,660.00 | 43,300.00 |
| 154 | 21 | 54,194.00 | 51,757.00 | 49,320.00 | 43,795.00 |
| 155 | 22 | 54,988.00 | 52,484.00 | 49,980.00 | 44,290.00 |
| 156 | 23 | 55,782.00 | 53,211.00 | 50,640.00 | 44,785.00 |
| 157 | 24 | 56,576.00 | 53,938.00 | 51,300.00 | 45,280.00 |
| 158 | 25 | 59,430.00 | 56,725.00 | 54,020.00 | 47,835.00 |
| 159 | 26 | 60,224.00 | 57,452.00 | 54,680.00 | 48,330.00 |
| 160 | 27 | 61,018.00 | 58,179.00 | 55,340.00 | 48,825.00 |
| 161 | 28 | 61,812.00 | 58,906.00 | 56,000.00 | 49,320.00 |
| 162 | 29 | 62,606.00 | 59,633.00 | 56,660.00 | 49,815.00 |
| 163 | 30 | 63,400.00 | 60,360.00 | 57,320.00 | 50,310.00 |
| 164 | 31 | 64,194.00 | 61,087.00 | 57,980.00 | 50,805.00 |
| 165 | 32 | 64,988.00 | 61,814.00 | 58,640.00 | 51,300.00 |
| 166 | 33 | 65,782.00 | 62,541.00 | 59,300.00 | 51,795.00 |
| 167 | 34 | 66,576.00 | 63,268.00 | 59,960.00 | 52,290.00 |
| 168 | 35 | | | | |
| 169 | & above | 67,370.00 | 63,995.00 | 60,620.00 | 52,785.00 |

170 It is the intent of the Legislature that any state funds made
171 available for salaries of licensed personnel in excess of the
172 funds paid for such salaries for the 1986-1987 school year shall
173 be paid to licensed personnel pursuant to a personnel appraisal



174 and compensation system implemented by the State Board of
175 Education. The State Board of Education shall have the authority
176 to adopt and amend rules and regulations as are necessary to
177 establish, administer and maintain the system.

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

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



199 (2) (a) The following employees shall receive an annual
200 salary supplement in the amount of Six Thousand Dollars
201 (\$6,000.00), plus fringe benefits, in addition to any other
202 compensation to which the employee may be entitled:

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

215 (ii) A licensed nurse who has met the requirements
216 and acquired a certificate from the National Board for
217 Certification of School Nurses, Inc., and who is employed by a
218 local school board or the State Board of Education as a school
219 nurse and not as an administrator. The licensed school nurse
220 shall submit documentation to the State Department of Education
221 that the certificate was received before October 15 in order to be
222 eligible for the full salary supplement in the current school
223 year, or the licensed school nurse shall submit the documentation



224 to the State Department of Education before February 15 in order
225 to be eligible for a prorated salary supplement beginning with the
226 second term of the school year. Provided, however, that the total
227 number of licensed school nurses eligible for a salary supplement
228 under this subparagraph (ii) shall not exceed thirty-five (35).

229 (iii) Any licensed school counselor who has met
230 the requirements and acquired a National Certified School
231 Counselor (NCSC) endorsement from the National Board of Certified
232 Counselors and who is employed by a local school board or the
233 State Board of Education as a counselor and not as an
234 administrator. Such licensed school counselor shall submit
235 documentation to the State Department of Education that the
236 endorsement was received prior to October 15 in order to be
237 eligible for the full salary supplement in the current school
238 year, or the licensed school counselor shall submit such
239 documentation to the State Department of Education prior to
240 February 15 in order to be eligible for a prorated salary
241 supplement beginning with the second term of the school year.
242 However, any school counselor who started the National Board for
243 Professional Teaching Standards process for school counselors
244 between June 1, 2003, and June 30, 2004, and completes the
245 requirements and acquires the Master Teacher certificate shall be
246 entitled to the master teacher supplement, and those counselors
247 who complete the process shall be entitled to a one-time



248 reimbursement for the actual cost of the process as outlined in
249 paragraph (b) of this subsection.

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

270 (b) An employee shall be reimbursed for the actual cost
271 of completing each component of acquiring the certificate or
272 endorsement, excluding any costs incurred for postgraduate



273 courses, not to exceed Five Hundred Dollars (\$500.00) for each
274 component, not to exceed four (4) components, for a teacher,
275 school counselor or speech-language pathologist and audiologist,
276 regardless of whether or not the process resulted in the award of
277 the certificate or endorsement. A local school district or any
278 private individual or entity may pay the cost of completing the
279 process of acquiring the certificate or endorsement for any
280 employee of the school district described under paragraph (a), and
281 the State Department of Education shall reimburse the school
282 district for such cost, regardless of whether or not the process
283 resulted in the award of the certificate or endorsement. If a
284 private individual or entity has paid the cost of completing the
285 process of acquiring the certificate or endorsement for an
286 employee, the local school district may agree to directly
287 reimburse the individual or entity for such cost on behalf of the
288 employee.

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



298 training and experience otherwise are entitled. However, an
299 educational employee shall receive the salary supplement in the
300 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the
301 qualifying certifications authorized under paragraph (a) of this
302 subsection. No school district shall provide more than one (1)
303 annual salary supplement under the provisions of this subsection
304 to any one individual employee holding multiple qualifying
305 national certifications.

306 (d) If an employee for whom such cost has been paid, in
307 full or in part, by a local school district or private individual
308 or entity fails to complete the certification or endorsement
309 process, the employee shall be liable to the school district or
310 individual or entity for all amounts paid by the school district
311 or individual or entity on behalf of that employee toward his or
312 her certificate or endorsement.

313 (3) The following employees shall receive an annual salary
314 supplement in the amount of Four Thousand Dollars (\$4,000.00),
315 plus fringe benefits, in addition to any other compensation to
316 which the employee may be entitled:

317 Effective July 1, 2016, if funds are available for that
318 purpose, any licensed teacher who has met the requirements and
319 acquired a Master Teacher Certificate from the National Board for
320 Professional Teaching Standards and who is employed in a public
321 school district located in one (1) of the following counties:
322 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,



323 Leflore, Quitman, Sharkey, Issaquena, Sunflower and Washington.
324 The salary supplement awarded under the provisions of this
325 subsection (3) shall be in addition to the salary supplement
326 awarded under the provisions of subsection (2) of this section.

327 Teachers who meet the qualifications for a salary supplement
328 under this subsection (3) who are assigned for less than one (1)
329 full year or less than full time for the school year shall receive
330 the salary supplement in a prorated manner, with the portion of
331 the teacher's assignment to the critical geographic area to be
332 determined as of June 15th of the school year.

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

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



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

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

365 (b) The State Board of Education shall develop the
366 processes and procedures for designating schools eligible to
367 participate in the MPBP. State assessment results, growth in
368 student achievement at individual schools and other measures
369 deemed appropriate in designating successful student achievement
370 shall be used in establishing MPBP criteria. The State Board of



371 Education shall develop the MPBP policies and procedures and
372 report to the Legislature and Governor by December 1, 2006.

373 (5) (a) Beginning in the 2008-2009 school year, if funds
374 are available for that purpose, each school in Mississippi shall
375 have mentor teachers, as defined by Sections 37-9-201 through
376 37-9-213, who shall receive additional base compensation provided
377 for by the State Legislature in the amount of One Thousand Dollars
378 (\$1,000.00) per each beginning teacher that is being mentored.
379 The additional state compensation shall be limited to those mentor
380 teachers that provide mentoring services to beginning teachers.
381 For the purposes of such funding, a beginning teacher shall be
382 defined as any teacher in any school in Mississippi that has less
383 than one (1) year of classroom experience teaching in a public
384 school. For the purposes of such funding, no full-time academic
385 teacher shall mentor more than two (2) beginning teachers.

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

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

393 **SECTION 3.** Section 37-21-7, Mississippi Code of 1972, is
394 brought forward as follows:



395 37-21-7. (1) This section shall be referred to as the
396 "Mississippi Elementary Schools Assistant Teacher Program," the
397 purpose of which shall be to provide an early childhood education
398 program that assists in the instruction of basic skills. The
399 State Board of Education is authorized, empowered and directed to
400 implement a statewide system of assistant teachers in kindergarten
401 classes and in the first, second and third grades. The assistant
402 teacher shall assist pupils in actual instruction under the strict
403 supervision of a licensed teacher.

404 (2) (a) Except as otherwise authorized under subsection
405 (7), each school district shall employ the total number of
406 assistant teachers funded under subsection (6) of this section.
407 The superintendent of each district shall assign the assistant
408 teachers to the kindergarten, first-, second- and third-grade
409 classes in the district in a manner that will promote the maximum
410 efficiency, as determined by the superintendent, in the
411 instruction of skills such as verbal and linguistic skills,
412 logical and mathematical skills, and social skills.

413 (b) If a licensed teacher to whom an assistant teacher
414 has been assigned is required to be absent from the classroom, the
415 assistant teacher may assume responsibility for the classroom in
416 lieu of a substitute teacher. However, no assistant teacher shall
417 assume sole responsibility of the classroom for more than three
418 (3) consecutive school days. Further, in no event shall any
419 assistant teacher be assigned to serve as a substitute teacher for



420 any teacher other than the licensed teacher to whom that assistant
421 teacher has been assigned.

422 (3) Assistant teachers shall have, at a minimum, a high
423 school diploma or a High School Equivalency Diploma equivalent,
424 and shall show demonstratable proficiency in reading and writing
425 skills. The State Department of Education shall develop a testing
426 procedure for assistant teacher applicants to be used in all
427 school districts in the state.

428 (4) (a) In order to receive funding, each school district
429 shall:

430 (i) Submit a plan on the implementation of a
431 reading improvement program to the State Department of Education;
432 and

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

436 (b) Additionally, each school district shall:

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

442 (ii) Hold periodic workshops for administrators
443 and teachers on the effective use and supervision of assistant
444 teachers;



445 (iii) Provide training annually on specific
446 instructional skills for assistant teachers;

447 (iv) Annually evaluate their program in accordance
448 with their educational accountability and assessment of
449 performance plan; and

450 (v) Designate the necessary personnel to supervise
451 and report on their program.

452 (5) The State Department of Education shall:

453 (a) Develop and assist in the implementation of a
454 statewide uniform training module, subject to the availability of
455 funds specifically appropriated therefor by the Legislature, which
456 shall be used in all school districts for training administrators,
457 teachers and assistant teachers. The module shall provide for the
458 consolidated training of each assistant teacher and teacher to
459 whom the assistant teacher is assigned, working together as a
460 team, and shall require further periodic training for
461 administrators, teachers and assistant teachers regarding the role
462 of assistant teachers;

463 (b) Annually evaluate the program on the district and
464 state level. Subject to the availability of funds specifically
465 appropriated therefor by the Legislature, the department shall
466 develop: (i) uniform evaluation reports, to be performed by the
467 principal or assistant principal, to collect data for the annual
468 overall program evaluation conducted by the department; or (ii) a



469 program evaluation model that, at a minimum, addresses process
470 evaluation; and

471 (c) Promulgate rules, regulations and such other
472 standards deemed necessary to effectuate the purposes of this
473 section. Noncompliance with the provisions of this section and
474 any rules, regulations or standards adopted by the department may
475 result in a violation of compulsory accreditation standards as
476 established by the State Board of Education and the Commission on
477 School Accreditation.

478 (6) In addition to other funds allotted under the Minimum
479 Education or Adequate Education Program, each school district
480 shall be allotted sufficient funding for the purpose of employing
481 assistant teachers. No assistant teacher shall be paid less than
482 the amount he or she received in the prior school year. No school
483 district shall receive any funds under this section for any school
484 year during which the aggregate amount of the local contribution
485 to the salaries of assistant teachers by the district shall have
486 been reduced below such amount for the previous year.

487 For the 2007-2008 school year and school years thereafter,
488 the minimum salary for assistant teachers shall be Twelve Thousand
489 Five Hundred Dollars (\$12,500.00).

490 In addition, for each one percent (1%) that the Sine Die
491 General Fund Revenue Estimate Growth exceeds five percent (5%) in
492 fiscal year 2006, as certified by the Legislative Budget Office to
493 the State Board of Education and subject to the specific



494 appropriation therefor by the Legislature, the State Board of
495 Education shall revise the salary scale in the appropriate year to
496 provide an additional one percent (1%) across-the-board increase
497 in the base salaries for assistant teachers. The State Board of
498 Education shall revise the salaries prescribed above for assistant
499 teachers to conform to any adjustments made in prior fiscal years
500 due to revenue growth over and above five percent (5%). The
501 assistant teachers shall not be restricted to working only in the
502 grades for which the funds were allotted, but may be assigned to
503 other classes as provided in subsection (2)(a) of this section.

504 (7) (a) As an alternative to employing assistant teachers,
505 any school district may use the allotment provided under
506 subsection (6) of this section for the purpose of employing
507 licensed teachers for kindergarten, first-, second- and
508 third-grade classes; however, no school district shall be
509 authorized to use the allotment for assistant teachers for the
510 purpose of employing licensed teachers unless the district has
511 established that the employment of licensed teachers using such
512 funds will reduce the teacher:student ratio in the kindergarten,
513 first-, second- and third-grade classes. All state funds for
514 assistant teachers shall be applied to reducing teacher:student
515 ratio in Grades K-3.

516 It is the intent of the Legislature that no school district
517 shall dismiss any assistant teacher for the purpose of using the
518 assistant teacher allotment to employ licensed teachers. School



519 districts may rely only upon normal attrition to reduce the number
520 of assistant teachers employed in that district.

521 (b) Districts meeting the highest levels of
522 accreditation standards, as defined by the State Board of
523 Education, shall be exempted from the provisions of subsection (4)
524 of this section.

525 **SECTION 4.** Section 37-106-53, Mississippi Code of 1972, is
526 brought forward as follows:

527 37-106-53. (1) Forgivable loans shall be made and based
528 upon the following options for repayment or conversion to
529 interest-free scholarships:

530 (a) Payment in full of principal plus a penalty of five
531 percent (5%) of the principal and interest on the combined
532 principal and penalty must be made in monthly installments, the
533 maximum number of which will be determined by the board, unless
534 set forth in this chapter. Interest will begin to accrue at the
535 date of separation from the approved program of study at a rate
536 equal to the unsubsidized Federal Stafford loan rate at the time
537 of separation. Repayment will commence one (1) month after
538 separation from the program of study, unless the recipient is
539 granted a grace period or deferment by the board. The
540 availability and length of a grace period will be determined by
541 the board. The availability and length of any deferments will be
542 determined by the board.



543 (b) In lieu of payment in full of both principal and
544 interest, a loan recipient may elect to repay by entry into
545 service employment. Service requirements for each forgivable loan
546 program will be determined by the board, unless set forth in this
547 chapter. Unless excepted by this chapter, repayment under this
548 option shall convert loan to scholarship, and discharge the same,
549 on the basis of one (1) year's full-time service for one (1)
550 year's loan amount or its equivalent if the recipient attended
551 part-time, or the appropriate proportion of the total outstanding
552 balance of principal and interest, all as shall be established by
553 rule and regulation of the board. The period of service shall in
554 no event be less than one (1) year. If at any time prior to the
555 repayment in full of the total obligation the recipient abandons
556 or abrogates repayment by this option, the provisions of subsection
557 (1)(c) of this section shall apply.

558 (c) In the event of abandonment or abrogation of the
559 option for repayment as provided for in subsection (1)(b) of this
560 section, the remaining balance of unpaid or undischarged principal
561 plus a penalty of five percent (5%) of the unpaid or undischarged
562 principal and interest on the combined principal and penalty shall
563 become due and payable over the remaining period of time as if the
564 option provided for in subsection (1)(a) of this section had been
565 elected upon separation and the conclusion of any applicable grace
566 and deferment periods.



567 (2) Any person failing to complete a program of study which
568 will enable that person to enter service employment, or failing to
569 obtain any required licensure or additional credentials necessary
570 for that person to enter service employment shall become liable to
571 the board for the sum of all forgivable loan awards made to that
572 person plus a penalty of five percent (5%) of the loan awards and
573 interest on the combined amount accruing at the current
574 unsubsidized Federal Stafford loan rate at the time the person
575 abrogates his participation in the program.

576 (3) If a claim for payment under this subsection is placed
577 in the hands of a collection agency or an attorney for collection,
578 the obligor shall be liable for an additional amount equal to a
579 reasonable collection commission or attorney's fee as well as any
580 court costs.

581 (4) The obligations made by the recipient of a forgivable
582 loan award shall not be voidable by reason of the age of the
583 student at the time of receiving the scholarship.

584 **SECTION 5.** This act shall take effect and be in force from
585 and after July 1, 2018.

