

By: Representative Criswell

To: Education

HOUSE BILL NO. 928

1 AN ACT TO AMEND SECTION 37-13-61, MISSISSIPPI CODE OF 1972,
 2 TO PROHIBIT LOCAL SCHOOL BOARDS FROM ESTABLISHING AS THE OPENING
 3 DATE OF THE SCHOOL TERM ANY DATE THAT IS BEFORE THE LAST MONDAY IN
 4 AUGUST; TO AMEND SECTION 37-13-63, MISSISSIPPI CODE OF 1972, TO
 5 REDUCE THE LENGTH OF THE PUBLIC SCHOOLS' SCHOLASTIC YEAR FROM 180
 6 TO 170 DAYS; TO AMEND SECTIONS 37-13-91, 37-151-5 AND 37-151-7,
 7 MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING
 8 PROVISIONS OF THIS ACT; TO AMEND SECTION 37-9-24, MISSISSIPPI CODE
 9 OF 1972, TO REDUCE THE MINIMUM TERM ALLOWED IN SCHOOL DISTRICTS'
 10 CONTRACTS WITH LICENSED PERSONNEL FROM 187 TO 177 DAYS, AND TO
 11 REQUIRE SCHOOL DISTRICTS TO SHORTEN THE TERMS OF CONTRACTS
 12 PREVIOUSLY EXECUTED FOR THE 2018-2019 SCHOOL YEAR, WITHOUT ANY
 13 REDUCTION TO THE ANNUAL SALARY SET FORTH IN EACH CONTRACT,
 14 ACCORDINGLY; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972,
 15 TO CLARIFY THAT THE TEACHER SALARY SCALE IS APPLICABLE FOR ALL
 16 TEACHERS WHOSE CONTRACTS ARE FOR A TERM OF NO LESS THAN THE
 17 STATUTORILY PRESCRIBED NUMBER OF DAYS; AND FOR RELATED PURPOSES.

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

19 **SECTION 1.** Section 37-13-61, Mississippi Code of 1972, is
 20 amended as follows:

21 37-13-61. The local school board shall have the power and
 22 authority to fix the date for the opening of the school term,
 23 which may not be before the last Monday in August, and the date
 24 for the closing of the school term * * *. In establishing the
 25 opening and closing dates of the school term, the school board



26 must satisfy the required minimum number of days which schools
27 must be in session during a scholastic year, as prescribed under
28 Section 37-13-63. However, local school boards are authorized to
29 keep school in session in excess of the minimum number of days
30 prescribed in Section 37-13-63.

31 **SECTION 2.** Section 37-13-63, Mississippi Code of 1972, is
32 amended as follows:

33 37-13-63. (1) Except as otherwise provided, all public
34 schools in the state shall be kept in session for at least * * *
35 one hundred seventy (170) days in each scholastic year.

36 (2) If the school board of any school district shall
37 determine that it is not economically feasible or practicable to
38 operate any school within the district for the full * * * one
39 hundred seventy (170) days * * * due to an enemy attack, a
40 man-made, technological or natural disaster or extreme weather
41 emergency in which the Governor has declared a disaster or state
42 of emergency under the laws of this state or the President of the
43 United States has declared an emergency or major disaster to exist
44 in this state, the school board may notify the State Department of
45 Education of the disaster or weather emergency and submit a plan
46 for altering the school term. If the State Board of Education
47 finds the disaster or extreme weather emergency to be the cause of
48 the school not operating for the contemplated school term and that
49 such school was in a school district covered by the Governor's or
50 President's disaster or state of emergency declaration, it may



51 permit that school board to operate the schools in its district
52 for less than * * * one hundred seventy (170) days; however, in no
53 instance of a declared disaster or state of emergency under the
54 provisions of this subsection shall a school board receive payment
55 from the State Department of Education for per pupil expenditure
56 for pupils in average daily attendance in excess of ten (10) days.

57 **SECTION 3.** Section 37-13-91, Mississippi Code of 1972, is
58 amended as follows:

59 37-13-91. (1) This section shall be referred to as the
60 "Mississippi Compulsory School Attendance Law."

61 (2) The following terms as used in this section are defined
62 as follows:

63 (a) "Parent" means the father or mother to whom a child
64 has been born, or the father or mother by whom a child has been
65 legally adopted.

66 (b) "Guardian" means a guardian of the person of a
67 child, other than a parent, who is legally appointed by a court of
68 competent jurisdiction.

69 (c) "Custodian" means any person having the present
70 care or custody of a child, other than a parent or guardian of the
71 child.

72 (d) "School day" means not less than five and
73 one-half (5-1/2) and not more than eight (8) hours of actual
74 teaching in which both teachers and pupils are in regular
75 attendance for scheduled schoolwork.



76 (e) "School" means any public school, including a
77 charter school, in this state or any nonpublic school in this
78 state which is in session each school year for at least * * * one
79 hundred seventy (170) school days, except that the "nonpublic"
80 school term shall be the number of days that each school shall
81 require for promotion from grade to grade.

82 (f) "Compulsory-school-age child" means a child who has
83 attained or will attain the age of six (6) years on or before
84 September 1 of the calendar year and who has not attained the age
85 of seventeen (17) years on or before September 1 of the calendar
86 year; and shall include any child who has attained or will attain
87 the age of five (5) years on or before September 1 and has
88 enrolled in a full-day public school kindergarten program.

89 (g) "School attendance officer" means a person employed
90 by the State Department of Education pursuant to Section 37-13-89.

91 (h) "Appropriate school official" means the
92 superintendent of the school district, or his designee, or, in the
93 case of a nonpublic school, the principal or the headmaster.

94 (i) "Nonpublic school" means an institution for the
95 teaching of children, consisting of a physical plant, whether
96 owned or leased, including a home, instructional staff members and
97 students, and which is in session each school year. This
98 definition shall include, but not be limited to, private, church,
99 parochial and home instruction programs.



100 (3) A parent, guardian or custodian of a
101 compulsory-school-age child in this state shall cause the child to
102 enroll in and attend a public school or legitimate nonpublic
103 school for the period of time that the child is of compulsory
104 school age, except under the following circumstances:

105 (a) When a compulsory-school-age child is physically,
106 mentally or emotionally incapable of attending school as
107 determined by the appropriate school official based upon
108 sufficient medical documentation.

109 (b) When a compulsory-school-age child is enrolled in
110 and pursuing a course of special education, remedial education or
111 education for handicapped or physically or mentally disadvantaged
112 children.

113 (c) When a compulsory-school-age child is being
114 educated in a legitimate home instruction program.

115 The parent, guardian or custodian of a compulsory-school-age
116 child described in this subsection, or the parent, guardian or
117 custodian of a compulsory-school-age child attending any charter
118 school or nonpublic school, or the appropriate school official for
119 any or all children attending a charter school or nonpublic school
120 shall complete a "certificate of enrollment" in order to
121 facilitate the administration of this section.

122 The form of the certificate of enrollment shall be prepared
123 by the Office of Compulsory School Attendance Enforcement of the



124 State Department of Education and shall be designed to obtain the
125 following information only:

126 (i) The name, address, telephone number and date
127 of birth of the compulsory-school-age child;

128 (ii) The name, address and telephone number of the
129 parent, guardian or custodian of the compulsory-school-age child;

130 (iii) A simple description of the type of
131 education the compulsory-school-age child is receiving and, if the
132 child is enrolled in a nonpublic school, the name and address of
133 the school; and

134 (iv) The signature of the parent, guardian or
135 custodian of the compulsory-school-age child or, for any or all
136 compulsory-school-age child or children attending a charter school
137 or nonpublic school, the signature of the appropriate school
138 official and the date signed.

139 The certificate of enrollment shall be returned to the school
140 attendance officer where the child resides on or before September
141 15 of each year. Any parent, guardian or custodian found by the
142 school attendance officer to be in noncompliance with this section
143 shall comply, after written notice of the noncompliance by the
144 school attendance officer, with this subsection within ten (10)
145 days after the notice or be in violation of this section.

146 However, in the event the child has been enrolled in a public
147 school within fifteen (15) calendar days after the first day of
148 the school year as required in subsection (6), the parent or



149 custodian may, at a later date, enroll the child in a legitimate
150 nonpublic school or legitimate home instruction program and send
151 the certificate of enrollment to the school attendance officer and
152 be in compliance with this subsection.

153 For the purposes of this subsection, a legitimate nonpublic
154 school or legitimate home instruction program shall be * * * a
155 school or program not operated or instituted for the purpose of
156 avoiding or circumventing the compulsory attendance law.

157 (4) An "unlawful absence" is an absence for an entire school
158 day or during part of a school day by a compulsory-school-age
159 child, which absence is not due to a valid excuse for temporary
160 nonattendance. For purposes of reporting absenteeism under
161 subsection (6) of this section, if a compulsory-school-age child
162 has an absence that is more than thirty-seven percent (37%) of the
163 instructional day, as fixed by the school board for the school at
164 which the compulsory-school-age child is enrolled, the child must
165 be considered absent the entire school day. Days missed from
166 school due to disciplinary suspension shall not be considered an
167 "excused" absence under this section. This subsection shall not
168 apply to children enrolled in a nonpublic school.

169 Each of the following shall constitute a valid excuse for
170 temporary nonattendance of a compulsory-school-age child enrolled
171 in a noncharter public school, provided satisfactory evidence of
172 the excuse is provided to the superintendent of the school
173 district, or his designee:



174 (a) An absence is excused when the absence results from
175 the compulsory-school-age child's attendance at an authorized
176 school activity with the prior approval of the superintendent of
177 the school district, or his designee. These activities may
178 include field trips, athletic contests, student conventions,
179 musical festivals and any similar activity.

180 (b) An absence is excused when the absence results from
181 illness or injury which prevents the compulsory-school-age child
182 from being physically able to attend school.

183 (c) An absence is excused when isolation of a
184 compulsory-school-age child is ordered by the county health
185 officer, by the State Board of Health or appropriate school
186 official.

187 (d) An absence is excused when it results from the
188 death or serious illness of a member of the immediate family of a
189 compulsory-school-age child. The immediate family members of a
190 compulsory-school-age child shall include children, spouse,
191 grandparents, parents, brothers and sisters, including
192 stepbrothers and stepsisters.

193 (e) An absence is excused when it results from a
194 medical or dental appointment of a compulsory-school-age child.

195 (f) An absence is excused when it results from the
196 attendance of a compulsory-school-age child at the proceedings of
197 a court or an administrative tribunal if the child is a party to
198 the action or under subpoena as a witness.



199 (g) An absence may be excused if the religion to which
200 the compulsory-school-age child or the child's parents adheres,
201 requires or suggests the observance of a religious event. The
202 approval of the absence is within the discretion of the
203 superintendent of the school district, or his designee, but
204 approval should be granted unless the religion's observance is of
205 such duration as to interfere with the education of the child.

206 (h) An absence may be excused when it is demonstrated
207 to the satisfaction of the superintendent of the school district,
208 or his designee, that the purpose of the absence is to take
209 advantage of a valid educational opportunity such as travel,
210 including vacations or other family travel. Approval of the
211 absence must be gained from the superintendent of the school
212 district, or his designee, before the absence, but the approval
213 shall not be unreasonably withheld.

214 (i) An absence may be excused when it is demonstrated
215 to the satisfaction of the superintendent of the school district,
216 or his designee, that conditions are sufficient to warrant the
217 compulsory-school-age child's nonattendance. However, no absences
218 shall be excused by the school district superintendent, or his
219 designee, when any student suspensions or expulsions circumvent
220 the intent and spirit of the compulsory attendance law.

221 (j) An absence is excused when it results from the
222 attendance of a compulsory-school-age child participating in
223 official organized events sponsored by the 4-H or Future Farmers



224 of America (FFA). The excuse for the 4-H or FFA event must be
225 provided in writing to the appropriate school superintendent by
226 the Extension Agent or High School Agricultural Instructor/FFA
227 Advisor.

228 (k) An absence is excused when it results from the
229 compulsory-school-age child officially being employed to serve as
230 a page at the State Capitol for the Mississippi House of
231 Representatives or Senate.

232 (5) Any parent, guardian or custodian of a
233 compulsory-school-age child subject to this section who refuses or
234 willfully fails to perform any of the duties imposed upon him or
235 her under this section or who intentionally falsifies any
236 information required to be contained in a certificate of
237 enrollment, shall be guilty of contributing to the neglect of a
238 child and, upon conviction, shall be punished in accordance with
239 Section 97-5-39.

240 Upon prosecution of a parent, guardian or custodian of a
241 compulsory-school-age child for violation of this section, the
242 presentation of evidence by the prosecutor that shows that the
243 child has not been enrolled in school within eighteen (18)
244 calendar days after the first day of the school year of the public
245 school which the child is eligible to attend, or that the child
246 has accumulated twelve (12) unlawful absences during the school
247 year at the public school in which the child has been enrolled,
248 shall establish a prima facie case that the child's parent,



249 guardian or custodian is responsible for the absences and has
250 refused or willfully failed to perform the duties imposed upon him
251 or her under this section. However, no proceedings under this
252 section shall be brought against a parent, guardian or custodian
253 of a compulsory-school-age child unless the school attendance
254 officer has contacted promptly the home of the child and has
255 provided written notice to the parent, guardian or custodian of
256 the requirement for the child's enrollment or attendance.

257 (6) If a compulsory-school-age child has not been enrolled
258 in a school within fifteen (15) calendar days after the first day
259 of the school year of the school which the child is eligible to
260 attend or the child has accumulated five (5) unlawful absences
261 during the school year of the public school in which the child is
262 enrolled, the school district superintendent, or his designee,
263 shall report, within two (2) school days or within five (5)
264 calendar days, whichever is less, the absences to the school
265 attendance officer. The State Department of Education shall
266 prescribe a uniform method for schools to utilize in reporting the
267 unlawful absences to the school attendance officer. The
268 superintendent, or his designee, also shall report any student
269 suspensions or student expulsions to the school attendance officer
270 when they occur.

271 (7) When a school attendance officer has made all attempts
272 to secure enrollment and/or attendance of a compulsory-school-age
273 child and is unable to effect the enrollment and/or attendance,



274 the attendance officer shall file a petition with the youth court
275 under Section 43-21-451 or shall file a petition in a court of
276 competent jurisdiction as it pertains to parent or child.
277 Sheriffs, deputy sheriffs and municipal law enforcement officers
278 shall be fully authorized to investigate all cases of
279 nonattendance and unlawful absences by compulsory-school-age
280 children, and shall be authorized to file a petition with the
281 youth court under Section 43-21-451 or file a petition or
282 information in the court of competent jurisdiction as it pertains
283 to parent or child for violation of this section. The youth court
284 shall expedite a hearing to make an appropriate adjudication and a
285 disposition to ensure compliance with the Compulsory School
286 Attendance Law, and may order the child to enroll or re-enroll in
287 school. The superintendent of the school district to which the
288 child is ordered may assign, in his discretion, the child to the
289 alternative school program of the school established pursuant to
290 Section 37-13-92.

291 (8) The State Board of Education shall adopt rules and
292 regulations for the purpose of reprimanding any school
293 superintendents who fail to timely report unexcused absences under
294 the provisions of this section.

295 (9) Notwithstanding any provision or implication herein to
296 the contrary, it is not the intention of this section to impair
297 the primary right and the obligation of the parent or parents, or
298 person or persons in loco parentis to a child, to choose the



299 proper education and training for such child, and nothing in this
300 section shall ever be construed to grant, by implication or
301 otherwise, to the State of Mississippi, any of its officers,
302 agencies or subdivisions any right or authority to control,
303 manage, supervise or make any suggestion as to the control,
304 management or supervision of any private or parochial school or
305 institution for the education or training of children, of any kind
306 whatsoever that is not a public school according to the laws of
307 this state; and this section shall never be construed so as to
308 grant, by implication or otherwise, any right or authority to any
309 state agency or other entity to control, manage, supervise,
310 provide for or affect the operation, management, program,
311 curriculum, admissions policy or discipline of any such school or
312 home instruction program.

313 **SECTION 4.** Section 37-151-5, Mississippi Code of 1972, is
314 amended as follows:

315 37-151-5. As used in Sections 37-151-5 and 37-151-7:

316 (a) "Adequate program" or "adequate education program"
317 or "Mississippi Adequate Education Program (MAEP)" shall mean the
318 program to establish adequate current operation funding levels
319 necessary for the programs of such school district to meet at
320 least a successful Level III rating of the accreditation system as
321 established by the State Board of Education using current
322 statistically relevant state assessment data.



323 (b) "Educational programs or elements of programs not
324 included in the adequate education program calculations, but which
325 may be included in appropriations and transfers to school
326 districts" shall mean:

327 (i) "Capital outlay" shall mean those funds used
328 for the constructing, improving, equipping, renovating or major
329 repairing of school buildings or other school facilities, or the
330 cost of acquisition of land whereon to construct or establish such
331 school facilities.

332 (ii) "Pilot programs" shall mean programs of a
333 pilot or experimental nature usually designed for special purposes
334 and for a specified period of time other than those included in
335 the adequate education program.

336 (iii) "Adult education" shall mean public
337 education dealing primarily with students above eighteen (18)
338 years of age not enrolled as full-time public school students and
339 not classified as students of technical schools, colleges or
340 universities of the state.

341 (iv) "Food service programs" shall mean those
342 programs dealing directly with the nutritional welfare of the
343 student, such as the school lunch and school breakfast programs.

344 (c) "Base student" shall mean that student
345 classification that represents the most economically educated
346 pupil in a school system meeting the definition of successful, as
347 determined by the State Board of Education.



348 (d) "Base student cost" shall mean the funding level
349 necessary for providing an adequate education program for one (1)
350 base student, subject to any minimum amounts prescribed in Section
351 37-151-7(1).

352 (e) "Add-on program costs" shall mean those items which
353 are included in the adequate education program appropriations and
354 are outside of the program calculations:

355 (i) "Transportation" shall mean transportation to
356 and from public schools for the students of Mississippi's public
357 schools provided for under law and funded from state funds.

358 (ii) "Vocational or technical education program"
359 shall mean a secondary vocational or technical program approved by
360 the State Department of Education and provided for from state
361 funds.

362 (iii) "Special education program" shall mean a
363 program for exceptional children as defined and authorized by
364 Sections 37-23-1 through 37-23-9, and approved by the State
365 Department of Education and provided from state funds.

366 (iv) "Gifted education program" shall mean those
367 programs for the instruction of intellectually or academically
368 gifted children as defined and provided for in Section 37-23-175
369 et seq.

370 (v) "Alternative school program" shall mean those
371 programs for certain compulsory-school-age students as defined and
372 provided for in Sections 37-13-92 and 37-19-22.



373 (vi) "Extended school year programs" shall mean
374 those programs authorized by law which extend beyond the normal
375 school year.

376 (vii) "University-based programs" shall mean those
377 university-based programs for handicapped children as defined and
378 provided for in Section 37-23-131 et seq.

379 (viii) "Bus driver training" programs shall mean
380 those driver training programs as provided for in Section 37-41-1.

381 (f) "Teacher" shall include any employee of a local
382 school who is required by law to obtain a teacher's license from
383 the State Board of Education and who is assigned to an
384 instructional area of work as defined by the State Department of
385 Education.

386 (g) "Principal" shall mean the head of an attendance
387 center or division thereof.

388 (h) "Superintendent" shall mean the head of a school
389 district.

390 (i) "School district" shall mean any type of school
391 district in the State of Mississippi, and shall include
392 agricultural high schools.

393 (j) "Minimum school term" shall mean a term of * * *
394 not more than one hundred seventy (170) days of school in which
395 both teachers and pupils are in regular attendance for scheduled
396 classroom instruction for not less than sixty-three percent (63%)
397 of the instructional day, as fixed by the local school board for



398 each school in the school district. It is the intent of the
399 Legislature that any tax levies generated to produce additional
400 local funds required by any school district to operate school
401 terms in excess of one hundred seventy-five (175) days shall not
402 be construed to constitute a new program for the purposes of
403 exemption from the limitation on tax revenues as allowed under
404 Sections 27-39-321 and 37-57-107 for new programs mandated by the
405 Legislature.

406 (k) The term "transportation density" shall mean the
407 number of transported children in average daily attendance per
408 square mile of area served in a school district, as determined by
409 the State Department of Education.

410 (l) The term "transported children" shall mean children
411 being transported to school who live within legal limits for
412 transportation and who are otherwise qualified for being
413 transported to school at public expense as fixed by Mississippi
414 state law.

415 (m) The term "year of teaching experience" shall mean
416 nine (9) months of actual teaching in the public or private
417 elementary and secondary schools and shall also include nine (9)
418 months of actual teaching at postsecondary institutions accredited
419 by the Southern Association of Colleges and Schools (SACS) or
420 equivalent regional accrediting body for degree-granting
421 postsecondary institutions. In no case shall more than one (1)
422 year of teaching experience be given for all services in one (1)



423 calendar or school year. In determining a teacher's experience,
424 no deduction shall be made because of the temporary absence of the
425 teacher because of illness or other good cause, and the teacher
426 shall be given credit therefor. Beginning with the 2003-2004
427 school year, the State Board of Education shall fix a number of
428 days, not to exceed forty-five (45) consecutive school days,
429 during which a teacher may not be under contract of employment
430 during any school year and still be considered to have been in
431 full-time employment for a regular scholastic term. If a teacher
432 exceeds the number of days established by the State Board of
433 Education that a teacher may not be under contract but may still
434 be employed, that teacher shall not be credited with a year of
435 teaching experience. In determining the experience of school
436 librarians, each complete year of continuous, full-time employment
437 as a professional librarian in a public library in this or some
438 other state shall be considered a year of teaching experience. If
439 a full-time school administrator returns to actual teaching in the
440 public schools, the term "year of teaching experience" shall
441 include the period of time he or she served as a school
442 administrator. In determining the salaries of teachers who have
443 experience in any branch of the military, the term "year of
444 teaching experience" shall include each complete year of actual
445 classroom instruction while serving in the military. In
446 determining the experience of speech-language pathologists and
447 audiologists, each complete year of continuous full-time post



448 master's degree employment in an educational setting in this or
449 some other state shall be considered a year of teaching
450 experience. * * * However, * * * school districts are authorized,
451 in their discretion, to negotiate the salary levels applicable
452 to * * * licensed employees employed after July 1, 2009, who are
453 receiving retirement benefits from the retirement system of
454 another state, and the annual experience increment provided in
455 Section 37-19-7 shall not be applicable to any such retired * * *
456 licensed employee.

457 (n) * * * The term "average daily attendance" shall be
458 the figure which results when the total aggregate full-day
459 attendance during the period or months counted is divided by the
460 number of days during the period or months counted upon which both
461 teachers and pupils are in regular attendance for scheduled
462 classroom instruction, unless a pupil's absence is excused due to
463 participation in an activity authorized by the State Board of
464 Education under subparagraph (ii) of this paragraph, less the
465 average daily attendance for self-contained special education
466 classes. For purposes of determining and reporting attendance, a
467 pupil must be present for at least sixty-three percent (63%) of
468 the instructional day, as fixed by the local school board for each
469 school in the school district, in order to be considered in
470 full-day attendance. * * * Before full implementation of the
471 adequate education program the department shall deduct the average



472 daily attendance for the alternative school program provided for
473 in Section 37-19-22.

474 * * *

475 (o) The term "local supplement" shall mean the amount
476 paid to an individual teacher over and above the adequate
477 education program salary schedule for regular teaching duties.

478 (p) The term "aggregate amount of support from ad
479 valorem taxation" shall mean the amounts produced by the
480 district's total tax levies for operations.

481 (q) The term "adequate education program funds" shall
482 mean all funds, both state and local, constituting the
483 requirements for meeting the cost of the adequate program as
484 provided for in Section 37-151-7.

485 (r) "Department" shall mean the State Department of
486 Education.

487 (s) "Commission" shall mean the Mississippi Commission
488 on School Accreditation created under Section 37-17-3.

489 (t) The term "successful school district" shall mean a
490 Level III school district as designated by the State Board of
491 Education using current statistically relevant state assessment
492 data.

493 (u) "Dual enrollment-dual credit programs" shall mean
494 programs for potential or recent high school student dropouts to
495 dually enroll in their home high school and a local community
496 college in a dual credit program consisting of high school



497 completion coursework and a credential, certificate or degree
498 program at the community college, as provided in Section
499 37-15-38(19).

500 (v) "Charter school" means a public school that is
501 established and operating under the terms of a charter contract
502 between the school's governing board and the Mississippi Charter
503 School Authorizer Board.

504 **SECTION 5.** Section 37-151-7, Mississippi Code of 1972, is
505 amended as follows:

506 37-151-7. The annual allocation to each school district for
507 the operation of the adequate education program shall be
508 determined as follows:

509 (1) **Computation of the basic amount to be included for**
510 **current operation in the adequate education program.** The
511 following procedure shall be followed in determining the annual
512 allocation to each school district:

513 (a) **Determination of average daily attendance.**
514 Effective with fiscal year 2011, the State Department of Education
515 shall determine the percentage change from the prior year of each
516 year of each school district's average of months two (2) and three
517 (3) average daily attendance (ADA) for the three (3) immediately
518 preceding school years of the year for which funds are being
519 appropriated. For any school district that experiences a positive
520 growth in the average of months two (2) and three (3) ADA each
521 year of the three (3) years, the average percentage growth over



522 the three-year period shall be multiplied times the school
523 district's average of months two (2) and three (3) ADA for the
524 year immediately preceding the year for which MAEP funds are being
525 appropriated. The resulting amount shall be added to the school
526 district's average of months two (2) and three (3) ADA for the
527 year immediately preceding the year for which MAEP funds are being
528 appropriated to arrive at the ADA to be used in determining a
529 school district's MAEP allocation. Otherwise, months two (2) and
530 three (3) ADA for the year immediately preceding the year for
531 which MAEP funds are being appropriated will be used in
532 determining a school district's MAEP allocation. In any fiscal
533 year prior to 2010 in which the MAEP formula is not fully funded,
534 for those districts that do not demonstrate a three-year positive
535 growth in months two (2) and three (3) ADA, months one (1) through
536 nine (9) ADA of the second preceding year for which funds are
537 being appropriated or months two (2) and three (3) ADA of the
538 preceding year for which funds are being appropriated, whichever
539 is greater, shall be used to calculate the district's MAEP
540 allocation. The district's average daily attendance shall be
541 computed and currently maintained in accordance with regulations
542 promulgated by the State Board of Education. The district's
543 average daily attendance shall include any student enrolled in a
544 Dual Enrollment-Dual Credit Program as defined and provided in
545 Section 37-15-38(19). The State Department of Education shall
546 make payments for Dual Enrollment-Dual Credit Programs to the home



547 school in which the student is enrolled, in accordance with
548 regulations promulgated by the State Board of Education. The
549 community college providing services to students in a Dual
550 Enrollment-Dual Credit Program shall require payment from the home
551 school district for services provided to such students at a rate
552 of one hundred percent (100%) of ADA. All MAEP/state funding
553 shall cease upon completion of high school graduation
554 requirements.

555 (b) **Determination of base student cost.** Effective with
556 fiscal year 2011 and every fourth fiscal year thereafter, the
557 State Board of Education, on or before August 1, with adjusted
558 estimate no later than January 2, shall submit to the Legislative
559 Budget Office and the Governor a proposed base student cost
560 adequate to provide the following cost components of educating a
561 pupil in a successful school district: (i) instructional cost;
562 (ii) administrative cost; (iii) operation and maintenance of
563 plant; and (iv) ancillary support cost. For purposes of these
564 calculations, the Department of Education shall utilize financial
565 data from the second preceding year of the year for which funds
566 are being appropriated.

567 For the instructional cost component, the Department of
568 Education shall select districts that have been identified as
569 instructionally successful and have a ratio of a number of
570 teachers per one thousand (1,000) students that is between one (1)
571 standard deviation above the mean and two (2) standard deviations



572 below the mean of the statewide average of teachers per one
573 thousand (1,000) students. The instructional cost component shall
574 be calculated by dividing the latest available months one (1)
575 through nine (9) ADA into the instructional expenditures of these
576 selected districts. For the purpose of this calculation, the
577 Department of Education shall use the following funds, functions
578 and objects:

579 Fund 1120 Functions 1110-1199 Objects 100-999, Functions
580 1210, 1220, 2150-2159 Objects 210 and 215;

581 Fund 1130 All Functions, Object Code 210 and 215;

582 Fund 2001 Functions 1110-1199 Objects 100-999;

583 Fund 2070 Functions 1110-1199 Objects 100-999;

584 Fund 2420 Functions 1110-1199 Objects 100-999;

585 Fund 2711 All Functions, Object Code 210 and 215.

586 * * * Before the calculation of the instructional cost
587 component, there shall be subtracted from the above expenditures
588 any revenue received for Chickasaw Cession payments, Master
589 Teacher Certification payments and the district's portion of state
590 revenue received from the MAEP at-risk allocation.

591 For the administrative cost component, the Department of
592 Education shall select districts that have been identified as
593 instructionally successful and have a ratio of an administrative
594 staff to nonadministrative staff between one (1) standard
595 deviation above the mean and two (2) standard deviations below the
596 mean of the statewide average administrative staff to



597 nonadministrative staff. The administrative cost component shall
598 be calculated by dividing the latest available months one (1)
599 through nine (9) ADA of the selected districts into the
600 administrative expenditures of these selected districts. For the
601 purpose of this calculation, the Department of Education shall use
602 the following funds, functions and objects:

603 Fund 1120 Functions 2300-2599, Functions 2800-2899,
604 Objects 100-999;
605 Fund 2711 Functions 2300-2599, Functions 2800-2899,
606 Objects 100-999.

607 For the plant and maintenance cost component, the Department
608 of Education shall select districts that have been identified as
609 instructionally successful and have a ratio of plant and
610 maintenance expenditures per one hundred thousand (100,000) square
611 feet of building space and a ratio of maintenance workers per one
612 hundred thousand (100,000) square feet of building space that are
613 both between one (1) standard deviation above the mean and two (2)
614 standard deviations below the mean of the statewide average. The
615 plant and maintenance cost component shall be calculated by
616 dividing the latest available months one (1) through nine (9) ADA
617 of the selected districts into the plant and maintenance
618 expenditures of these selected districts. For the purpose of this
619 calculation, the Department of Education shall use the following
620 funds, functions and objects:

621 Fund 1120 Functions 2600-2699, Objects 100-699



622 and Objects 800-999;
623 Fund 2711 Functions 2600-2699, Objects 100-699
624 and Objects 800-999;
625 Fund 2430 Functions 2600-2699, Objects 100-699
626 and Objects 800-999.

627 For the ancillary support cost component, the Department of
628 Education shall select districts that have been identified as
629 instructionally successful and have a ratio of a number of
630 librarians, media specialists, guidance counselors and
631 psychologists per one thousand (1,000) students that is between
632 one (1) standard deviation above the mean and two (2) standard
633 deviations below the mean of the statewide average of librarians,
634 media specialists, guidance counselors and psychologists per one
635 thousand (1,000) students. The ancillary cost component shall be
636 calculated by dividing the latest available months one (1) through
637 nine (9) ADA into the ancillary expenditures instructional
638 expenditures of these selected districts. For the purpose of this
639 calculation, the Department of Education shall use the following
640 funds, functions and objects:

641 Fund 1120 Functions 2110-2129, Objects 100-999;
642 Fund 1120 Functions 2140-2149, Objects 100-999;
643 Fund 1120 Functions 2220-2229, Objects 100-999;
644 Fund 2001 Functions 2100-2129, Objects 100-999;
645 Fund 2001 Functions 2140-2149, Objects 100-999;
646 Fund 2001 Functions 2220-2229, Objects 100-999.



647 The total base cost for each year shall be the sum of the
648 instructional cost component, administrative cost component, plant
649 and maintenance cost component and ancillary support cost
650 component, and any estimated adjustments for additional state
651 requirements as determined by the State Board of Education.

652 Provided, however, that the base student cost in fiscal year 1998
653 shall be Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

654 For each of the fiscal years between the recalculation of the
655 base student cost under the provisions of this paragraph (b), the
656 base student cost shall be increased by an amount equal to forty
657 percent (40%) of the base student cost for the previous fiscal
658 year, multiplied by the latest annual rate of inflation for the
659 State of Mississippi as determined by the State Economist, plus
660 any adjustments for additional state requirements such as, but not
661 limited to, teacher pay raises and health insurance premium
662 increases.

663 (c) **Determination of the basic adequate education**
664 **program cost.** The basic amount for current operation to be
665 included in the Mississippi Adequate Education Program for each
666 school district shall be computed as follows:

667 Multiply the average daily attendance of the district by the
668 base student cost as established by the Legislature, which yields
669 the total base program cost for each school district.

670 (d) **Adjustment to the base student cost for at-risk**
671 **pupils.** The amount to be included for at-risk pupil programs for



672 each school district shall be computed as follows: Multiply the
673 base student cost for the appropriate fiscal year as determined
674 under paragraph (b) by five percent (5%), and multiply that
675 product by the number of pupils participating in the federal free
676 school lunch program in such school district, which yields the
677 total adjustment for at-risk pupil programs for such school
678 district.

679 (e) **Add-on program cost.** The amount to be allocated to
680 school districts in addition to the adequate education program
681 cost for add-on programs for each school district shall be
682 computed as follows:

683 (i) Transportation cost shall be the amount
684 allocated to such school district for the operational support of
685 the district transportation system from state funds.

686 (ii) Vocational or technical education program
687 cost shall be the amount allocated to such school district from
688 state funds for the operational support of such programs.

689 (iii) Special education program cost shall be the
690 amount allocated to such school district from state funds for the
691 operational support of such programs.

692 (iv) Gifted education program cost shall be the
693 amount allocated to such school district from state funds for the
694 operational support of such programs.



695 (v) Alternative school program cost shall be the
696 amount allocated to such school district from state funds for the
697 operational support of such programs.

698 (vi) Extended school year programs shall be the
699 amount allocated to school districts for those programs authorized
700 by law which extend beyond the normal school year.

701 (vii) University-based programs shall be the
702 amount allocated to school districts for those university-based
703 programs for handicapped children as defined and provided for in
704 Section 37-23-131 et seq., Mississippi Code of 1972.

705 (viii) Bus driver training programs shall be the
706 amount provided for those driver training programs as provided for
707 in Section 37-41-1, Mississippi Code of 1972.

708 The sum of the items listed above (i) transportation, (ii)
709 vocational or technical education, (iii) special education, (iv)
710 gifted education, (v) alternative school, (vi) extended school
711 year, (vii) university-based, and (viii) bus driver training shall
712 yield the add-on cost for each school district.

713 (f) **Total projected adequate education program cost.**

714 The total Mississippi Adequate Education Program cost shall be the
715 sum of the total basic adequate education program cost (paragraph
716 (c)), and the adjustment to the base student cost for at-risk
717 pupils (paragraph (d)) for each school district. In any year in
718 which the MAEP is not fully funded, the Legislature shall direct



719 the Department of Education in the K-12 appropriation bill as to
720 how to allocate MAEP funds to school districts for that year.

721 (g) The State Auditor shall annually verify the State
722 Board of Education's estimated calculations for the Mississippi
723 Adequate Education Program that are submitted each year to the
724 Legislative Budget Office on August 1 and the final calculation
725 that is submitted on January 2.

726 (2) **Computation of the required local revenue in support of**
727 **the adequate education program.** The amount that each district
728 shall provide toward the cost of the adequate education program
729 shall be calculated as follows:

730 (a) The State Department of Education shall certify to
731 each school district that twenty-eight (28) mills, less the
732 estimated amount of the yield of the School Ad Valorem Tax
733 Reduction Fund grants as determined by the State Department of
734 Education, is the millage rate required to provide the district
735 required local effort for that year, or twenty-seven percent (27%)
736 of the basic adequate education program cost for such school
737 district as determined under paragraph (c), whichever is a lesser
738 amount. In the case of an agricultural high school, the millage
739 requirement shall be set at a level which generates an equitable
740 amount per pupil to be determined by the State Board of Education.
741 The local contribution amount for school districts in which there
742 is located one or more charter schools will be calculated using
743 the following methodology: using the adequate education program



744 twenty-eight (28) mill value, or the twenty-seven percent (27%)
745 cap amount (whichever is less) for each school district in which a
746 charter school is located, an average per pupil amount will be
747 calculated. This average per pupil amount will be multiplied
748 times the number of students attending the charter school in that
749 school district. The sum becomes the charter school's local
750 contribution to the adequate education program.

751 (b) The State Department of Education shall determine
752 the following from the annual assessment information submitted to
753 the department by the tax assessors of the various counties: (i)
754 the total assessed valuation of nonexempt property for school
755 purposes in each school district; (ii) assessed value of exempt
756 property owned by homeowners aged sixty-five (65) or older or
757 disabled as defined in Section 27-33-67(2), Mississippi Code of
758 1972; (iii) the school district's tax loss from exemptions
759 provided to applicants under the age of sixty-five (65) and not
760 disabled as defined in Section 27-33-67(1), Mississippi Code of
761 1972; and (iv) the school district's homestead reimbursement
762 revenues.

763 (c) The amount of the total adequate education program
764 funding which shall be contributed by each school district shall
765 be the sum of the ad valorem receipts generated by the millage
766 required under this subsection plus the following local revenue
767 sources for the appropriate fiscal year which are or may be
768 available for current expenditure by the school district:



769 One hundred percent (100%) of Grand Gulf income as prescribed
770 in Section 27-35-309.

771 One hundred percent (100%) of any fees in lieu of taxes as
772 prescribed in Section 27-31-104.

773 (3) **Computation of the required state effort in support of**
774 **the adequate education program.**

775 (a) The required state effort in support of the
776 adequate education program shall be determined by subtracting the
777 sum of the required local tax effort as set forth in subsection
778 (2)(a) of this section and the other local revenue sources as set
779 forth in subsection (2)(c) of this section in an amount not to
780 exceed twenty-seven percent (27%) of the total projected adequate
781 education program cost as set forth in subsection (1)(f) of this
782 section from the total projected adequate education program cost
783 as set forth in subsection (1)(f) of this section.

784 (b) * * * However, * * * in fiscal year 2015, any
785 increase in the * * * state contribution to any district
786 calculated under this section shall be not less than six percent
787 (6%) in excess of the amount received by * * * that district from
788 state funds for fiscal year 2002; in fiscal year 2016, any
789 increase in the said state contribution to any district calculated
790 under this section shall be not less than four percent (4%) in
791 excess of the amount received by said district from state funds
792 for fiscal year 2002; in fiscal year 2017, any increase in the
793 said state contribution to any district calculated under this



794 section shall be not less than two percent (2%) in excess of the
795 amount received by said district from state funds for fiscal year
796 2002; and in fiscal year 2018 and thereafter, any increase in the
797 said state contribution to any district calculated under this
798 section shall be zero percent (0%). For purposes of this
799 paragraph (b), state funds shall include minimum program funds
800 less the add-on programs, State Uniform Millage Assistance Grant
801 Funds, Education Enhancement Funds appropriated for Uniform
802 Millage Assistance Grants and state textbook allocations, and
803 State General Funds allocated for textbooks.

804 (c) If the school board of any school district shall
805 determine that it is not economically feasible or practicable to
806 operate any school within the district for the full * * * one
807 hundred seventy (170) days * * * established for a * * *
808 scholastic year * * * under Section 37-13-63, * * * due to an
809 enemy attack, a man-made, technological or natural disaster in
810 which the Governor has declared a disaster emergency under the
811 laws of this state or the President of the United States has
812 declared an emergency or major disaster to exist in this
813 state, * * * the school board may notify the State Department of
814 Education of such disaster and submit a plan for altering the
815 school term. If the State Board of Education finds such disaster
816 to be the cause of the school not operating for the contemplated
817 school term and that such school was in a school district covered
818 by the Governor's or President's disaster declaration, it may



819 permit * * * the school board to operate the schools in its
820 district for less than * * * one hundred seventy (170) days and,
821 in such case, the State Department of Education shall not reduce
822 the state contributions to the adequate education program
823 allotment for such district, because of the failure to
824 operate * * * the schools for * * * one hundred seventy (170)
825 days.

826 (4) The Interim School District Capital Expenditure Fund is
827 hereby established in the State Treasury which shall be used to
828 distribute any funds specifically appropriated by the Legislature
829 to such fund to school districts entitled to increased allocations
830 of state funds under the adequate education program funding
831 formula prescribed in Sections 37-151-3 through 37-151-7,
832 Mississippi Code of 1972, until such time as the * * * adequate
833 education program is fully funded by the Legislature. The
834 following percentages of the total state cost of increased
835 allocations of funds under the adequate education program funding
836 formula shall be appropriated by the Legislature into the Interim
837 School District Capital Expenditure Fund to be distributed to all
838 school districts under the formula: Nine and two-tenths percent
839 (9.2%) shall be appropriated in fiscal year 1998, twenty percent
840 (20%) shall be appropriated in fiscal year 1999, forty percent
841 (40%) shall be appropriated in fiscal year 2000, sixty percent
842 (60%) shall be appropriated in fiscal year 2001, eighty percent
843 (80%) shall be appropriated in fiscal year 2002, and one hundred



844 percent (100%) shall be appropriated in fiscal year 2003 into the
845 State Adequate Education Program Fund. Until July 1, 2002, such
846 money shall be used by school districts for the following
847 purposes:

848 (a) Purchasing, erecting, repairing, equipping,
849 remodeling and enlarging school buildings and related facilities,
850 including gymnasiums, auditoriums, lunchrooms, vocational training
851 buildings, libraries, school barns and garages for transportation
852 vehicles, school athletic fields and necessary facilities
853 connected therewith, and purchasing land therefor. Any such
854 capital improvement project by a school district shall be approved
855 by the State Board of Education, and based on an approved
856 long-range plan. The State Board of Education shall promulgate
857 minimum requirements for the approval of school district capital
858 expenditure plans.

859 (b) Providing necessary water, light, heating,
860 air-conditioning, and sewerage facilities for school buildings,
861 and purchasing land therefor.

862 (c) Paying debt service on existing capital improvement
863 debt of the district or refinancing outstanding debt of a district
864 if such refinancing will result in an interest cost savings to the
865 district.

866 (d) From and after October 1, 1997, through June 30,
867 1998, pursuant to a school district capital expenditure plan
868 approved by the State Department of Education, a school district



869 may pledge such funds until July 1, 2002, plus funds provided for
870 in paragraph (e) of this subsection (4) that are not otherwise
871 permanently pledged under such paragraph (e) to pay all or a
872 portion of the debt service on debt issued by the school district
873 under Sections 37-59-1 through 37-59-45, 37-59-101 through
874 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99,
875 37-7-301, 37-7-302 and 37-41-81, Mississippi Code of 1972, or debt
876 issued by boards of supervisors for agricultural high schools
877 pursuant to Section 37-27-65, Mississippi Code of 1972, or
878 lease-purchase contracts entered into pursuant to Section 31-7-13,
879 Mississippi Code of 1972, or to retire or refinance outstanding
880 debt of a district, if such pledge is accomplished pursuant to a
881 written contract or resolution approved and spread upon the
882 minutes of an official meeting of the district's school board or
883 board of supervisors. It is the intent of this provision to allow
884 school districts to irrevocably pledge their Interim School
885 District Capital Expenditure Fund allotments as a constant stream
886 of revenue to secure a debt issued under the foregoing code
887 sections. To allow school districts to make such an irrevocable
888 pledge, the state shall take all action necessary to ensure that
889 the amount of a district's Interim School District Capital
890 Expenditure Fund allotments shall not be reduced below the amount
891 certified by the department or the district's total allotment
892 under the Interim Capital Expenditure Fund if fully funded, so
893 long as such debt remains outstanding.



894 (e) [Repealed]

895 (f) [Repealed]

896 (g) The State Board of Education may authorize the
897 school district to expend not more than twenty percent (20%) of
898 its annual allotment of such funds or Twenty Thousand Dollars
899 (\$20,000.00), whichever is greater, for technology needs of the
900 school district, including computers, software,
901 telecommunications, cable television, interactive video, film,
902 low-power television, satellite communications, microwave
903 communications, technology-based equipment installation and
904 maintenance, and the training of staff in the use of such
905 technology-based instruction. Any such technology expenditure
906 shall be reflected in the local district technology plan approved
907 by the State Board of Education under Section
908 37-151-17, Mississippi Code of 1972.

909 (h) To the extent a school district has not utilized
910 twenty percent (20%) of its annual allotment for technology
911 purposes under paragraph (g), a school district may expend not
912 more than twenty percent (20%) of its annual allotment or Twenty
913 Thousand Dollars (\$20,000.00), whichever is greater, for
914 instructional purposes. The State Board of Education may
915 authorize a school district to expend more than * * * twenty
916 percent (20%) of its annual allotment for instructional purposes
917 if it determines that such expenditures are needed for
918 accreditation purposes.



919 (i) The State Department of Education or the State
920 Board of Education may require that any project commenced under
921 this section with an estimated project cost of not less than Five
922 Million Dollars (\$5,000,000.00) shall be done only pursuant to
923 program management of the process with respect to design and
924 construction. Any individuals, partnerships, companies or other
925 entities acting as a program manager on behalf of a local school
926 district and performing program management services for projects
927 covered under this subsection shall be approved by the State
928 Department of Education.

929 Any interest accruing on any unexpended balance in the
930 Interim School District Capital Expenditure Fund shall be invested
931 by the State Treasurer and placed to the credit of each school
932 district participating in such fund in its proportionate share.

933 The provisions of this subsection (4) shall be cumulative and
934 supplemental to any existing funding programs or other authority
935 conferred upon school districts or school boards.

936 (5) The State Department of Education shall make payments to
937 charter schools for each student in average daily attendance at
938 the charter school equal to the state share of the adequate
939 education program payments for each student in average daily
940 attendance at the school district in which the public charter
941 school is located. In calculating the local contribution for
942 purposes of determining the state share of the adequate education
943 program payments, the department shall deduct the pro rata local



944 contribution of the school district in which the student resides
945 as determined in subsection (2)(a) of this section.

946 **SECTION 6.** Section 37-9-24, Mississippi Code of 1972, is
947 amended as follows:

948 37-9-24. (1) Except as otherwise provided in this section,
949 no school district shall contract with any licensed personnel for
950 a number of employment days which shall be less than * * * one
951 hundred seventy-seven (177).

952 * * *

953 (2) Licensed personnel may be employed for less than a full
954 school year if the contract states the exact period of time for
955 which the licensed person is to be employed.

956 (3) For each contract entered into before July 1, 2018,
957 having a term of one hundred eighty-seven (187) or more employment
958 days for the 2018-2019 school year, the employing school district
959 shall reduce the term of the contract by no less than ten (10)
960 employment days; however, the annual salary established in the
961 contract for the licensed personnel may not be reduced due to the
962 reduction in the number of employment days required under this
963 subsection. This subsection shall stand repealed on July 1, 2020.

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

966 37-19-7. (1) The allowance in the Mississippi Adequate
967 Education Program for teachers' salaries in each county and
968 separate school district shall be determined and paid in



969 accordance with the scale for teachers' salaries as provided in
 970 this subsection. For teachers holding the following types of
 971 licenses or the equivalent as determined by the State Board of
 972 Education, and the following number of years of teaching
 973 experience, the scale shall be as follows:

974 **2014-2015 MINIMUM SALARY SCHEDULE**

975	Years				
976	Exp.	AAAA	AAA	AA	A
977	0	38,108.00	36,944.00	35,780.00	33,390.00
978	1	38,108.00	36,944.00	35,780.00	33,390.00
979	2	38,108.00	36,944.00	35,780.00	33,390.00
980	3	38,902.00	37,671.00	36,440.00	33,885.00
981	4	39,696.00	38,398.00	37,100.00	34,380.00
982	5	40,490.00	39,125.00	37,760.00	34,875.00
983	6	41,284.00	39,852.00	38,420.00	35,370.00
984	7	42,078.00	40,579.00	39,080.00	35,865.00
985	8	42,872.00	41,306.00	39,740.00	36,360.00
986	9	43,666.00	42,033.00	40,400.00	36,855.00
987	10	44,460.00	42,760.00	41,060.00	37,350.00
988	11	45,254.00	43,487.00	41,720.00	37,845.00
989	12	46,048.00	44,214.00	42,380.00	38,340.00
990	13	46,842.00	44,941.00	43,040.00	38,835.00
991	14	47,636.00	45,668.00	43,700.00	39,330.00
992	15	48,430.00	46,395.00	44,360.00	39,825.00
993	16	49,224.00	47,122.00	45,020.00	40,320.00



994	17	50,018.00	47,849.00	45,680.00	40,815.00
995	18	50,812.00	48,576.00	46,340.00	41,310.00
996	19	51,606.00	49,303.00	47,000.00	41,805.00
997	20	52,400.00	50,030.00	47,660.00	42,300.00
998	21	53,194.00	50,757.00	48,320.00	42,795.00
999	22	53,988.00	51,484.00	48,980.00	43,290.00
1000	23	54,782.00	52,211.00	49,640.00	43,785.00
1001	24	55,576.00	52,938.00	50,300.00	44,280.00
1002	25	58,430.00	55,725.00	53,020.00	46,835.00
1003	26	59,224.00	56,452.00	53,680.00	47,330.00
1004	27	60,018.00	57,179.00	54,340.00	47,825.00
1005	28	60,812.00	57,906.00	55,000.00	48,320.00
1006	29	61,606.00	58,633.00	55,660.00	48,815.00
1007	30	62,400.00	59,360.00	56,320.00	49,310.00
1008	31	63,194.00	60,087.00	56,980.00	49,805.00
1009	32	63,988.00	60,814.00	57,640.00	50,300.00
1010	33	64,782.00	61,541.00	58,300.00	50,795.00
1011	34	65,576.00	62,268.00	58,960.00	51,290.00
1012	35				
1013	& above	66,370.00	62,995.00	59,620.00	51,785.00

2015-2016 MINIMUM SALARY SCHEDULE

1015	Years				
1016	Exp.	AAAA	AAA	AA	A
1017	0	39,108.00	37,944.00	36,780.00	34,390.00
1018	1	39,108.00	37,944.00	36,780.00	34,390.00



1019	2	39,108.00	37,944.00	36,780.00	34,390.00
1020	3	39,902.00	38,671.00	37,440.00	34,885.00
1021	4	40,696.00	39,398.00	38,100.00	35,380.00
1022	5	41,490.00	40,125.00	38,760.00	35,875.00
1023	6	42,284.00	40,852.00	39,420.00	36,370.00
1024	7	43,078.00	41,579.00	40,080.00	36,865.00
1025	8	43,872.00	42,306.00	40,740.00	37,360.00
1026	9	44,666.00	43,033.00	41,400.00	37,855.00
1027	10	45,460.00	43,760.00	42,060.00	38,350.00
1028	11	46,254.00	44,487.00	42,720.00	38,845.00
1029	12	47,048.00	45,214.00	43,380.00	39,340.00
1030	13	47,842.00	45,941.00	44,040.00	39,835.00
1031	14	48,636.00	46,668.00	44,700.00	40,330.00
1032	15	49,430.00	47,395.00	45,360.00	40,825.00
1033	16	50,224.00	48,122.00	46,020.00	41,320.00
1034	17	51,018.00	48,849.00	46,680.00	41,815.00
1035	18	51,812.00	49,576.00	47,340.00	42,310.00
1036	19	52,606.00	50,303.00	48,000.00	42,805.00
1037	20	53,400.00	51,030.00	48,660.00	43,300.00
1038	21	54,194.00	51,757.00	49,320.00	43,795.00
1039	22	54,988.00	52,484.00	49,980.00	44,290.00
1040	23	55,782.00	53,211.00	50,640.00	44,785.00
1041	24	56,576.00	53,938.00	51,300.00	45,280.00
1042	25	59,430.00	56,725.00	54,020.00	47,835.00
1043	26	60,224.00	57,452.00	54,680.00	48,330.00



1044	27	61,018.00	58,179.00	55,340.00	48,825.00
1045	28	61,812.00	58,906.00	56,000.00	49,320.00
1046	29	62,606.00	59,633.00	56,660.00	49,815.00
1047	30	63,400.00	60,360.00	57,320.00	50,310.00
1048	31	64,194.00	61,087.00	57,980.00	50,805.00
1049	32	64,988.00	61,814.00	58,640.00	51,300.00
1050	33	65,782.00	62,541.00	59,300.00	51,795.00
1051	34	66,576.00	63,268.00	59,960.00	52,290.00
1052	35				
1053	& above	67,370.00	63,995.00	60,620.00	52,785.00

1054 It is the intent of the Legislature that any state funds made
1055 available for salaries of licensed personnel in excess of the
1056 funds paid for such salaries for the 1986-1987 school year shall
1057 be paid to licensed personnel pursuant to a personnel appraisal
1058 and compensation system implemented by the State Board of
1059 Education. The State Board of Education shall have the authority
1060 to adopt and amend rules and regulations as are necessary to
1061 establish, administer and maintain the system.

1062 All teachers employed on a full-time basis under a contract
1063 having a term of no less than the number of employment days
1064 required under Section 37-9-24 shall be paid a minimum salary in
1065 accordance with the above scale. However, no school district
1066 shall receive any funds under this section for any school year
1067 during which the local supplement paid to any individual teacher
1068 shall have been reduced to a sum less than that paid to that



1069 individual teacher for performing the same duties from local
1070 supplement during the immediately preceding school year. The
1071 amount actually spent for the purposes of group health and/or life
1072 insurance shall be considered as a part of the aggregate amount of
1073 local supplement but shall not be considered a part of the amount
1074 of individual local supplement.

1075 The level of professional training of each teacher to be used
1076 in establishing the salary allotment for the teachers for each
1077 year shall be determined by the type of valid teacher's license
1078 issued to those teachers on or before October 1 of the current
1079 school year. * * * However, school districts are authorized, in
1080 their discretion, to negotiate the salary levels applicable
1081 to * * * licensed employees who are receiving retirement benefits
1082 from the retirement system of another state, and the annual
1083 experience increment provided above * * * shall not be applicable
1084 to any such retired * * * licensed employee.

1085 (2) (a) The following employees shall receive an annual
1086 salary supplement in the amount of Six Thousand Dollars
1087 (\$6,000.00), plus fringe benefits, in addition to any other
1088 compensation to which the employee may be entitled:

1089 (i) Any licensed teacher who has met the
1090 requirements and acquired a Master Teacher certificate from the
1091 National Board for Professional Teaching Standards and who is
1092 employed by a local school board or the State Board of Education
1093 as a teacher and not as an administrator. Such teacher shall



1094 submit documentation to the State Department of Education that the
1095 certificate was received * * * before October 15 in order to be
1096 eligible for the full salary supplement in the current school
1097 year, or the teacher shall submit such documentation to the State
1098 Department of Education * * * before February 15 in order to be
1099 eligible for a prorated salary supplement beginning with the
1100 second term of the school year.

1101 (ii) A licensed nurse who has met the requirements
1102 and acquired a certificate from the National Board for
1103 Certification of School Nurses, Inc., and who is employed by a
1104 local school board or the State Board of Education as a school
1105 nurse and not as an administrator. The licensed school nurse
1106 shall submit documentation to the State Department of Education
1107 that the certificate was received before October 15 in order to be
1108 eligible for the full salary supplement in the current school
1109 year, or the licensed school nurse shall submit the documentation
1110 to the State Department of Education before February 15 in order
1111 to be eligible for a prorated salary supplement beginning with the
1112 second term of the school year. * * * However, * * * the total
1113 number of licensed school nurses eligible for a salary supplement
1114 under this subparagraph (ii) shall not exceed thirty-five (35).

1115 (iii) Any licensed school counselor who has met
1116 the requirements and acquired a National Certified School
1117 Counselor (NCSC) endorsement from the National Board of Certified
1118 Counselors and who is employed by a local school board or the



1119 State Board of Education as a counselor and not as an
1120 administrator. Such licensed school counselor shall submit
1121 documentation to the State Department of Education that the
1122 endorsement was received * * * before October 15 in order to be
1123 eligible for the full salary supplement in the current school
1124 year, or the licensed school counselor shall submit such
1125 documentation to the State Department of Education * * * before
1126 February 15 in order to be eligible for a prorated salary
1127 supplement beginning with the second term of the school year.
1128 However, any school counselor who started the National Board for
1129 Professional Teaching Standards process for school counselors
1130 between June 1, 2003, and June 30, 2004, and completes the
1131 requirements and acquires the Master Teacher certificate shall be
1132 entitled to the master teacher supplement, and those counselors
1133 who complete the process shall be entitled to a one-time
1134 reimbursement for the actual cost of the process as outlined in
1135 paragraph (b) of this subsection.

1136 (iv) Any licensed speech-language pathologist and
1137 audiologist who has met the requirements and acquired a
1138 Certificate of Clinical Competence from the American
1139 Speech-Language-Hearing Association and any certified academic
1140 language therapist (CALT) who has met the certification
1141 requirements of the Academic Language Therapy Association and who
1142 is employed by a local school board or is employed by a state
1143 agency under the State Personnel Board. The licensed



1144 speech-language pathologist and audiologist and certified academic
1145 language therapist shall submit documentation to the State
1146 Department of Education that the certificate or endorsement was
1147 received before October 15 in order to be eligible for the full
1148 salary supplement in the current school year, or the licensed
1149 speech-language pathologist and audiologist and certified academic
1150 language therapist shall submit the documentation to the State
1151 Department of Education before February 15 in order to be eligible
1152 for a prorated salary supplement beginning with the second term of
1153 the school year. However, the total number of certified academic
1154 language therapists eligible for a salary supplement under this
1155 paragraph (iv) shall not exceed twenty (20).

1156 (b) An employee shall be reimbursed for the actual cost
1157 of completing each component of acquiring the certificate or
1158 endorsement, excluding any costs incurred for postgraduate
1159 courses, not to exceed Five Hundred Dollars (\$500.00) for each
1160 component, not to exceed four (4) components, for a teacher,
1161 school counselor or speech-language pathologist and audiologist,
1162 regardless of whether or not the process resulted in the award of
1163 the certificate or endorsement. A local school district or any
1164 private individual or entity may pay the cost of completing the
1165 process of acquiring the certificate or endorsement for any
1166 employee of the school district described under paragraph (a), and
1167 the State Department of Education shall reimburse the school
1168 district for such cost, regardless of whether or not the process



1169 resulted in the award of the certificate or endorsement. If a
1170 private individual or entity has paid the cost of completing the
1171 process of acquiring the certificate or endorsement for an
1172 employee, the local school district may agree to directly
1173 reimburse the individual or entity for such cost on behalf of the
1174 employee.

1175 (c) All salary supplements, fringe benefits and process
1176 reimbursement authorized under this subsection shall be paid
1177 directly by the State Department of Education to the local school
1178 district and shall be in addition to its * * * adequate education
1179 program allotments and not a part thereof in accordance with
1180 regulations promulgated by the State Board of Education. Local
1181 school districts shall not reduce the local supplement paid to any
1182 employee receiving such salary supplement, and the employee shall
1183 receive any local supplement to which employees with similar
1184 training and experience otherwise are entitled. However, an
1185 educational employee shall receive the salary supplement in the
1186 amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the
1187 qualifying certifications authorized under paragraph (a) of this
1188 subsection. No school district shall provide more than one (1)
1189 annual salary supplement under the provisions of this subsection
1190 to any one individual employee holding multiple qualifying
1191 national certifications.

1192 (d) If an employee for whom such cost has been paid, in
1193 full or in part, by a local school district or private individual



1194 or entity fails to complete the certification or endorsement
1195 process, the employee shall be liable to the school district or
1196 individual or entity for all amounts paid by the school district
1197 or individual or entity on behalf of that employee toward his or
1198 her certificate or endorsement.

1199 (3) The following employees shall receive an annual salary
1200 supplement in the amount of Four Thousand Dollars (\$4,000.00),
1201 plus fringe benefits, in addition to any other compensation to
1202 which the employee may be entitled:

1203 Effective July 1, 2016, if funds are available for that
1204 purpose, any licensed teacher who has met the requirements and
1205 acquired a Master Teacher Certificate from the National Board for
1206 Professional Teaching Standards and who is employed in a public
1207 school district located in one (1) of the following counties:

1208 Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma,
1209 Leflore, Quitman, Sharkey, Issaquena, Sunflower and Washington.

1210 The salary supplement awarded under the provisions of this
1211 subsection (3) shall be in addition to the salary supplement
1212 awarded under the provisions of subsection (2) of this section.

1213 Teachers who meet the qualifications for a salary supplement
1214 under this subsection (3) who are assigned for less than one (1)
1215 full year or less than full time for the school year shall receive
1216 the salary supplement in a prorated manner, with the portion of
1217 the teacher's assignment to the critical geographic area to be
1218 determined as of June 15th of the school year.



1219 (4) (a) This section shall be known and may be cited as the
1220 "Mississippi Performance-Based Pay (MPBP)" plan. In addition to
1221 the minimum base pay described in this section, only after full
1222 funding of MAEP and if funds are available for that purpose, the
1223 State of Mississippi may provide monies from state funds to school
1224 districts for the purposes of rewarding * * * licensed teachers,
1225 administrators and nonlicensed personnel at individual schools
1226 showing improvement in student test scores. The MPBP plan shall
1227 be developed by the State Department of Education based on the
1228 following criteria:

1229 (i) It is the express intent of this * * *
1230 subsection that the MPBP plan shall utilize only existing
1231 standards of accreditation and assessment as established by the
1232 State Board of Education.

1233 (ii) To ensure that all of Mississippi's teachers,
1234 administrators and nonlicensed personnel at all schools have equal
1235 access to the monies set aside in this section, the MPBP program
1236 shall be designed to calculate each school's performance as
1237 determined by the school's increase in scores from the prior
1238 school year. The MPBP program shall be based on a standardized
1239 scores rating where all levels of schools can be judged in a
1240 statistically fair and reasonable way upon implementation. At the
1241 end of each year, after all student achievement scores have been
1242 standardized, the State Department of Education shall implement
1243 the MPBP plan.



1244 (iii) To ensure all teachers cooperate in the
1245 spirit of teamwork, individual schools shall submit a plan to the
1246 local school district to be approved before the beginning of each
1247 school year beginning July 1, 2008. The plan shall include, but
1248 not be limited to, how all teachers, regardless of subject area,
1249 and administrators will be responsible for improving student
1250 achievement for their individual school.

1251 (b) The State Board of Education shall develop the
1252 processes and procedures for designating schools eligible to
1253 participate in the MPBP. State assessment results, growth in
1254 student achievement at individual schools and other measures
1255 deemed appropriate in designating successful student achievement
1256 shall be used in establishing MPBP criteria. The State Board of
1257 Education shall develop the MPBP policies and procedures and
1258 report to the Legislature and Governor by December 1, 2006.

1259 (5) (a) Beginning in the 2008-2009 school year, if funds
1260 are available for that purpose, each school in Mississippi shall
1261 have mentor teachers, as defined by Sections 37-9-201 through
1262 37-9-213, who shall receive additional base compensation provided
1263 for by the State Legislature in the amount of One Thousand Dollars
1264 (\$1,000.00) per each beginning teacher that is being mentored.
1265 The additional state compensation shall be limited to those mentor
1266 teachers that provide mentoring services to beginning teachers.
1267 For the purposes of such funding, a beginning teacher shall be
1268 defined as any teacher in any school in Mississippi that has less



1269 than one (1) year of classroom experience teaching in a public
1270 school. For the purposes of such funding, no full-time academic
1271 teacher shall mentor more than two (2) beginning teachers.

1272 (b) To be eligible for this state funding, the
1273 individual school must have a classroom management program
1274 approved by the local school board.

1275 (6) Effective with the 2014-2015 school year, the school
1276 districts participating in the Pilot Performance-Based
1277 Compensation System pursuant to Section 37-19-9 may award
1278 additional teacher and administrator pay based thereon.

1279 **SECTION 8.** This act shall take effect and be in force from
1280 and after July 1, 2018.

